

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
Bryan Clark, Commissioner
Ginny Greger, Commissioner
Jim Main, Commissioner

CITY OF KUNA
City Hall Council Chambers
751 W 4th Street, Kuna, ID 83634



Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday July 11, 2023, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5274.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.

1. CALL TO ORDER & ROLL CALL:

2. CONSENT AGENDA:

All items listed are routine and acted on with one (1) Motion by the Commission; there will be no separate discussion unless the Chairman, Commissioner, or Staff requests it be removed. Removed items will be placed under Business unless otherwise instructed.

- 1.** Regular Commission Meeting Minutes Dated June 27, 2023
- 2.** Findings of Fact & Conclusions of Law
 - A.** Case Nos. 22-13-AN, 21-18-S & 22-42-DR Whiterock Subdivision
 - B.** Case No. 23-01-OA Kuna City Code Title 5 & 6 Rewrite
 - C.** Case No. 23-01-DR Kaveman Trailers

3. PUBLIC HEARINGS:

- A.** Case Nos. 22-07-ZC (Rezone), 22-05-PUD (Planned Unit Development), 22-15-S (Preliminary Plat), 22-08-SUP (Special Use Permit) & 22-34-DR (Design Review) for Gallica Heights Subdivision – Troy Behunin, Senior Planner

Staff requests this item be tabled to a date certain of August 22, 2023, pending critical agency comments.

- B.** Case No. 23-04-SUP (Special Use Permit) & 23-05-DR (Design Review) for Kuna Battery Storage – Jessica Reid, Associate Planner

Staff requests this item be tabled to a date certain of July 25, 2023, pending critical agency comments.

5. BUSINESS ITEMS:

None

6. UPDATES & REPORTS: Non-Action Items

None

7. ADJOURNMENT:

OFFICIALS

Lee Young, Chairman
Dana Hennis, Vice Chairman
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CITY OF KUNA
City Hall Council Chambers
751 W 4th Street, Kuna, ID 83634



Planning & Zoning Commission
REGULAR MEETING MINUTES
Tuesday June 27, 2023, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5274.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.

1. CALL TO ORDER & ROLL CALL:

Timestamp 00:00:03

Chairman Young called the meeting to order and requested roll call be taken.

COMMISSION MEMBERS PRESENT:

Chairman Lee Young
Vice Chairman Dana Hennis
Commissioner Bryan Clark
Commissioner Ginny Greger

CITY STAFF PRESENT:

Kelsey Briggs, City Attorney
Doug Hanson, Planning & Zoning Director
Morgan Treasure, Economic Development Director
Troy Behunin, Senior Planner
Jessica Reid, Associate Planner

2. CONSENT AGENDA:

Timestamp 00:00:30

- 1. Regular Commission Meeting Minutes Dated June 13, 2023
- 2. Findings of Fact & Conclusions of Law
 - A. Case No. 22-11-AN Swanson & Weekes
 - B. Case No. 23-03-DR 725 E Access Industrial Shell

Timestamp 00:00:35

Motion To: Approve the Consent Agenda.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Clark

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

3. PUBLIC HEARINGS:

Timestamp 00:00:46

- A. Case Nos. 22-13-AN (Annexation), 21-18-S (Preliminary Plat) & 22-42-DR (Design Review) for Whiterock Subdivision – Troy Behunin, Senior Planner

Timestamp 00:01:11

Senior Planner Troy Behunin provided an overview of the proposed project, notified the Commission of items within the staff report which needed to be corrected, then stood for questions.

Timestamp 00:04:12

Applicant Tyler McKinnon provided a visual presentation and specifically touched on the requested density fitting in with surrounding developments, adding badly needed inventory to entry level housing, widening of Ardell Road and installation of sidewalk, and resolution of a current traffic safety issue with the existing driveway being so close to the Ardell Road and Linder Road intersection. Mr. McKinnon also noted the existing well would remain as it also served their neighbor to the North and an easement would be provided; he also requested a meandering sidewalk along Ardell Road to preserve existing mature trees. Mr. McKinnon thanked the Commission and stood for questions.

Timestamp 00:10:49

Chairman Young asked Mr. McKinnon if Ada County Highway District (ACHD) had provided any feedback on the meandering sidewalk. Mr. McKinnon answered that ACHD preferred a straight sidewalk.

Timestamp 00:11:15

Chairman Young opened the public hearing.

In Favor

None

Neutral

None

In Opposition

Danielle Horras, Kuna Joint School District No. 3 (KSD), 711 E Porter Street, Kuna, ID, 83634 –
Testified

Timestamp 00:11:41

Danielle Horras testified that there had been substantial growth of the community and though KSD had planned on the growth, they had not planned on how much growth had occurred and would be unable to serve additional students.

Timestamp 00:13:14

As there were no others signed in to testify, Chairman Young closed the public hearing and the Commission proceeded into deliberation.

Timestamp 00:13:43

Vice Chairman Hennis stated he believed it was a good infill project and was a good use of space. He also agreed the project would resolve several traffic issues which resulted with the driveway placement. Vice Chairman Hennis supported the meandering sidewalk and maintaining the mature trees. He also noted that he found no issues with the Applicants request but was sympathetic to KSD's concerns.

Timestamp 00:14:35

Chairman Young agreed with the Vice Chairman and commented he felt the proposed subdivision was laid out as best as it could be. The Chairman was also sympathetic to KSD's concerns.

Timestamp 00:15:25

Commissioner Greger echoed the Chairman's and Vice Chairman's comments, as did Commissioner Clark.

Timestamp 00:16:04

Commissioner Clark asked staff where in Kuna City Code (KCC) the minimum width was for accessing a flag lot was listed.

