

City of Greenleaf

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Staff Report

Meeting Date: 16 August 2023
To: Planning and Zoning Commission
From: Amy Woodruff, Zoning Officials
Lee C. Belt, Assistant Zoning Official

Applicant: Ismael & Emmet Pedraza

Requested Actions:

- Zoning Map Amendment
- Rezone from Neighborhood Commercial (NC) to Community Commercial (CC)
- Rezone from Residential R-5 to Community Commercial (CC)

Location: 21705 Main Street

Correspondence / Attachments: Public Notice: Legal Proof
Public Notice: Agency Review
Public Notice: 300 ft Mailing
Public Notice: Agenda Locations
Public Notice: On-site Sign Picture
Paid invoice for Rezone Fee
Written Comment: Boise Project
Written Comment: Idaho DEQ
Written Comment: CC Weed & Pest
Written Comment: COMPASS

Development Data: **Zoning:** Neighborhood Commercial
Lot Size: 3.55 acre (r36292, 21705 Main)
3.62 acre (r36286)

Public Notice: Publication: 30 July 2023, Idaho Press-Tribune
Mailing for Agency Review: 03 August 2023
Mailing to 300 ft Properties: 03 August 2023
Posted at Agenda posting sites: 04 August 2023
On-site sign: 11 August 2023

Applicable Code: The following Greenleaf Code (GC) appears to be applicable to the applicant's zoning request and processing the rezone (Zoning Map Amendment) application:

GC §9-4-1 Commercial and Overlay Zones: Purpose and Intent
GC §9-4-2 Commercial and Overlay Zones: Commercial Use Regulations
GC §9-4-3 Commercial and Overlay Zones: Commercial Zone General Development Standards
GC §9-4-4 Commercial and Overlay Zones: Commercial Zone Special Development Standards
GC §9-13-5: Zoning Map Amendments
GC §9-13-5-1: Procedure for Amendments to the Land Use Development Ordinance or Zoning Map
GC §9-13-5-3 Application for Zoning Map Amendments
GC §9-13-7: Development Agreements; Zoning Actions
GC §9-15-1: Application; General Procedures
GC §9-15-2: Preliminary Development Plan Review
GC §9-15-3: Date and Notice of Public Hearing
GC §9-15-4: Conduct of Hearings
GC §9-15-5: Action by the Commission
GC §9-15-6: Notification to Applicant
GC §9-15-7: Action by the City Council
GC §9-15-8: Appeal or Request for Hearing by Aggrieved Persons

9-4-1: PURPOSE AND INTENT: The Greenleaf area comprehensive plan details the goals, objectives and policies for the city's commercial areas, including the preservation of community character and enhancement of existing commercial districts. It is the purpose of this chapter to implement the plan's vision through development regulations that allow for a variety of retail and service opportunities for residents and visitors to Greenleaf.

A. Neighborhood Commercial (NC) Zone: The NC land use designation is intended to provide retail and service establishments that are within easy walking distance from residential neighborhoods. These convenient commercial uses should integrate within a quiet, smaller scale pedestrian environment. The lot size shall be a minimum of five thousand (5,000) square feet.

B. Community Commercial (CC) Zone: The CC land use designation supports general commercial uses that serve the greater community of Greenleaf. These retail and service establishments may be auto oriented and require a larger lot

area. The lot size shall be a minimum of twelve thousand (12,000) square feet.

C. Central Business District (CBD) Zone: The CBD land use designation is the least intense commercial designation in the city and is intended to preserve and enhance the Greenleaf downtown area. A variety of retail and service establishments associated with the traditional main street environment are permitted. The design of each structure must further the quality of the historic area. The lot size shall be a minimum of three thousand (3,000) square feet.

D. Airpark Commercial (AC) Zone. The AC land use designation is intended to support flexibility for all commercial uses of land that are reasonably required for, or which would enhance the operation of, a private airpark. Certain uses are excluded while uses allowed in other commercial zones are permitted or allowed with an administrative permit. Simultaneous single-family residential use is permitted as controlled by CC&R's. The lot size shall be a minimum of 5,000 square feet.

E. Agriculture (AG) Zone: The AG land use designation is intended to provide a designation for agricultural areas within the city limits that are left to be redeveloped to more traditionally urban uses in the future.

F. Civic Overlay (CV) Zone: The CV land use designation is intended to provide for governmental offices and other civic facilities which can be designated as an overlay zone in any zoning district in the city. This includes governmental, cultural and recreational facilities.

G. Residential Airpark Overlay (AP) Zone: The AP land use designation is intended for use by an airpark and the surrounding related facilities and properties. (Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-4-2: COMMERCIAL USE REGULATIONS:

A. Permitted And Conditionally Permitted Uses: The uses identified in table 9-4-2, "Permitted And Conditionally Permitted Uses Within Commercial Zones", of this subsection shall be the primary uses allowed to occur on a property. All uses unless otherwise provided for in this title shall be conducted within enclosed structures. All uses not listed in table 9-4-2 of this subsection shall require a conditional use permit. The primary uses identified in table

9-4-2 of this subsection, shall be permitted or conditionally permitted as indicated.

P	Where the symbol P appears, the use shall be permitted.
A	Where the symbol A appears, the use shall be permitted subject to the issuance of an administrative permit in accordance with chapter 13 of this title.
C	Where the symbol C appears, the use shall be permitted subject to the issuance of a conditional use permit in accordance with chapter 13 of this title.
X	Where the symbol X appears, the use shall not be permitted.

TABLE 9-4-2
PERMITTED AND CONDITIONALLY PERMITTED
USES WITHIN COMMERCIAL ZONES

Allowed Use	NC	CC	CBD	AG	AC
Airplane manufacturing	X	X	X	X	A
Airplane modification, rental, repair, sales	X	X	X	X	A
Adult entertainment establishment	X	X	X	X	X
Amusement or recreation facility, indoor	P	P	C	X	P
Amusement or recreation facility, outdoor	C	C	C	C	A
Animal boarding with outside runs	C	P	C	C	C
Animal clinic, animal hospital, or veterinary office	P	P	P	C	C
Auction establishment, outdoor	C	C	C	C	A
Automobile, major repair	X	P	X	X	C
Automobile or recreational vehicle sales or service	C	P	X	X	P
Automobile storage, rental	C	P	X	X	P
Bakery or bakery goods store	C	C	P	X	A
Bank	P	P	P	X	A
Bar, brewpub, or nightclub	X	X	X	X	X
Barber, beauty shop	P	P	X	X	P
Bed and breakfast establishment	C	C	P	C	P
Boarding house	C	C	C	X	C
Bowling alley	P	C	X	X	X
Campground	X	C	X	C	A
Car wash	C	C	P	C	A
Cemetery	X	P	X	X	X

Church	P	P	P	C	A
Clinic, medical (excluding animal or veterinary)	P	P	P	X	P
Club, or lodge or social hall	C	C	C	C	A
Contractor's yard or shop	X	P	X	X	A
Crematory	X	C	X	X	X
Daycare facility	P	P	C	C	A
Drive-in theater	C	C	C	X	X
Drive-up window service	C	C	C	X	C
Drugstore	X	P	P	X	P
Dry cleaning facility	C	C	C	X	C
Dwelling, caretaker for an approved use	A	A	A	A	P
Equipment rental and sales yard	P	C	P	X	A
Farm, garden, lumber, or building supply store	X	C	P	X	A
Fence, barbed wire or electric wire	C	C	C	X	A
Fire station/emergency services facility	C	C	C	C	P
Food stand	P	P	P	X	A
Frozen food locker	C	C	P	X	C
Fuel cell	A	A	A	A	A
Furniture refinishing	C	C	P	X	A
Gasoline or diesel fuel sales facility	C	C	C	C	A
Grain storage	X	X	X	C	X
Heavy equipment sales or service	X	C	X	C	X
Hospital	C	C	C	X	X
Hotel or motel	C	C	X	X	A
Ice manufacture, cold storage plant	P	P	C	X	C
Indoor shooting range	C	C	C	C	A
Kennel, commercial	C	C	X	P	C
Laboratory; medical, dental, optical	P	P	C	X	A
Laundromat	C	C	C	X	C
Library	P	P	P	X	A
Lumberyard, retail	C	P	X	X	X
Machine shop	C	P	P	P	P
Manufactured home storage	X	C	X	X	X
Monument works/decorative stone	C	C	C	C	C
Mortuary	C	C	C	X	X
Multi-family development	C	C	C	X	C
Nursery, retail (only)	P	P	P	C	P
Off street parking facility	C	P	C	C	X

Office building	P	P	P	A	P
Office, temporary construction	A	A	A	A	P
Outdoor shooting range	X	X	X	C	A
Outdoor storage	C	A	X	A	A
Package and letter delivery service	C	P	C	X	P
Parking lot, garage or facility	C	P	C	X	A
Photography studio	P	P	P	C	P
Portable classroom	C	A	A	A	A
Professional service	P	P	P	C	P
Public or quasi-public use	C	C	C	P	A
Public parks, recreation areas, easements, trails	P	P	P	P	P
Radio and television broadcasting station	C	C	C	C	C
Recreational vehicle park	C	C	C	C	A
Recycling center	X	C	X	X	C
Research and development facility	X	P	C	C	A
Residential care facility	C	C	C	C	A
Restaurant or eating place	C	C	P	C	P
Retail sales relating to a permitted or approved use	A	A	A	C	P
Retail store	P	P	P	C	A
School, public or private	C	P	P	C	A
School, vocational or trade	C	C	C	C	A
Service station	C	C	P	C	C
Spa/health club	P	P	P	C	P
Storage facility, self-service	C	P	X	C	A
Studio (music, art, dance)	P	P	P	C	P
Tire shop	C	C	X	X	A
Tower or antenna structure, commercial	C	C	C	C	C
Tower or antenna structure, private	C	C	C	C	A
Trailer, mobile home, farm implement sales yard	C	C	C	C	X
Transit facility	C	C	C	C	C
Truck stop	X	C	X	C	C
Video sales and rental	P	P	P	X	P
Warehousing	X	C	C	C	A

(Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-4-3: COMMERCIAL ZONE GENERAL DEVELOPMENT STANDARDS: The following property development standards shall apply to all land and permitted or conditionally permitted buildings located within their respective commercial zones. Table 9-4-3 of this section

presents minimum setbacks for commercial zones and table 9-4-4 of this section presents dimensional standards. Chapter 9 of this title provides special provisions for planned unit developments.

TABLE 9-4-3
MINIMUM SETBACKS BY COMMERCIAL ZONE

Minimum Setback S ₁	NC		CC		CBD		AC	
	Standard	Abutting Residential	Standard	Abutting Residential	Standard	Abutting Residential	Standard	Abutting Residential
Front yard setback	20'	20'	20'	20'	5'	15'	5'	15'
Side street setback	20'	20'	20'	20'	5'	15'	5'	15'
Interior side yard setback	5'	10'	0'	20'	0'	10'	0'	10'
Rear yard setback	0'	20'	0'	20'	0'	10'	0'	10'

Note: 1 The front and side street setbacks shall be as set forth in the abutting residential district with the most restrictive standards. The interior side setback and rear yard setback in abutting residential may be "0" for townhouses, tracts, or above store apartments. (Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

TABLE 9-4-4
DIMENSIONAL STANDARDS BY COMMERCIAL ZONE

Dimensional Standards	NC	CC	CBD	AC
Minimum property size	5,000 sq. ft.	12,000 sq. ft.	3,000 sq. ft.	5,000 sq. ft.
Maximum coverage for building, required sidewalk, and parking	80 percent	80 percent	90 percent	90 percent
Maximum structure height (from existing grade)	35 feet	35 feet	35 feet	35 feet
Minimum street frontage	30 feet	30 feet	30 feet	30 feet
Minimum property depth	75 feet	100 feet	50 feet	75 feet

Note:

1. This requirement may be modified if requested as part of an approved final plat.

(Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-4-4: COMMERCIAL ZONE SPECIAL DEVELOPMENT STANDARDS:

A. Screening: Mechanical equipment, waste collection containers, and other unsightly appurtenances shall be fenced or screened from public view.

B. Buffers: When abutting a residential zone, a commercial use shall be responsible for buffering the residential area from noise, vehicle headlight glare, dust or other impacts with walls, fences or vegetative barriers sufficient to mitigate those impacts. Prior to the issuance of a building permit for construction on such abutting commercial zone, a site plan for buffering shall be submitted to the zoning official for approval; an approved buffering plan shall be a condition of the building permit; its approval may be combined with the approval of a subdivision or of a zoning map amendment.

