

OFFICIALS

Dana Hennis, Chairman
Bryan Clark, Vice Chairman
Ginny Greger, Commissioner
Jim Main, Commissioner
Bobby Rossadillo, Commissioner

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



Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday, January 14, 2025, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5546.
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.

- A. Regular Commission Meeting Minutes Dated December 10, 2024
- B. Decision and Reasoned Statement(s)
 - 1. Case No. 24-08-SUP Republic Storage Modification
 - 2. Case No. 24-01-AN Palamino Place

Potential Motion:

- *Motion to Approve Consent agenda.*
- *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

3. PUBLIC HEARINGS:

- A. Case No. 24-05-OA (Ordinance Amendment) Energy Production and Energy Storage – Doug Hanson, Planning & Zoning Director

The City of Kuna Planning & Zoning Department requests a zoning text amendment application.

Potential Motions:

- *Motion to recommend Approval/Conditional Approval/Denial of Case No. 24-05-OA.*

4. BUSINESS ITEMS:

5. UPDATES & REPORTS:

6. ADJOURNMENT:

OFFICIALS

Dana Hennis, Chairman
Bryan Clark, Vice Chairman
Ginny Greger, Commissioner
Jim Main, Commissioner
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Planning & Zoning Commission
REGULAR MEETING AGENDA
Tuesday, December 10, 2024, at 6:00 PM

For questions, please call Planning and Zoning at (208) 922-5546.
ALL AGENDA ITEMS ARE ACTION ITEMS UNLESS OTHERWISE NOTED.

I. CALL TO ORDER & ROLL CALL:

(Timestamp 00:00:12)

Planning & Zoning Director Doug Hanson Chairman, we're ready when you are.

Chairman Dana Hennis Thank you, with that, we'll go ahead and call to order the regular scheduled Planning & Zoning Commission meeting for Tuesday, December 10th, 2024, and we'll start with roll call.

Planning & Zoning Director Doug Hanson Chairman Dana Hennis.

Chairman Dana Hennis Thank you, I'm here.

Planning & Zoning Director Doug Hanson Commissioner Bryan Clark.

Vice Chairman Bryan Clark Present.

Planning & Zoning Director Doug Hanson Commissioner Ginny Greger.

Commissioner Ginny Greger Present.

Planning & Zoning Director Doug Hanson Commissioner Jim Main.

Commissioner Jim Main Present.

Planning & Zoning Director Doug Hanson Commissioner Bobby Rossadillo.

Commissioner Bobby Rossadillo Present.

COMMISSIONERS PRESENT

Chairman Dana Hennis - Present
Vice Chairman Bryan Clark - Present
Commissioner Ginny Greger - Present
Commissioner Jim Main - Present
Commissioner Bobby Rossadillo - Present

CITY STAFF PRESENT

Doug Hanson, Planning and Zoning Director
Troy Behunin, Senior Planner
Maren Ericson, City Attorney

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.

(Timestamp 00:00:43)

A. Regular Commission Meeting Minutes Dated November 26, 2024

B. Decision and Reasoned Statement(s)

1. Case No. 24-06-AN Kuna Rural Fire District Station No. 2
2. Case No. 24-04-AN Wiscombe
3. Case No. 24-05-SUP, 24-23-DR J&M Solar

Potential Motion:

- *Motion to Approve Consent agenda.*
- *Motion to Approve Consent agenda with amendments (i.e., correction to previous meeting minutes, etc.)*

Chairman Dana Hennis Thank you, and first up on the agenda is our consent agenda.

Vice Chairman Bryan Clark Mr. Chairman, I move that we approve the consent agenda.

Commissioner Bobby Rosadillo I'll second that.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Thank you.

(Timestamp 00:00:48)

Motion To: Approve the Consent Agenda

Motion By: Commissioner Bryan Clark

Motion Seconded By: Commissioner Bobby Rosadillo

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

5-0-0

3. PUBLIC HEARINGS:

(Timestamp 00:01:00)

A. Case No. 24-04-S (Preliminary Plat), 24-10-DR (Design Review) Skylar Ranch Subdivision – Troy Behunin, Senior Planner

Applicant requests Preliminary Plat approval in order to subdivide approximately 8.52 ac. into 32 single-family lots and 4 common lots. The site is in Section 14, Township 2 North, Range 1 West (Parcel number; R7977410300. This is Lot 3, Block 1, of the Skylar Ranch Subdivision, in accordance with the approved Development Agreement.

Potential Motions:

- *Motion to recommend Approval/Conditional Approval/Denial of Case No. 24-04-S and with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*
- *Motion to Approve/Conditionally Approve/Deny of Case No. 24-10-DR with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

(Timestamp 00:01:00)

Chairman Dana Hennis First up on the public hearings is case #24-04-S, 24-10-DR for the Skylar Ranch Subdivision, Troy.

Senior Planner Troy Behunin Good evening, Mr. Commissioner... Well, actually all the Commissioners. For the record, Troy Behunin, Senior Planner, Kuna Planning & Zoning staff, also known as Development Services, now. The applications before you this evening are requesting preliminary plat approval for approximately 8.52 acres that are already zoned R-6 which is medium density residential, and R-4 which is also medium density residential and to subdivide the site into 32 single-family lots and 4 common lots. The applicant is requesting design review approval for the landscaping for the common lots. The site is located near or at 1085 W. Oak Tree Dr. here in Kuna and that is near the intersection of School Ave. and Ardell roads. Staff would also like to note that there is a development agreement for the property which was approved back in 2022, June of 2022, and the proposed preliminary plat appears to conform substantially with that Council approval. Staff has reviewed the proposed pre-plat and the design review for compliance with Kuna City Code, Idaho State Statutes, and the Kuna Comprehensive Plan. And should the Commission recommend approval of the pre-plat application and approve the design review application, Staff recommends that the applicant become subject to the proposed recommended conditions as outlined in Staff's report. The applicant is present this evening. They do have a presentation which is on the big screen to your right and I will be here for any questions that you have any.

Chairman Dana Hennis Thank you, any questions? Real quickly, Troy, the one that was back in 2022, is that the same amount of buildable lots?

Senior Planner Troy Behunin At that time... Well, no, it's not actually. I mean it was actually a 1 lot subdivision which created this developable lot. What was approved in the development agreement and at that time in 2022 was the zoning.

Chairman Dana Hennis *Gotcha.*

Senior Planner Troy Behunin So the zoning is really the compliance check here and yeah, it appears to conform to that substantially.

Chairman Dana Hennis Okay.

Senior Planner Troy Behunin Good question.

Chairman Dana Hennis Thank you. Okay, if the applicant would like to come up. Remember, please state your name and address for the record and press the bottom to make it green and you're good to go.

Elizabeth Koeckeritz, Givens-Pursley Good evening, Commissioners. My name is Elizabeth Koeckeritz. I'm with Givens Pursley, 601 Bannock, Boise, ID. I'm here tonight to present Skylar Ranch. With me tonight is Will Mason. He is our engineer on this project. The owner couldn't be here tonight. We are here for the preliminary plat on this, as well as the design review approval. And as staff mentioned, the property has already been annexed and zoned and the is in substantial conformance with the concept plan. Commissioner Hennis, you asked if it was, it is the same number of lots as what is attached to the concept plan for the development agreement. As always, I want to start by saying thanks to Troy, this project originally started back in 2020-2021 and at that time there was no sewer availability. And so they were able to annex and zone but not come forward with a plat at that time.

So let's orient you to this site. You can see right here where we're located, directly north of Ardell and right off of there's a little sliver of property here between School St. and this property. It's an 8.5-acre site and you can see that it's surrounded on three sides by development. There is one, or there's actually a few properties going north here that are still in the county and there zoned rural residential. One of the neighbors directly to the north, one of the concerns they had was about how their access would be and Oak Tree Dr. comes along right here and that access is going to remain. There's not going to be any change to that access at this time. Zoning: you can see that there is mixed zoning on the property. It's a mix of R-4 and R-6; directly to the West is R-4, to the east is R-4, and C-1, to the South is R-6 and R-4 and to the north is that rural residential in the county.

It's hard to tell on here but this larger lot was, including over here, it was all annexed and zoned back in 2022 and the development agreement was approved in 2022 and recorded late that same year and that did bring the annexation and zoning to this property. Here is the prior... here's the development agreement and it talks about the conceptual replat of the subject real property has to be in substantial conformance with the plat. So first there were two lots over here. These two lots each held single family residential homes. Those have been sold. Those are not part of the application here before you today. This is the concept. This is the preliminary plat. You can see that we are substantially similar. In all ways, except for this is showing a cul-de-sac and a termination of the street and working with the city and ACHD they want this to be stubbed going north for future connectivity and that also gives us emergency access along the north of the property. There is an easement there for that. So it is in substantial conformance.

The preliminary plat: it's on 8.52 acres, 32 buildable lots, 4 common lots. And one thing there was a note the.... Someone submitted a late... Keith Binkley, who lives Northeast of the property, submitted some comments. His house is more right up. It's not directly adjacent, and he was asking for R-4 zoned lots along the perimeter. I went through. These are really large lots for R-6 zoning. The ones in the center are

more of your standard R-6 size, but going down along this eastern boundary, they really exceed the R-4 minimum lot size. You have a 9000 square foot lot, 9700 square foot, 10000 square foot, 8200, 7700, 6500 and then our only lot that doesn't meet the R-4 minimum lot size standards is this one down here right along Ardell. Otherwise, we really are... These lots are really they're quite large going to be really nice. That's something the developer was interested in, was being able to have sort of a mix of lot sizes and then R-4 is also over here on the east. Lot sizes because one thing that's really nice with these larger lots, especially around the perimeter, is that they've been able to work with some of the more high-end developers. The property and looking at these lots with these larger lots, you can get the three-car garage, which is always a really nice amenity. They've got good size backyards. It's just going to be a really nice subdivision. You can get three-car garages in these interior lots. It just gets a lot tighter. But these are some really nice big lots along the outside.

The open space: they are at 11.81% open space. One thing that was mentioned in the staff report was the inclusion of a pathway along the lateral is right here directly to the East, was the inclusion of a pathway on the West side of the lateral The Kuna Pathway Plan just originally had it on the east side. The developer is amenable to that and it looks like there is enough space along here to have it on its own full common lot outside of the easement, outside of the lateral's easement, that shouldn't create any sort of problems to create that walking pathway along here and include some landscaping along there as well. They're happy to provide that.

Only one sort of issue has come up and that is something that I haven't talked to staff yet about; but we're still asking for recommendation of approval, is ACHD requested that this terminate for now in a cul-de-sac. And I don't think... and the issue is not so much that it's a cul-de-sac with easements for this until their street goes forward in the future, but then they want these lots to be non-buildable, until such time as the street gets punched through and so we are going to be working with ACHD between this hearing and the City Council one to see if we can get that lifted. These are big lots We'd like to be able to build on them, if possible, prior to the road eventually going through. But that's something we'll just continue to work with them on. And so that is one change is that this likely will turn into a cul-de-sac here at the end and it's just whether or not these last two lots can be built upon but it's something we're working with ACHD on right now.

The rest we are in agreement with all of staff conditions of approval. We're just going to continue to work with ACHD on that one. We meet all the dimensional requirements, comply with all of the city code requirements. The subdivision meets with the comprehensive plan. It encourages housing options and strong neighborhoods. There's a pathway. Good connectivity. Public services are available to the site and it really is sort of a... this is become an infill location. This is a nice small subdivision in this location. So that we would request a recommendation of approval and I will stand for any questions.

Chairman Dana Hennis Thank you. I guess one question I have, I guess I'm a little confused. So you went away from the cul-de-sac in the beginning to the connect... the connecting street under their recommendation... But then they're now recommending that you go back to the cul-de-sac?

Elizabeth Koeckeritz, Givens-Pursley They want... Commissioner Hennis, good question. I need to do better job explaining that. They want it to still go through, but until such time as it goes through they want an easement and that have this paved as a cul-de-sac so that cars coming down the road don't just come and get stopped and have to back up.

Chairman Dana Hennis *Gotcha'*

Vice Chairman Bryan Clark So it won't be a fire access issue.

Chairman Dana Hennis Okay.

Elizabeth Koeckeritz, Givens-Pursley Right, and we did speak with Fire. Will Mason spoke with Fire earlier today. And they are good with this emergency access to the north, they're just going to put some bollards on it and that will be an emergency access through to the north. That's part of what we want to work with ACHD on, is figuring out what's going to happen right here at the terminus. But it can either be the cul-de-sac. In any event eventually it will go through, but they would like a cul-de-sac until then so cars can turn around better.

Chairman Dana Hennis Okay, that explains it. Thank you.

Commissioner Bobby Rosadillo So what is the overall plan for that... the connectivity for that road? I'm just looking at the map and I'm just not seeing would connect to.

Elizabeth Koeckeritz, Givens-Pursley Eventually it will go if the property, let's go to the zoom out position. If and when this property develops, which at this time it's my understanding they don't have any intention of doing. But the road is there in case that they do. And then there is connectivity through there. The owner would likely then of this property if they were to develop, would likely extend oak tree...It's Oak something, I can't read it. Oak Tree, Oak Lawn through across here, do some do some extension north but just add in a little bit more connectivity there.

Commissioner Bobby Rosadillo Okay, thank you.

Chairman Dana Hennis Which is fairly common for ACHD. Is there any other questions for the applicant?

Vice Chairman Bryan Clark Just real quick, point of clarification on the ingress-egress easement across the north edge, is that going to be a permanent access easement?

Elizabeth Koeckeritz, Givens-Pursley It will be an emergency access easement until such time as there is a road and future connectivity.

Vice Chairman Bryan Clark Okay, slowing that entire north edge, you got 25 feet you're burning.

Elizabeth Koeckeritz, Givens-Pursley Yes.

Vice Chairman Bryan Clark Okay. I guess that's an interesting question on that point then with Oak Tree on the West, would that...Was just looking about for the future there. Going back to your question. Is that ultimately going to end up being an intersection, potentially a knuckle, coming off of oak tree? I'm just looking at this 25 feet. You've got 50 feet reserved. There's an additional 25 feet to the north, looks like, on the existing. The question for me is what's the impact on Lot 1 going to be if that ultimately gets turned into an intersection?

Elizabeth Koeckeritz, Givens-Pursley Well, the. So it's my understanding, I'm sorry I'm looking for a better...

Vice Chairman Bryan Clark Yeah, I'm looking at the preliminary plat itself right now...

Elizabeth Koeckeritz, Givens-Pursley Okay.

Vice Chairman Bryan Clark It's a better picture.

Elizabeth Koeckeritz, Givens-Pursley So coming in here. This either, so this is the current access easement this could.

Vice Chairman Bryan Clark Right.