Timestamp 00:16:28

Mr. Behunin asked Commissioner Clark a clarifying question then answered the information could be found in KCC 5-3-3.

Timestamp 00:17:06

Commissioner Clark noted his greatest concern was fire access but if the fire agency was amenable to what was presented, he was satisfied.

Timestamp 00:17:41

Chairman Young asked staff if the fire authority had a chance to review the project.

Timestamp 00:17:44

Mr. Behunin confirmed they had and that no concerns were raised, and additionally noted KCC allowed driveways to be 150 feet long without any concern. Mr. Behunin then commented Kuna Rural Fire District (KRFD) had been provided the Agency Transmittal packet regarding the proposed project and no concerns had been raised.

Timestamp 00:18:51

Commissioner Clark and Mr. Behunin made a few additional clarifying comments.

Timestamp 00:19:59

Motion To: Recommend approval to City Council of Case Nos. 22-13-AN and 21-18-S with the Conditions as outlined in staffs report.

Vice Chairman paused in his Motion to ask staff if it was appropriate to Motion to strike the items noted by Mr. Behunin from the staff report.

Timestamp 00:20:35

Mr. Behunin confirmed the item was only within the staff analysis of the report and not in the Conditions of approval.

Timestamp 00:20:42

Motion To: Recommend approval to City Council of Case Nos. 22-13-AN and 21-18-S with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Clark

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

Timestamp 00:20:54

Motion To: Approve Case No. 22-42-DR with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Greger

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

Timestamp 00:21:24

B. Case No. 23-01-OA (Ordinance Amendment) Kuna City Code Title 5 & 6 Rewrite – Doug Hanson, Director

Timestamp 00:21:40

Planning and Zoning Director Doug Hanson provided a quick overview of the Ordinance Amendment then stood for questions.

Timestamp 00:22:12

Vice Chairman Hennis asked about Section 5-4-6 in which it stated public meeting items were not required to conduct Neighborhood Meetings or abide by sign posting procedures.

Timestamp 00:23:12

Director Hanson confirmed that public meeting items were not required to follow those requirements, only public hearings were.

Timestamp 00:23:22

Vice Chairman Hennis thanked Director Hanson then noted a few items where spelling errors needed correction. The Vice Chairman also commented the proposed rewrite caught many issues that were in Kuna City Code (KCC) as well as provided some clarification where it was needed.

Timestamp 00:24:46

Director Hanson noted an additional proposed correction within the Planned Unit Development (PUD) Code regarding the maximum allowed density bonus, as well as striking a Section as the information was redundant; the intention was to remove ambiguity and redundancy.

Timestamp 00:27:47

Chairman Young opened the public hearing.

In Favor

None

Neutral

None

In Opposition

None

Timestamp 00:28:03

As there were no individuals signed in to testify, the Chairman closed the public hearing and the Commission proceeded into deliberation.

Timestamp 00:28:20

Chairman Young believed the proposed rewrite was well done and there were any sweeping changes as far as modifications.

Timestamp 00:28:39

Vice Chairman Hennis agreed and that most of the changes were a clean up of sorts, as well as removing unnecessary or redundant Sections.

Timestamp 00:28:49

Chairman Young expressed he was agreeable with the proposal.

Timestamp 00:29:09

Commissioner Greger agreed the rewrite was great.

Timestamp 00:29:14

Commissioner Clark noted he was also agreeable with the proposal.

Timestamp 00:29:51

Motion To: Recommend approval to City Council of Case No. 23-01-OA, with changes to Section 5-8-1109(5) as noted by staff, removal of Section 5-8-1111(A), and spelling corrections and removal of redundant text in Section 5-5-2.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Clark

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

5. BUSINESS ITEMS:

Timestamp 00:31:13

A. Case No. 23-01-DR (Design Review) for Kaveman Trailers – Jessica Reid, Associate Planner

Timestamp 00:31:27

Associate Planner Jessica Reid provided an overview of the project and stood for questions.

Timestamp 00:33:28

Commissioner Clark asked if Ada County Highway District (ACHD) had provided any comments. Ms. Reid answered they had not as they held no jurisdiction over the project. Commissioner Clark confirmed that Idaho Transportation Department (ITD) had provided comments. Ms. Reid confirmed that was correct and ITD had only made a recommendation to close the existing driveway and share access with the neighbor to their North, not a requirement.

Timestamp 00:34:00

Commissioner Clark noted he did not believe shared access would be appropriate; Vice Chairman Hennis agreed.

Timestamp 00:34:42

After additional back-and-forth regarding shared access, the Chairman called the Applicant's representative forward.

Timestamp 00:34:53

Richard Wilmont commented the Applicant's were in agreement with the staff report, then noted the shared access was only a recommendation from ITD, not a requirement, and the access improvements would be submitted to ITD for proper review and approval. Mr. Wilmont then stood for questions.

Timestamp 00:37:11

Vice Chairman Hennis asked Mr. Wilmont to clarify what gravel pavement was.

Timestamp 00:37:17

Mr. Wilmont explained it would most likely be a combination of crushed rock and recycled asphalt or another mixture which accommodated the trailer hitches as they typically sank into regular asphalt; it was the Applicants intention to provide a material which would not crack, take additional damage, or cause drainage issues.

Timestamp 00:39:10

Chairman Young believed the project was straightforward and had no concerns with the proposal.

Timestamp 00:39:31

Vice Chairman Hennis agreed as he felt it was a good use of the property and it was good to see the location develop. The Vice Chairman was also confident the Applicants would work with ITD regarding their access as cross access seemed difficult.

Timestamp 00:40:06

Commissioner Clark agreed with the Vice Chairman and believed the proposed project was appropriate.