C. Sidewalks, Curbs And Gutters: Sidewalks, curbs and gutters are required as provided for in this title.

D. Maximum Height: All structures including, but not limited to, buildings, antennas, poles or other permanent assembly, cannot exceed a total of thirty five feet (35') in height from the adjacent road grade exclusive of imported fill or movement of material from the site, or the sidewalk, whichever is lower.

E. For an Airpark Commercial zone:

1. All applications to amend the zoning map to designate the applicant's property Airpark Commercial on said map shall be accompanied by a development agreement application as provided in chapter 11, title 9, Greenleaf City Code. Where the property subject to the application is subject to a then-existing development agreement, the application shall so note and include a copy of such development agreement and the development agreement application filed pursuant to this section will result in an amended development agreement pursuant to chapter 11, title 9, Greenleaf City Code. All decisions granting an application to designate property Airpark Commercial shall be contingent upon the execution and recordation of a

development agreement or amended development agreement.

2. In addition to those requirements of a development agreement identified in GCC § 9-10-03, any application to amend the zoning map to designate the applicant's property Airpark Commercial on said map shall also be accompanied by a development plan consisting of drawings and supplementary written material as provided in CGG § 9-9-11.

3. Upon the designation of the applicant's property as Airpark Commercial on the zoning map, and before any permits authorizing development shall be approved on said property, the Developer shall ensure that an Architectural Review Committee is established and has the authority to provide written support for a use requiring an Administrative Permit pursuant to this Section.

4. Application for an Administrative Permit for an allowed use on land designated as Airpark Commercial on the city zoning map shall be made according to the provisions of chapter 13, title 9, Greenleaf City Code. In addition to the provisions of chapter 13, title 9, Greenleaf City Code, applications for an Administrative Permit shall (a) identify, with reference to supporting materials, the manner in which the applied-for use will enhance a community air park; (b) be accompanied by a design review approval pursuant to chapter 16, title 9, Greenleaf City Code; and (c) include a written statement of support by the Architectural Review Committee. The applicant bears the burden to demonstrate to the satisfaction of the Zoning Official or his or her designee that the applied-for use will conform to the provisions of GCC § 9-4-01.D. If the Zoning Official finds all requirements are met he or she (or his or her designee) shall grant the permit. Appeal shall be as provided in GCC § 9-4-01.10. (Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-13-5: ZONING MAP AMENDMENTS: Amendments to the zoning map may be initiated by the council, by the commission, or by persons or entities that have an existing majority interest by area in the property proposed to be rezoned by the amendment. (Ord. 205, 10-25-2006)

9-13-5-1: PROCEDURE FOR AMENDMENTS TO THE LAND USE DEVELOPMENT ORDINANCE OR ZONING MAP:

A. An application shall be filed in triplicate.

B. The applicant may be required to submit an environmental assessment prior to approval of a zoning map change, when in the judgment of the commission the change would permit operations, materials, or activities which would constitute a potential threat to public health, safety and welfare or to the quality of the environment. When requiring such an assessment, the precise nature of the items to be included in the environmental assessment shall be indicated. The commission may require that the assessment be over the signature and stamp (where applicable) of one or more individuals or firms with demonstrated professional competence to make such an assessment.

C. Upon receipt of a request for amendment to the land use development ordinance, or for amendments of the zoning map, the commission shall:

1. Determine if the proposed change would also require an amendment to the comprehensive plan. The legal notice for public hearing may include notice for the proposed changes to both the comprehensive plan and the land use development ordinance.

2. Set the date for and hold a public hearing and subsequently make recommendations to the council for approval or denial of the request in accordance with the provisions set forth in chapter 15, "Procedures, Appeals And Action", of this title.

D. Pay fees (see section 9-13-3-1 of this chapter). (Ord. 205, 10-25-2006)

9-13-5-3: APPLICATION FOR ZONING MAP AMENDMENTS: Applications for amendments to the zoning map and/or comprehensive plan shall contain at least the following information:

A. Name, address and telephone number of applicant.

B. Proposed amending ordinance and map, approved as to form by the city attorney.

C. Present land use.

D. Present zoning classification.

E. Proposed use by reason of which map amendment is sought.

F. Proposed zoning classification.

G. A vicinity map at a scale to sufficiently illustrate the property in question and surrounding properties, road and geographical features and including the following:

1. North arrow.
2. Scale.
3. Names of adjacent property owners on the respective parcels.
4. Existing and proposed zoning.
5. Other information as the commission may require.

H. A list of all property owners and their mailing addresses, owning property any part of which is within, or within three hundred feet (300') of, the external boundaries of the land being considered, according to Canyon County assessor.

I. A statement how the proposed changes relate to the comprehensive plan, availability of public facilities and compatibility with the surrounding area.

J. An environmental assessment, in the event requested by the commission, complying with section 9-13-3-2 of this chapter.

K. Fees shall be paid by the applicant at the time of filing an application. Fees shall be in accordance with a fee schedule established periodically by the council by resolution.

L. Such further information shall be submitted as the commission, upon examination of the application, may require. (Ord. 205, 10-25-2006)

9-13-7: DEVELOPMENT AGREEMENTS; ZONING ACTION: A rezoning may be made upon the condition that the applicant and the property owner, if a different person, make one or more written commitments concerning the use or development of the subject parcel, as follows:

A. Subject to the remainder of this section, a zoning map amendment may include and be subject to a written development agreement setting out commitments by the

applicant and the owner of the property that restrict structures, or the use of land or structures, to a greater degree than otherwise provided for within a use district affected by the amendment.

B. A written development agreement may include commitments for one or more of the following purposes:

1. To prohibit structures, or uses of land or structures, that would adversely affect the surrounding neighborhood or conflict with the comprehensive plan;
2. To conform the zoning map amendment to the comprehensive plan;
3. To conform development under the zoning map amendment to existing patterns of development in the surrounding neighborhood;
4. To mitigate the adverse effects of development under the zoning map amendment on the surrounding neighborhood and on public facilities and services; or
5. To narrow the permitted uses in the zoning district to the end that what is permitted to occur is that which is represented by the applicant to be the purpose of the amendment.

C. A development agreement shall set out commitments to do one or more of the following:

1. Limit residential density; or prohibit structures, or uses of land or structures, otherwise permitted in a use district;
2. Require compliance with a specific area plan, and/or design standards, for structures and other site features;
3. Require compliance with a site plan approved by the council either in conjunction with the rezoning or under the procedures for a conditional use;
4. Require the construction and installation of improvements, including public improvements; or
5. Impose time limits for taking subsequent development actions.

D. A zoning action subject to a development agreement shall be identified on the zoning map by the suffix "DA", and the number of the ordinance applying the development agreement.

E. Where a commitment in a development agreement conflicts with any less restrictive provision of this title, the commitment governs.

F. The development agreement may be suggested by the applicant as part of the application for the zoning map amendment, or may be suggested by the commission or council. A development agreement may not be imposed without the consent of both the owner of the property and the council. The negotiation of a development agreement, and its signature by the applicant and the owner, does not commit the council to the adoption of the zoning map amendment; a zoning map amendment subject to a development agreement, in turn, shall not be effective until such time as all parties have signed the development agreement, and a notice of development agreement has been recorded.

G. The development agreement shall take the form of a written contract between the owner, the applicant (if not the owner), and the city of Greenleaf, setting out the commitments in a form satisfactory to the zoning official and the city attorney.

H. The applicant shall provide the necessary fees to the city to pay all costs of preparing the development agreement, and a reasonable processing fee set by resolution of the council.

I. A development agreement may be modified, or terminated, only in accord with notice and hearing according to the procedures for a conditional use.

J. A breach of a development agreement by the owner or occupant of the affected land is a violation of this title.

K. A development agreement shall terminate, and the zoning map amendment of which it is a part shall be reversed, upon the expiration of a therein stated time during which the rezoning was to have been exercised in accord with the development agreement, without such an exercise having been made. Such a nonexercise, or a failure by the owner to meet conditions in the development agreement, is, by Idaho Code, consent of the owner to a rezone of the subject parcel to the zone in which it was classified prior to the zoning map amendment which gave rise to the development agreement. In

the event of such a rezone, nothing located or done on the subject parcel shall thereby be deemed a nonconforming use or structure (as opposed to an illegal use or structure), unless it was a nonconforming use or structure prior to the zoning map amendment which gave rise to the development agreement.

L. When executed, a notice of decision, findings of fact and conclusions of law of the council shall be recorded at the applicant's expense in the office of the recorder for Canyon County. (Ord. 205, 10-25-2006)

9-15-1: APPLICATION; GENERAL PROCEDURES: The application for a variance, a conditional use permit, a planned unit development, or approval of a subdivision must include an affidavit of the owner of the property affected, agreeing to submit the application. Upon receipt or initiation of an application for an amendment of this title, a zoning map amendment (except a legislative rather than quasi-judicial revision of the zoning map), a variance, a planned unit development, or a conditional use permit, a subdivision application, or upon receipt of an appeal by aggrieved persons, the following procedures in this chapter apply. Verification that all outstanding taxes and assessments levied by political subdivisions have been paid on the property included in the application is required.

Applications for vacation of plats, utility easements, and right-of-way shall be processed in accordance with Idaho Code §50-1306:A. (Ord. 205, 10-25-2006, Amd. Ord 264, 09-01-2015)

9-15-2: PRELIMINARY DEVELOPMENT PLAN REVIEW: The applicant will present to the zoning official and commission, at a scheduled meeting, but a nonpublic hearing, a preliminary development plan for review and discussion. All materials to be reviewed and discussed shall be provided, or be available, to commission members at a regular scheduled meeting of the commission. (Ord. 205, 10-25-2006)

9-15-3: DATE AND NOTICE OF PUBLIC HEARING:

A. The date for public hearings shall be fixed by the commission within a reasonable time and in no event shall the date be set later than seventy five (75) days after the receipt of a complete application and all necessary documents pertinent thereto. The commission, through the zoning official, shall give public notice at least fifteen (15) days prior to the hearing date in the official newspaper of the city and provide notice by regular first class U.S. mail or personal delivery to each owner of

property of record, any of which is located within three hundred feet (300') of the exterior boundary of the subject property, and to all others as required by state law to be entitled to notice. Notice may be made available to all radio stations within the county for use as a public service announcement.

B. If, during the preliminary review of the proposed project, the commission decides that a greater number of property owners, or owners within properties more than three hundred feet (300'), should be noticed, the commission will so advise the applicant of the decision and the additional notices required.

C. The applicant shall post notice conspicuously on the premises which is the subject of the application, not less than fifteen (15) days prior to the hearing date. The applicant shall provide photographic evidence of such notice to the zoning official.

D. Fees shall be paid by the applicant at the time of filing an application. Fees shall be in accordance with a fee schedule established periodically by the council by resolution. These fees shall include costs of publication, mailing fees, any application fees and other charges as may be set by the council by resolution or incurred by the city. (Ord. 205, 10-25-2006)

9-15-4: CONDUCT OF HEARINGS: The commission and/or council shall conduct all public hearings under this title as follows:

A. A sign-in roster may be kept at the entrance to the hearing room for all persons who wish to testify at the hearing on a particular application or issue.

B. The chair of the meeting shall conduct the hearing in accordance with the "Robert's Rules Of Order", newly revised, or its most recent revision.

C. A transcribable record shall be taken and maintained, including audio and written.

D. The chair shall call upon the zoning official or staff to make preliminary presentation of facts and recommendations to the commission or council, including a summary of any comments or recommendations from other agencies.

E. The chair shall then invite the applicant to make a presentation of the proposal to the commission or council.

F. Every document or tangible thing referred to by any person during testimony (including charts, maps, photographic evidence or any other evidence) shall be entered into the record of the proceeding. Such exhibits shall be maintained at the office of the city clerk during the appeal period, and if incorporated into or referenced by a condition of approval, thereafter for as long as necessary to ensure conformance.

G. After the zoning official or staff presentation and presentation by the applicant, the chair shall open the hearing for public testimony and shall invite the public to address the commission or council. If in the opinion of the chair the number of persons testifying is so large as to unduly delay the process of the hearing, the chair may limit public testimony to three (3) minutes or such other time for each member of the public.

H. All persons testifying before the commission or council shall state, for the record, their full name and address.

I. Members of the commission, council or the attorney assigned to advise the commission or council may question any person who testified at any time or may, upon approval of a majority of the members present, recall a person for further testimony.

J. Before the close of the public testimony, the chair shall ask if any person attending the hearing who did not sign the roster wishes to be heard and any such person shall be given one opportunity to testify.

K. At the close of public testimony the chair shall solicit comments from zoning official or staff for additional facts or clarifications as a result of the testimony given. After comments from zoning official or staff, the applicant or appellant shall be given an opportunity to address final comments to the commission or council.