Elizabeth Koeckeritz, Givens-Pursley This likely this development has not been conditioned to put in, an ACHD is not asked that they put in the half road section, And these two properties are no longer part of this plat. And so they're they have the easement, but they can't be included for a road right now. And so this most likely this property that's all north of here. If and when it develops, and I understand, maybe the owners may even be here and don't want to develop it, would have room to put the road all along here and then down.

Vice Chairman Bryan Clark Okay.

Chairman Dana Hennis Thank you, any other questions?

Commissioner Jim Main No.

Chairman Dana Hennis Thank you.

Elizabeth Koeckeritz, Givens-Pursley Thank you.

Chairman Dana Hennis So with that, I'll open up the public testimony at 6:17 and I see no one listed on the sign in sheet to testify. There anybody present that has not signed up that would like to testify on this application? And see none. I will go ahead and close the public testimony at 6:18. And that brings up our deliberation. I mean, I think ultimately we kind of looked at this before and this is kind of the same more or less flat as before. And it was kind of a good little infill project, kind of getting in and I do like the transition on the outer sides. Definitely picking up, you know, a pathway would be good along there and connect some of the little open space in the parks, I think. It's not a bad little use of that area. You're going to have a commercial kind of more towards the corner. I don't know if I see anything too terribly objectionable.

Planning & Zoning Director Doug Hanson Chairman, if I might. Doug Hanson, Kuna Planning & Zoning Director, 751 W 4th St. So just to provide a little bit more context, the reason that Skylar Ranch subdivision is coming back before you this evening is because that original development agreement. The real driver behind that was because there weren't enough sewer connections available in the Danskin Sewer Basin. We conditioned through the staff report and through the development agreement that when we did have capacity in the Danskin Sewer Basin and that they could return and they would just have to go through the proper the proper approvals for preliminary plat. The Ten Mile force main upgrades happened now well over a year. So there is sewer capacity within the Danskin Basin and so ultimately that's why they're returning before you at this time.

Chairman Dana Hennis Thank you. Basically, like I said, you know it's conforming to what we've looked at prior. I don't see anything. Is there any other comments or concerns?

Commissioner Bobby Rosadillo No.

Commissioner Ginny Greger I think it's great that it's got some more R-4 in it. I really think that, for the amount of it has, it's really nice to see some of that; haven't seen any for a while.

Chairman Dana Hennis Correct, and this really isn't adding to any buildable lots that we didn't have already on the on the docket from two years ago. Well if there's no other concerns, I'd stand for a motion and a recommendation.

Vice Chairman Bryan Clark Mr. Chairman, I move to recommend approval of case #24-04-S with the with conditions as outlined in the staff report and the additional conditions as outlined in the ACHD report, regarding the cul-de-sac, temporary Cul-de-sac.

Chairman Dana Hennis Okay, the applicant to continue working with them prior to.

Vice Chairman Bryan Clark I'll just restart... Let's just go ahead and I think we'll admit that from the record.

(Timestamp 00:19:57)

Motion To: Recommend Approval Of Case #24-04-S With Conditions As Outlined In The Staff Report And Additional Conditions Imposed By The Commission

Motion By: Commissioner Bryan Clark

Motion Seconded By: None

Further Discussion: None

Voting Aye: None

Voting Nay: None

Absent: None

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MOTION WITHDRAWN

Chairman Dana Hennis Well I think, it might not be a bad item to have in there.

Vice Chairman Bryan Clark Yeah...

[Unintelligible]

Vice Chairman Bryan Clark And any additional and any. So the pathways, pathways there.

Chairman Dana Hennis Is it in the conditions?

Vice Chairman Bryan Clark Well, I know if the conditions I'm seeing it in the landscape plan though.

Commissioner Bobby Rosadillo It was in the Staff recommendations

Chairman Dana Hennis It was? Okay I missed that one.

Vice Chairman Bryan Clark Yeah. And it's and it shows up on the landscape plan as it is.

Chairman Dana Hennis Okay.

Vice Chairman Bryan Clark So I mean So with the additionally temporary cul-de-sac turnaround. Continued talks, something of that nature. Yeah, there's awkward one, huh?

Chairman Dana Hennis It's not as easy as it looks on...

Vice Chairman Bryan Clark Mr. Chairman. I move that we recommend approval of case #24-04-S with conditions as outlined in the staff report and in addition the developer will continue talks with ACHD prior to council hearing regarding the temporary turn around on Skylar. t.b.d public St.

Commissioner Bobby Rosadillo I'll second that.

Chairman Dana Hennis Thank you all in favor.

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Thank you.

(Timestamp 00:21:28)

Motion To: Recommend Approval Of Case #24-04-S With Conditions As Outlined In The Staff Report And Additional Conditions Imposed By The Commission

Motion By: Commissioner Bryan Clark

Motion Seconded By: Commissioner Bobby Rosadillo

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

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Vice Chairman Bryan Clark Mr. Chairman, motion to approve case #24-10-DR with conditions as outlined in the staff report.

Commissioner Ginny Greger I'll second that.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Thank you. Nice work, Bryan.

Vice Chairman Bryan Clark Hey, we got there in the end.

(Timestamp 00:22:04)

Motion To: Approve Case #24-10-DR With Conditions As Outlined In The Staff Report

Motion By: Commissioner Bryan Clark

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

5-0-0

B. Case No. 24-08-SUP (Special Use Permit) Republic Storage Modification – Jessica Reid, Economic & Community Development Specialist

Applicant requests Special Use Permit Modification in order to allow for an onsite residence for property manager; original SUP (23-12-SUP) for storage facility was approved November 28, 2023. The subject site is located at 5610 S Ten Mile Road; Section 35, Township 3 North, Range 1 West.

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny of Case No. 24-08-SUP with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*
(Timestamp 00:22:31)

Chairman Dana Hennis Okay, next up on the agenda, I see case #24-08-SUP, Special Use Permit for the Republic Storage Modification, Ms. Reed.

Economic & Community Development Specialist Jessica Hall Good evening, Commissioners. So good to see your faces again. So for the record, Jessica Hall, Economic & Community Development Specialist with Development Services, 751 W. 4th St. Kuna. As a refresher, the original annexation, special use permit and design review for the storage facility at 5610 S. Mile. came before you and was approved and or recommended approval November 28th of 2023. So the Special Use Permit Modification before you this evening is for the addition of an onsite living quarters for the managers of the future Republic Storage Facility. Having on-site managers is the standard operating practice for Republic Storage as they find it increases security and creates a customer experience. The intent is to incorporate the living quarters into the main building, which is also where the office is located and any exterior changes as a result of the living quarters will be in compliance with the previously approved Design Review. With that I can answer any questions you may have.

Chairman Dana Hennis Thank you. Does the commission have any questions at this point?

Commissioner Jim Main No.

Chairman Dana Hennis No? Thank you. With the applicant like to state anything or expand on that?

Nate Mitchell Nate Mitchell, 1470 N. Rook Way, Star, ID. I probably ought to hire Jessica to do my job for me. She stated, as well as it could be stated. We're simply asking for the additional land use of having an onsite manager. We do believe it provides a better customer service and better security for our customers. And would stand for questions and request recommendation for approval.

Chairman Dana Hennis Thank you. Any questions for the applicant?

Commissioner Jim Main No.

Chairman Dana Hennis Got off lucky. Thank you. Okay, with that, I will go ahead and open up the public testimony for this application at 6:25. And I see no one signed up to testify. Is there anybody else here that did not get a chance to testify that would like to sign up for this application? Nope, so I will go ahead and close the public testimony at 6:25. And that brings up our discussion. I don't...

Vice Chairman Bryan Clark Yeah, this one is one straightforward. We're adding the land use...

Chairman Dana Hennis And I think it's a better makes a better product when you got better on-site security there.

Commissioner Ginny Greger That'll be a big help.

Commissioner Bobby Rosadillo Yeah, I agree.

Chairman Dana Hennis Unless there's any other comments or concerns, I'll stand for a motion.

Commissioner Bobby Rosadillo Mr. Chairman, I motion that we recommend approval of case number....Sorry, sorry, approve case #24-08-SUP.

Commissioner Jim Main Second.

Commissioner Bobby Rosadillo With the conditions as outlined in staff report.

Commissioner Bobby Rosadillo Second, again.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Nope. That was easy. Thank you. Nice seeing you again, Jessica.

(Timestamp 00:25:41)

Motion To: Approve Case #24-08-SUP With Conditions As Outlined In The Staff Report

Motion By: Commissioner Bobby Rosadillo

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

5-0-0

C. Case No. 24-06-SUP (Special Use Permit) Mi Casita Childcare by Rocio Flores – Troy Behunin, Senior Planner

Applicant requests Special Use Permit approval to operate an In-Home Childcare at her home, located at 2170 N Mountain Ash Avenue, Kuna, ID.

Potential Motions:

- *Motion to Approve/Conditionally Approve/Deny of Case No. ~~24-04-SUP~~ 24-06-SUP with Conditions as outlined in the staff report (and additional Conditions imposed by Commission, if applicable).*

(Timestamp 00:26:16)

Chairman Dana Hennis Next up on the agenda we have case #24-06-SUP, another Special Use Permit, for Mi Casita childcare. I get it.

Senior Planner Troy Behunin Eventually. Good evening members of the Commission. For the record, Troy Behunin, Senior Planner, Kuna Planning & Zoning Department. The application before you this evening is requesting Special Use Permit approval in order to operate an In-Home Group Childcare for up to...for between 7 and 12 children in her home, which is located at 2170 N Mountain Ash Ave. in Kuna, ID. It is allowed with a Special Use Permit according to city code. And staff is reviewed the code for that compliance and should the Commission approve the application, staff does recommend that the applicant be subject to the proposed recommended conditions in the staff report and this is pretty much a simple daycare in her home. And staff is here for any questions you might have. The applicant is here and I believe that her husband will act as translator if needed.

Chairman Dana Hennis Thank you. Did the applicant want to state anything? Okay. Thank you.

Interpreter [Inaudible]

Chairman Dana Hennis Come on up and please state your name and address for the record.

Rosia Flores *[Via Interpreter Present]* My name is Rosia Flores I live at 2170 N Mountain Ash Ave. in Kuna, ID.

Senior Planner Troy Behunin Turn the red button. Just touch it. There you go.

Rosia Flores *[Via Interpreter Present]* I got to repeat everything?

Senior Planner Troy Behunin Again, no, just...You're fine

Rosia Flores *[Via Interpreter Present]* Sorry. And I'm going to read these for you guys, but she did it right. Well, here we go. My name is Rocio Flores. I'm 37 years old. I have been married for 17 years. I have 3 beautiful daughters. One of them is 14, the other one is 10, and 4. I'm from Mexicali, Mexico. I'm very happy and very anxious about the project we have coming up, Mi Casita Daycare Spanish Education Center. That's right, it's a daycare where we will promote the Spanish language to our children's. We will have education and fun at the same time. I'm very proud to teach this language that I have from my roots.

Chairman Dana Hennis Thank you.

Interpreter You're welcome. I'm sorry, but I'm nervous.

Chairman Dana Hennis I get it, trust me.

Interpreter And when I read it, I mean it's hard for me to read English.

Chairman Dana Hennis No worries, thank you very much.

Commissioner Ginny Greger Thank you.

Chairman Dana Hennis Is there any questions for the applicant?

Commissioner Jim Main No.

Chairman Dana Hennis Thank you. With that, that brings up the public testimony. I'll open it 6:30. No one signed up to testify. I will make the announcement even though I doubt. Is there anybody here that did not get a chance to sign up for testimony on this application? And seeing...

Francisco Javier Guevara Millan *Can I say something else?[Away From Microphone]*

Chairman Dana Hennis Sure.

Francisco Javier Guevara Millan *We have our neighbor... [Away From Microphone]*

Chairman Dana Hennis Come on up and go ahead and state your name and address for the record.

Francisco Javier Guevara Millan Okay, I'm her husband. I live at 2170 N. Mountain Ash Ave. And I have a letter right here from a neighbor that she wrote for her. So I don't know if you guys want me to help to read this because she wanted to come over here but she couldn't because she was sick, but I have the letter.

Chairman Dana Hennis Okay Doug, how do we enter...He can just read that as his testimony? Yes, go ahead.

Planning & Zoning Director Doug Hanson Doug Hanson, Kuna Planning & Zoning. It could be read into the record as testimony.

Francisco Javier Guevara Millan Okay, my name is Sarah Toled and my family and I live next door to the Flores family. Since moving to our home, they've been wonderful neighbors and friends. Rosio is a perfect person to run in-home daycare, she's patient, kind and wonderful with the kids. They keep it very clean and organized home, indoor and out. If you approve her license, I will personally send my three years old son and my 4, four-month baby boy to her, I don't see any issue with a daycare at home. I fully support it's licensing. Licensing, yeah. Please call me at 208-420-5120 if you have any questions.

Chairman Dana Hennis Perfect. Thank you. Okay. Would that be in the last and no one on the? I will close the public testimony at 6:32, and that brings up our discussion.

Commissioner Bobby Rosadillo Yeah, I like it. Anytime that we have small local businesses being made, obviously there's a need for, you know, childcare and having a Spanish speaking option is always becoming increasingly needed, I guess.

Chairman Dana Hennis Yeah, it's very true, I agree.

Commissioner Ginny Greger I agree, I appreciate that she's gone through the licensing process instead of ...

Chairman Dana Hennis Yes.

Commissioner Ginny Greger Just doing it.

Chairman Dana Hennis Yes, exactly. Well, with that, I would stand for a motion.

Chairman Bryan Clark Mr. chairman I move that we approve case #24-04-Sup with conditions is outlined in staff report.

Commissioner Bobby Rosadillo Is it 24-06?

Vice Chairman Bryan Clark I'm sorry, yes. Strike that, wheel back.

(Timestamp 00:32:32)

Motion To: Approve Case #24-04-SUP With Conditions As Outlined In The Staff Report

Motion By: Commissioner Bryan Clark

Motion Seconded By: None

Further Discussion: None

Voting Aye: None

Voting Nay: None

Absent: None

0-0-0

Motion Withdrawn

Vice Chairman Bryan Clark Mr. Chairman. I move that we approve 24-06-SUP with conditions as outlined in the staff report.

Commissioner Bobby Rosadillo I'll second that.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Thank you, Motion passes. Thank you very much.

Vice Chairman Bryan Clark I'll have you know that it was written wrong the recommendation.

Commissioner Ginny Greger Yeah, I was glad I didn't do it.

(Timestamp 00:32:42)

Motion To: Approve Case #24-06-SUP With Conditions As Outlined In The Staff Report

Motion By: Commissioner Bobby Rosadillo

Motion Seconded By: Commissioner Jim Main

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

5-0-0

4. BUSINESS ITEMS:

5. **UPDATES & REPORTS:**

(Timestamp 00:33:13)

- A. Planning and Zoning Commission Regularly Scheduled Meeting for December 24, 2024 – **Cancelled** – Non-Action Item

(Timestamp 00:33:13)

Chairman Dana Hennis Oh, with that is staff got any updates or reports?