Timestamp 00:40:26

Commissioner Greger commented it would add traffic to an already busy area but did not have any other concerns.

Timestamp 00:40:35

Commissioner Clark asked if the project was for an existing business. The Vice Chairman confirmed that was correct, they were just currently at a different local location.

Timestamp 00:40:49

Commissioner Greger commented that the subject site had been many different things and it was nice to see something permanent.

Timestamp 00:41:03

Motion To: Approve Case No. 23-01-DR for Kaveman Trailers with the Conditions as outlined in staffs report.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Greger

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

6. UPDATES & REPORTS: Non-Action Items

Timestamp 00:41:27

- A. August 17, 2023, Joint meeting with Council, Commission, and Kuna Joint School District No. 3 (KSD) in Council Chambers. Legal 101 6:00 PM – 7:00 PM for members of the Council and Commission; joint meeting with KSD begins at 7:00 PM.

Timestamp 00:41:34

Director Hanson notified the Commission that they and the Council would be attending a Legal 101 meeting; the meeting would be like what existing Commissioners and Councilmembers had previously attended but as there were newer individuals, a refresher course was a good idea.

Timestamp 00:41:57

The Commission thanked Director Hanson.

7. ADJOURNMENT:

Timestamp 00:42:19

Motion To: Adjourn.

Motion By: Vice Chairman Hennis

Motion Seconded: Commissioner Clark

Further Discussion: None

Aye: 4

Nay: 0

Absent: 1

Motion Carried: 4-0-1

ATTEST:

Lee Young, Chairman

Doug Hanson, Director



CITY OF KUNA

751 W. 4th Street • Kuna, Idaho • 83634 • Phone (208) 922-5274
Fax: (208) 922-5989 • www.Kunacity.Id.gov

SIGN-UP SHEET

June 27, 2023 – P&Z Commission, Public Hearing

Case Name: Whiterock Subdivision

Case Type: Annexation, Preliminary Plat, and Design Review Request.

Case Nos.: 22-13-AN (Annexation), 21-18-S (Preliminary Plat) & 22-42-DR (Design Review).

Please print your name below if you would like to present oral testimony or written exhibits about this item to the Council/Commission.

Table with 3 columns: IN FAVOR, NEUTRAL, IN OPPOSITION. Each column has 5 rows of 'Testify'/'Not Testify' checkboxes and corresponding name/address/city/zip fields. Includes handwritten entries in the 'IN OPPOSITION' column.



CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5274 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
 June 27, 2023

Case No.: 23-01-OA (Ordinance Amendment)

Case Name: Kuna City Code Title 5 & 6 Rewrite

Please print your name below & indicate if you would like to Testify or NOT Testify regarding this item.

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP
<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
Name	Name	Name
Address	Address	Address
City, State, ZIP	City, State, ZIP	City, State, ZIP

**BEFORE THE PLANNING AND ZONING COMMISSION
OF THE CITY OF KUNA**

IN THE MATTER OF THE APPLICATION OF) Case Nos. 22-13-AN (Annexation),
) 22-18-S (Preliminary Plat), 22-42-DR
TYLER AND CATHERINE MCKINNON) (Design Review)
)
) **FINDINGS OF FACT, CONCLUSIONS**
) **OF LAW AND ORDER OF DECISION**
) **FOR ANNEXATION, PRELIMINARY**
) **PLAT AND DESIGN REVIEW**
For a request at 2561 N Linder Road.) **APPLICATIONS.**

THESE MATTERS came before the Commission for public hearing on June 27, 2023, for the receipt and consideration by the Commission of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby make and set forth the Record of Proceedings, and these Findings of Fact, Conclusions of Law, and Order of Decisions.

**I
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>	Withdrawn	Refused	Admitted
1.1 STAFF REPORT.pdf			X
2.1 P&Z APPLICATION COVERSHEET.pdf			X
2.2 P&Z ANNEXATION & ZONING APPLICATION.pdf			X
2.3 P&Z PRELIMINARY PLAT APPLICATION.pdf			X
2.3 P&Z PRELIMINARY PLAT APPLICATION.pdf			X
2.5 NARRATIVE.pdf			X
2.6 WARRANTY DEED.pdf			X
2.7 AFFIDAVIT OF LEGAL INTEREST.pdf			X
2.8 VICINITY MAP.pdf			X
2.9a NEIGHBORHOOD MEETING CERTIFICATION.pdf			X
2.9b NEIGHBORHOOD MEETING CERTIFICATION.pdf			X
2.10 ANNEXATION LEGAL DESCRIPTION.pdf			X
2.11 PRELIMINARY PLAT.pdf			X
2.12 LANDSCAPE ILLUSTRATIVE PLAN.pdf			X
2.14 SUBDIVISION NAME RESERVATION.pdf			X
2.16 COMMITMENT TO PROPOERTY POSTING.pdf			X
2.17 COMMON AREA MAINTENANCE.pdf			X
2.18 AGENCY TRANSMITTAL EMAIL.pdf			X

2.19 PUBLIC WORKS.pdf			X
2.20 ADA COUNTY HIGHWAY DISTRICT.pdf			X
2.21 ADA COUNTY DEVELOPMENT SERVICES.pdf			X
2.22 BOISE KUNA IRRIGATION DISTRICT.pdf			X
2.23 BOISE PROJECT BOARD OF CONTROL.pdf			X
2.24 NAMPA MERIDIAN IRRIGATION DISTRICT.pdf			X
2.25a CENTRAL DISTRICT HEALTH.pdf			X
2.25b CENTRAL DISTRICT HEALTH.pdf			X
2.26a DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf			X
2.26b DEPARTMENT OF ENVIRONMENTAL QUALITY.pdf			X
2.27 KMN PROOF OF PUBLISH.pdf			X
2.28 PROOF OF LEGAL NOTICE MAILER PZ.pdf			X
2.29 PROOF OF PROPERTY POSTING PZ.pdf			X
2.30 WEBSITE POSTING PZ.pdf			X
2.31 APPLICANT PRESENTATION.pdf			X

1.2 Hearings: The Commission heard this on June 27, 2023. The FCO's have been requested to go before the Commission on July 11, 2023.