L. After all testimony, the chair shall declare the public hearing closed and shall bring the matter back before the commission or council for discussion and action. Audience participation ceases at that time. The public hearing may be continued upon motion to a date certain which shall be announced to the public there assembled.

M. The discussion and decision may be deferred until another date certain which shall be then announced to the public there assembled. (Ord. 205, 10-25-2006)

9-15-5: ACTION BY THE COMMISSION: Within forty five (45) working days after the public hearing, the commission shall recommend to the council either approval, conditional approval, or disapproval of an application; or, in the case of preliminary approval of a subdivision plat, make its decision to approve or not to approve such plat, with or without conditions. Upon making a recommendation, granting or denying an application, the commission shall specify in the minutes, and forward to the council, findings of fact and conclusions of law which shall include:

A. The ordinance and standards used in the evaluation of the application;

B. The manner in which the applicant complies or does not comply with the standards used in evaluating the application;

C. The reasons for the recommendation upon, or approval or denial of the application; and

D. The conditions, if any, upon which a recommendation or an approval was made. (Ord. 205, 10-25-2006)

9-15-6: NOTIFICATION TO APPLICANT: Within twenty (20) working days after a recommendation has been made or a decision has been rendered, the zoning official shall provide the applicant with written notice of the action. (Ord. 205, 10-25-2006)

9-15-7: ACTION BY THE CITY COUNCIL:

A. If a hearing before the council is required, notice shall be given to the public at least fifteen (15) calendar days prior to the hearing date, by publication, in the official newspaper of the city.

B. The council, through the zoning official, shall provide notice by regular first class U.S. mail or personal delivery to each owner of property of record, any of which is located within three hundred feet (300') of the exterior boundary of the subject property, and to all others as required by state law to be entitled to notice. Notice may be made available to all radio stations within the county for use as a public service announcement.

C. The applicant shall post notice conspicuously on the premises which is the subject of the application, not less than fifteen (15) days prior to the hearing date. The applicant shall provide photographic evidence of such notice to the zoning official.

D. When a second hearing is required under any circumstances, the applicant shall pay a second filing fee, in addition to the postage and publication fees for the second hearing.

E. If an amendment to the zoning map or a planned unit development is proposed with respect to lands in the impact area, and the action proposed would be of legislative, rather than quasi-judicial scope as those terms are understood in land use planning law, then final action must also include approval of the amendment or proposal by the board, whether by identical county ordinance or by county ordinance referring to the city ordinance, after public hearing conducted jointly with the council. Nothing in this subsection shall be read to preclude approval by both council and board where doubt exists as to the legislative or quasi-judicial character of a particular action respecting the zoning map or planned unit development. (Ord. 205, 10-25-2006)

9-15-8: APPEAL OR REQUEST FOR HEARING BY AGGRIEVED PERSONS:

A. An aggrieved person may appeal a commission decision, by filing a notice of appeal in writing with the city clerk no later than ten (10) days after the commission action. When such notice of appeal or request is received, proceedings before the council shall be on the record made below. A notice of appeal shall set out with particularity the decision or part thereof from which the appeal is being taken, and whether or not facts found by the commission are disputed by appellant. Mere recommendations by the commission are not appealable.

B. The council shall put the matter down on its agenda upon a date certain for the consideration of written and oral arguments; notice of such hearing shall be provided to appellant no later than fifteen (15) days before the hearing; should appellant desire to file written arguments, appellant shall do so no later than seven (7) days prior to the hearing.

C. After the hearing has been held, the council may:

1. Grant or deny the appeal or the permit; or
2. Delay such decision for no longer than sixty (60) days for further study or hearing; provided, however, that the council must render a decision no later than sixty (60) days from the date of the hearing. (Ord. 205, 10-25-2006)

Code Analysis, Staff Findings and Notes:

- 1 The subject parcels r36292 and r36286 have two zones assigned to the parcels – Portions within 300 feet of Main Street (State Highway 19) are zoned Neighborhood Commercial, with the remaining portions zoned R-5 Residential.
- 2 The applicant had two process options for obtaining the desired use; To re-zone (zoning map amendment) from current zoning to Community Commercial zoning which includes the desired use in Table 9-4-2, or to seek a conditional use permit (CUP) under current zoning. Staff commends the applicant for choosing the better long-term process.
- 3 GC§9-4-4:B requires a buffering plan as a condition of building permit for commercial properties abutting a residential zone, to include mitigation of impacts such as noise, vehicle headlight glare, dust or other impacts with walls, fences or vegetive barriers sufficient to mitigate those impacts.
- 4 GC§9-4-4:C requires sidewalk, curbs, and gutters.
- 5 GC§9-13-5-1:B specifies that the applicant may be required to submit an environmental assessment prior to approval of a zoning map change, when in the judgment of the commission the change would permit operations, materials, or activities which would constitute a potential threat to public health, safety and welfare or to the quality of the environment.
- 6 GC§9-13-5-1:C specifies in part that the Commission shall: 1) Determine if the proposed change would also require an amendment to the comprehensive plan. Staff's conclusion is that the application does not require an amendment to the comprehensive plan as the applicant is not seeking an action which is outside the comprehensive plan as implemented in the city code.
- 7 GC§9-13-7 specifies that a rezoning may be made upon condition of a development agreement, with detail regarding such a written development agreement.

Council/Commission Code-directed Actions and Conditions:

9-15-5: ACTION BY THE COMMISSION: Within forty five (45) working days after the public hearing, the commission shall recommend to the council either approval, conditional approval, or disapproval of an application; or, in the case of preliminary approval of a subdivision plat, make its decision to approve or not to approve such plat, with or without conditions. Upon making a recommendation, granting or denying an application, the commission shall specify in the minutes, and forward to the council, findings of fact and conclusions of law which shall include:

- A. The ordinance and standards used in the evaluation of the application;
- B. The manner in which the applicant complies or does not comply with the standards used in evaluating the application;
- C. The reasons for the recommendation upon, or approval or denial of the application; and
- D. The conditions, if any, upon which a recommendation or an approval was made. (Ord. 205, 10-25-2006)

9-15-7: ACTION BY THE CITY COUNCIL:

- A. If a hearing before the council is required, notice shall be given to the public at least fifteen (15) calendar days prior to the hearing date, by publication, in the official newspaper of the city.
- B. The council, through the zoning official, shall provide notice by regular first class U.S. mail or personal delivery to each owner of property of record, any of which is located within three hundred feet (300') of the exterior boundary of the subject property, and to all others as required by state law to be entitled to notice. Notice may be made available to all radio stations within the county for use as a public service announcement.
- C. The applicant shall post notice conspicuously on the premises which is the subject of the application, not less than fifteen (15) days prior to the hearing date. The applicant shall provide photographic evidence of such notice to the zoning official.
- D. When a second hearing is required under any circumstances, the applicant shall pay a second filing fee,

in addition to the postage and publication fees for the second hearing.

E. If an amendment to the zoning map or a planned unit development is proposed with respect to lands in the impact area, and the action proposed would be of legislative, rather than quasi-judicial scope as those terms are understood in land use planning law, then final action must also include approval of the amendment or proposal by the board, whether by identical county ordinance or by county ordinance referring to the city ordinance, after public hearing conducted jointly with the council. Nothing in this subsection shall be read to preclude approval by both council and board where doubt exists as to the legislative or quasi-judicial character of a particular action respecting the zoning map or planned unit development. (Ord. 205, 10-25-2006)

Staff Recommendations (including any recommended conditions of approval):

- 1 Staff recommends that P&Z deliberations include separate and deliberate discussion and conclusion regarding topic areas A, B, C, & D of GC§9-15-5 (please see 'Council/Commission Code-directed Actions and Conditions' page 20 above).
- 2 Staff recommends P&Z discussion and determination regarding whether or not an environmental assessment is required per GC§9-13-5-1, specifying the precise nature of the items to be included in the environmental assessment and whether or not such an assessment must be over the signature and stamp (where applicable) of one or more individuals or firms with demonstrated professional competence to make such an assessment. If determined that an environmental assessment is required, then staff recommends that the public hearing be continued to a regular P&Z meeting within a specified time period to allow time for the applicant to submit the environmental assessment.
- 3 Staff recommends P&Z discussion and determination regarding whether or not the proposed change would also require an amendment to the comprehensive plan, per GC§9-13-5-1:C.
- 4 Staff recommends P&Z discussion and determination regarding whether or not the P&Z desires to recommend a development agreement to the City Council as a condition of approval per GC§9-13-7.
- 5 Staff recommends P&Z inclusion of the following recommended conditions of approval to the City Council:

- All requirements of Idaho Transportation Department (ITD) be met. An approach permit or encroachment permit from ITD is required as a condition of building permit.
- Requirement for a buffering plan per GC§9-4-4:B as a condition of building permit(s).
- Requirement for sidewalk, curb, and gutter along Main Street (State Highway 19) per GC§9-4-4:C as a condition of building permit(s).
- If a development agreement is determined desirable by the P&Z, then recommendation that the Council engage in negotiations of a development agreement with specific recommendations regarding such to the Council per GC§9-13-7:B purposes and GC§9-13-7:C commitments.



ADVERTISING PROOF

c/o ISj Payment Processing Center
 PO Box 1570,
 Pocatello, ID 83204
 Ph. (208) 465-8129 Fax: (907) 452-5054

BILLING DATE:	ACCOUNT NO:
07/25/23	19131

LEE BELT
 1 GREENLEAF, CITY OF
 20523 N. WHITTIER DR.
 GREENLEAF, ID 83626-9199

AD #	DESCRIPTION	START	STOP	TIMES	AMOUNT
402358	PH 8/15/2023 - LAND	07/30/23	07/30/23	2	\$137.61

Payments:

Date	Method	Card Type	Last 4 Digits	Check	Amount
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Discount:	\$0.00	Gross:	\$137.61
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00		

Amount Due:\$137.61

We Appreciate Your Business!

LEGAL NOTICE

**LAND USE APPLICATION
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning and Zoning Commission for the City of Greenleaf will hold a public hearing at 6:30 p.m. on 16 August 2023 at Greenleaf City Hall 20523 Whittier Drive, Greenleaf, Idaho to receive public input regarding:

DEVELOPMENT NAME/TYPE: 21705 Main Street (SH-19) RV & Storage Unit Facility / Zoning Map Amendment (re-zone) from neighborhood commercial (NC) to community commercial (CC).

DEVELOPER: Ismael & Emmet Pedraza

DESCRIPTION: We are interested in rezoning the Parcel situs address: 21705 Main Street Greenleaf Idaho 83626 (3.5500 acres and Main Street (3.6200 acres) from NC to CC; for the purpose of RV and Storage unit facility. (Excerpted from the application written narrative.)

LOCATION: Please see address and acre sizes given above. The 3.62 acre parcel does not have an address, but is contiguous and adjacent to 21705 Main Street (SH-19).

The application documentation is on file and available for public inspection at Greenleaf City Hall, 20523 N. Whittier Dr., ph. 208/454-0552, fax 208/454-7994. Any and all persons desiring to comment may appear and be heard at the appointed time. Written comments are encouraged and will be accepted until 5:00 p.m. on 21 August 2023.

NONDISCRIMINATION STATEMENT: In accordance with Federal law and U.S. Department of Agriculture policy, the City of Greenleaf is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.) If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

SPECIAL ACCOMMODATION: Any person with a disability may request a reasonable accommodation to make it easier to use City facilities or programs, or request that the City provide information in a different way. Details and Reasonable Accommodation Request Forms are available at City Hall (20523 Whittier Dr., Greenleaf, ID 83626). Those who have impaired hearing or speech may contact City Hall utilizing the Idaho Relay Service: TDD: (Toll Free) Dial 1, then 800-377-3529; VOICE: (Toll Free) Dial 1, then 800-377-1363, or 711.

Materials are available in Spanish upon request.

Los materiales están disponibles en español a pedido.