Planning & Zoning Director Doug Hanson For the record, Doug Hanson, Planning & Zoning. Just another reminder that the Planning & Zoning Commission regularly scheduled meeting for December 24th, 2024 is cancelled.

Vice Chairman Bryan Clark Perfect. Thank you.

6. **ADJOURNMENT:**

(Timestamp 00:33:35)

Chairman Dana Hennis If we've got nothing further.

Commissioner Bobby Rosadillo I'll make a motion that we adjourn.

Commissioner Ginny Greger I'll second it.

Chairman Dana Hennis Thank you, all in favor?

All Commissioners Aye.

Chairman Dana Hennis Any opposed? Yeah, I didn't think so. Thank you.

(Timestamp 00:33:36)

Motion To: Adjourn

Motion By: Commissioner Bobby Rosadillo

Motion Seconded By: Commissioner Ginny Greger

Further Discussion: None

Voting Aye: Commissioners Rosadillo, Main, Greger, Clark, Hennis

Voting Nay: None

Absent: None

5-0-0

Dana Hennis, Chairman

ATTEST:

Doug Hanson, Director

Minutes prepared by Garrett Michaelson, Deputy City Clerk.



CITY OF KUNA

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 (208) 922-5546 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
 December 10, 2024

Case No.: 24-04-S (Subdivision)

Case Name: Skylar Ranch Subdivision

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
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<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



CITY OF KUNA

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Planning & Zoning Commission Public Hearing Sign-In Sheet
 December 10, 2024

Case No.: 24-08-SUP (Special Use Permit)

Case Name: Republic Storage Modification

IN FAVOR	NEUTRAL	IN OPPOSITION
<input type="checkbox"/> Testify <input checked="" type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify	<input type="checkbox"/> Testify <input type="checkbox"/> NOT Testify
DAVID BERRYMAN <small>Name</small>	<small>Name</small>	<small>Name</small>
2705 W, BERRYMAN LN. <small>Address</small>	<small>Address</small>	<small>Address</small>
Meridian Id. 83642 <small>City, State, ZIP</small>	<small>City, State, ZIP</small>	<small>City, State, ZIP</small>
<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
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<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
<small>Name</small>	<small>Name</small>	<small>Name</small>
<small>Address</small>	<small>Address</small>	<small>Address</small>
<small>City, State, ZIP</small>	<small>City, State, ZIP</small>	<small>City, State, ZIP</small>



CITY OF KUNA
 751 W 4th Street • Kuna, ID 83634
 (208) 922-5546 • www.kunacity.id.gov

Planning & Zoning Commission Public Hearing Sign-In Sheet
 December 10, 2024

Case No.: 24-06-SUP (Special Use Permit)

Case Name: Mi Casita Childcare – By Rocio Flores

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 & ZONING COMMISSION
CITY OF KUNA, ADA COUNTY, IDAHO**

IN THE MATTER OF THE APPLICATION OF) **Case No.:** 24-08-SUP (Special Use Permit)
)
)
REPUBLIC STORAGE)
)
) **DECISION AND REASONED**
Related to the development of real property) **STATEMENT FOR REPUBLIC**
located at 5610 S Ten Mile Road, Meridian,) **STORAGE MODIFICATION**
Idaho 83642.) **APPLICATION.**

**SECTION 1
INTRODUCTION AND PROCEDURAL BACKGROUND**

THESE MATTERS came before the Planning & Zoning Commission of the City of Kuna (the “Commission”) for Public Hearing on December 10, 2024, the Commission entered a decision on the application. Thereafter, this Decision and Reasoned Statement was prepared and presented to the Commission on January 9, 2025, for formal adoption of the Commission decision.

**SECTION 2
DECISION**

The Commission, having considered the record and listened to the arguments and presentations at the hearing, DOES HEREBY ORDER AND DECIDE:

The Annexation Application (Case No. 24-08-SUP) is hereby *Approved*.

**SECTION 3
RECORD OF EXHIBITS AND WITNESSES**

I. List of Exhibits.

	<i>Withdrawn</i>	<i>Refused</i>	<i>Admitted</i>
CASE NO 24-08-SUP STAFF REPORT			X
APPLICATION COVERSHEET			X
COMMITMENT TO PROPERTY POSTING			X
LEGAL DESCRIPTION			X

NARRATIVE			X
NEIGHBORHOD MEETING CERTIFICATION			X
PREVIOUSLY APPROVED SITE PLAN			X
SPEACIAL USE PERMIT MODIFICATION APPLICATION			X
VICINITY MAP			X
WARRANTY DEED AND LEGAL DESCRIPTION			X
24-08-SUP AGENCY TRANSMITTAL			X
24-08-SUP PROOF OF LEGAL MAILER			X
AFFIDAVIT OF PUBLICATION			X
PROOF OF PROPERTY POSTING			X
PROOF OF PUBLISHING			X
ADA COUNTY HIGHWAY DISTRICT			X

II. Public Hearing Witnesses.

Witness Testimony: Those who testified at the Commission December 10, 2024, hearing are as follows, to-wit:

- a. City Staff:
Jessica Hall, Economic and Community Development Specialist
- b. Appearing for the Applicant:
Nate Mitchell, 1470 N Rook Way, Star, ID 83669
- c. Appearing in Favor:
David Berryman, 2705 W Berryman Lane, Meridian, ID 83642
- d. Appearing Neutral:
- e. Appearing in Opposition:

**SECTION 4
REASONED STATEMENT**

I. Relevant Criteria and Standards Considered

- a. Relevant City Ordinance Provisions.

- 1. Title 5 Kuna City Code, Development Regulations
- b. Relevant Statutory Provisions.
 - 1. Chapter 65 of Title 67, Idaho Code
 - i. I.C. § 67-6512 – Special Use Permits, Conditions, and Procedures
- c. Pertinent Constitutional Provisions

II. Factual Findings

- a. General Factual Findings.
 - 1. Statement of Fact

Parcel Number(s):	S123532410
Future Land Use Map Designation:	Mixed Use
Existing Land Use:	Bare land
Current Zoning:	C-2 (Area Commercial)
Proposed Zoning:	Same
Development Area:	10.00 acres
Adjacent Zoning Districts:	North: RUT (Rural Urban Transition); South: RUT (Rural Urban Transition), R-6 (Medium Density Residential); East: RUT (Rural Urban Transition); West: RUT (Rural Urban Transition), R-4 (Medium Density Residential)
Adjacent Street(s) Existing & Proposed:	North: W Ballard Lane (Existing); South: W Berryman Lane (Existing); East: N/A; West: S Ten Mile Road (Existing)
Internal Street(s) Existing & Proposed:	Internal drive aisles
Adjacent Bike/Pedestrian Facilities:	None
Adjacent Parks:	None

- 2. Procedural Findings:

Neighborhood Meeting	Held on October 2, 2024. Seven (7) Attendees were present.
Pre-Application Meeting	August 28, 2024.
Agency Comments Request	November 12, 2024.
300 FT Legal Mailer Notice Council	Sent on November 19, 2024.
Idaho Press Newspaper Published Hearing Notice Commission	Published on November 20, 2024.

Site Posting Commission	Posted on November 22, 2024.
Commission Public Hearing	Held on December 10, 2024.
Commission Written Decision and Reasoned Statement Entered	Entered on January 14, 2025.

b. Relevant Contested Facts.

1. No testimony was presented in opposition to the project, therefore no contested facts were entered into the record.

c. Commission’s Factual Findings on Relevant Contested Fact.

1. None.

III. Rationale for the Decision Based Upon Facts and Relevant Criteria and Standards Considered.

It is the rationale of the Commission that the Special Use Permit Modification is consistent with the Comprehensive Plan, Future Land Use Map, and Kuna City Code.

IV. Conditions of Approval.

1. 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:
 - a. The City Engineer shall approve all sewer connections.
 - b. 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.
 - c. 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.”
 - d. The Kuna Rural Fire District (KRFD) shall approve fire flow requirements and/or building plans. Installation of fire protection facilities as required by KRFD are required.
 - e. The Kuna Municipal Irrigation System and Boise Project Board of Control shall approve any modifications to the existing irrigation system.
 - f. Approval from Ada County Highway District (ACHD) shall be obtained and Impact Fees must be paid prior to issuance of any building permit(s).
 - g. 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.

2. 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 Commission, or seek amending them through appropriate application processes as outlined in KCC.
3. Developer/Owner/Applicant shall follow staff, City Engineer and other agency recommended requirements, as applicable.
4. This development shall be completed per the approved site plan and landscape plan, or as otherwise determined by staff.
5. All required landscaping shall be permanently maintained in healthy growing condition. The property owner shall remove and replace unhealthy or dead plant material within three (3) days or as the planting season permits, as required to meet the standards of these requirements. Maintenance and planting within public rights-of-way shall be with approval from the public entities owning the property.
6. Landscaping shall not be placed within 10 feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities, and must honor all vision triangles.
7. This development is subject to Architectural and Landscape compliance Design Review inspections prior to receiving a Certificate of Occupancy. Design Review inspection fees shall be paid prior to requesting staff inspection.
8. Developer/Owner/Applicant shall comply with J&M Sanitation requirements for the trash enclosure.
9. 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.
10. 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.
11. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.
12. Developer/Owner/Applicant shall comply with Kuna City Code and Idaho State code.

SECTION 5 REQUIRED NOTICES TO APPLICANT AND AFFECTED PARTIES

I.C. 6735(2)(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

BY ACTION OF THE CITY COMMISSION of the City of Kuna at its regular meeting held on the 14th day of January 2025.

Dana Hennis, Chairman

**BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF KUNA, ADA COUNTY IDAHO**

IN THE MATTER OF THE APPLICATION OF) **Case Nos. 24-01-AN**
)
PALOMINO PLACE ANNEXATION)
)
Related to the Annexation of real property at the) **DECISION AND REASONED**
intersection of Porter Street and Kay Avenue.) **STATEMENT.**

**SECTION 1
INTRODUCTION AND PROCEDURAL BACKGROUND**

THESE MATTERS came before the Commission for public hearing on November 12, 2024, where the Commission voted to recommend approval for Case Nos. 24-01-AN. Thereafter, this Decision and Reasoned Statement was prepared and presented to the Commission on January 14, 2025, for formal adoption of the Commission’s recommendation.

**SECTION 2
DECISION**

The Commission, having considered the record and listened to the arguments and presentations at the hearing, DOES HEREBY ORDER AND DECIDE:

The Annexation Application (24-01-AN) is hereby recommended *Approval*.

**SECTION 3
RECORD OF EXHIBITS AND WITNESSES**

I. List of Exhibits.

	<i>Withdra wn</i>	<i>Refused</i>	<i>Admitted</i>
COMMISSION STAFF REPORT			X
P&Z APPLICATION COVERSHEET			X
ANNEXATION & ZONING APPLICATION			X
COMMITTMENT TO PROPERTY POSTING			X
NARRATIVE			X
VICINITY MAP			X

SPECIAL WARRANTY DEED			X
AFFIDAVIT OF LEGAL INTEREST			X
NEIGHBORHOOD MEETING CERTIFICATION			X
R-6 LEGAL DESCRIPTION			X
R-12 LEGAL DESCRIPTION			X
NEIGHBORHOOD MEETING SIGN IN SHEET			X
AGENCY TRANSMITTAL			X
ADA COUNTY HIGHWAY DISTRICT			X
BOISE PROJECT BOARD OF CONTROL			X
CENTRAL DISTRICT HEALTH DEPT.			X
DEPARTMENT OF ENVIRONMENTAL QUALITY			X
IDAHO TRANSPORTATION DEPARTMENT			X
CITY PUBLIC WORKS DEPARTMENT			X
KUNA RURAL FIRE DISTRICT			X
PROOF OF PROPERTY POSTING COMMISSION			X
PROOF OF PAPER PUBLICATION COMMISSION			X
PROOF OF LEGAL NOTICE MAILER COMMISSION			X
APPLICANT PRESENTATION AT P&Z COMMISSION			X
APPLICANT MODIFICATION REQUEST			X

II. Public Hearing Witnesses.

a. Those who testified at the Commission hearing on November 12, 2024, hearing are as follows, to-wit:

1. City Staff:
Troy Behunin, Senior Planner, Planning & Zoning Dept.
2. Appearing for the Applicant:
Kelli Black, Bailey Engineering – 1119 E State St., Eagle, ID 83616
3. Appearing for the Favor:
Tim Jensen, 711 E Porter St., Kuna, ID 83634

- 4. Appearing Neutral:
James A. Kalua, 1050 E Limestone St., Kuna, ID
- 5. Appearing in Opposition:
None

**SECTION 4
REASONED STATEMENT**

I. Relevant Criteria and Standards Considered

- a. Relevant City Ordinance Provisions.
 - 1. Kuna City Code (KCC) Title 5, Development Regulations
 - 2. Kuna Future Land Use Map
 - 3. Kuna Comprehensive Plan
- b. Relevant Statutory Provisions.
 - 1. I.C. § Title 50-222

II. Factual Findings

- a. General Factual Findings.
 - 1. Statement of Fact:

Parcel Number(s):	S1311427800
Future Land Use Map Designation:	Mixed Use
Existing Land Use:	Agriculture
Current Zoning:	Rural Urban Transition – Ada County
Proposed Zoning:	R-6 (Medium Density Residential) & R-12 (High Density Residential)
Development Area:	13.94 Acres
Adjacent Zoning Districts:	North: RUT (Rural Urban Transition); East: RUT (Rural Urban Transition); South: R-4 (Medium Residential); West: P (Public),
Adjacent Street(s) Existing & Proposed:	North: Porter St. (Existing); East: None; South: Limestone St. (Existing); West: Kay Avenue (Existing)
Internal Street(s) Existing & Proposed:	Public Streets (Proposed)
Adjacent Bike/Pedestrian Facilities:	Pedestrian Pathway along the Badley Lateral
Adjacent Parks:	None
Land Dedication Requirements:	None

2. Procedural Findings:

Neighborhood Meeting	Held on January 30, 2024. 5 Attendees were present.
Pre-Application Meeting	Held on October 26, 2023
Agency Comments Request	April 12, 2024
300 FT Legal Mailer Notice	Sent on October 25, 2024
Idaho Press Newspaper Published Hearing Notice	Published on October 23, 2024
Site Posting	Posted on October 17, 2024
Planning & Zoning Commission Public Hearing	Held on November 12, 2024.

b. Relevant Contested Facts.

1. No testimony was given in opposition to this project, therefore there are no contested facts entered into the record.

c. Commissions' Factual Findings on Relevant Contested Fact.

1. None.

III. Rationale for the Decision Based Upon Facts and Relevant Criteria and Standards Considered.

It is the rationale of the Planning and Zoning Commission that annexation is consistent with the Future Land Use Map (FLUM). The Commission discussed capacity concerns for classrooms in the Kuna School District and will be discuss further at time of Preliminary Plat application. As such, the Commission chooses to recommend approval of the proposed annexation.