1.3 Witness Testimony: Those who testified at the Commissions' June 27, 2023, hearing are as follows, to-wit:

- A. City Staff:**
Troy Behunin, Senior Planner
- B. Appearing for the Applicant:**
Tyler McKinnon, 2561 N Linder Road, Kuna, ID 83634 – Testified
- C. Appearing in Favor:**
None
- D. Appearing Neutral:**
None
- E. Appearing in Opposition:**
Danielle Horras, Kuna School District, 711 E Porter St., Kuna, ID 83634 – Testified

II DECISION

WHEREUPON THE COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Notice

- A.** Notice was published for the June 27, 2023, hearing on the 2561 N Linder Road, Annexation, Preliminary Plat and Design Review in the Kuna Melba News, the official City of Kuna newspaper,

which has general circulation within the boundaries of the city, Ada and Canyon County, on June 7, 2023. Notice was also published on the City of Kuna website June 27, 2023.

- B.** Notice for the June 27, 2023, hearing containing the legal description of the property proposed to be Annexed and Subdivided was mailed to all know and affected property owners within 300-ft of the boundaries of the area described in the application on June 19, 2023.
- C.** Notice for the June 27, 2023, hearing was posted on a sign in accordance with [Kuna City Code \(KCC\) 5-1A-8](#) on June 14, 2023. A Proof of Property Posting form was provided to staff on June 16, 2023.

3.2 Findings Regarding Annexation, Preliminary Plat and Design Review.

- A.** The subject site is located in unincorporated Ada County and touches Kuna City limits on all three (3) sides and is currently zoned Rural Residential and has historically contained a single residence with outbuildings and also partially used for Agriculture purposes.
- B.** The land proposed for Annexation, Preliminary Plat and Design Review is comprised of one (1) parcel totaling approximately 4.99 acres. The parcel is as follows:

Owner	Parcel No.	Size	Current Zone
Tyler and Catherine McKinnon	S1314142375	4.99 acres	RR (Rural Residential)

- C.** The existing land uses and zoning districts for lands surrounding the subject site are as follows:

North	RR	Rural Residential – Ada County
South	R-6	Medium Density Residential – Kuna City
East	R-4	Medium Density Residential – Kuna City
	R-6	Medium Density Residential – Kuna City
West	R-4	Medium Density Residential – Kuna City

- D.** Have the public notice requirements been met and the Neighborhood Meeting was conducted within the guidelines of applicable Idaho Code and City Ordinances?
 - 1.** The Applicant held two Neighborhood Meetings; July 14, 2022 (5 Attendees) and January 26, 2023 (6) attended the meeting in accordance with I.C. and KCC.
 - 2.** Legal Mailer Notices were mailed out to residents within 300-feet of the proposed project site on June 15, 2023, and a legal notice was published in the Kuna Melba Newspaper on June 7, 2023, in accordance with I.C. and KCC.
 - 3.** The Applicant posted a sign on the property on June 14, 2023.
- E.** Based on the evidence presented does the application generally comply with Kuna City Code (KCC)?
 - 1.** The Applicant has submitted a complete application, and following staff review for technical compliance, the application appears to be in general compliance with the design requirements AND public improvement requirements, objectives and considerations listed in Kuna City Code Title 5 and Title 6, if the sewer infrastructure improvements recommended by the Public Works Department are completed.
- F.** Based on the evidence presented, does the application generally comply with the Comprehensive Plan?

1. The Comp Plan designates the property as Medium Density Residential, the proposed zoning districts is R-6 (MDR).
 2. The development includes additional housing types and sizes promotes variety for all income levels and promotes desirable and well-designed neighborhoods.
 3. Adding roads, sidewalks, pathways, and pedestrian corridors together with stubs to adjacent properties promotes future connections by other developments offers connectivity and access for all residents.
- G.** Can the availability of existing and proposed public services accommodate the proposed development?
1. ACHD can support the development with all Site-Specific Conditions of approval being satisfied.
 2. ITD requires no mitigation improvements to serve the development.
 3. Sewer will become available with the completion of the Danskin Sewer Force Main.
 4. Potable water connection is available for the subject site.
 5. Pressurized irrigation connection is available for the subject site.
- H.** Does the public have the financial capability to provide supporting services to the proposed development?
1. Through development of the project and beyond, connection fees, impact fees (Fire, Police, Park and Ada County Highway District), and property taxes will be collected.
- I.** Does the proposed project consider health and safety of the public and the surrounding area's environment?
1. Connection to City services, as well as other public improvements such as streetlights, fire hydrants, sidewalks, etc. will be implemented as a part of this project.
 2. No major wildlife habitats will be impacted by the proposed development.
- J.** Does the site landscaping meet the intent of the landscape Ordinance?
1. A six- foot (6') vinyl fence is proposed around the perimeter of the subdivision where permitted.
 2. Residential lots will be required to provide see-through fencing adjacent to all common lots and shall follow all requirements listed in [KCC 5-17](#).
 3. A Landscape buffer comprised of sod, trees and other plantings will be provided along N Linder and W Ardell Roads.
 4. .53 acres of qualified open space is proposed exceeding the 7.00% minimum.