Lee C. Belt, Greenleaf City Clerk / Assistant Land Use Official

July 30, 2023

402358

BOISE PROJECT BOARD OF CONTROL
2465 OVERLAND
BOISE, IDAHO 83705-3155

IDAHO DEPT OF FISH & GAME
ATTN: BRANDON FLACK
15950 N. GATE BLVD
NAMPA, ID 83687

POLICE CHIEF DUSTY TVEIDT
CITY OF WILDER
P.O. BOX 687
WILDER, ID 83676

CALDWELL RURAL
FIRE PROTECTION DISTRICT
310 SOUTH 7TH AVENUE
CALDWELL, IDAHO 83605

IDAHO DEPARTMENT OF LANDS
954 WEST JEFFERSON
P.O. BOX 83720
BOISE, IDAHO 83720-0050

POSTMASTER
GREENLEAF, IDAHO 83626

CANYON COUNTY
DEVELOPMENT SERVICES
111 N. 11TH AVE. ROOM #140
CALDWELL ID 83605

IDAHO DEPARTMENT
OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, ID 83705-5082

SOUTHWEST DISTRICT HEALTH DEPT
13307 MIAMI LANE
CALDWELL, ID 83607

CANYON COUNTY
MOSQUITO ABATEMENT DISTRICT
9719 BOOKER LN
NAMPA, ID 83686

IDAHO FLOOD CONTROL DISTRICT #11
P.O. BOX 729
PARMA, ID 83660

SPARKLIGHT / CABLEONE
2101 EAST KARCHER ROAD
NAMPA, IDAHO 83687

CANYON COUNTY PARAMEDICS
6116 GRAYE LN.
CALDWELL, ID 83607

IDAHO TRANSPORTATION DEPT.
P.O. BOX 8028
BOISE, IDAHO 83707

REPUBLIC / WESTTOWNS DISPOSAL
P.O. BOX 754
HOMEDALE, IDAHO 83628

CANYON COUNTY WEED & GOPHER
15435 ID-44
CALDWELL, ID 83607

IDAHO TRANSPORTATION DEPT.
DIVISION OF AERONAUTICS
3483 RICKENBACKER STREET
BOISE, IDAHO 83707-1129

IDAHO TRANSPORTATION DEPT.
ATTN: KYLE HOBECK
15430 HWY-44
CALDWELL, ID 83605

COMPASS
700 NE 2ND STREET, SUITE 200
MERIDIAN, ID 83642

IDAHO POWER COMPANY
ATTN: LINE CONSTRUCTION
2420 CHACARTEGUI LANE
NAMPA, IDAHO 83787

VALLIVUE SCHOOL DISTRICT #139
5207 SOUTH MONTANA
CALDWELL, IDAHO 83607

GREENLEAF CEMETERY DISTRICT
P.O. BOX 338
GREENLEAF, ID 83626

IDAHO POWER COMPANY
ATTE: MIKE YBARGUEN
2420 CHACARTEGUI LANE
NAMPA, IDAHO 83787

WEST CANYON ELEMENTARY
ATTN: PRINCIPAL CINDY DODD
19548 USTICK ROAD
CALDWELL, ID 83607

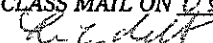
GOLDEN GATE HIGHWAY DISTRICT
500 E. GOLDEN GATE AVE.
WILDER, IDAHO 83676

INTERMOUNTAIN GAS COMPANY
P.O. BOX 7608
BOISE, IDAHO 83707

WILDER IRRIGATION DISTRICT
P.O. BOX 416
CALDWELL, IDAHO 83606

IDAHO DEPARTMENT
OF ENVIRONMENTAL QUALITY
1445 NORTH ORCHARD STREET
BOISE, IDAHO 83706

LUMEN / CENTURYLINK
3110 COMMERCIAL WAY
CALDWELL, IDAHO 83605

HE ATTACHED PACKET WAS SENT TO
THESE AGENCIES BY USPS FIRST-
CLASS MAIL ON 03/06/23 (DATE)
 (SIGNATURE)

WESTERN ALLIANCE
FOR ECONOMIC DEVELOPMENT
20523 WHITTIER DRIVE
GREENLEAF, ID 83626

HE ATTACHED PACKET WAS PUT IN THE
WESTERN ALLIANCE INTER-OFFICE
MAIL BIN ON 08/03/23(DATE)
[Signature](SIGNATURE)



City of Greenleaf

20523 N. Whittier Drive
Greenleaf, Idaho 83626
208/454-0552
208/454-7994 (fax)
cityhall@greenleaf-idaho.us

Land Use – Agency Review Request

Date: 03 August 2023

RE: 21705 Main - Rezone

Requested Response By: 15 August 2023

Greetings!

The city respectfully requests an agency review of the enclosed documentation and written submission of any comments your organization may wish to make by the “requested response by” date given above. Comments may be mailed to Greenleaf City Hall, 20523 N. Whittier Dr., Greenleaf, Idaho, 83626, or faxed to 208/454-7994, or e-mailed to clerk@greenleaf-idaho.us.

Enclosed are the public hearing notice and the application. Electronic version in *.pdf format of the documentation which may provide better detail through the ability to zoom is available on the city’s website (www.greenleaf-idaho.us) under the ‘Bulliten Board’ tab.

Comments will be forwarded to the Planning and Zoning Commission (P&Z) and/or the City Council for review, and may be incorporated into P&Z recommendations and Council actions.

Idaho Code §67-6509 requires that the enclosed notice be sent to all political subdivisions of the State providing services within the city.

The City of Greenleaf thanks you in advance for your timely attention to this request. Please contact me if there are any questions or if additional information is needed.

Respectfully submitted,

Lee C. Belt
Greenleaf City Clerk / Assistant Zoning Official



CITY OF GREENLEAF

20523 North Whittier Drive
Greenleaf, Idaho 83626
www.greenleaf-idaho.us

LAND USE APPLICATION – NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission for the City of Greenleaf will hold a public hearing at 6:30 p.m. on 16 August 2023 at Greenleaf City Hall 20523 Whittier Drive, Greenleaf, Idaho to receive public input regarding:

DEVELOPMENT NAME/TYPE: 21705 Main Street (SH-19) RV & Storage Unit Facility / Zoning Map Amendment (re-zone) from neighborhood commercial (NC) to community commercial (CC).

DEVELOPER: Ismael & Emmet Pedraza

DESCRIPTION: We are interested in rezoning the Parcel situs address: 21705 Main Street Greenleaf Idaho 83626 (3.5500 acres and Main Street (3.6200 acres) from NC to CC: for the purpose of RV and Storage unit facility. *(Excerpted from the application written narrative.)*

LOCATION: Please see address and acre sizes given above. The 3.62 acre parcel does not have an address, but is contiguous and adjacent to 21705 Main Street (SH-19).

The application documentation is on file and available for public inspection at Greenleaf City Hall, 20523 N. Whittier Dr., ph. 208/454-0552, fax 208/454-7994. Any and all persons desiring to comment may appear and be heard at the appointed time. Written comments are encouraged and will be accepted until 5:00 p.m. on 21 August 2023.

NONDISCRIMINATION STATEMENT: In accordance with Federal law and U.S. Department of Agriculture policy, the City of Greenleaf is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.) If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

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Materials are available in Spanish upon request.
Los materiales están disponibles en español a pedido.

Lee C. Belt, Greenleaf City Clerk / Assistant Land Use Official
Publication Requested: 30 July 2023 – Idaho Press-Tribune

DEEMED COMPLETE
TO MOVE FORWARD
↓
06 JAN 2023
KJ

City of Greenleaf
20523 N. Whittier Drive
Greenleaf, Idaho 83626
208/454-0552
208/454-7994 (fax)
cityhall@greenleaf-idaho.us
www.greenleaf-idaho.us

RECEIVED

DEC 09 2022

City of Greenleaf, Idaho

LAND USE APPLICATION – ZONING MAP AMENDMENT (RE-ZONE)

This form is intended as a cover-sheet and check-list for a stand-alone zoning map amendment (re-zone) application by persons or entities that have an existing majority interest by area in the property proposed to be re-zoned by the amendment.

Greenleaf Code (GC) §9-13-5 governs zoning map amendment requirements, and GC §9-15 governs procedural requirements.

Please submit a complete packet with this cover-sheet and check-list form.

The written narrative may be used to discuss any drawing, narrative, and attachment component, and should be a persuasive written argument for the application. If the applicant believes a component is not applicable, then the written narrative should state both the component and provide specific and compelling reasons why the component should not be considered applicable to the particular circumstances.

Following submittal, the application will be reviewed by staff. All components must be addressed in the application for the application to be deemed complete and accepted by staff for preparation of a staff report and scheduling preliminary development plan meeting and public hearing before the Planning and Zoning Commission (P&Z).

Requirements from GC §9-13-5-3 – Application for Zoning Map Amendments:

Applicant Name: Ismael Pedraza, Emmet Pedraza
Applicant Address: 21695 Main St Greenleaf Id 83626
Applicant Phone Number: 208 514-5630
Present Land Use: Pasture
Present Zoning Classification: NC / RS ~~CC~~
Proposed Use: Storage
Proposed Zoning Classification: ~~CC~~ CC

A Vicinity Map at a scale to sufficiently illustrate the property in question and surrounding properties, road and geographical features, and including the following:

- North Arrow
- Scale
- Names of adjacent property owners on the respective parcels
- Existing and proposed zoning
- Other information as the Commission may require

A list of all property owners and their mailing addresses, owning property any part of which is within, or within three hundred feet (300') of, the external boundaries of the land being considered, according to the Canyon County Assessor.

A Statement how the proposed changes relate to the Comprehensive Plan, availability of public facilities and compatibility with the surrounding area.

Please be aware of the following:

- An environmental assessment may be requested by the Commission. If requested, the assessment must comply with GC §9-13-3-2.
- Fees shall be paid by the applicant at the time of filing the application.
- Upon examination of the application, the Commission may require more information.

Requirements from GC §9-13-5-1 – Procedure for Amendments to the Land Use Development Ordinance or Zoning Map:

An application shall be filed in triplicate

Please be aware of the following:

- The applicant may be required to submit an environmental assessment prior to approval of a zoning map change, when in the judgment of the commission the change would permit operations, materials, or activities which would constitute a potential threat to public health, safety and welfare or to the quality of the environment. When requiring such an assessment, the precise nature of the items to be included in the environmental assessment shall be indicated. The commission may require that the assessment be over the signature and stamp (where applicable) of one or more individuals or firms with demonstrated professional competence to make such an assessment. (See also GC §9-7-1:C)

- The Commission will determine if the proposed change would also require an amendment to the comprehensive plan. The legal notice for public hearing may include notice for the proposed changes to both the comprehensive plan and the land use development ordinance.
- The Commission will set the date for and hold a public hearing and subsequently make recommendations to the council for approval or denial of the request in accordance with the provisions set forth in chapter 15, "Procedures, Appeals And Action", of this title.

Requirements from GC §9-13-5-4 – Resubmission of Zoning Map Amendment Application:

Please be aware that a zoning map amendment that has been denied by the council shall not be resubmitted in either substantially the same form or with reference to substantially the same premises within a period of one year from the denial, unless there is an amendment to the comprehensive plan which results in a change in conditions applying to the property under consideration.

Requirements from GC §9-13-5-7 – Development Agreements; Zoning Action:

Please be aware that a development agreement may be made a condition of approval, with criteria as set in this code section. Development agreement may be suggested by the applicant as part of the application, or may be suggested by the Commission or Council - Please see GC §9-13-5-7:F for detail.

Requirements from GC §9-15-1 – Application, General Procedures

- Affidavit of the owner of the property affected, agreeing to submit the application

Affidavit follows on the next page.

AFFIDAVIT OF PROPERTY OWNER

I, (name) EMMET PEDRAZA

(address) 4839 N JOHNS LANDING WAY
Boise, ID 83703

Being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described herein, addressed or located at:

(address or parcel numbers) 362920000 21705 MAIN ST
GREENLEAF, ID 83626

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

3. Either: I am the applicant
or

The applicant is other than myself. I grant my permission for submission of this application to:

(name) _____

(address) _____

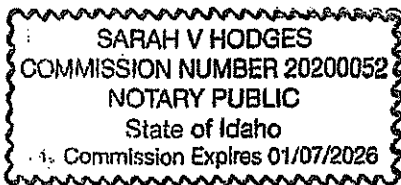
Dated this 6th day of OCTOBER, 2022.

(signature) [Signature]

STATE OF IDAHO)

COUNTY OF Ada)
SS

SUBSCRIBED AND SWORN to (or affirmed) before me the day and year first above written.



[Signature]
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 01/07/2026

(notary seal)

AFFIDAVIT OF PROPERTY OWNER

I, (name) Ismael Pedraza,

(address) 21695 Main St. Greenleaf Id 83626

Being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described herein, addressed or located at:

(address or parcel numbers) 312920000 21705 Main St Greenleaf

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

3. Either: I am the applicant

or

The applicant is other than myself. I grant my permission for submission of this application to:

(name) _____

(address) _____

Dated this 26th day of OCTOBER, 2022.

(signature) Ismael Pedraza

STATE OF IDAHO)

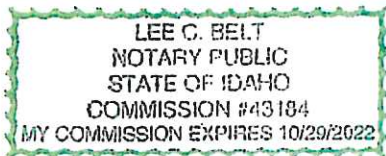
COUNTY OF Chippewa)
SS

SUBSCRIBED AND SWORN to (or affirmed) before me the day and year first above written.