IV. Conditions of Recommendation

1. Developer/Owner/Applicant shall submit the appropriate applications preceding any future development.
2. Developer/Owner/Applicant shall follow the Kuna Comprehensive Plan and Future Land Use Map.
3. Developer/Owner/Applicant shall follow Idaho Code §50-222, and Kuna City Code, Title 5.
4. Developer/Owner/Applicant and all successors shall comply with all Local, State and Federal Laws.

SECTION 5
REQUIRED NOTICES TO APPLICANT AND AFFECTED PARTIES

I.C. 6735(2)(b) Any applicant or affected person seeking judicial review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought. Upon reconsideration, the decision may be affirmed, reversed or modified after compliance with applicable procedural standards. A written decision shall be provided to the applicant or affected person within sixty (60) days of receipt of the request for reconsideration or the request is deemed denied. A decision shall not be deemed final for purposes of judicial review unless the process required in this subsection has been followed. The twenty-eight (28) day time frame for seeking judicial review is tolled until the date of the written decision regarding reconsideration or the expiration of the sixty (60) day reconsideration period, whichever occurs first.

BY ACTION OF THE Planning and Zoning Commission of the City of Kuna at its regular meeting held on the 14th day of January 2025.

Dana Hennis, Commissioner

CASE NO. 24-05-OA (ORDINANCE AMENDMENT)

ENERGY PRODUCTION AND ENERGY STORAGE

Planner: Doug Hanson

dhanson@kunaid.gov

208-287-1771

ALL APPLICATION MATERIALS: [24-05-OA ENERGY PRODUCTION AND ENERGY STORAGE](#)

If you require assistance accessing the application materials through the link provided above or would like to review the application materials in person at City Hall please contact the assigned planner.



December 4, 2024

Mayor Stear and Council
City of Kuna
751 W 4th Street
Kuna, ID 83634

SUBJECT: Kuna City Code Text Amendment – Narrative **UPDATED**

Mayor and City Council Members,

The City of Kuna Planning and Zoning Department respectfully submits a zoning text amendment application.

The text changes include modifications to the Development Regulations Code for Energy Facilities. Text changes are as follows:

1. KCC 5-2-3: Proposing new definitions for:
 - a. Energy Production Facility, Renewable Sources
 - b. Energy Storage Facility
 - c. Public Service Facility
 - d. Public Uses
 - e. Substation (Distribution)
 - f. Substation (Source)
 - g. Transmission Lines
 - h. Transmission Lines (High Voltage)
2. KCC 5-8-503: Proposing changes to the Schedule of Land Use Regulations.
3. KCC 5-8-1004: Proposing additional application requirements Energy Production Facilities, Renewable Sources and Energy Storage Facilities to include: decommissioning plan, fire protection plan, and emergency response plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Hanson". The signature is written in a cursive, flowing style.

Doug Hanson
Planning & Zoning Director



November 14, 2024

Mayor Stear and Council
City of Kuna
751 W 4th Street
Kuna, ID 83634

SUBJECT: Kuna City Code Text Amendment - Narrative

Mayor and City Council Members,

The City of Kuna Planning and Zoning Department respectfully submits a zoning text amendment application.

The text changes include modifications to the Development Regulations Code for Certificates of Occupancy. Text changes are as follows:

1. KCC 5-8-503: Proposing change on the Schedule of Land Use Regulations changing "Energy System, Production Through Renewable Sources" to "Energy Production and Energy Storage Facilities".
2. KCC 5-8-1004: Proposing additional application requirements from Energy Production and Energy Storage Facilities to include: decommissioning plan, fire protection plan, and emergency response plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Hanson". The signature is written in a cursive style with a large initial "D".

Doug Hanson
Planning & Zoning Director

Proposed Development Regulations Code Text Amendments		
KCC Section	Topic	Reason for Change
5-2-3	General Definitions	<p>Proposing new definitions for:</p> <ul style="list-style-type: none"> a. Energy Production Facility, Renewable Sources b. Energy Storage Facility c. Public Service Facility d. Public Uses e. Substation (Distribution) f. Substation (Source) g. Transmission Lines h. Transmission Lines (High Voltage)
5-8-503	Schedule of Land Use Regulations	<p>Changing “Energy System, Production Through Renewable Sources” to “Energy Production Facility, Renewable Sources” and the addition of "Energy Storage Facility"</p> <p>Removing "Power Plant" from the M-1 zone.</p>
5-8-1004	Provisions for Unique Land Uses	<p>Adding additional application requirements from Energy Production Facility, Renewable Sources and Energy Storage Facilities to include: a decommissioning plan to require that equipment will be removed from the facility site and disposed at the conclusion of operation, a fire protection plan to be approved by the applicable fire authority, an emergency response plan outlining procedures during emergency conditions.</p>

Proposed Development Regulations Code Text Amendments		
KCC Section	Topic	Reason for Change
5-8-503	Schedule of Land Use Regulations	Changing “Energy System, Production Through Renewable Sources” to “Energy Production and Energy Storage Facilities”.
5-8-1004	Provisions for Unique Land Uses	Adding additional application requirements from Energy Production and Energy Storage Facilities to include: a decommissioning plan to require that equipment will be removed from the facility site and disposed at the conclusion of operation, a fire protection plan to be approved by the applicable fire authority, an emergency response plan outlining procedures during emergency conditions.

5-2-3: GENERAL DEFINITIONS:

For all purposes of this title the words or phrases which appear in all capital letters and are in italics shall have the meaning and shall refer to the definition herein in this section stated unless: the context otherwise requires, or in the event there are additional definitions contained in other chapters of this title that apply to a particular chapter of this title or part thereof,

ACCESSORY DWELLING UNIT, IN-LAW QUARTERS: A smaller, independent, clearly subordinate residential dwelling unit located on the same lot as a stand-alone, single-family home.

ACCESSORY USE OR STRUCTURE: A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

ADULT ORIENTED BUSINESS: An establishment or business primarily or substantially intended to appeal to the prurient interests of patrons, owners or workers, including, but not limited to adult book, video and/or amusement stores, adult entertainment facilities, adult motels and adult spas.

- A. Adult book, video and/or amusement store: An establishment or business having "sexual devices" and/or printed, recorded or electronic images, such as, but not limited to magazines, books, pictures, photographs, videos, films or digital media that are characterized or distinguished from other similar media because of their emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" as a substantial or significant portion of its inventory, stock or sales.
- B. Adult entertainment facility: An establishment or business providing, allowing or presenting "specific sexual activities" or "specified anatomical areas" in a live format, or providing, allowing or presenting matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" via some presentation media.
- C. Performance activity: Any act or series of acts by one (1) or more persons intended to entertain, entice or arouse any of the performers or any other person. Such activities include, but are not limited to: Stripping, dancing and modeling.
- D. Sexual device: A device or object designed or used primarily to provide direct sexual stimulation to the male or female genitals or anus.
- E. Specific sexual activities: Any act containing or producing human genitals, male or female, in a state of sexual stimulation or arousal; human, masturbation, sexual intercourse, oral sex, anal sex, or any other sexual act; touching, fondling or manipulating male or female genitals, the pubic region, buttocks or female breast.
- F. Specified anatomical areas: Human genitals, pubic region, buttocks or the female breast below a point immediately above the areola, and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

AFFECTED PERSON: A person who is entitled to notice of a proceeding governed by this title and whose substantial rights may be prejudiced by a final decision.

AGRICULTURE: The use of land that includes but is not limited to: farming; dairying; pasturage; agriculture; horticulture; floriculture; viticulture; animal and poultry husbandry; and the necessary accessory uses for packing, treating or storing produce.

AGRI-TAINMENT: An income-generating farm enterprise operated for the enjoyment and education of the public. Possible events or activities include (but not limited to): Bed and breakfast; pick-your-own/local-grocery-sale; hayrides; maze (hay, corn or otherwise as determined by the Planning and Zoning Director); pumpkin patch; orchard tours; petting zoo; general store; workshops and seminars; festivals; camps; trails; cabins; picnic; museums; and games.

AGRITOURISM: Agricultural uses, such as farms, ranches, and vineyards that, through promotion and advertising, facilities and activities, seek to attract visitors, guests, vacationers or events.

AIRPORT/HELIPORT: Any runway, land area or other facility designed or used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie down areas, hangars and other necessary buildings.

ALTER: To change; make or become different.

AMERICANS with DISABILITIES ACT (ADA): Means and refers to the ADA Amendments Act of 2008, which is codified at 42 U.S.C. 12101 et seq. The ADA provides civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services, and telecommunications.

AMUSEMENT CENTER (indoor/outdoor): Facility or location with amusement rides, games, play areas and other activities; offering entertainment to the general public for a fee. This use includes but is not limited to coin-operated amusement devices, miniature golf course, bowling alley, driving ranges or similar uses as determined by the Planning and Zoning Director.

ANIMAL BOARDING: Any place of business providing for the housing and care of small animals, not owned by the owner of said business, on a temporary basis for a fee, including, but not limited to, the boarding, grooming, or training of dogs.

ANIMAL GROOMING: A facility which provides brushing, clipping or cleaning services for small animals, for a fee; not to include overnight holding.

ANIMAL HOSPITAL (VETERINARY CLINIC): An establishment for the care and treatment of the diseases or injuries of domestic animals, including surgical services, and where animals may be boarded during their convalescence.

ANIMAL SHELTER: A facility which cares for stray, abandoned, or unwanted animals and seeks to find permanent homes for them.

APPLIANCE REPAIR: The reconditioning of inoperable household appliances, including refrigerators, washing machines, dishwashers, or similar appliances.

AQUACULTURE: The propagation, rearing and harvesting of aquatic organisms or plants in controlled or selected environments, and the subsequent processing, packing and marketing; this may include a fish farm.

AQUARIUM: A facility where aquatic exhibits are displayed.

ARBORETUM: A place where many kinds of trees and shrubs are grown for exhibition or study.

ARCHERY RANGE: An indoor/outdoor facility that may include buildings or structures used for target practice with bows and arrows.

AREA OF CITY IMPACT (ACI): Required by Idaho Code § 67-6526. Idaho Code requires cities to specify an area outside the City Limits which it expects to annex or is part of the trade area. Land use authority for this area is negotiated between the City and County. The Kuna ACI is defined as the unincorporated land mass which lies contiguous to the city of Kuna, having as its closest boundary to the city, the City Limits of Kuna, as they now exist or as they may be altered by future Annexation of land to the city of Kuna.

ART GALLERY: An establishment that conducts the display and/or retail sale of artwork; may include studio facilities for creation of artistic works.

ART STUDIO: A workspace for one or more artisans that is limited to the creation of artistic works and sale of works created on premises, but not including the use of a blast furnace or kiln larger than one hundred twenty (120) volts.

ASSISTED LIVING/RETIREMENT LIVING/CONGREGATE LIVING: Communities designed to provide residents assistance with basic activities of daily living such as bathing, grooming, dressing, medication assistance and/or reminders, etc. Assisted living communities differ from nursing homes in that they do not offer complex medical services.

AUCTION SALES: The sale of items to the highest bidder.

AUDITORIUM: An area of the theater, concert hall, or other public building in which the audience sits or is used for public gatherings.

AUTOMOBILE DEALERSHIP/RENTAL: A facility, land area, or other premises principally used to display, sell, rent, lease and/or finance new or used automobiles; vans; trailers; trucks; recreational vehicles; boats or motorcycles. May include vehicle preparation, warranty, or repair work conducted as an accessory use.

AUTOMOBILE DETAILING: A facility that provides interior/exterior cleaning of automobiles and provides automobile-related services such as applying paint protectors; installation of aftermarket accessories; tinting; alarms; spoilers; headlight covers or similar items. Engine degreasing or similar services shall not be included.

AUTOMOBILE DETAILING (Mobile): A mobile unit that provides interior and exterior cleaning and polishing of automobile(s) solely at customer's location.

AUTOMOBILE PAINT/BODY SHOP: A facility for collision repair services including body/frame/fender straightening or repair, and painting in an appropriate paint booth.

AUTOMOBILE REPAIR SHOP: A Commercial establishment designed or used for the maintenance or repair of automobiles only. Maintenance may include, tune-ups, oil changes, lubrication, brake and muffler repair, tires, or other similar routine maintenance functions. This definition shall not include paint, bodywork, dismantling or salvage.

Exception: An individual may repair an automobile they own (including engine or transmission repair) provided the owner is limited to working on one (1) automobile at a time. When the automobile is not being worked on, it, and any parts and equipment, shall be enclosed or screened from the view of any street, and the vehicle shall not to be parked upon a street.

BABYSITTING: The act of caring for children for compensation while the parents or usual guardians are absent. If it is performed in the child's own home or all the children are of relation to each other, this definition shall not be restricted as to the number of children. If performed in the babysitter's home for children who are not all of relations, this definition of babysitting shall be restricted to three (3) children, not any of whom are related. Babysitting is further defined as being performed on a sporadic basis and not on a regular basis. It is not to be confused with the definition of a "CHILD CARE FACILITY."

BAKERY or BAKED GOODS STORE: A facility in which bread or cakes and the like are created and sold on-site.

BANK and/or CREDIT UNION/SAVINGS AND LOANS: A financial establishment for the custody, loan, or exchange of money; for the extension of credit; facilitating the transferring of funds.

BARBER SHOP: A business which offers haircuts as its primary service.

BASEMENT: That portion of a building all or partly underground but having at least one-half of its height, the distance between the ceiling and the floor, below the average level of the adjoining ground.

BEAUTY PARLOR/SALON: A facility, where personal cosmetology services are provided including hair care, nail care, and skin care for compensation. Also see "PERSONAL SERVICES."

BED AND BREAKFAST FACILITY: An owner-occupied establishment that offers sleeping accommodations to lodgers in ten (10) or fewer guest rooms, offering overnight or temporary lodging for the general public and may provide meals, for compensation.

BEEKEEPER: A person who keeps honey bees for the purposes of securing commodities such as honey; beeswax; pollen; pollinating fruits and vegetables; raising queens and bees for sale to other farmers; and/or for purposes satisfying natural scientific curiosity.

BEVERAGE PROCESSING AND PRODUCTION: A facility where beverages are processed, bottled and/or distributed to retailers or wholesalers for resale on or off the premises, including the mechanized assembly line production of such goods.

BICYCLE LANE/PATHWAY: Any road, street, path or way which in some manner, is specifically designated as being open to bicycle travel, regardless of whether the facility is designed for the exclusive use of bicycles or is to be shared with other transportation modes.

BICYCLE ROUTE: A segment of a system of bikeways designed by the jurisdiction having authority, with appropriate directional and informational markers, with or without specific bicycle route numbers.

BICYCLE SHOP: A small business specializing in bicycle sales, repair/maintenance and parts.