5. Internal sidewalks and stub streets are provided for connectivity within the development.
- K.** Does the proposed application constitute orderly development?
1. The proposed subject site is located adjacent to the Kuna City Limits and touches the city limits on three (3) sides.
 2. Subdivisions are under active construction to the west and east of the subject site.
 3. Streets are proposed to connect to stubs provided by previous development.
- L.** The Applicant and/or Owner of the property have the right to request a written regulatory taking analysis.

Pursuant to [Idaho Code 67-8003](#), the Owner of private property that is subject of such action may submit a written request for a regulatory taking analysis with the City Clerk, not more that twenty-eight (28) days after the final decision concerning the matter at issue. The City shall prepare a written taking analysis concerning the action if requested.

IV CONDITIONS

Based upon the record contained in Case No. 22-13-AN, 22-18-S & 22-42-DR, including the Comprehensive Plan, Staff's report, the exhibits and testimony during the public hearing the Commission recommends approved to Council for the Annexation, Preliminary Plat And Design Review, subject to the following Conditions:

4.1 Transportation

- A.** Buffers, curb, gutter and sidewalk (attached and detached) shall be installed in accordance with [KCC 5-17-14](#) and [6-4-2](#).
- B.** Developer/Owner/Applicant shall work with Ada County Highway District and the City of Kuna to complete all required traffic improvements to the surrounding roadways and intersections as detailed in the Ada County Highway District staff report.
- C.** Developer/Owner/Applicant shall install a sign at the terminus of the proposed stub street stating; "this road will continue in the future". Developer/Owner/Applicant shall obtain proper language from Ada County Highway District.

4.2 Site Layout, Dimensional Standards and Parking

- A.** Developer/Owner/Applicant shall measure all front building setbacks from back of sidewalk on all internal local roads.
- B.** Applicant shall ensure the proper easement widths on all lots in accordance with [KCC 6-3-8](#).
- C.** It is the responsibility of the Developer to ensure any anticipated buildings fit any given buildable lot in accordance with [KCC 5-3-3](#).

4.3 Landscape, Open Space and Fencing

- A.** Fencing within and around the site shall comply with [KCC 5-5-5](#) (unless specifically approved otherwise and permitted).
- B.** All required landscaping shall be permanently maintained in a healthy growing condition. The property Owner shall remove and replace unhealthy or dead plant material within 3 days or as the planting season permits as required to meet the standards of these requirements. Maintenance and planting in public Rights-of-Way shall be with approval from ACHD.
- C.** Landscaping shall not be placed within ten (10) feet of any meter pits, pressurized irrigation valves and/or ACHD underground facilities and must honor all vision triangles.
- D.** The Landscape Plan and Preliminary Plat (dated 3.29.23) will be considered binding site plans as amended and/or approved.
- E.** All signage within/for the project shall comply with Kuna City Code, and shall be approved through the applicable sign approval process listed in [KCC 5-10](#).
- F.** If any revisions are made, the Applicant shall provide the Planning and Zoning Staff with a revised copy of the Preliminary Plat. Any revisions of the plat are subject to Administrative Determination to rule if the revision is substantial.
- G.** Develop/Owner/Applicant is hereby notified that this project is subject to Design Review inspection fees. Required inspections (post construction), are to verify building and landscaping compliance prior to requesting signature on the final plat.

4.4 Public Works

- A.** Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground, see [KCC 6-4-2](#).
- B.** Compliance with [I.C. §31-3805](#) is required. Delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.
- C.** When required, submit a petition to the City (as necessary, confirmed with the City Engineer) consenting to the pooling of irrigation surface water rights for delivery purposes and request to annex the irrigation surface water rights appurtenant to the property over to the Kuna Municipal Pressure Irrigation System of the City (KMIS).
- D.** Connection to City Services (Sewer, Water, Pressurized Irrigation) is required. The Applicant shall conform to all corresponding City of Kuna Master Plans.
- E.** The Developer/Owner/Applicant shall be required to participate, as determined by the City Engineer, in the development of additional Lift Station capacity, and or a Water Booster Station as necessary.
- F.** The Developer/Owner/Applicant shall not submit an application for Final Plat until the City's Public Works Director issues a Will-Serve Letter stating the City's appurtenance has capacity to service the proposed development with domestic water, and accept the

wastewater discharged from the proposed development.

- G.** In the event a Will-Serve Letter is not issued within the time the Applicant is required to record a Final Plat, the Applicant shall have good cause and be eligible to receive, pursuant to [KCC 6-2-3-J](#), a Time Extension to file a Final Plat up to and until a Will-Serve Letter has been issued.
- H.** Developer/Owner/Applicant shall work with staff in order to provide final locations of streetlights as required by Kuna City Code. Streetlights for the site shall be LED lighting and must comply with Kuna City Code and established Dark Sky practices.
- I.** In accordance with R90-2022, once the Danskin Sewer Force Main is completed, 40 Equivalent Dwelling Units (EDU's) may be issued on a Phase-by-Phase basis.

4.5 General

- A.** The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved plans of the construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - 1.** The City Engineer shall approve all sewer connections.
 - 2.** The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Applicant has received an approved drainage plan.
 - 3.** Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in, "Catalog for Best Management Practices for Idaho Cities and Counties".
 - 4.** The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by the Fire District are required.
 - 5.** The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 6.** Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
 - 7.** All public rights-of-way shall be dedicated and constructed to standards of the City and Ada County Highway District. No public street construction may commence without the approval and permit from Ada County Highway District.
- B.** The Developer/Owner/Applicant, and any future assigns having an interest in the subject property, shall fully comply with all conditions of development as approved by the City Council, or seek amending them through Public Hearing processes.
- C.** Developer/Owner/Applicant/Contractors are hereby notified of Kuna's working hours. Construction of any kind shall only be conducted within the hours specified in [KCC 10-6-3](#). Noises and other public nuisances/distractions outside of this time frame are subject to

lawful penalties.