Lee C. Belt
Notary Public for Idaho

Residing at: Greenleaf, Idaho

My Commission Expires: 10-29-2022



(notary seal)

AFFIDAVIT OF PROPERTY OWNER

I, (name) EMMET PEDRAZA

(address) 4839 N. JOHNS LANDING WAY

Being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described herein, addressed or located at:

(address or parcel numbers) 362920000 21705 MAIN ST GREENLEAF, ID 83626

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

3. Either: I am the applicant

or

The applicant is other than myself. I grant my permission for submission of this application to:

(name) _____

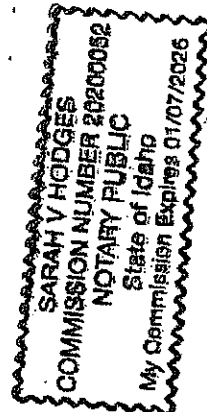
(address) _____

Dated this 6th day of OCTOBER, 2020 ^{EP.}

(signature) [Signature]

STATE OF IDAHO)

COUNTY OF Ada)
SS

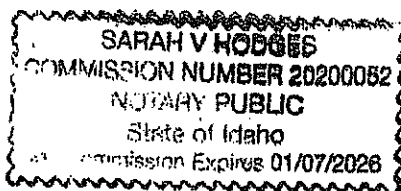


SUBSCRIBED AND SWORN to (or affirmed) before me the day and year first above written.

[Signature]
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 01/07/2026



(notary seal)

Requirements from GC §9-15-2 – Preliminary Development Plan Review:

The applicant will present to the zoning official and commission, at a scheduled meeting, but a nonpublic hearing, a preliminary development plan for review and discussion. All materials to be reviewed and discussed shall be provided, or be available, to commission members at a regular scheduled meeting of the commission.

Requirements to fulfill GC §9-15-3 – Date and Notice of Public Hearing:

- (A) Two (2) sets of names and addresses of all adjoining owners of property and residents within 300 feet of the external boundaries of the land being considered as shown on record in the County Assessor's Office on 1" x 2 5/8" self-adhesive address labels
- (A) A signed statement promising that the property site will be posted with public hearing notice not less than 15 days prior to the public hearing. Posting requirements are given later in these instructions. Failure to properly post notice may result in cancellation of your hearing.
- (A) After the property site has been posted, a signed statement submitted to the City Clerk no later than seven (7) days prior to the hearing for inclusion with the application packet, certifying that the property has been posted with public hearing notice, along with a photograph of each posting. If multiple public hearings are required, then please submit statements and photographs for each hearing. If this signed statement is not received by seven (7) days prior to the hearing, then the hearing will be administratively canceled for lack of proof of on-site notice.

Recommendations to meet GC §9-5-3(C) requirement that, "The applicant shall post notice conspicuously on the premises which is the subject of the application..."

Signs should consist of 4' x 4' plywood or other hard surface mounted on two (2) posts in such a manner that it is perpendicular to the roadway along which the sign is posted and the bottom of the sign is at least three feet above the ground. Signs should be readily visible from the roadway but shall not be placed so to create a hazard by obstructing the views of motorists. Centered at the top of the 4' x 4' sign boards in six-inch letters should be the words "Public Notice" – In addition, each sign should inform the public of the name of the applicant, and, if applicable, the proposed development, the date, time, place and nature of the public hearing and a summary of the proposal to be considered. Each sign should be legible with a white background and black lettering. Lettering size should be as noted in the left column below. An example of possible notification language follows:

Size = 6 inches

Size = 2 inches

Size = 2 inches

Size = 2 inches

Size = 2 inches

PUBLIC NOTICE

THE CITY OF GREENLEAF will hold a public hearing on 09 May 2005 at Greenleaf City Hall at 7:30pm

PURPOSE: Annexation and Zoning – George Fox Subdivision – Zoning R-3, Subdivision Preliminary Plat, 7.66 acres, 19 lots, single family dwelling, 3 lots open space park/space/drainage with landscaped entryway

LOCATION: SW corner of intersection of Haviland Place and Barclay Boulevard.

APPLICATION BY: United Diversified of Idaho, LLC

Additional information to process application, as applicable:

Surveyor

Name: _____
Address: _____
Phone: _____
E-mail: _____

Other Contact (Engineer / Architect / Planner / Representative / etc.)

Name: _____
Address: _____
Phone: _____
E-mail: _____

Other Contact (Engineer / Architect / Planner / Representative / etc.)

Name: _____
Address: _____
Phone: _____
E-mail: _____

Canyon County parcel number(s) of property: _____

Applicant Agreement

I agree to pay interest on any delinquent accounts and any late fee as established by resolution of the City Council (GC §9-13-08).

I affirm my understanding and agreement that I or my representative listed above must attend all staff meetings, public hearings, planning and zoning meetings, city council meetings, or other meetings that may be scheduled regarding this application, and that my failure to attend or have a representative in attendance will result in administrative denial of this application, forfeiture of all fees and monies paid in relationship to this application, and the cancellation of any future meetings scheduled for this application. I further understand and agree that non-payment of outstanding fees or costs before a scheduled public hearing date, and failure to comply with site posting requirements are also grounds for administrative denial.

I also understand and agree that in the event of administrative denial this application cannot be resubmitted, and that for the project to be considered a new application would need to be submitted along with the associated fees, and that such new application will not be eligible for expedited scheduling for public hearings and meetings without explicit written direction from the Mayor for inclusion with the application indicating why expedited scheduling is imperative to provide for the health and safety needs of the community.

I further acknowledge that if city staff determines that additional and/or revised information is needed, and/or if other unforeseen circumstances arise, the City may reschedule any dates outlined for processing.

I understand this application will not be accepted unless all required information is submitted and the application fee paid, and that while under review by city staff additional information may be required before the application is deemed complete.

I further understand that all applicable fees must be paid before a public hearing date will be scheduled. I also agree to pay for any additional costs incurred by the city related to the review and processing of this application (including, but not limited to, reimbursement of contract per-hour charges from the City Engineer, City Attorney, Planner, or other consultant) before a public hearing will be held on this application.

In the event of a dispute concerning the interpretation or enforcement of this application in which the City of Greenleaf is the prevailing party, I agree to pay the reasonable attorney fees, including attorney fees on appeal, and any other related expenses of the City of Greenleaf.

I affirm that all the information, statements, attachments, and exhibits transferred with this document are true and accurate to the best of my knowledge.

Juan Pechazca
Applicant Signature

6-6-2023
Date

Canyon County, Idaho

generated on 3/28/2022 1:52:38 PM EST

Parcel

Parcel Number	Site Address	Current Total Assessed Value
36286000 0	MAIN ST, GREENLEAF	\$46,640

Owner Information

Owner Name	PEDRAZA EMMET
Mailing Address	3973 CAMBRIA WAY BOISE ID 83703
Transfer Date	
Document #	
Deed Book/Page	

Location / Description

Tax District	143-00	Legal Desc.	21-4N-4W SW TX 00503 IN E 1/2 NWNESW
Parcel Situs Address	MAIN ST, GREENLEAF		
Deeded Acreage	3.6200		

Parcel Type

Property Class Code	518 Other land non ag
Neighborhood Code	180000

Assessment Information

Current Land Value	\$46,640	Residential Land	\$0	Adjustment Factor	0.00
Current Imp. Value	\$0	Residential Imp.	\$0	Average Value / Acre	\$0
Current Total Assessed Value	\$46,640	Residential Total	\$0	Appraisal Date	12/11/2020
Commercial Land	\$0	Non-Res Land	\$0	Reason For Change	02
Commercial Imp.	\$0	Non-Res Imp.	\$0	Prior Land Value	\$43,440
Commercial Total	\$0	Non-Res Total	\$0	Prior Imp. Value	\$0
Dwelling Value	\$0	Classified Land Value	\$0		
Farmland Value	\$0	Homesite Value	\$0		

Canyon County, Idaho

generated on 3/28/2022 1:52:05 PM EST

Parcel

Parcel Number	Site Address	Current Total Assessed Value
36292000 0	21705 MAIN ST, GREENLEAF	\$120,620

Owner Information

Owner Name	PEDRAZA EMMET PEDRAZA ISMAEL
Mailing Address	3973 CAMBRIA WAY BOISE ID 83703
Transfer Date	04/17/2017
Document #	2017014791
Deed Book/Page	

Location / Description

Tax District	143-00	Legal Desc.	21-4N-4W SW TX 112 IN NWNESW
Parcel Situs Address	21705 MAIN ST, GREENLEAF		
Deeded Acreage	3.5500		

Parcel Type

Property Class Code	520 Residential City Lot
Neighborhood Code	180000

Assessment Information













Current Land Value	\$117,020	Residential Land	\$0	Adjustment Factor	0.00
Current Imp. Value	\$3,600	Residential Imp.	\$0	Average Value / Acre	\$0
Current Total Assessed Value	\$120,620	Residential Total	\$0	Appraisal Date	12/11/2020
Commercial Land	\$0	Non-Res Land	\$0	Reason For Change	02
Commercial Imp.	\$0	Non-Res Imp.	\$0	Prior Land Value	\$86,600
Commercial Total	\$0	Non-Res Total	\$0	Prior Imp. Value	\$3,000
Dwelling Value	\$0	Classified Land Value	\$0		
Farmland Value	\$0	Homesite Value	\$0		