BLOCK: A group of lots, tracts or parcels within well-defined boundaries, usually streets.

BOOKSTORE: An establishment where literature is sold.

BOTANICAL GARDEN: A public and/or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables or ornamental plants.

BOWLING ALLEY: An establishment that devotes more than fifty (50) percent of its gross floor area to bowling lanes, equipment and playing area.

BREWERY: The use of on-site manufacturing for beer or malt liquor. The use may include ancillary sale or dispensing of beer or malt liquor, by the drink or glass.

BUFFER: A vegetated strip or berm that helps to absorb excess stormwater; reduce the amount of pollutants entering creeks, streams and natural areas; or mitigate aesthetic impacts of a project. Also, a strip of land or type of landscaping created to separate and protect one (1) type of land use from another; for example, a screen, planting, fencing to insulate the surroundings from the noise, smoke, or visual aspects of a competing use.

BUILDING: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

BUILDING, HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the top of building walls for gable, hip and gambrel roofs.

BUILDING MATERIAL, SALES AND SERVICES: See *HOME IMPROVEMENT CENTER*.

BUILDING, PRINCIPAL: A building in which the main or principal use of the lot on which said building is situated, is conducted.

BUILDING SETBACK LINE: An imaginary line established by the Zoning Regulations of this title that requires all buildings to be set back a certain distance from lot lines.

BUILDING SITE: An area proposed or provided and improved by grading, filling, excavation or other means for erecting pads for buildings.

BUTCHER SHOP: A commercial establishment which retails or wholesales meat products.

CALL CENTER: A telephone service facility set-up to handle a large number of (usually) both inbound and outbound calls.

CAMPGROUND: A premises upon which two (2) or more parking sites are located, established or maintained for occupancy for a tent, or other shelter arrangements or devices, recreational vehicle space or a seasonal cabin.

CAR WASH: A site for the washing and cleaning of passenger vehicles, recreational vehicles or other light duty equipment. Automated car wash facilities are mechanical facilities for washing; waxing; and/or vacuuming of automobiles. Self-service car washes are facilities in which the customer provides labor and where no self-propelled wash racks are provided. Truck Washes are for the washing of heavy trucks and buses.

CARNIVAL/CIRCUS: A temporary outdoor amusement activity at which amusement systems and/or games are placed, in addition to food and other entertainment.

CATERING: A business that provides for the preparation, storage and delivery of food and food utensils for off-premises consumption.

CELL TOWER: A structure on which equipment is installed for the transmission of wireless analog or digital signals over long distances through antennas and satellites.

CEMETERY: Land used or intended to be used for the burial of human or animal dead, including crematories, mausoleums and mortuaries, necessary sales, and maintenance facilities; perpetual care and maintenance of the grounds and all associated items/areas, is provided.

CHANGE OF USE: Whenever a use on a property or structure is expanded or enlarged, or substantial refurbishment of a parking lot.

CHILD CARE FACILITIES: Any home, structure, or place where nonmedical care, protection or supervision is regularly provided to children under twelve (12) years of age, for periods less than twenty-four (24) hours per day, while the parents or guardians are not on the premises. Any facility providing child care is required to obtain and maintain a Special Use Permit, and a State of Idaho basic day care license. There are three (3) types of child care facilities:

- A. Home child care: A child care facility which provides care for six (6) or fewer children throughout the day. Owner/operator shall reside within the home.
- B. Group child care: A child care facility which provides care for seven (7) to twelve (12) children throughout the day. Owner/operator shall reside within the home in all residential zoning districts.
- C. Child care center: A child care center which provides care for more than thirteen (13) children throughout the day. It should be noted that, in determining the type of child care facility that is being operated, the total number of children cared for during the day and not the number of children at the facility at any one time is determinative. No occupants shall reside within the center.

CHURCH: A structure used for religious worship by the public.

CIRCULATION: Systems, structures, and physical improvements for the movement of people, goods, water, air, sewage, or power by such means as streets, highways, railways, waterways, towers, airways, pipes, or conduits, and the handling of people and goods by such means as terminals, stations, warehouses, and other storage buildings or transshipment points.

CITY: City of Kuna, Ada County, Idaho.

CLERGY: Persons ordained to perform religious duties.

CLINIC: A building, other than a hospital, used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons, and those who are in need of medical and/or surgical attention, but which building does not provide board, room or regular hospital care and services.

CLUBHOUSE: A building or portion thereof, or premises owned and/or operated by an organized association of persons for a social, literary, political, educational or recreational purpose, primarily for the exclusive use of members and their guests, but still not including any organization, group or association, where the principal activity of which is to render a service usually and ordinarily carried on as a business.

COMMENCEMENT OF CONSTRUCTION: The construction of the first permanent structure on a site as approved, or off-site improvements intended to primarily benefit said site. On-site improvements include: the pouring of slab or footings; installation of pilings; construction of columns or any other work beyond excavation. Off-site improvements include: installing major infrastructure improvements; payment of prepaid sewer hookup or LID EDUs; sewer lines; water lines; pressurized irrigation lines; well stations; lift stations; pump stations; roads; and other utilities intended to serve the site. Permanent construction does not include land preparation, such as clearing, grading, and filling or excavation for a basement, footings, piers, or foundations; or the erection of temporary forms.

COMMERCIAL: A land use or other activity involving the sale of goods or services to others for a profit.

COMMISSION: The City Planning and Zoning Commission.

COMMUNITY: An area consisting of residential, institutional, and commercial uses; and/or a group of persons living in a particular area, sharing a common identity.

COMMUNITY CENTER: A building used as a place of meeting, recreation or social activity and not operated for profit.

COMMUNITY CHARACTER: The features that define the built and natural environment within the community help to create its character. These include historic buildings; natural stream corridors; woodlands; green spaces; residential neighborhoods of different types; building density and orientation (auto- or pedestrian-oriented); and the scale and quantity of signage.

COMMUNITY/URBAN GARDEN: A private or public shared green space which is planned, designed, built and maintained by community members, for the use and enjoyment of the entire community. Community gardens may be used for the cultivation of fruits, vegetables or plants individual gardeners and/or the surrounding community.

COMPREHENSIVE PLAN FUTURE LAND USE MAP: A map showing the present and future land use designation of property/properties; typically referred to as the FLUM.

COMPREHENSIVE PLAN: The adopted official statement of a legislative body (City Council) of a local government, as required by Idaho Code § 67-6508, that sets forth (via words, maps, illustrations, and/or tables) goals, policies, and guidelines intended to direct the present and future physical, social and economic development that occurs within its planning jurisdiction and that includes a unified physical design for the public/private development of the area.

CONTRACTOR'S FACILITY: An office, shop and/or an open area used by a contractor for the storage of materials, vehicles and/or equipment, behind an enclosed fence.

CONVENIENCE STORE (not to include fuel pumps): A small retail establishment, usually located within or associated with another use, that offers for sale convenience goods, such as prepackaged food items, tobacco, periodicals, and other household goods.

COPY CENTER: A facility for the reproduction of written or graphic materials on a custom order basis, for individuals or businesses. Typical processes include: photocopying; blueprinting; and facsimile sending and receiving; limited computer programs and/or internet access; but not to include offset printing.

CORRECTIONAL FACILITY: A publicly or privately operated facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for a violation of civil or criminal law. Such facilities include an adult or juvenile detention center, jail or prison.

COUNCIL: The City Council, which is the governing body of the city, composed of elected officials.

COUNTY RECORDER: The Office of the Ada County Recorder.

COVENANT: A written binding agreement, promise or pledge.

CULVERT: A pipe, conduit or similar enclosed structure which carries water under or through an embankment; bridge; roadway; driveway; pedestrian walk or other structure.

DAIRY: An area of land on which cows are kept for the purpose of producing dairy products in commercial quantities, including the related buildings, equipment and processes.

DAIRY PRODUCTS PROCESSING: A facility for the processing of raw milk into consumer dairy products.

DATA PROCESSING FACILITY: Facilities where electronic data is processed by employees, including, without limitation, data entry; storage; conversion or analysis; maintenance or compiling of documents; subscription and credit card transaction processing; telephone sales; collections; mail orders; catalog sales; and mailing list preparation.

DEDICATION: The voluntary setting apart of land or interest in land by the landowner, for use by the public, and accepted by the City in a manner recognized by Idaho Law.

DELICATESSEN: A store selling cold cuts, cheeses, and/or a variety of salads, usually from a counter or section within a supermarket or grocery store, and are consumed off premises.

DENSITY: Density measures the amount of development located on a tract of land. For residential development, density is usually expressed as the number of housing units per acre. For non-residential development, density is usually expressed as the gross square footage of a building per acre (e.g., ten thousand (10,000) square feet per acre).

- A. Gross density: The number of dwelling units per acre of total land to be developed, including public right-of-way.
- B. Net density: The number of dwelling units per acre of land, only including the land devoted to residential uses, excluding public right-of-way.

DEPARTMENT: The planning and zoning department.

DESIGN STANDARDS: A set of guidelines/standards defining parameters to be followed in a site or building design/development plan.

DEVELOPER: The person or legal entity presenting an application to the City involving the development of real property. This person entity may or may not be the owner of the land that is the subject of their application, but if not the owner must have received authorization from the legal owner to present a development application to the City.

DEVELOPMENT: The act of bringing about growth; making a material change in the use or appearance of a structure or land; dividing land into two (2) or more parcels; or creating or terminating rights of access.

DIRECTOR: The Planning and Zoning Director (inclusive of the Director's designee).

DISABLED VEHICLE: Any motor vehicle not in an operative condition, not currently licensed, parked on any street or alley, or motor vehicle parts and accessories left on a street or alley for a period of two (2) consecutive weeks.

DISPATCH CENTER: A form of logistics, as used in the taxi courier, service delivery industries or emergency services, whereby clients are matched to vehicles according to the order in which the client and the proximity of vehicles to each other correlates.

DISTILLERY: A facility where alcoholic beverages are produced.

DISTRIBUTION CENTER: A use where goods are received and/or stored for delivery to the ultimate customer at remote locations.

DIVERSITY: The condition of having or being composed of differing elements; implies the mixture of land use and/or densities within a given area.

DOG DAYCARE FACILITY: A facility providing services as a canine daycare for all or part of a day, obedience classes, training, grooming, or behavioral counseling, however no overnight boarding is permitted.

DRIVE-IN THEATER: An area which provides patrons a service of watching plays and movies from their automobiles.

DRIVE-THROUGH BUSINESS: A type of service provided by a business that allows customers to purchase products without leaving their vehicles. Such business may include: banks, pharmacies, restaurants or smoke shops.

DRIVEWAY: A minor private way used by vehicles and/or pedestrians to access a single lot or facility; or used for common access to multifamily dwelling facilities.

DRY-CLEANER: A place of business which launders or dry-cleans articles of clothing dropped off, or other fabrics, using the non-flammable dry-cleaning solvent tetrachlorethylene or similar non-flammable solvents.

DRY-CLEANING PLANT: An industrial facility where fabrics are cleaned with substantially nonaqueous, organic solvents or by conventional washing, also, where fabric may be dyed.

DUSTLESS MATERIALS: Hard surfaces used for driveways, loading and parking, including: concrete; asphalt; pavers; and bricks.

DWELLING: A building or part thereof, containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy.

DWELLING, CONDOMINIUM: A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities.

DWELLING, DUPLEX: A building designed as a single structure on a single lot, containing two (2) separate living units, each of which is designed to be occupied by individuals/families. Each unit shall have its own individual entrance.

DWELLING, MULTIFAMILY: A dwelling containing three (3) or more dwelling units on one (1) lot, containing separate living units; includes apartments, four-plex, etc.

DWELLING, ROWHOUSE/TOWNHOME: A series of dwelling units attached in a horizontal row, located on individual lots, but joined along a single lot line, each of which is completely separated from the other by an unpierced wall extending from ground to roof.

DWELLING, SINGLE-FAMILY: A detached building on a single lot designed to house one (1) single-family unit.

DWELLING UNIT: A single unit providing complete, independent living facilities for one (1) or more persons/families, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT: An interest in real property generally established in a recorded real estate document, on a recorded Plat, or in some (less common) instances granted by statute, to reserve, convey or dedicate the use of land for a specialized or limited purpose, without transfer of fee title. Such specified uses may include: transportation facilities; utilities; access; stormwater drainage, etc.

EMERGENCY CARE FACILITY/CLINIC: Medical or dental offices which provide professional services, or which have designated facilities for providing emergency medical care to the general public without appointment. An "emergency care facility," in contrast to a "hospital," does not provide overnight care or boarding of patients.

ENERGY SYSTEM, PRODUCTION THROUGH RENEWABLE SOURCES PRODUCTION FACILITY, RENEWABLE SOURCES: Any facility or installation such as a windmill, hydroelectric unit or solar farm, which is designed and intended to produce energy from natural forces such as wind, water, sunlight, or geothermal heat, or from biomass. -A facility that converts power into electrical energy to service the electrical grid through non-renewable energy sources such as fossil fuels and nuclear power is prohibited within city limits.

ENERGY STORAGE FACILITY: A facility or installation with one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time to the electrical grid.

ENGINEER: Any person who is licensed in the state to practice professional engineering.

EQUIPMENT SALES/RENTAL/SERVICE: The sale, rental or service of equipment with a gross unloaded weight of three thousand (3,000) pounds or more; vehicles with a gross unloaded weight of eight thousand five hundred (8,500) pounds or more; tools; agricultural implements; and/or construction/heavy equipment, such as front-end loaders, dump trucks and other commercial vehicles.

EVENT CENTER: A public or privately owned structure for the purposes of public performances or events which may include: private receptions or parties; sports games/tournaments; concerts; or similar attractions that generally generate heavy traffic. Accessory uses may include: concessions; offices; museums; parks; training or practice facilities; stores; restaurants; heliports; structured parking facilities; and patron parking facilities.

EXHIBITION HALL: A facility to display items of interest to the public.

FAIRGROUNDS: An area of land upon which fairs or exhibitions are held; excludes racetracks and motorized contests.

FAMILY: One (1), two (2), or more persons living together as a single housekeeping unit, in a dwelling as distinguished from a group occupying a boarding house, lodging house, motel or hotel.

FARM ANIMALS: Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include: members of the equine family (horses, mules); bovine family (cows, bulls); sheep; poultry (chickens, turkeys); fowl (ducks, geese); swine (including potbellied pigs); goats; bees; llamas; alpacas; and other animals associated with a farm or ranch.

FARM MACHINERY/TRAILER SALES AND REPAIR: Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in farming/ranching activities.

FARMER'S MARKET: A building or open area in which stalls or sales areas are set aside, rented, or otherwise provided for use by individuals, tenants, or businesses engaged in the seasonal sale of vegetables, fruits, or other agricultural products.

FEEDLOT: A lot or parcel on which livestock are fed intensively in order to fatten for market. This definition does not include short-term holding pens for auction facilities or meatpacking establishments.