- D. Developer/Owner/Applicant is hereby notified of Kuna's weed control policies and requirements [KCC 8-1-3](#). Weeds, grasses, vines or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed or destroyed throughout all seasons.
- E. Applicant is conditioned to work with the City Engineer for proper easement widths for the project as a whole.
- F. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

V

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING & ZONING COMMISSION

- 5.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The power of the City of Kuna lies in the Commission to hear this matter as provided in [Idaho Code §67-65](#), and [Kuna City Code 1-14-3](#).

VI

CONCLUSIONS OF LAW

RE: APPLICATION FOR ANNEXATION

- 6.1 The City of Kuna has authority to Annex lands into its boundaries pursuant to [Idaho Code §50-222](#).
- 6.2 [Idaho Code §50-222\(1\)](#) provides that:

[C]ities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provisions of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocated the costs of public services in management of development on the urban fringe.

(emphasis added).

- 6.3 The proposed Annexation is a Category A Annexation as described in [Idaho Code §50-222\(3\)\(a\)](#), because the private landowner of the parcel at issue has consented to the proposed Annexation.
- 6.4 Annexation decisions by a City Council are a legislative decision, not quasi-judicial decisions. *Black Labrador Investing, LLC. v. Kuna City Council*, 147 Idaho 92, 96 (2009), citing, see *Crane Creek Country Club v. City of Boise*, 121 Idaho 485, 487, 826 P.2d 446, 448 (1990).

VII
CONCLUSIONS OF LAW
RE: APPLICATION FOR PRELIMINARY PLAT

- 7.1 The City of Kuna has authority to approve Preliminary Plats within its boundaries pursuant to [I.C. §50-13 & 67-65](#)
- 7.2 In Kuna City Code, Title 1, Chapter 14, Section 3, states that Preliminary Plats are designated as Public Hearings, with the Planning and Zoning Commission as a recommending body and the City Council as the decision-making body.
- 7.3 Subdivision regulations as defined in Kuna City Code Title 6 are authorized by [I.C. § 50-13 & 67-65](#) and Article 12, section 2.

VIII
CONCLUSIONS OF LAW
RE: APPLICATION FOR DESIGN REVIEW

- 8.1 The Commission has the decision-making authority over all Legislative Design Review applications as provided in [KCC 1-14-3](#).
- 8.2 [Kuna City Code 5-4-2](#) provides that:

“This chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, institutional, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs or sites, and requires the submittal of a Design Review application pursuant to this Chapter and fee as prescribed from time to time by the City Council.”

IX
ORDER OF RECOMMENDED APPROVAL OF APPLICATIONS FOR
ANNEXATION AND PRELIMINARY PLAT

The Council, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 9.1 That the Annexation Application (Case No. 22-13-AN) is recommended Approval.
- 9.2 That the Preliminary Plat Application (Case No. 22-18-S) is recommended Approval.

X
ORDER OF APPROVAL OF APPLICATION FOR DESIGN REVIEW

- 10.1 That the Design Review Application (22-42-DR) is hereby Approved.

BY ACTION OF THE PLANNING & ZONING COMMISSION of the City of Kuna at its regular meeting held on the 11th of July 2023.

Lee Young, Chairman

1.2 Hearings

- A. The Commission heard this on June 13th and 27th, 2023. The FCO’s have been requested to go to the Commission on July 11, 2023.

1.3 Witness Testimony

- A. City Staff:
Doug Hanson, Planning & Zoning Director
- B. Appearing in Favor:
None
- C. Appearing Neutral:
None
- D. Appearing Against:
None

**II
DECISION**

WHEREUPON THE COMMISSION being duly informed upon the premises and having reviewed the record, evidence, and testimony received and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING RECOMMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

**III
FINDINGS OF FACT**

3.1 Findings Regarding Notice

- A. **Notice Required:** Notice has been given in accordance with City Code and Idaho Statutes.
- B. Notice was published for the June 13th and 27th, 2023 hearings on the request for an Ordinance Amendment to combine Title 5, Zoning Regulations and Title 6, Subdivision Regulations into one Development Regulation Title. in the *Kuna Melba News*, the official City of Kuna newspaper, which has general circulation within the boundaries of the City and in Ada County and Canyon County.

3.2 Findings Regarding Ordinance Amendment

- A. Have the public notice requirements been met within the guidelines of applicable Idaho Code and City Ordinances?
 - 1. Legal notices were published in the Kuna Melba News on May 17, 2023, and May 24, 2023.
- B. In accordance with [KCC 5-1A-3](#) were applicable agencies notified and asked to provide comment?
 - 1. Applicable agencies were notified and asked to provide comments on May 12, 2023.

IV

CONCLUSIONS OF LAW

RE: POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

- 4.1 City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to [Idaho Code §50-1](#).
- 4.2 The power of the City of Kuna lies in the Commission to hear this matter as provided in Idaho Code §67-65 and Kuna City Code [1-14-3](#).

V

CONCLUSIONS OF LAW

RE: APPLICATION FOR ORDINANCE AMENDMENT

- 5.1 The City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho and is organized, existing and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The City of Kuna has authority to amend Kuna City Code pursuant to [KCC 1-1-3](#).

VI

ORDER OF RECOMMENDING APPROVAL OF APPLICATION

The Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the hearing, and being fully informed in the premises and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 6.1 Recommend Approval to City Council of Ordinance Amendment application to combine Title 5, Zoning Regulations and Title 6, Subdivision Regulations into one Development Regulation Title.