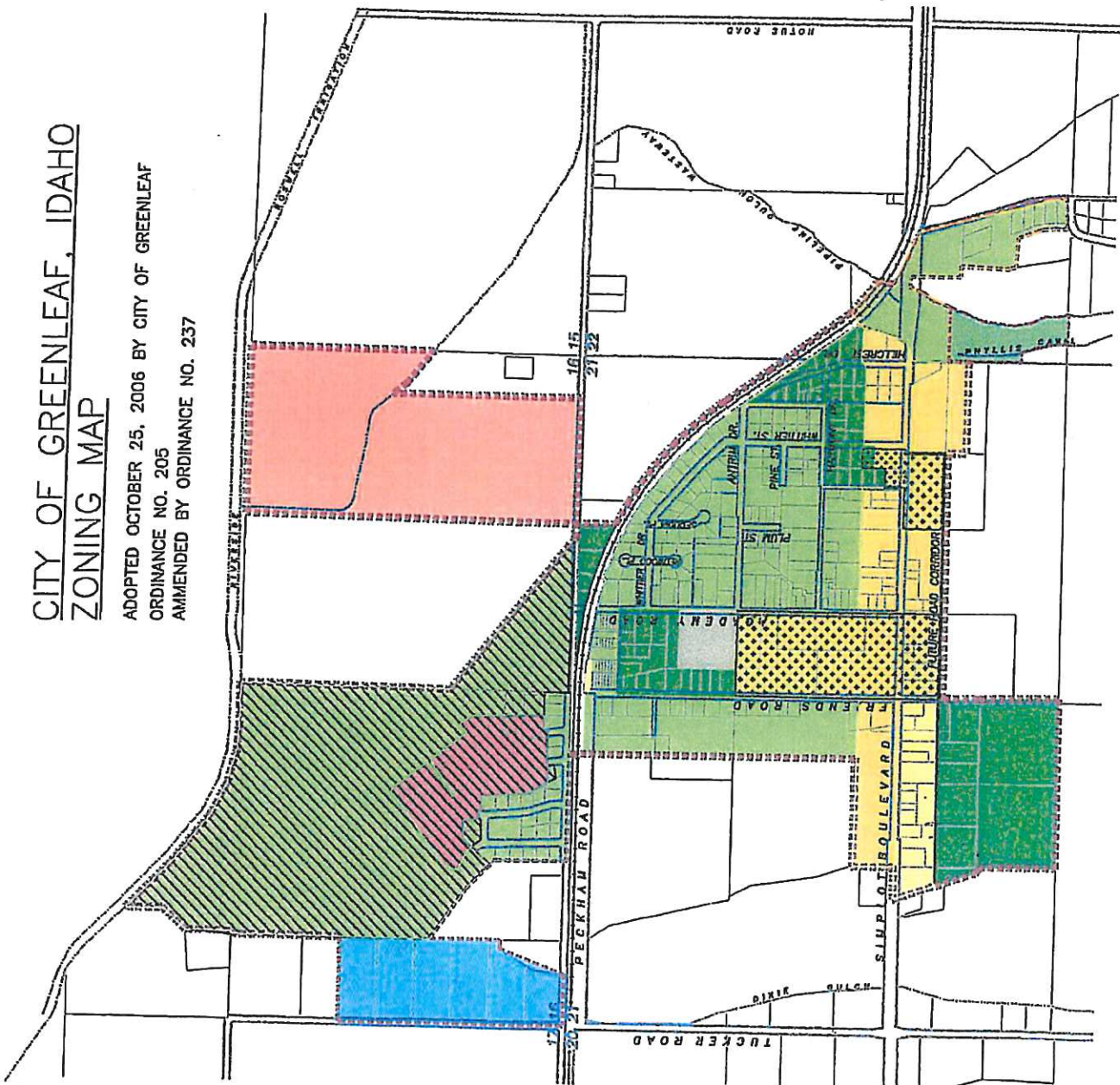
CITY OF GREENLEAF, IDAHO ZONING MAP

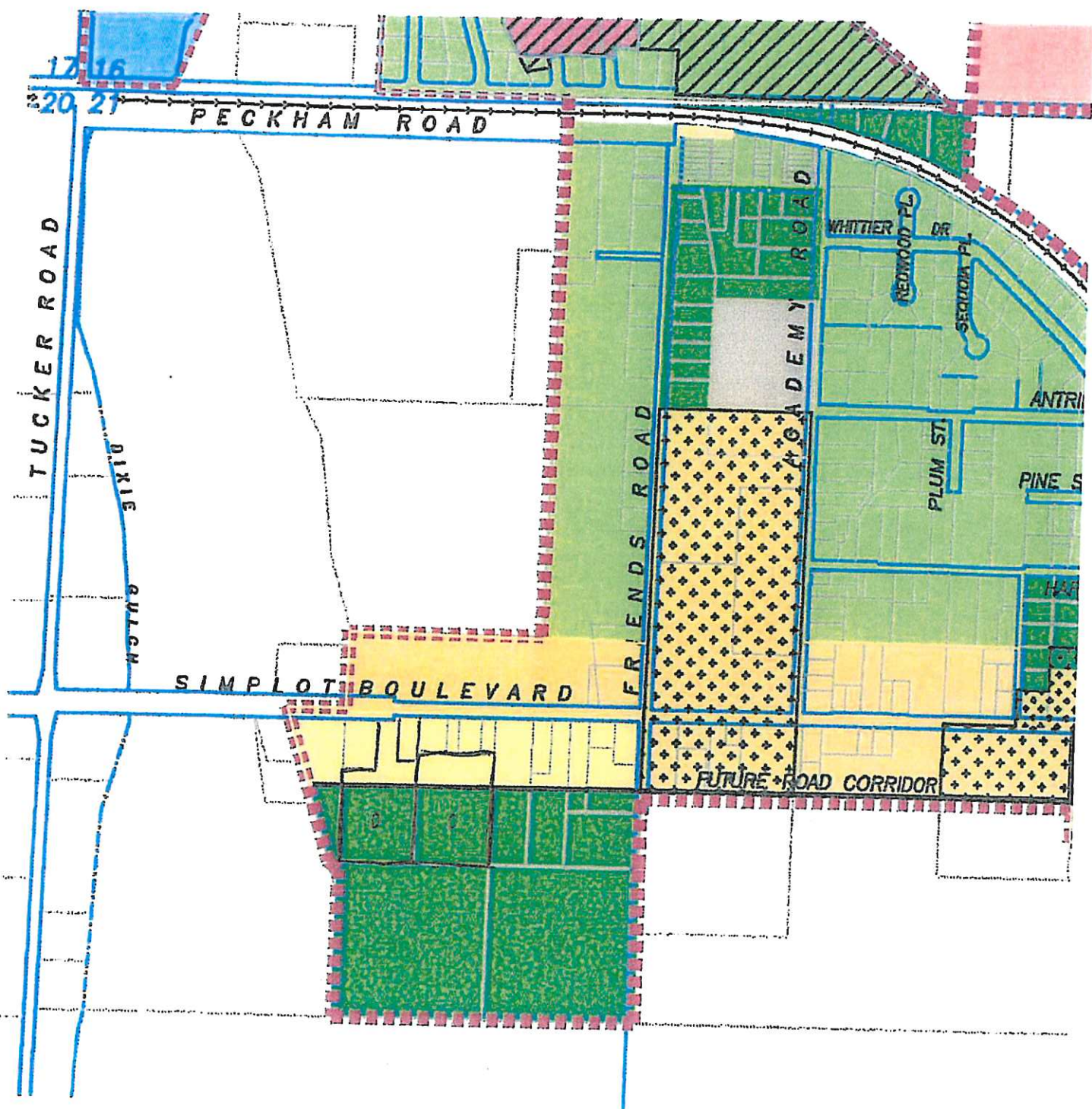
ADOPTED OCTOBER 25, 2006 BY CITY OF GREENLEAF
ORDINANCE NO. 205
AMMENDED BY ORDINANCE NO. 237



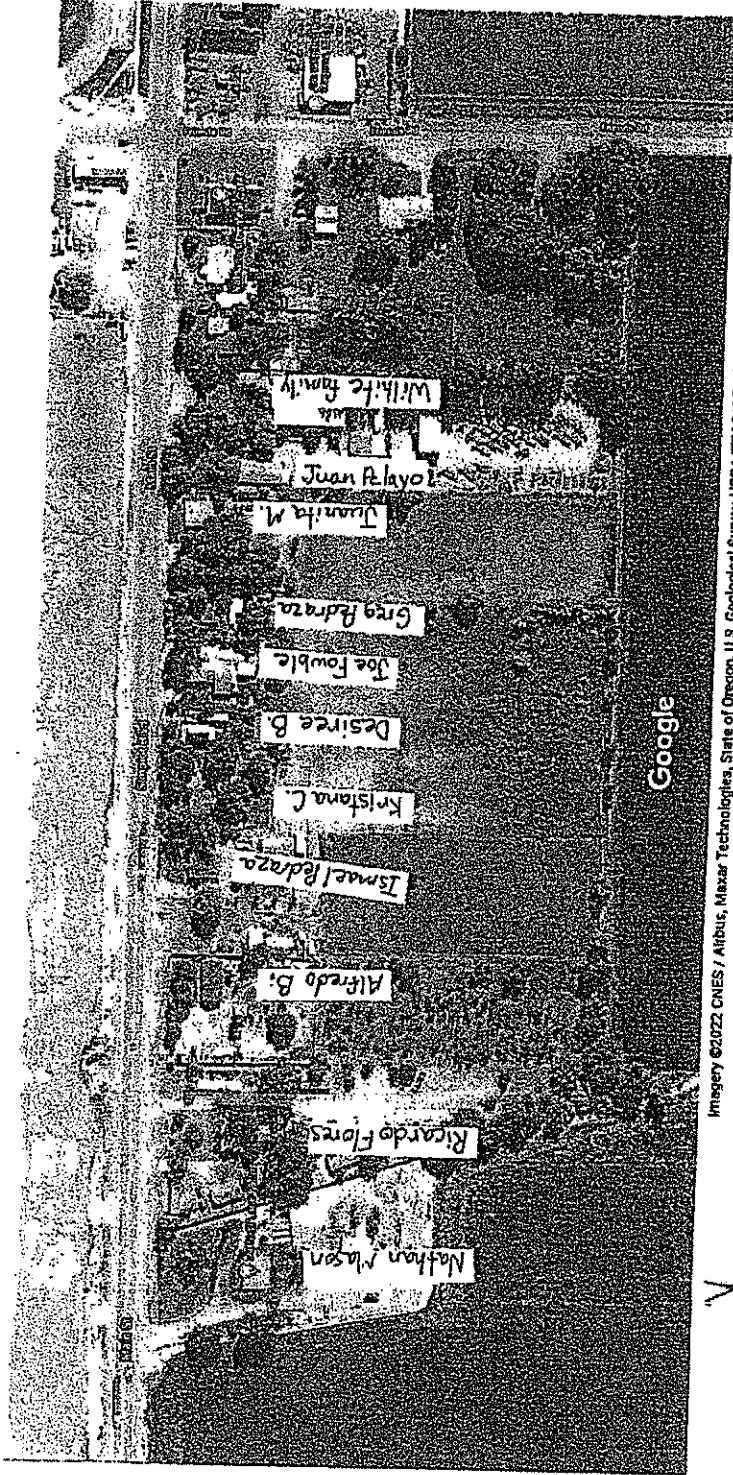
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-  INDUSTRIAL
-  CBD
-  NC
-  R-1
-  R-3
-  R-5
-  R-12
-  AIRPARK COMMERCIAL
-  AIRPARK OVERLAY ZONE
-  CIVIC USE OVERLAY ZONE
-  CITY LIMITS

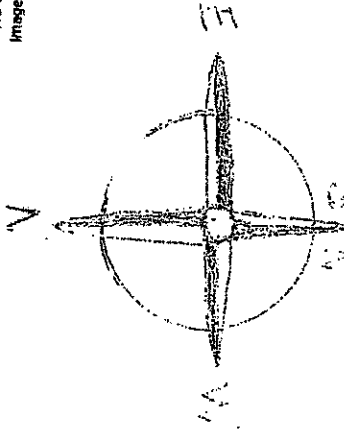




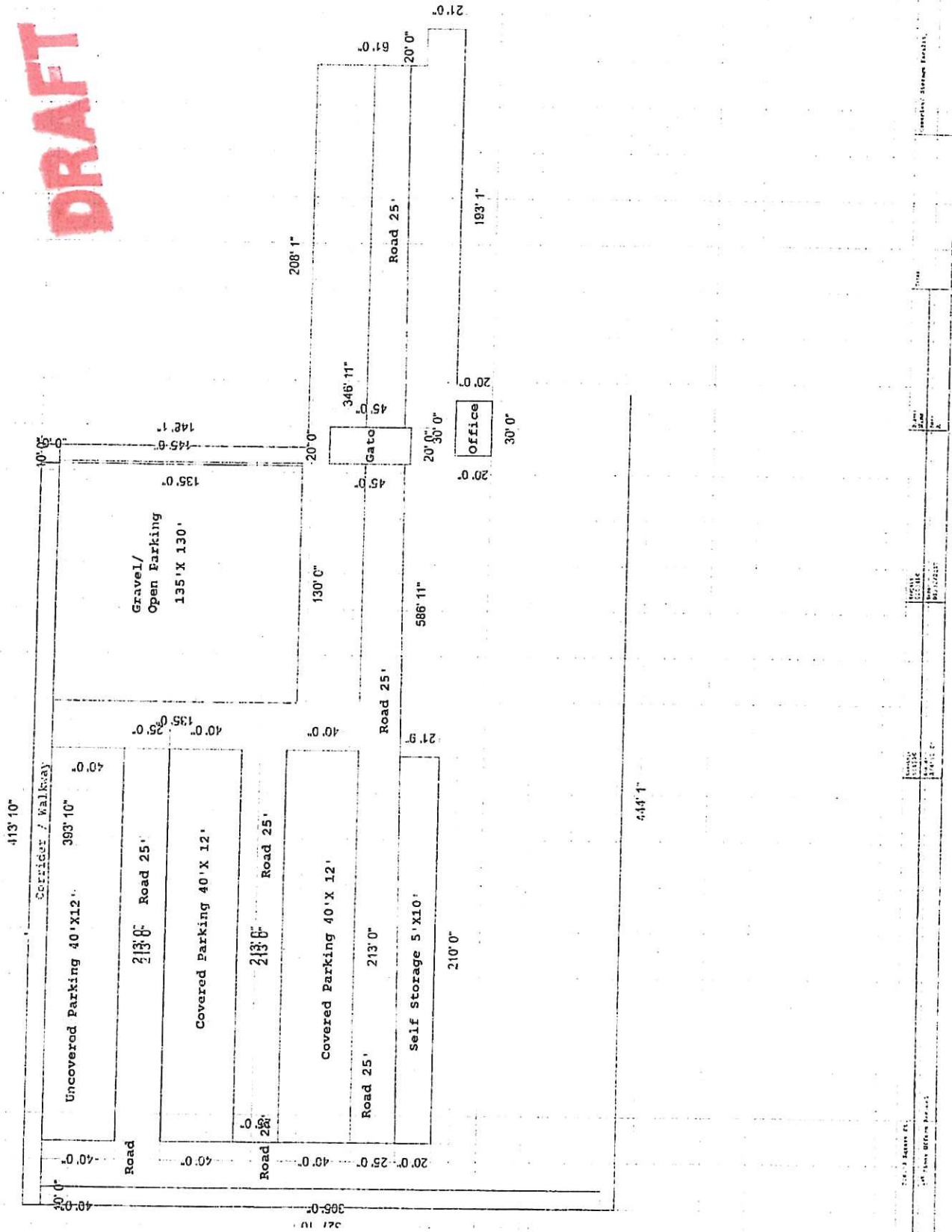
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Imagery ©2022 CNES / Airbus, Maxar Technologies, State of Oregon, U.S. Geological Survey, USDA/FPA/C/EO, Map data ©2022 100 ft



DRAFT



Area	Dimensions	Notes
Uncovered Parking	40' X 12'	
Covered Parking	40' X 12'	
Self Storage	5' X 10'	
Office	20' X 30'	
Gate	45' X 45'	
Road 25'	213' 0"	

Scale: 1/4" = 10'-0"

Drawn: [Name]

Checked: [Name]

Date: [Date]

AVERY

15660

Easy Peel Address Labels
15660 - 1 1/2" x 4 1/8" (37 x 108 mm)

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Glenns Ferry, ID 83623

Gentle William R Living Trust
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Wilder, ID 83676

Gentle Family LLP
23733 Boehner Rd
Wilder, ID 83676

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PO Box 265
Glenns Ferry, ID 83623

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Pedraza, Greg
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Greenleaf, ID 83626

Wilhite Family Trust
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Greenleaf, ID 83626

Ismael Pedraza
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Greenleaf, ID 83626

Carpenter, Kristina
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Martinez, Juanita R
21603 Main St
PO Box 87
Greenleaf, ID 83626

Barajas, Alfredo / Gonzalez,
Rosanna
21765 Main St
Greenleaf, ID 83626

Bickmore, Desiree Marie
21659 Main St
Greenleaf, ID 83626

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21695 Main St
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E. Agriculture (AG) Zone: The AG land use designation is intended to provide a designation for agricultural areas within the city limits that are left to be redeveloped to more traditionally urban uses in the future.