FEED STORE: A retail sales facility where grain and other foodstuffs for animals and livestock is sold, including other implements and goods related to agricultural processes, but not including farm machinery.

FINANCIAL INSTITUTION/SERVICE: Any business and/or building wherein the primary occupation is concerned with such federal or state-regulated businesses and/or the exchange of currency; including banks, credit unions, savings and loans, and investment companies, but excluding retail sales and offices.

FLOODPLAIN: Lands, which are within the floodway and the floodway fringe.

FLOOD, 100-YEAR: A flood with a one (1) percent chance of occurring in any given year. This is the flood most commonly used for regulatory purposes.

FLORIST: A business that sells and arranges cut flowers or potted plants, which are not grown on site.

FOOD PANTRY: A distribution center that receives donated food stuffs and disperses the items to hungry families.

FOOD PROCESSING: The preparation, processing, or canning and packaging of food products. Example of activities include but is not limited to: dairy products, fruit and vegetable canning, baked goods, etc. This term does not include beverage processing, the killing or processing of animals and animal waste, nor a restaurant preparing food for consumption by patrons on the premises, carry out, and/or delivery.

FOOD TRUCK COURT: A property used or developed to accommodate one (1) or more food trucks as the primary use of the property while possibly accommodating areas on the property for entertainment or recreational opportunities. Food truck courts must have a valid certificate of occupancy in addition to all other applicable permits and inspections.

FRATERNITY/SORORITY/DORMITORY/RESIDENTIAL HALL: A large facility that consists primarily of sleeping and residential quarters for large numbers of students; and shall be affiliated with an institution of higher education.

FREIGHT TERMINAL: An area and building(s) where cargo is stored and where railroad cars, aircraft, and/or trucks, (including tractors and trailer units), load and unloads cargo for shipment or distribution on a regular basis, and which may include facilities for the temporary storage of loads prior to shipment and facilities for the maintenance of transport vehicles.

FUEL SALES: Sales made directly to the consumer of the automobile fuel product; this does not include fuel sales at a convenience store.

FUNERAL HOME: An establishment engaged in undertaking services such as preparing the dead for burial or cremation; arranging and managing funeral services, viewings and wakes.

FURNITURE RESTORATION/REFINISHING: An establishment that provides a service to restore, renew, repurpose, revive or re-establish furniture.

FURNITURE SHOP: A retail facility which provides a service for the sale of movable articles such as tables, chairs, desks or cabinets, required for use or ornament in a home, office or the like.

GOLF COURSE: A facility providing for the playing of golf, whether private or public, on a tract of land laid out with at least nine (9) holes and improved with tees, greens, fairways and hazards. A golf course may include a clubhouse, restrooms, driving range and shelters as accessory uses. A golf course may provide additional services customarily furnished such as swimming, outdoor recreation, and related retail sales, which may include a restaurant and cocktail lounge, if approved as part of the required Special Use Permit.

GRAZING/RAISING/FARM ANIMALS: A method of animal husbandry whereby livestock are allowed to consume wild vegetations in order to convert grass and other forages into meat, milk, wool and other animal products, often on land unsuitable for farming. These animals are commonly associated with a farm or performing work in an agricultural setting.

GREENBELT/GREENWAY: An open area, which may be cultivated or maintained in a natural state, surrounding development, or used as a buffer between land uses, or to mark the edge of an urban or developed area. Also, a series of connected open spaces that may follow natural features such as ravines, creeks, or streams.

GROCERY STORE: Stores where most of the floor area is devoted to the display and sale of food products, to be consumed off-site, and typically offers other home care and personal care products.

GROUP HOME: A residential building housing no more than eight (8) service-dependent or developmentally disabled persons living with professional staff who function as caregivers; usually for persons who are undergoing treatment or rehabilitation and constitutes a single housekeeping unit in which residents share responsibilities, meals, and recreation.

HANDICRAFT: The production items from materials, such as cloth, lace, wool, wood, glass, metal, leather, or similar, but not including food items, which are either made to order or involve considerable handwork. The term does not include cabinet making, cabinet assembly or the use of mechanized assembly line production.

HARDSHIP: A restriction on property so unreasonable that it results in arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, not the personal circumstances of the owner/user.

HEALTH/ATHLETIC CLUB: An establishment that provides exercise facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, as well as, locker rooms, showers, massage room, saunas, and related accessory uses.

HEALTH AUTHORITY: The Central District Health Department or the Idaho Department of Health and Welfare, that has jurisdictional authority.

HIGHWAY: A street or roadway which serves a high volume of traffic, or is designated as such by an appropriate state or federal agency.

HOME IMPROVEMENT CENTER: A location providing for the retail sale of a diverse range of hardware and related materials generally used in the maintenance, repair, or construction of structures, including lawn and garden supplies, or small equipment/tool rentals.

HOME OCCUPATION: A use incidental and secondary to a property's primary residential use, which shall not change the residential character of the property or the neighborhood, and shall meet all applicable local and legal requirements.

HOSPITAL: An establishment licensed by the Idaho Department of Health, providing physical or mental health services, inpatient or overnight accommodations, and medical or surgical care of the sick or injured.

HOTEL or MOTEL: An establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service.

IMPACT FEES: A fee, levied by local government on new development, so that the new development pays a proportionate share of the cost of the facilities needed to service that development; these include Police, Fire, and Parks.

IMPLEMENTATION: Actions, procedures, or techniques that carries out the Comprehensive Plan policy from concept to reality, through establishing a standard. Each policy is linked to a specific action-oriented implementation program.

IMPOUND YARD: A lot or parcel where vehicles are held or stored on a temporary basis, not to exceed forty-five (45) days, while awaiting claim by titleholders or their agents, or awaiting insurance adjustment.

IMPROVEMENT: Any alteration to the land or other physical construction associated with subdivision and building site developments.

INCINERATION OF GARBAGE, DEAD ANIMALS OR REFUSE: A facility which burns garbage, dead animals or refuse to ashes via combustion.

INDUSTRY, LIGHT: A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing. Food and Beverage Processing and Production are excluded from this definition.

INDUSTRY, HEAVY: A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials; a use engaged in the storage of, or manufacturing processes utilizing, flammable or explosive materials; or the storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions, including, but not limited to animal products, milling and refining. Food and Beverage Processing and Production are excluded from this definition.

INFRASTRUCTURE: Facilities and services needed to sustain industry, Commercial and Residential activities (e.g., water, sewer, streets, roads, fire stations, parks, etc.).

INFILL: Development or redevelopment of land that has been bypassed, remained vacant, unincorporated and/or is underused within areas that are surrounded by or in close proximity to areas that are substantially or fully developed, as determined by the Planning and Zoning Director, within Kuna City.

INSTITUTION: An establishment designed to aid individuals in need of mental, therapeutic, rehabilitative, counseling, or other correctional services.

JUNK: Any old rags, sacks, bottles, cans, papers, metals, automobiles, trucks, machinery, bicycles or similar, which are collected, bought, sold, or otherwise dealt in, after being dismantled or taken apart, or other articles commonly known as "junk."

JUNK DEALER/SHOPS: Any person or retail location that buys, exchanges, collects, receives, stores, or sells any article defined as junk.

JUNKYARDS: Any lot, parcel, structure, building or combination of the same, on/in which junk is stored, collected, processed or converted.

KENNEL, COMMERCIAL: Any premises where dogs/cats over the age of six (6) months, are owned, kept, or harbored for the use of breeding for sale. All kennels shall be registered with the Idaho Humane Society and acquire the applicable licensing from the City Clerk's office.

KITCHEN: Any room principally used, intended, or designed to be used for cooking or the preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall normally be considered as establishing a kitchen.

KCC: The Kuna City Code which is the official city code of the City of Kuna.

LABORATORY: A facility for scientific laboratory analysis of natural resources, medical resources, and manufactured materials. The scientific analysis is generally performed for an outside customer, to support the work of that customer. This category includes: Environmental laboratories for the analysis of air, water and soil; medical or veterinary laboratories for the analysis of blood, tissue, or other human medical or animal products. Forensic laboratories for analysis of evidence in support of law enforcement agencies would also be included in this category.

LANDING AREA/STRIP: An improved hard-surface pad or runway without normal air base or airport facilities, used for the landing/taking off of aircraft.

LAND USE: A description of how land is occupied or utilized.

LAUNDROMAT: A facility where patrons wash, dry, or dry-clean clothing or other fabrics in machines operated by the patron.

LIBRARY: A public, nonprofit facility in which literary, musical, artistic, or reference materials such as books, manuscripts, computers, recordings, films, or similar are kept for the use by or loaning to patrons for purpose of study, reference and recreation.

LIQUOR STORE: An establishment engaged in the sale of alcoholic beverages for off-premises consumption.

LIVESTOCK SALES: The private sale of nondomestic animals through an agreed upon transaction; not to include a Commercial livestock market and/or auction.

LOADING SPACE, OFF-STREET: Space logically and conveniently located for freight-like pick-ups and deliveries, scaled to be accessible to a variety of delivery vehicles, where public parking is not permitted. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space. All off-street loading spaces shall be located totally outside of any street or alley right-of-way.

LOCKSMITH: A facility or person who provides a service of making, mending and/or repairing locks, and/or makes keys for locks.

LOT: For the purpose of this title, the terms lot and parcel are interchangeable. A lot is a parcel of land, sufficient to meet minimum size requirements for its zoning designation; meets coverage and area requirements, and provides such yards and other open spaces as are herein required. Such lot shall meet current requirements reflected in the Official Height and Area Standards (see KCC 5-8-503) and consists of:

- A. Lot area: The area of any lot shall be determined exclusive of streets, highways, alleys, roads, irrigation easements or other rights-of-way.
- B. Lot coverage: The area of a lot which is occupied by the principal building, buildings or accessory buildings and the horizontally projected area of the lot. The ratio is expressed as a percentage. This includes the total area of the lot covered by the roof of any enclosed or unenclosed building, including eaves and overhangs; temporary structures less than two-hundred (200) square feet, such as garden sheds, are not included.
- C. Lot frontage: The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the definition of "YARD" in this section.
- D. Lot Line, front: The property line dividing a lot from a public or private street and from which the required front setback has been measured.

LOT, FLAG: A lot in the shape of a flag on a pole or similar design. A flag lot shall have a minimum frontage of thirty (30) feet on a public street. For multiple lots within a flag lot configuration, the private common (or shared) driveway shall be relied upon for access and shall serve a maximum of three (3) lots.

LOT, INTERIOR: A lot with only one (1) frontage on a street.

LOT LINE ADJUSTMENT: Moving a property line to add or subtract an area no greater than fifteen (15) percent of a property's width or length, whichever is more restrictive, to another lot.

LOT LINES: Property lines bounding the lot.

LOT, MINIMUM AREA OF: The area of a lot is computed exclusive of any portion of the right-of-way of any public or private street.

LOT OF RECORD: A lot which is part of a subdivision, recorded in the office of the Ada County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT SPLIT, PUBLIC UTILITY: Dividing of a lot, tract or parcel of land for the purpose of creating a public utility lot.

LOT TYPES: Terminology used in this title with reference to lots is as follows:

- A. Corner lot: A lot located at the intersection of two (2) or more streets.
- B. Interior lot: A lot with only one (1) frontage on a street.
- C. Through lot: A lot, other than a corner lot, with frontage on more than one (1) street. Through lots abutting two (2) streets may be referred to as double frontage lots.
- D. Reversed frontage lot: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

MAINTAIN: Supports, keeps, or continues in an existing state or condition without decline.

MANUFACTURED HOME: A structure constructed according to HUD manufactured home construction and safety standards, transportable in one (1) or more sections, which: a) in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length; or b) when erected on-site, is one thousand (1,000) or more square feet in size; and c) is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities; and d) includes the plumbing, heating, air conditioning, and electrical systems contained therein; provided, however, that such term shall include any structure which meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42 USC 5401.

MANUFACTURED HOME PARK: Any site or tract of land under single ownership, upon which two (2) or more manufactured home dwellings are parked, including any roadway, building, structure, vehicle or enclosure used or intended for use as a part of the facilities of such park.

MARINE SALES/RENTAL: Display, sale and/or rental of new or used boats, jet skis, wave runners, or other marine vessels and trailers, and incidental uses to marine activities.

MASSAGE THERAPY: A person licensed by the State of Idaho, that provides manipulative exercises on the human body for a variety of health-related purposes, including the relief of pain, rehabilitate sports injuries, reduce stress, increase relaxation, address anxiety and depression, and aid in general wellness.

MAUSOLEUM: A building containing above-ground tombs.

MIXED USE DEVELOPMENT: Development incorporating innovative design and a compatible mixture of land uses that promote walkability, strengthen a sense of community and provides for diverse employment, housing and transportation options to all segments of population. Utilizing the Planned Unit Development process, Mixed use development shall contain two (2) or more different land uses, including office, commercial, public, institutional, light industrial, residential and/or agriculture, that are combined vertically and/or horizontally in an integrated development project with a cohesive physical design. Mixed residential (multi-family, single-family, townhomes, condos, etc.) are encouraged, however they do not satisfy the intent of a mixed-use development.

MONUMENT: Any permanent marker either of concrete, stone, galvanized iron pipe or iron or steel rods, used to identify any tract, parcel, lot or street lines, as specified in I.C. § 50-1303.

MORTUARY: A place for the storage of the dead prior to burial or cremation.

MUSEUM: A building in which objects of historical, scientific, artistic or cultural interest are stored and exhibited.

NEIGHBORHOOD CENTER: An area that is central to the surrounding developments. A neighborhood center is an appropriate place for churches, small-scale commercial buildings, civic buildings and parks. In addition, these areas accommodate higher density housing; encouraging a mix of uses under one (1) roof, such as, the placement of a residential use over a retail use.

NONCONFORMING USE: A use that lawfully existed prior to the effective date of this title but does not now conform to the allowed uses for the district in which it is located.

NON-PROFIT ORGANIZATION: Any person(s), partnership, association, corporation, or other group whose activities are conducted for unselfish, civic or humanitarian motives, or for the benefit of others, and not for the gain of any private individual or group.

NURSERY(GREENHOUSE): Land, building, structure or a combination thereof for raising, storage, cultivation, and/or transplanting of live trees, shrubs or plants offered for retail sale on the premises, including products used for gardening or landscaping. Also referred to as greenhouse.

NURSING HOME [also known as: Skilled Nursing Facility (SNF), care home, rest home]: A facility providing skilled care of residents. It is a place of residence for individuals who are chronically/incurably ill, aged, or infirm and require constant nursing care, and where their meals, lodging, and care is provided for compensation. Residents in a Skilled Nursing Facility may also receive physical, occupational, and other rehabilitative therapies following an accident or illness.

OBJECTIVE: The objective statement defines the meaning of the goal, describes how to accomplish the goal, and suggests a method of accomplishing it. It advances a specific purpose or element of a goal.