BY ACTION OF THE PLANNING AND ZONING COMMISSION of the City of Kuna at its regular meeting held on the 11th day of July 2023.

Lee Young, Chairman
Kuna Planning and Zoning Commission

BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF KUNA

IN THE MATTER OF THE APPLICATION OF) **Case No. 23-01-DR**
)
THE WHITE’S)
)
For Design Review of the Kaveman Trailers sales) **FINDINGS OF FACT, CONCLUSIONS OF**
lot, associated parking lot and landscaping.) **LAW AND ORDER OF DECISION FOR**
DESIGN REVIEW APPLICATION.

THESE MATTERS came before the Commission for review and approval or denial on June 27, 2023, for receipt and consideration of these Findings of Fact, Conclusions of Law, and Order of Decision for the above referenced application. The Commission does now hereby set forth this Record of Proceedings of these Findings of Fact, Conclusions of Law, and Order of Decision.

**I
EXHIBIT LIST**

The exhibits of the above-referenced matter consist of the following, to-wit:

1.1 Exhibits:

<i>DESCRIPTION OF EVIDENCE</i>	Withdrawn	Refused	Admitted
1.1 23-01-DR KAVEMAN TRAILERS STAFF MEMO.pdf			X
2.1 P&Z APPLICATION COVERSHEET.pdf			X
2.2 DESIGN REVIEW APPLICATION.pdf			X
2.3 NARRATIVE.pdf			X
2.4 VICINITY MAP.pdf			X
2.5 WARRANTY DEED.pdf			X
2.6 AFFIDAVIT.pdf			X
2.7 TOPOGRAPHIC MAP.pdf			X
2.8 SITE & PHASING PLAN.pdf			X
2.9 ELEVATIONS - EXISTING STRUCTURES.pdf			X
2.10 LANDSCAPE PLAN.pdf			X
2.11 LIGHTING CUTSHEETS.pdf			X
2.12 23-01-DR AGENCY TRANSMITTAL.pdf			X
2.13 23-01-DR AGENCY TRANSMITTAL - UPDATED.pdf			X
2.14 ADA COUNTY HIGHWAY DISTRICT.pdf			X
2.15 CITY ENGINEERS MEMO.pdf			X
2.16 IDAHO TRANSPORTATION DEPARTMENT.pdf			X
2.17 UPDATED CITY ENGINEERS MEMO.pdf			X
2.18 CITY ENGINEERS ALTERNATIVE SURFACE MEMO.pdf			X

1.2 Public Meeting: The Commission heard this June 27, 2023. The FCO’s have been requested to go before the Commission on July 11, 2023.

1.3 Witness Testimony: Those who testified at the Commission’s June 27, 2023, meeting are as follows, to-wit:

- A. City Staff:
Jessica Reid, Associate Planner
- B. Appearing for the Applicant:
Richard Wilmont, Chrysalis Architecture

II DECISION

WHEREUPON THE COMMISSION, being duly informed upon the premises and having reviewed the record, evidence, and testimony received, and being fully advised in the premises, DO HEREBY MAKE THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER, to-wit:

III FINDINGS OF FACT

3.1 Findings Regarding Notice

- A. Kuna City Code (KCC) [1-14-3](#) states that Design Reviews are designated as public meetings with the Commission as the decision-making body; no formal noticing is required. An Agency Transmittal was emailed the morning of May 30, 2023, then a second Agency Transmittal was emailed that afternoon as an updated narrative and site plan were provided.

3.2 Findings Regarding Design Review

- A. Does the Design Review contain all necessary requirements listed in [KCC 5-4-9](#)?
 - 1. Most of the required application documents have been provided, but a Grading and Drainage Plan and Lighting Plan have not been. Staff notes a Grading & Drainage Plan is required as part of the City Engineer's Civil Plan review and may be submitted at that time, and the city's Electrical Inspector may require submission of a Lighting Plan as part of building permit submission. All in all, the documents provided as part of this application appear to be in general compliance with the design requirements listed.
- B. Does this proposal comply with the Comprehensive Plan Future Land Use Map (FLUM), and is the site selection appropriate for the proposed project?
 - 1. The FLUM designates the subject site as Commercial; the subject site is currently zoned C-2 (Area Commercial) and is located on N Meridian Road, the city's main commercial thoroughfare and entryway corridor.
- C. Does the structure design, mass, proportion, exterior materials, and relationship of openings appear to comply with [KCC 5-4](#)?
 - 1. The existing structure was a residential home that has been converted into a commercial office; as such, the typical review to the above noted items for commercial projects does not apply. Upon review, staff finds the existing structure to be appropriate and generally meets the design requirements listed.
- D. Does the availability of existing and proposed public services and infrastructure accommodate the proposed development?

1. The Applicants have requested the site remain on the existing septic system to which the City Engineer has provided his support of the request. The City Engineer also notes the subject site shall connect to city water services as the closest connection point is located directly North; regarding pressurized irrigation, extension of the existing line to the site is at the Applicants discretion as the closest connection point is approximately 2,600 feet away. Upon ITD review of the proposal, it is recommended that a shared access be coordinated with the property owner to the North; however, should a shared access agreement not be reached, maintaining use of the existing driveway is permissible with the appropriate permits.

IV CONDITIONS

4.1 Staff Recommended Conditions: None

4.2 Transportation

- A. ITD recommends shared access with Lock-N-Roll storage to the North; if an agreement is unable to be reached, Applicants shall acquire the necessary driveway approach permit(s).