F. Civic Overlay (CV) Zone: The CV land use designation is intended to provide for governmental offices and other civic facilities which can be designated as an overlay zone in any zoning district in the city. This includes governmental, cultural and recreational facilities.

G. Residential Airpark Overlay (AP) Zone: The AP land use designation is intended for use by an airpark and the surrounding related facilities and properties. (Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-4-2: COMMERCIAL USE REGULATIONS:

A. Permitted And Conditionally Permitted Uses: The uses identified in table 9-4-2, "Permitted And Conditionally Permitted Uses Within Commercial Zones", of this subsection shall be the primary uses allowed to occur on a property. All uses unless otherwise provided for in this title shall be conducted within enclosed structures. All uses not listed in table 9-4-2 of this subsection shall require a conditional use permit. The primary uses identified in table 9-4-2 of this subsection, shall be permitted or conditionally permitted as indicated.

P	Where the symbol P appears, the use shall be permitted.
A	Where the symbol A appears, the use shall be permitted subject to the issuance of an administrative permit in accordance with chapter 13 of this title.
C	Where the symbol C appears, the use shall be permitted subject to the issuance of a conditional use permit in accordance with chapter 13 of this title.
X	Where the symbol X appears, the use shall not be permitted.

TABLE 9-4-2
PERMITTED AND CONDITIONALLY PERMITTED
USES WITHIN COMMERCIAL ZONES

Allowed Use	NC	CC	CBD	AG	AC
Airplane manufacturing	X	X	X	X	A
Airplane modification, rental, repair, sales	X	X	X	X	A
Adult entertainment establishment	X	X	X	X	X
Amusement or recreation facility, indoor	P	P	C	X	P
Amusement or recreation facility, outdoor	C	C	C	C	A
Animal boarding with outside runs	C	P	C	C	C
Animal clinic, animal hospital, or veterinary office	P	P	P	C	C

Auction establishment, outdoor	C	C	C	C	A
Automobile, major repair	X	P	X	X	C
Automobile or recreational vehicle sales or service	C	P	X	X	P
Automobile storage, rental	C	P	X	X	P
Bakery or bakery goods store	C	C	P	X	A
Bank	P	P	P	X	A
Bar, brewpub, or nightclub	X	X	X	X	X
Barber, beauty shop	P	P	X	X	P
Bed and breakfast establishment	C	C	P	C	P
Boarding house	C	C	C	X	C
Bowling alley	P	C	X	X	X
Campground	X	C	X	C	A
Car wash	C	C	P	C	A
Cemetery	X	P	X	X	X
Church	P	P	P	C	A
Clinic, medical (excluding animal or veterinary)	P	P	P	X	P
Club, or lodge or social hall	C	C	C	C	A
Contractor's yard or shop	X	P	X	X	A
Crematory	X	C	X	X	X
Daycare facility	P	P	C	C	A
Drive-in theater	C	C	C	X	X
Drive-up window service	C	C	C	X	C
Drugstore	X	P	P	X	P
Dry cleaning facility	C	C	C	X	C
Dwelling, caretaker for an approved use	A	A	A	A	P
Equipment rental and sales yard	P	C	P	X	A
Farm, garden, lumber, or building supply store	X	C	P	X	A
Fence, barbed wire or electric wire	C	C	C	X	A
Fire station/emergency services facility	C	C	C	C	P
Food stand	P	P	P	X	A
Frozen food locker	C	C	P	X	C
Fuel cell	A	A	A	A	A
Furniture refinishing	C	C	P	X	A
Gasoline or diesel fuel sales facility	C	C	C	C	A
Grain storage	X	X	X	C	X
Heavy equipment sales or service	X	C	X	C	X
Hospital	C	C	C	X	X
Hotel or motel	C	C	X	X	A
Ice manufacture, cold storage plant	P	P	C	X	C
Indoor shooting range	C	C	C	C	A
Kennel, commercial	C	C	X	P	C

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Laboratory; medical, dental, optical	P	P	C	X	A
Laundromat	C	C	C	X	C
Library	P	P	P	X	A
Lumberyard, retail	C	P	X	X	X
Machine shop	C	P	P	P	P
Manufactured home storage	X	C	X	X	X
Monument works/decorative stone	C	C	C	C	C
Mortuary	C	C	C	X	X
Multi-family development	C	C	C	X	C
Nursery, retail (only)	P	P	P	C	P
Off street parking facility	C	P	C	C	X
Office building	P	P	P	A	P
Office, temporary construction	A	A	A	A	P
Outdoor shooting range	X	X	X	C	A
Outdoor storage	C	A	X	A	A
Package and letter delivery service	C	P	C	X	P
Parking lot, garage or facility	C	P	C	X	A
Photography studio	P	P	P	C	P
Portable classroom	C	A	A	A	A
Professional service	P	P	P	C	P
Public or quasi-public use	C	C	C	P	A
Public parks, recreation areas, easements, trails	P	P	P	P	P
Radio and television broadcasting station	C	C	C	C	C
Recreational vehicle park	C	C	C	C	A
Recycling center	X	C	X	X	C
Research and development facility	X	P	C	C	A
Residential care facility	C	C	C	C	A
Restaurant or eating place	C	C	P	C	P
Retail sales relating to a permitted or approved use	A	A	A	C	P
Retail store	P	P	P	C	A
School, public or private	C	P	P	C	A
School, vocational or trade	C	C	C	C	A
Service station	C	C	P	C	C
Spa/health club	P	P	P	C	P
Storage facility, self-service	C	P	X	C	A
Studio (music, art, dance)	P	P	P	C	P
Tire shop	C	C	X	X	A
Tower or antenna structure, commercial	C	C	C	C	C
Tower or antenna structure, private	C	C	C	C	A
Trailer, mobile home, farm implement sales yard	C	C	C	C	X
Transit facility	C	C	C	C	C

Truck stop	X	C	X	C	C
Video sales and rental	P	P	P	X	P
Warehousing	X	C	C	C	A

(Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

9-4-3: COMMERCIAL ZONE GENERAL DEVELOPMENT STANDARDS: The following property development standards shall apply to all land and permitted or conditionally permitted buildings located within their respective commercial zones. Table 9-4-3 of this section presents minimum setbacks for commercial zones and table 9-4-4 of this section presents dimensional standards. Chapter 9 of this title provides special provisions for planned unit developments.

TABLE 9-4-3
MINIMUM SETBACKS BY COMMERCIAL ZONE

Minimum Setbacks,	NC		CC		CBD		AC	
	Standard	Abutting Residential	Standard	Abutting Residential	Standard	Abutting Residential	Standard	Abutting Residential
Front yard setback	20'	20'	20'	20'	5'	15'	5'	15'
Side street setback	20'	20'	20'	20'	5'	15'	5'	15'
Interior side yard setback	5'	10'	0'	20'	0'	10'	0'	10'
Rear yard setback	0'	20'	0'	20'	0'	10'	0'	10'

Note: 1 The front and side street setbacks shall be as set forth in the abutting residential district with the most restrictive standards. The interior side setback and rear yard setback in abutting residential may be "0" for townhouses, tracts, or above store apartments.(Ord. 205, 10-25-2006; Amd, Ord 237, 03/02/2010)

TABLE 9-4-4
DIMENSIONAL STANDARDS BY COMMERCIAL ZONE

Dimensional Standards	NC	CC	CBD	AC
Minimum property size	5,000 sq. ft.	12,000 sq. ft.	3,000 sq. ft.	5,000 sq. ft.
Maximum coverage for building, required sidewalk, and parking	80 percent	80 percent	90 percent	90 percent
Maximum structure height (from existing grade)	35 feet	35 feet	35 feet	35 feet
Minimum street frontage ¹	30 feet	30 feet	30 feet	30 feet
Minimum property depth	75 feet	100 feet	50 feet	75 feet

Note:

1. This requirement may be modified if requested as part of an approved final plat.

Proposal for RV & Storage unit facility

Submitted by

Ismael & Emmet Pedraza

21695 Main Street, Greenleaf, Idaho 83626

To: City of Greenleaf (Canyon County, Idaho):

We are interested in rezoning the Parcel situs address: 21705 Main Street Greenleaf Idaho 83626 (3.5500 acres) and Main Street (3.6200 acres), from NC to CC; for the purpose of RV and Storage unit facility. The intent of this facility is to further the City of Greenleaf's storage capacity, meeting the projected increase in demand. This is based off projected growth; 111 new homes negotiating construction between city and developer, as well as the property behind 21705 Main Street Greenleaf Idaho being purchased by a different developer. This unit will service the entire city of Greenleaf and allow for sustainable growth, all while keeping properties and businesses clean to increase the aesthetic appeal of the great City of Greenleaf.

We have communicated with the Idaho Department of Transportation to ensure road/traffic safety and have been given their approval based off their impact analysis. Currently, there is a turn-out lane that stops at the property, we are open to extending this to keep the traffic impact at a minimum to zero. Greenleaf Academy is approximately 1,000 feet from the property; traffic from Storage facility should have zero impact on traffic and/or safety of children who attend this school. The RV and Storage unit facility will not utilize municipal water, irrigation water, municipal sewer service, preventing further strain or impact of the City of Greenleaf services. Our conceptual plans for the RV and Storage unit facility include plans for a security fence, security cameras, and adequate lighting which will greatly prevent crime and ensure safety for all occupants and the City of Greenleaf. Security and safety are of our utmost concern and will be addressed appropriately.

Ismael has been a member of the community of Greenleaf for 20+ years. He has raised a family here and has personal vested interest in the City of Greenleaf. Ismael's home is directly connected to the property at 21705 Main Street. As this community grows, Ismael's heart is to ensure that the City of Greenleaf continues to be a great place to live. By rezoning this property, you will be opening another opportunity for the City of Greenleaf to sustainably grow into the future, all while preserving our way of life.