OFFICE: A room, group of rooms, or structure used for conducting the affairs of a business, profession, service industry, or government. Uses incidental, such as medical and dental testing and diagnostic services, are permitted in conjunction with medical and dental offices.

OFFICE (HOME OCCUPATION): A business within a dwelling in which there is no more than one (1) customer coming or going from the dwelling at any time.

OFFICE, TEMPORARY REAL ESTATE SUBDIVISION SALES: Temporary sales office within a subdivision to market the homes for sale. The temporary status shall not exceed two (2) years.

OPEN SPACE: Any substantially open land that is predominantly lacking in structural development and open to the sky, which may be on the same lot with a building. The open space area may include, natural areas, wetlands and open water areas, wildlife habitats, swimming pools and tennis courts, and other recreational facilities that the City Council deems permissible. Streets, private parking areas, structures for habitation, buffer areas along classified roads, endcaps, and the like shall not be included.

ORCHARD/TREE CROP: A tract and/or piece of land planted with fruit trees or trees grown for the use of wood products or produce.

OWNERSHIP: The individual, firm, association, syndicate, partnership or corporation having legal or equitable title to; has charge, care or control of; or any interest in a location, structure, and/or parcel.

PARCEL: A parcel, tract, lot, and/or other legally described real property.

PARK MANAGEMENT: The person, or persons, who owns or has charge, care or control of a manufactured home park.

PARK STREET: The street that affords principal means of access to individual manufactured home lots or auxiliary buildings.

PARKING SPACE: An improved usable space for the parking of motor-driven vehicles, other than large vehicles, in a public or private parking area or building. Parking spaces shall have one hundred eighty (180) square feet of surface area constructed of an all-weather surface area that has been approved by the City Engineer, and/or other public agencies with jurisdiction.

PARKING SPACE, OFF-STREET: For the purpose of this title, an off-street parking space shall consist of an area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley, and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

PAWNSHOPS and MOTOR VEHICLE PAWNSHOPS: Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances of money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. This does not include federal/state licensed lending institutions.

PAYDAY LOANS/CHARTER INSTITUTIONS: A monetary loan provided to borrowers based on collateral, that must be paid in full on the date specified in an agreement signed by both parties. The loan amounts granted are based on how much money the borrower grosses each pay period.

PEDESTRIAN PATHWAY: An improved path separates and protected from vehicular traffic, which is used solely for pedestrian foot-traffic.

PERFORMANCE BOND or SURETY BOND: A financial guarantee by a subdivider or developer with the city in the amount of the estimated construction cost, guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

PERMIT or LICENSE: A document issued by the city authority, permitting the applicant to undertake certain activities.

PERSON: The definition of "PERSON" is set forth in KCC § 1-3-2 and such definition shall apply to this title. Interchangeable with individual(s).

PERSONAL SERVICES: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repair, barbershops, beauty parlors/salons and similar activities.

PETS, DOMESTIC: A tame animal or fowl customarily kept by humans for companionship or pleasure, and is dependent on people for food and shelter; this includes dogs, cats, canaries, and similar pets.

PHARMACY: A facility which provides a service where medical drugs are prepared, dispensed and sold.

PLANETARIUM: A domed building in which images of stars, planets and constellations are projected for public entertainment or education.

PLANNED UNIT DEVELOPMENT (PUD): A project with a single owner or a group of owners acting jointly, involving a related group of residences, businesses, or industries and associated uses. Planned as a single-entity, the project is subject to development and regulations as one (1) land-use unit rather than as an aggregation of individual buildings located on separate lots. The PUD includes usable, functional open space for the mutual benefit of the entire tract, and is designed to provide variety and diversity through the variation of normal zoning and subdivision standards, so that maximum long-range benefits can be gained, and the unique features of the development or site are preserved and enhanced, while still being in harmony with the surrounding neighborhood. Approval of a PUD does not eliminate the requirements of subdividing and recording a plat.

PLAT: The drawing, mapping or planning of a subdivision, cemetery, town site or other tract of land or a replating of such, including certifications, descriptions and approvals:

- A. Preliminary plat: The first formal presentation by drawings, of a proposed development; and
- B. Final plat: The final and formal presentation by drawings of an approved development, the original and one (1) copy of which is filed with the County Clerk and Recorder.

POULTRY/FOWL: Domestic birds, such as chickens, turkeys, ducks, or geese, raised for meat, eggs or gardening purposes.

POWER PLANT: A facility that converts one (1) or more energy sources, including but not limited to, water powers, fossil fuels, nuclear power, or solar power, into electrical energy or steam. Any plant facility and equipment for the purposes of producing, generating, transmitting, delivering or furnishing electricity for the production of power.

PRESCHOOL: A facility for organized educational instruction for children who have not reached the enrollment age for kindergarten.

PROFESSIONAL ACTIVITIES: The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects and engineers, or similar professions.

PUBLIC LAND: Land owned by local, state, or federal government, used for purposes which benefit public health, safety, general welfare and other needs of society.

PUBLIC SERVICE FACILITY: Buildings; ~~power plants~~; distribution substations; source substations; transmission lines; water treatment plants; sewage disposal; ~~recreation areas~~; and other structures that are owned or leased by a governmental body or public entity which provides service to the public.

PUBLIC USES: Government-owned facilities to which the public has access such as, public parks; recreational areas, cultural and service buildings; but not including public land or buildings devoted solely to the storage and maintenance of equipment and materials or the disposal of refuse.

PUBLIC UTILITIES: Refers to key facilities, types and levels of the following: potable water; pressurized or gravity irrigation; sanitary facilities; storm drainage facilities; government administrative services; energy and other services deemed necessary by the community for the enjoyment of urban life.

PUBLIC UTILITY LOT: A lot that exclusively contains public and private physical infrastructure which is a physical component of an integrated public or private system which provides water, sewer, irrigation, electrical grid and or telecommunication service to the public.

PUBLIC UTILITY STRUCTURES: Any underground public utility facility; utility poles; wires; anchors; guys; and other supporting devices, including appurtenant electrical equipment and hardware.

PUBLISHING: An activity of preparing and issuing books, journals, software and other materials for sale.

RECREATIONAL VEHICLE/CAMP TRAILER PARK AND/OR TENT CAMPSITES: A lot or parcel intended for occupancy by recreational vehicles, travel trailers, and/or tent sites for travel, recreational, or vacation usage for short periods of time.

RECYCLING CENTER/STAGING AREA: A building that is not a salvage yard or junkyard, in which recoverable resource materials, such as paper products, glassware, and metal cans, are collected, sorted, flattened, crushed, or bundled prior to shipment to others who use such resource materials to manufacture new products.

RECYCLING PLANT: A facility that is not a salvage yard or junkyard, where recyclable materials are reprocessed, and treated into new products and/or raw materials.

REPAIR SERVICE(S): An establishment primarily engaged in the provision of repairs to individuals rather than businesses, excluding automotive and equipment style repairs. Typical uses include appliance repair; shoe repair; watch or jewelry repair; musical instrument repair; or similar.

RESEARCH AND DEVELOPMENT FACILITY: A use engaged in research and development, testing, assembly, repair, and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Office, warehousing, wholesaling, and distribution of the finished products produced at the site are allowed as part of this use if the use falls within the above-listed industries.

RESERVE STRIP: A strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street extension or widening.

RETAIL SALES AND SERVICE: The sale, service and on-premises incidental production or assembly of general merchandise for direct use or consumption [by] the general public, but not including the sale to another business for resale purposes.

REVIEW: An inspection or examination for the purpose of evaluation and the rendering of an opinion or decision. Review by the City may involve public hearings, public meetings, administrative decisions, formal approval or denial of development proposals, etc., as provided for in City ordinances.

RIDING SCHOOL (ACADEMY) or STABLE: An establishment where horses or similar (pony, donkey, mule, burro), are boarded and cared for, and where instruction in riding, jumping, and showing is offered, and where horses or similar, may be hired for riding or instruction; or any place that regularly buys, sells, or trains the above animals, including: a small racetrack, trotting track, or rodeo.

RIGHT-OF-WAY: A strip of land dedicated for use as a public way. In addition to the roadway, it normally includes streets, sidewalks, irrigation, curbs, lawn strips, lighting, drainage facilities and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts, bridges and other public utilities or service areas.

ROADSIDE STAND: A temporary structure designed or used for the display or sale of agricultural and related products, the majority of which have been grown on adjacent land.

SALES, WHOLESALE: The sale of products, to anyone other than the end user of the products, for resale.

SANITARY LANDFILL: An area or site where waste is isolated from the surrounding environment, usually buried between layers of earth.

SCHOOL: An educational institution for the teaching of academics, skills or trades:

- A. **Alternative:** A school established to provide instructional courses to eligible at-risk youth so they can earn a high school diploma. Alternative schools are required to offer programs that are clearly designed to serve at-risk students.
- B. **Charter:** A school that is authorized by Idaho Code § 33-5201 et seq. to deliver public education in Idaho with equal access and authority to participate in all State and Federal programs to the same extent as a traditional public school, irrespective of the instructional delivery method.
- C. **Magnet:** Free public elementary and secondary schools of choice operated by school districts. These schools have a specific instructional theme, curriculum or instruction method that is used throughout the school. That theme may be around a content area

such as humanities or science, technology, engineering and math (STEM). It may use instructional method such as dual immersion language or specific curriculum focus, i.e., International Baccalaureate. The school may have limited enrollment and may require students to apply for admission into the school.

- D. Private: Non-profit or for-profit educational organizations that are operated independent of the public education system; in most cases, there is a charge for students to attend. Private schools are not regulated or licensed by the Idaho State Department of Education.
- E. Trade/Vocational: A specialized instructional establishment that provides on-site training of business, commercial and/or trade skills such as accounting, data processing and computer repair.
- F. Traditional Public: Any school existing or to be built that is operated and controlled by a school district within the State of Idaho; including elementary, middle and high schools. These schools are usually supported by a governmental agency and/or at taxpayers' expense.
- G. Virtual: Either a public charter school or a traditional public school that delivers a full-time, sequential program of synchronous and/or asynchronous instruction primarily through the use of technology via the internet in a distributed environment. Per Idaho Code § 33-5202A, a school classified as virtual must have an online component to their school with online lessons and tools for student and data management.

SEAT: For purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) linear inches of benches, pews or space for loose chairs.

SENIOR HOUSING: A broad term that is used to describe any type of living facilities that are maintained for the use of people who have reached the age of retirement. There are different types of senior housing, with each type designed to meet the needs of seniors in various states of health and with different levels of activity; except those that provide skilled nursing care, or provide meals.

SETBACK LINE: A line established by these zoning regulations, generally parallel with and measured from the lot line, defining the limits of a yard in which no building or structure may be located, except as may be provided in said regulations.

SEWER CONNECTION: The connection consisting of all pipes, fittings and appurtenances from the drain outlet of manufactured homes, residences, Commercial or Industrial buildings, to the corresponding sewer main line tee of the sewage system serving the manufactured home park, residential, Commercial or Industrial buildings.

SHELTER: A facility that provides temporary protective sanctuary for victims of crime or abuse, including emergency housing during crisis intervention for individuals, or the homeless.

SHOOTING RANGE (Indoor): The use of a structure for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.

SHOOTING RANGE (Outdoor): The use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions.

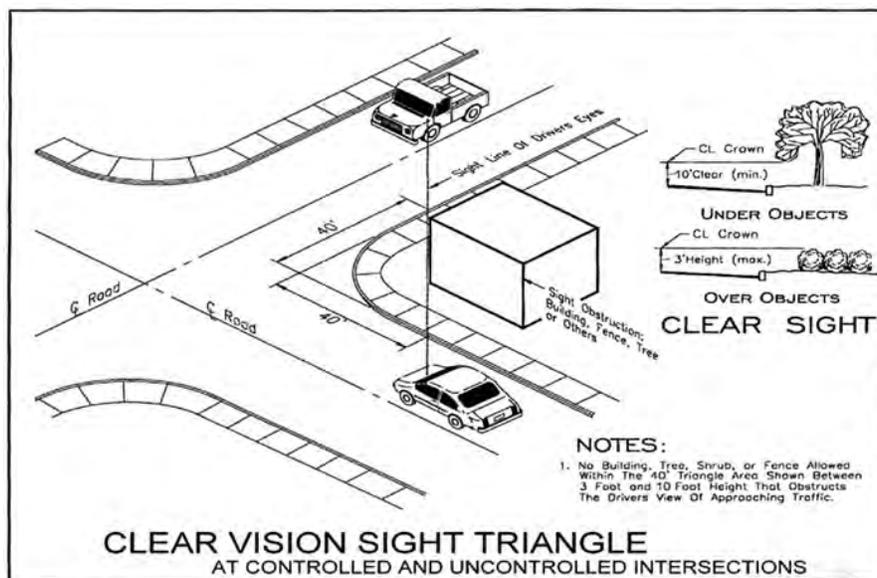
SHOPPING CENTER: A group of commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provisions for goods delivery is separated from customer access, aesthetic considerations and protection from the elements.

SIDEWALK: An improved pedestrian surface portion of the road right-of-way, outside of the roadway.

SIGN: Any device used for visual communication, designed to inform or attract the attention of persons not on the premises on which the sign is located.

- A. Sign, on-premises: Any sign related to a business or profession conducted, or a commodity or service sold or offered upon the premises where such sign is located.
- B. Sign, off-premises: Any sign unrelated to a business or profession conducted, or to a commodity or service sold or offered upon the premises where such sign is located.
- C. Sign, illuminated: Any sign illuminated by electricity, gas or other artificial light including reflecting or phosphorescent light.
- D. Sign, lighting device: Any light, string of lights or group of lights located or arranged so as to cast illumination on a sign.
- E. Sign, projecting: Any sign which projects from the exterior of a building.

SIGHT TRIANGLE (CLEAR VISION TRIANGLE): The triangular area formed by a diagonal line connecting two (2) points located on intersecting street right-of-way lines (or right-of-way line and curb or edge of driveway).



SMALL ENGINE REPAIR: An establishment that maintains and repairs low-power internal combustion engines (gasoline/petrol) or electric engines. This includes, but is not limited to, chain saws, string trimmers, leaf blowers, snow blowers, lawn mowers, and wood chippers.

SPECIAL USE: A special use permitted within a district, other than a principally permitted use, requiring a special use permit and approval of the Commission. Special uses permitted in each district are listed in the official schedule of district regulations found in Kuna City Code Part 8 of Chapter 8 of this title.

SPORTS ARENA: A place or building for contests or shows; such as, theater, musical performances, or sporting events.

STANDARD: Shall be the specifications (minimum requirements) as specified in this title or as officially adopted by the City.

STATE: The State of Idaho.

STORAGE FACILITY: An area which provides a short-term or long-term parking or storage of patron items inside or outside of the business.

STORY: That part of a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between the floor and the ceiling immediately above it.