4.3 Site Layout, Dimensional Standards and Parking

- A. Developer/Owner/Applicant is permitted to utilize recycled asphalt as an alternative paving surface and shall maintain said surface in accordance with [KCC 5-9-2](#), and shall pay special attention to subsections C, D.1, E, F, and G.
- B. Developer/Owner/Applicant shall comply with [KCC 5-4-6\(3.a\)](#) in regard to grading and drainage.
- C. Developer/Owner/Applicant is hereby notified that this project is subject to Design Review Inspection fees. These required inspections (post construction) are to verify architectural and landscaping compliance prior to requesting a Certificate of Occupancy.

4.4 Landscape, Open Space and Fencing

- A. Should Applicants not to connect to pressurized irrigation due to its distance, and utilize potable water for irrigation instead, a backflow shall be installed.
- B. Landscaping shall not be placed within 10 feet of meter pits, pressurized irrigation valves, and/or ACHD underground facilities, and must honor all vision triangles. All rope, twine, burlap, and wire cages shall be removed halfway down the root ball.
- C. All required landscaping shall be permanently maintained in healthy growing condition. All unhealthy or dead plant material shall be replaced within three (3) days or as the planting season permits, as required to meet standards of [KCC 5-17](#).
- D. All fencing shall comply with [KCC 5-5-5](#).

4.5 Public Works

- A. Subject site shall remain on the existing septic system; when sewer services become available within 300 feet and the septic system fails, all existing sewage treatment facilities (septic tank and drain field) shall be decommissioned, and the site shall connect to the city sanitary sewer system.
- B. Developer/Owner/Applicant shall extend the 12 inch water main along N Meridian Road to their site per the city's "to and through" policy found in [KCC 6-4-2](#), and connect to the city's potable

water system.

- C. All existing wells shall be abandoned in accordance with Idaho Department of Water Resources (IDWR) requirements and documentation shall be provided to the City Engineer.
- D. Installation of service facilities shall comply with the requirements of the public utility or irrigation district providing the services. All utilities shall be installed underground per [KCC 6-4-2](#).
- E. Developer/Owner/Applicant shall provide a grading and drainage plan.
- F. Compliance with [Idaho Code §31-3805](#) is required; delivery of water shall not be impeded by any construction on site. Compliance with the requirements of the Boise Project Board of Control is required.

4.6 General

- A. The Developer/Owner/Applicant shall obtain written approval on letterhead or may be written/stamped on the approved construction plans from the agencies noted below. All submittals are required to include the lighting, landscaping, drainage, and development plans. All site improvements are prohibited prior to approval of the following agencies:
 - 1. The City Engineer shall approve all sewer connections.
 - 2. The City Engineer shall approve all civil plans. No construction, grading, filling, clearing or excavation of any kind shall be initiated until the Developer/Owner/Applicant has received approval of the drainage plan.
 - 3. Central District Health Department recommends the plan be designed and constructed in conformance with standards contained in “Catalog for Best Management Practices for Idaho Cities and Counties.”
 - 4. The Kuna Rural Fire District shall approve fire flow requirements and/or building plans. Installation of fire protections facilities as required by the Kuna Rural Fire District shall be installed.
 - 5. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - 6. Approval from Ada County Highway District shall be obtained, and Impact Fees paid, prior to issuance of any building permit(s).
 - 7. All public rights-of-way shall be dedicated and constructed to the standards of the city and Ada County Highway District and/or applicable transportation agency.
- B. Developer/Owner/Applicant and any future assigns having interest in the subject property, shall fully comply with all Conditions of development as approved by the Commission or seek amending them through the applicable process.
- C. Developer/Owner/Applicant/Contractors are hereby notified of Kuna’s working hours. Construction of any kind shall only be conducted within the hours specified in [KCC 10-6-3](#). Noises and other public nuisances outside of this time frame are subject to lawful penalties.
- D. Developer/Owner/Applicant is hereby notified of Kuna’s weed control policies and requirements within [KCC 8-1-3](#). Weeds, grasses, vines, or other growth which endanger property or are over twelve (12) inches in height shall be continuously cut down, weeded out, sprayed, burned, removed,

or destroyed throughout the seasons.

- E. Applicants shall follow all staff and agency recommendations.
- F. Applicants shall comply with all local, state, and federal laws.

V

CONCLUSIONS OF LAW RE: POWERS AND DUTIES OF THE COMMISSION

- 5.1 The City of Kuna is a duly formed Municipal Corporation organized and existing by virtue of the laws of the State of Idaho, and is organized, existing, and functioning pursuant to [Idaho Code §50-1](#).
- 5.2 The Commission has decision-making authority over all legislative Design Review applications as provided in [Kuna City Code 1-14-3](#).

VI

CONCLUSIONS OF LAW RE: APPLICATION FOR DESIGN REVIEW

- 6.1 [Kuna City Code 5-4-2](#) provides that:

This Chapter applies to all proposed development located within the Design Review Overlay District which shall include the entire City Limits, and any land annexed into the city after the date of adoption hereof. Such development includes, but is not limited to, new commercial, industrial, office, multi-family residential projects, common areas, subdivision signage, proposed conversions, proposed changes in land use and/or building use, or exterior remodeling, exterior restoration, and enlargement or expansion of existing buildings, signs, or sites and requires the submittal of a Design Review application pursuant to this Chapter and fees as prescribed from time to time by City Council.

VII

ORDER OF APPROVAL FOR DESIGN REVIEW

The Commission, having reviewed the above-entitled record, having listened to the arguments and presentations at the meeting, and being fully informed on the premises, and further based upon the Findings of Fact and Conclusions of Law hereinabove set forth, DO HEREBY ORDER AND THIS DOES ORDER:

- 7.1 The Design Review application for Kaveman Trailers (Case No. 23-01-DR) is approved.

BY ACTION OF THE COMMISSION of the City of Kuna at its regular meeting held the 11th day of July 2023.

Lee Young, Chairman