Signed:

Ismael Pedraza

Date:

June 6 2023

GREENLEAF P.O.
21344 MAIN ST
GREENLEAF, ID 83626
USPS 1538500478
1-800-275-8777
83626003

Term ID: 003
Clerk ID: 000006

SALE

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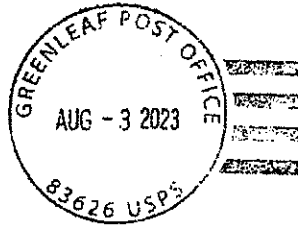
Contactless

TOTAL: \$80.52

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21705 PLACE R2300E
300 ft of adjacent drawings
for Public Hearing
16 Aug 2023
LWB

12/22



Mason, Nathan Beckey
21827 Simplot Blvd
Greenleaf, ID 83626

Carpenter, Kristina
21677 Main St
Greenleaf, ID 83626

Bickmore, Desiree Marie
21659 Main St
Greenleaf, ID 83626

Fowble, Elizabeth & Joe
21643 Main St
PO Box 326
Greenleaf, ID 83626-0095

Pedraza, Greg
21609 Main St,
Greenleaf, ID 83626

Martinez, Juanita R
21603 Main St
PO Box 87
Greenleaf, ID 83626

Pelayo, Juan R & Maria
21585 Main St
PO Box 204
Greenleaf, ID 83626

Wilhite Family Trust
21567 Main St
Greenleaf, ID 83626

Barajas, Alfredo / Gonzalez,
Rosanna
21765 Main St
Greenleaf, ID 83626

Flores, Ricardo & Maria
21765 Main St
Greenleaf, ID 83626

Ismael Pedraza
21695 Main St
Greenleaf, ID 83626

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~~Ismael Pedraza
21695 Main St
Greenleaf, ID 83626~~ *DUPLICATE*



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21765 Main St
Greenleaf, ID 83626~~ *DUPLICATE*

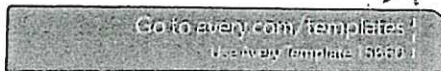
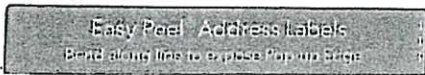
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21695 Main St
Greenleaf, ID 83626~~ *DUPLICATE*

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3/17



Gentle Family LLP
23733 Boehner Rd
Wilder, ID 83676

Agequity LLC
PO Box 265
Glenns Ferry, ID 83623

Gentle William R Living Trust
23733 Boehner Rd
Wilder, ID 83676

~~Gentle Family LLP
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Wilder, ID 83676~~ *DUPLICATE*

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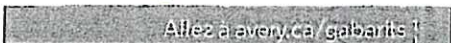
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23733 Boehner Rd
Wilder, ID 83676~~ *DUPLICATE*

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PO Box 265
Glenns Ferry, ID 83623~~ *DUPLICATE*

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FOR 300 FOOT MAILING,
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AND APPLICATION, SAME
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CITY OF GREENLEAF

20523 North Whittier Drive
Greenleaf, Idaho 83626
www.greenleaf-idaho.us

LAND USE APPLICATION – NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission for the City of Greenleaf will hold a public hearing at 6:30 p.m. on 16 August 2023 at Greenleaf City Hall 20523 Whittier Drive, Greenleaf, Idaho to receive public input regarding:

DEVELOPMENT NAME/TYPE: 21705 Main Street (SH-19) RV & Storage Unit Facility / Zoning Map Amendment (re-zone) from neighborhood commercial (NC) to community commercial (CC).

DEVELOPER: Ismael & Emmet Pedraza

DESCRIPTION: We are interested in rezoning the Parcel situs address: 21705 Main Street Greenleaf Idaho 83626 (3.5500 acres and Main Street (3.6200 acres) from NC to CC: for the purpose of RV and Storage unit facility. *(Excerpted from the application written narrative.)*

LOCATION: Please see address and acre sizes given above. The 3.62 acre parcel does not have an address, but is contiguous and adjacent to 21705 Main Street (SH-19).

The application documentation is on file and available for public inspection at Greenleaf City Hall, 20523 N. Whittier Dr., ph. 208/454-0552, fax 208/454-7994. Any and all persons desiring to comment may appear and be heard at the appointed time. Written comments are encouraged and will be accepted until 5:00 p.m. on 21 August 2023.

NONDISCRIMINATION STATEMENT: In accordance with Federal law and U.S. Department of Agriculture policy, the City of Greenleaf is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. (Not all prohibited bases apply to all programs.) If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov."

SPECIAL ACCOMMODATION: Any person with a disability may request a reasonable accommodation to make it easier to use City facilities or programs, or request that the City provide information in a different way. Details and Reasonable Accommodation Request Forms are available at City Hall (20523 Whittier Dr., Greenleaf, ID 83626). Those who have impaired hearing or speech may contact City Hall utilizing the Idaho Relay Service: TDD: (Toll Free) Dial 1, then 800-377-3529; VOICE: (Toll Free) Dial 1, then 800-377-1363, or 711.

Materials are available in Spanish upon request.
Los materiales están disponibles en español a pedido.

Lee C. Belt, Greenleaf City Clerk / Assistant Land Use Official
Publication Requested: 30 July 2023 – Idaho Press-Tribune

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LOCKTOWNS
08/04/2023
WS

POSTED 8-11-23

HEARING NOTICE

Notice is hereby given that the Planning and Zoning Commission for the City of Greenleaf will hold a public hearing at 6:30 p.m. on 16th of August 2023 at Greenleaf City Hall
20523 Whittier Drive, Greenleaf, Idaho

PURPOSE: Zoning Map Amendment (re-zone) from neighborhood commercial (NC) to community commercial (CC).

LOCATION: 21705 Main Street (SH-19)

APPLICATION BY: Ismael & Emmet Pedraza

City of Greenleaf

20523 N Whittier Dr
Greenleaf, ID 83626
(208) 454-0552

Invoice

Date	Invoice #
12/16/2022	19543

Bill To
Ismael Pedraza 21695 Main Greenleaf, ID 83626

PAID
06/06/2023

P.O. No.	Terms	Project
		Main 21705

Quantity	Description	Rate	Amount
	Fees associated with items listed on the Land Use Development Fee schedule zoning change for R36292000 0, R36286000 0	905.00	905.00
		Total	\$905.00

DONALD BARKSDALE
CHAIRMAN OF THE BOARD

FRED BUTLER
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

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(FORMERLY BOISE U.S. RECLAMATION PROJECT)

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BIG BEND DISTRICT

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

08 August 2023

City of Greenleaf
20523 N Whittier Dr.
Greenleaf, Idaho 83626-9199

RE: Emmett Pedraza
21705 Main St, Greenleaf
Wilder Irrigation District
Greenleaf Lateral 61+20
Sec. 21, T4N, R4W, BM.

RE: 21705 Main-Rezone
W-601-0

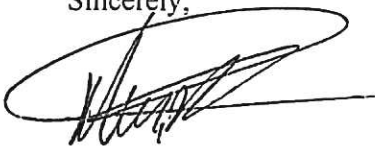
Lee C. Belt, Greenleaf City Clerk:

There are no Boise Project or Wilder Irrigation District facilities located on the above-mentioned properties, however they do in fact possess a valid water right.

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

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: Matt Freelove Watermaster, Div; 5 BPBC
Lisa Sweet Secretary – Treasurer, WID

File

RECEIVED
AUG 10 2023
City of Greenleaf, Idaho

Subject: DEQ Comment Request - 21705 Main - Rezone
From: Amy Thompson <Amy.Thompson@deq.idaho.gov>
Date: 8/8/2023, 11:05 AM
To: "clerk@greenleaf-idaho.us" <clerk@greenleaf-idaho.us>

Dear City of Greenleaf,
Please see the attached for DEQ comments on this application.
Sincerely,



Administration
Idaho Department of Environmental Quality
Boise Regional Office
Tel: (208) 373-0550
<http://www.deq.idaho.gov/>

Our mission is to protect human health and the quality of Idaho's air, land, and water.

 Please consider the environment before printing this email.

— Attachments: —

23 08.08 Rezone - 21705 Main - Letter.pdf

191 KB

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



Brad Little, Governor
Jess Byrne, Director

August 8, 2023

City of Greenleaf
20523 N. Whittier Dr
Greenleaf, Idaho, 83626
clerk@greenleaf-daho.us

Subject: 21705 Main - Rezone

Dear City of Greenleaf:

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

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

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

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

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

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

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

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

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

3. DRINKING WATER

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

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

4. SURFACE WATER

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

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

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

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

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

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

6. ADDITIONAL NOTES

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

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

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK

Subject: Property
From: Rick Britton <Rickey.Britton@canyoncounty.id.gov>
Date: 8/14/2023, 9:28 AM
To: "clerk@greenleaf-idaho.us" <clerk@greenleaf-idaho.us>

I have received the Land Use- Agency Review Request for a proposed storage at 21695 Main St. Greenleaf. We have no problem with the change from a Weed Control side as long as the owner maintains the grounds around the site for weeds.

If you have any questions, please feel free to reach out.

Thanks

Rick Britton
Department Director
Canyon County Facilities / Weed and Pest Control Departments
1115 Albany Street, Suite 136, Caldwell, ID 83605
(208) 454-7473 *office*
(208) 695-8939 *direct*
(208) 454-6638 *fax*
rickey.britton@canyoncounty.id.gov

Subject: COMPASS Development Checklist— 2705 Main Street (SH-19) RV & Storage Unit Facility

From: Olivia McKinnon <ovielstichmckinnon@compassidaho.org>

Date: 8/15/2023, 8:21 AM

To: Lee Belt <clerk@greenleaf-idaho.us>

CC: "D3Development.Services@itd.idaho.gov" <D3Development.Services@itd.idaho.gov>, "development@ridevrt.org" <development@ridevrt.org>, Bob Watkins <bobw@gghd3.org>, Amy Luft <ALuft@compassidaho.org>, Josie Gallup <jgallup@compassidaho.org>, Austin Miller <amiller@compassidaho.org>, Lila Klopfenstein <lklopfenstein@compassidaho.org>

Lee,

Please find the COMPASS development review checklist for 2705 Main Street (SH-19) RV & Storage Unit Facility attached. Let me know if you have any questions.

Best,

Olivia Vielstich McKinnon



Olivia Vielstich McKinnon | Assistant Planner
Community Planning Association (COMPASS)
700 NE 2nd Street, Suite 200
Meridian, ID 83642
Direct: 208-475-2240 | Main: 208-855-2558
ovielstichmckinnon@compassidaho.org
<https://compassidaho.org/>



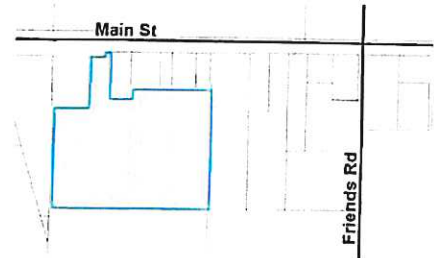
—Attachments:—

Greenleaf RV facility.docx

281 KB

Communities in Motion (CIM) Development Review Checklist

Development Name: 2705 Main Street (SH-19) RV & Storage Unit Facility
CIM Vision Category: Future Neighborhood
Consistent with CIM Vision? YES
New Households: 0 **New Jobs:** ±3



Safety

How safe and comfortable is the nearest major road (minor arterial or above) for bicyclists and pedestrians? Analysis is limited to existing roadway conditions.

State Highway 19

- Pedestrian level of stress
- Bicycle level of stress



Economic Vitality

To what extent does the project enable people, government, and businesses to prosper?

- Economic Activity Center Access
- Impact on Existing Surrounding Farmland
- Net Fiscal Impact



Convenience

What services are available within 0.5 miles (green) or 1 mile (yellow) of the project?

- Nearest bus stop
- Nearest public school
- Nearest public park



Quality of Life

Checked boxes indicate that additional information is attached.

- Active Transportation**
- Automobile Transportation**
- Public Transportation**
- Roadway Projects**



Improves performance



Does not improve or reduce performance



Reduces performance

Comments:

Based on the site plan provided, COMPASS has no comments.

Who we are: The Community Planning Association of Southwest Idaho (COMPASS) is the metropolitan planning organization for Ada and Canyon Counties. This review evaluates whether land developments are consistent with *Communities in Motion*, the regional long-range transportation plan for Ada and Canyon Counties. This checklist is not intended to be prescriptive, but rather a guidance document. Past checklists are available [online](#). See the [Development Review User Guide](#) for more information on the red, yellow, and green checklist thresholds.



Complete Network Appendix

Checkmarks (✓) below indicate suggested changes to a site plan, based on the [COMPASS Complete Network Policy \(No. 2022-01\)](#). Both the Complete Network Policy and site-specific suggestions are intended to better align land use with identified transportation uses in the corridor. Please see the Complete Network [map](#) for primary and secondary uses for roadways (minor arterial and above) in Ada and Canyon Counties.

Corridor Name: State Highway 19

Primary Use: Freight

Secondary Use: Transit

Fiscal Impact Analysis

Below are the expected revenues and costs to local governments from this project. The purpose of this analysis is to help the public, stakeholders, and the decision-makers better manage growth.

Capital and operating expenditures are determined based on service and infrastructure needs, including persons per household, student generation rates, lot sizes, street frontages, vehicle trip and trip adjustment factors, average trip lengths, construction values, income, discretionary spending, and employment densities.

Net Fiscal Impact by Agency

City

County

Highway District

School District

Breakeven point across all agencies: 1 year

Disclaimer: This tool only looks out 20 years and does not include replacement costs for infrastructure, public utilities, or unfunded transportation needs in the project area. More information about the COMPASS Fiscal Impact Tool is available at:

<https://compassidaho.org/fiscal-impact-tool/>