STREET: A right-of-way which provides vehicular and pedestrian access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, lane, place and other such terms.

- A. *Alley:* A public right-of-way with an improved driving surface intended to provide a secondary means of transportation circulation access. An alleyway shall be a minimum width of twenty (20) feet, measured from the adjoining property lines. Substandard alley widths and alley driveway entrances shall be improved to the city's and ACHD's standards as a condition of a zoning or subdivision land use application.
- B. *Minor:* A street other than the main thoroughfare or collector street, that has the primary purpose of providing access to abutting properties.
- C. *Collector:* A street designated on the Comprehensive Land Use Map for the purpose of carrying traffic from minor streets to other collector streets and/or arterial streets.
- D. *Arterial:* A street designated on the Comprehensive Land Use Map for the purpose of carrying fast and/or heavy traffic.
- E. *Private:* A street that is not publicly owned and maintained, and provides access only to the private user(s).
- F. *Loop:* A minor street with both terminal points on the same street of origin.
- G. *Cul-de-sac:* A street with a single common ingress/egress with a turnaround space at its terminus.
- H. *Frontage:* A minor street, parallel to and adjacent to an arterial street to provide access to abutting properties.

- I. *Partial*: A dedicated right-of-way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.
- J. *Principal arterial*: Principal arterials carry the major portion of trips entering and leaving the urban area, as well as the majority of through movements.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, walls, fences and billboards.

STUDIO; DANCE, MUSIC, VOICE: A facility where persons study the performing arts.

SUBDIVIDER: A subdivider shall be deemed to be the individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this Code. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient proprietary rights in the property to represent the owner. A subdivider may also be referred to in this title as a "Developer."

SUBDIVISION: The division or redivision of a lot, tract, or parcel of land into more than three (3) parts, for the purpose of transfer of ownership or development; which shall also include the dedication of a public street and the addition to. However, this Code shall not apply to any of the following:

- A. An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth or building setback lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat;
- B. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property;
- C. The unwilling sale of land as a result of legal condemnation as defined and allowed in the Idaho Code;
- D. Widening of existing streets to conform to the Comprehensive Plan;
- E. The acquisition of street rights-of-way by a public agency in conformance with the Comprehensive Plan;
- F. The exchange of land for the purpose of straightening property boundaries which does not result in the change of the present land usage; and
- G. A Public Utility Lot.

SUBSTATION (Distribution): Converts transmission voltages (138 kV) to distribution voltages (12.5 kV to 34.5 kV) that serve local loads, such as homes and businesses, throughout the community.

SUBSTATION (Source): Converts high-voltage transmission lines (230 kV and above) to lower voltages (138 kV). Acts as a power source for distribution substations.

SUPPLY YARD: A commercial establishment storing and offering for sale building supplies, street supplies, coal, heavy equipment, feed and grain, and similar goods.

SURVEYOR: Any person who is licensed in the state as a public land surveyor to do professional surveying in which they establish official land boundaries.

SWALE: A natural or man-made depression or wide, shallow ditch used to temporarily store, route, or filter runoff.

SWAP MEET (FLEA MARKET): A building or open area in which stalls or sales areas are set aside, rented or otherwise provided for use by individuals, tenants or businesses engaged in retail trade. The sale of merchandise may include secondhand items, specialty items, hand crafted items and home-grown products.

TATTOO/BODY PIERCING PARLOR: An establishment for a tattoo artist and/or body piercer to perform a service to apply permanent decorative body art; typically learned via apprenticeship under an established artist. Properly equipped parlors shall have biohazard containers for any objects that have come into contact with blood or bodily fluids, sharps container for old needles, and an autoclave for sterilizing tools.

TAVERN/BAR/LOUNGE/NIGHTCLUB: A place where the sale and service of alcoholic beverages are sold by the drink, where meals are not required.

TAXIDERMY: A facility where the art of preparing, stuffing the skins of animals, and mounting to appear life-like, is practiced.

TERMINAL TRUCK YARD: A facility for the receipt, transfer, short-term storage and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.

THEATER: A building or part of a building used to show motion pictures or for drama, dance, musical, or other like performances.

TO AND THROUGH: The act of bringing services (water, sewer, pressurized irrigation) to a site and continuing said services through the entire site to a point certain.

TRAINING FACILITY: A private or public establishment that provides training and instruction for law enforcement, security companies, military, fire safety, and accessory facilities including but not limited to, dining, accommodations, classrooms, indoor/outdoor shooting range, motor course, and fire suppression simulations. This may include tactical training for private individuals.

TRANSITIONAL HOME: A type of housing for persons currently under the supervision of the State Board of Corrections or other similar agency, that are in the later stages of serving a sentence and are being transitioned back to free society.

TRANSMISSION LINES: Electrical circuits used to transfer power (138 kV) from source substations to distribution substations and between distribution substations.

TRANSMISSION LINES (High Voltage): Electrical circuits used to transfer large amounts of power (230 kV and above) long distances.

TREE FARM: Any parcel of land used to raise or harvest trees for wood products such as lumber, posts and poles, fuel wood, nurseries or Christmas trees where forest products are sold on-site or transported to market.

TRUCK (SEMI) AND TRAILER REPAIR FACILITY: A facility designed for the maintenance of semi-trucks and trailers. Maintenance may include, tune-ups, oil changes, lubrication, tire alignments, detailing and warranty work, minimal waste disposal, brake repair, tires, or other similar routine maintenance functions.

TRUCK STOP: A commercial facility which may provide a service station; rest (parking); store, often with ready-made food; showers; and other services to motorists and truck drivers.

TRUCK WASH: A facility for the washing of commercial vehicles.

URBAN: All population and territory within the boundaries of urbanized areas, and the urban portion of places outside of the urbanized area, that have a decennial census population of two thousand five hundred (2,500) or more. (US Census Bureau)

USE: The purpose for which land or a building is designated, arranged or intended, or for which it is occupied or maintained, let or leased.

UTILITIES: All lines and facility installations for conducting water, sewage, gas, communications, electricity, television, irrigation, stormwater and similar facilities, providing service to and used by the public.

VARIANCE: A relief from certain standards as set forth in Chapter 11 of this title and as enabled and defined by Idaho Code section 67-6516.

VEHICLE (AUTOMOBILE/MOTOR VEHICLE): Any self-propelled vehicle designed primarily for transportation of persons or goods along public streets, alleys, or other public ways. This shall include, automobile, truck, motorcycle, recreational vehicle, personal recreation item or as otherwise defined in I.C. § 49-123, which includes every device in, upon, or by which any person or property is or may be transported or drawn (e.g., travel trailers) upon a public highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

VEHICLE, COMMERCIAL: Any currently licensed and operable motor vehicle with a gross vehicle weight rating over twenty-six thousand (26,000) pounds and as defined by I.C. § 49-123.

VEHICLE EMISSIONS TESTING: A measurement performed on motor vehicles, required by Idaho law and Idaho Department of Environmental Quality [DEQ] compliances, to prevent issuing valid vehicle registration if an excessive amount of waste fumes is produced during typical use.

VETERINARY CLINIC: See Animal Hospital.

VICINITY MAP: A one (1) inch = three hundred (300) feet scale drawing which sets forth by dimensions or other means, the relationship of the proposed development to other nearby developments or landmarks, and community facilities and services within the general area, in order to better locate and orient the area in question.

WALKWAY: A right-of-way dedicated for public use that is not within a street right-of-way, to facilitate pedestrian access though a subdivision block by means of a hard surface path, any portion of a parking area restricted to the exclusive use of pedestrian travel.

WAREHOUSE: An enclosed structure for the storage of goods for distribution or transfer to another location.

WATER CONNECTION: The connection consisting of all pipes, fittings and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within a residence.

WATER RISER PIPE: That portion of the water supply system that extends vertically to the ground elevation and terminates at a designated point at each home lot.

WETLANDS: Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

WOOD PROCESSING: A facility that provides a production of forest products, such as pulp and paper, construction materials, and tall oil; including firewood. Paper engineering is a subfield of wood processing.

WRECKING YARD: Any premises used for the storage, dismantling or sale of either used motor vehicles, trailers or machinery.

YARD: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward; provided, accessories, ornaments and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

- A. Yard, front: A yard extending between side lot lines across the front of a lot and from the front lot line, to the front of the principal building.
- B. Yard, rear: A yard extending between side lot lines across the rear of a lot and from the rear lot line, to the rear of principal buildings.
- C. Yard, interior side: A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
- D. Yard, street side: A yard extending from the principal building to the secondary street that adjoins the lot between the lines establishing the front and rear yards.

ZONING: Local codes regulating the use and development of property. The zoning ordinance divides a community into land use districts or "zones," represented on zoning maps, and specifies the allowable uses within each of those zones. It establishes development standards for each zone, such as minimum lot size, maximum height of structures, building setbacks, and yard size.

ZONING PERMIT: A document issued by the Director authorizing the uses of land and structures, and the characteristics of the uses.

5-8-503: OFFICIAL SCHEDULE OF DISTRICT LAND USE REGULATIONS:

- A. *Determining Where Land Uses Are Allowed:*
 - 1. Find the land use in subsection B of this section.

2. Read across the schedule until either a "P" or "S" appears. If a "P" appears, the use is considered a permitted use in the corresponding zoning district it appears in. If a "S" appears, the use is only allowed in the corresponding zoning district it appears in upon the issuance of a Special Use Permit in accordance with Chapter 8, Part 8, of this title.
3. If a "P" or "S" do not appear under a district, that use is not allowed in that district.
4. Many of the land uses identified in the land use table are defined in Chapter 2 of this title. In the event the definition is not listed there, please refer to staff's copy of, "A Planners Dictionary" edited by Michael Davidson and Fay Dolnick, American Planning Association Planning Advisory Service for land use definition. If the term sought is not found in either location, the City staff may refer to another Treasure Valley jurisdiction's terminology for land use definition.
5. In the event that a land use is unlisted, the Director, or their designee, shall interpret appropriate zoning district for land uses not specifically identified in the land use table and determine their placement status in a particular zone by comparing the requested land use to similar type uses on the land use table.
6. When several land uses are proposed to be combined together on a land use parcel or need to be reconciled to determine their placement in a zone, the most intensive land use shall be considered as the primary activity and relied upon for establishing zoning placement status.

B. Schedule of Land Use Regulations:

Land Uses	Zoning Districts													
	A	R-2	R-4	R-6	R-8	R-12	R-20	C-1	C-2	C-3	CBD	M-1	M-2	P
Agriculture	P	P												P
Accessory Dwelling Unit (aka mother-in-law quarters) 7	S	S	S	S	S									
Accessory Use	P							P	P	P	P	P	P	P
Adult Oriented Business									S					
Agri-tainment	P	P												P
Agritourism	P	P												P
Airport, Landing Strip, Heliport	S												S	S
Amusement Center (Indoor)								S	P	P				
Amusement Center (Outdoor)									S	S		S		S
Animal Boarding	S													
Animal Grooming	P	P1	S1	S1	S1			P	P	P	P			
Animal Hospital	P							S	S	P		P	P	S
Animal Shelter	S									S		S	S	P
Appliance Repair								P	P	P		P		
Aquaculture	P												S	S
Aquarium								P	P	P		P		P
Arboretum	P	P												P
Archery Range	P							P	P	P		P		P

Art Gallery								P	P	P	P			
Assisted Living, Retirement Living, Congregate Living					S	S	S	P	P					
Auction Sales	S								S	P		P		
Auditorium									P	P		S		P
Automobile Body, Paint Shop									S	S		P	P	
Automobile Dealership/Rental								S	P	P		P		
Automobile Detailing								P	P	P		P	P	
Automobile Detailing (Mobile)		S1	S1	S1	S1	S1	S1	P	P	P		P		
Automobile Repair Shop								S	P	P		P	P	
Bakery or Baked Goods Store		S1	S1	S1	S1	S1	S1	P	P	P	P	P		
Bank, Credit Union, Savings & Loan								P	P	P	P	P		
Beauty Salon/Barber Shop/Nail Technician		S1	S1	S1	S1			P	P	P	P	P		
Bed and Breakfast	S	S												
Beekeeping (Hives)	P	P	S	S								P	P	P
Berry and Bush Crop/Vineyard	P	P										P		P
Beverage Processing and Production/Distillery 5									S	S		P	P	
Bicycle Shop								P	P	P	P	P		
Billboards	S												S	
Bookstore								P	P	P	P			
Botanical Garden	P	S						P	S					P
Bowling Alley								P	P	P	P	P		
Brewery/Winery 5	P							S	P	P	P	P	P	
Butcher Shop								P	P	P	S	P		
Call Center								S	S	P	P	P		
Car Wash								P	P	P	S	P		
Carnival/Circus (Temporary)	P							P	P	P		P		P
Catering		S1	S1	S1	S1	S1	S1	P	P	P	P	P		
Cell Tower	S	S								S		S	P	P
Cemetery or Mausoleum	P	S	S	S	S	S	S	S						P
Child Care, Center (13+ children) 6								P	P	S				
Child Care, Group (7—12 children) 6		S2	S2	S2	S2			P	S					
Child Care, Home (1—6 children) 6		S2	S2	S2	S2									
Church or Place of Worship	S	S	S	S	S	S	S	P	P	P	P			
Community Center								P	P	P	P	P		P
Community/Urban Garden	P	P	P	P	P	P	P	P			P	P		P
Contractor Facility & Yard	S									S		P	P	
Convenience Store (Including fuel sales)								P	P	P	P	P	P	
Correctional Facility 7-33										S		S	S	S
Dairy Product Processing 7-53	P											S	P	
Data Processing Facility									S	P		P	P	
Dispatch Center 34-47								S	P	P		P		

Distribution Center 15-26-53										S		P	P	
Dog Daycare Facility	P	S							S	S		P		
Drive-in Theater	S							S	S	S		S		P
Driving School								P	P	P	P	P		P
Dry Cleaners								P	P	P	S	P		
Dry-Cleaning Plant 53												S	P	
Dwelling, Condominium				S	P	P	P					S 3		
Dwelling, Duplex		S	P	P	P	P	P							
Dwelling, Multifamily/Apartments (3 or more units under one roof)					S	P	P					S3		
Dwelling, Rowhouse/Townhome				S	P	P	P							
Dwelling, Single-Family	P	P	P	P	P	P	P							
Emergency Care Facility/Clinic								P	P	P	P	P		
Energy Production Facility, System, Production Through Renewable Sources	S											S	S	S
<u>Energy Storage Facility</u>	<u>S</u>											<u>S</u>	<u>S</u>	<u>S</u>
Equipment Sales and Rental (Light Equipment)	S								P	P		P	P	
Equipment Sales (Large and Heavy Equipment)										S		P	P	
Event Center								S	P	P	P	P		P
Fairground	P	S										S		P
Farm Animals	P	P										S	P	P
Farm Machinery and Trailer Sales and Repair	S								S	S		P	P	
Farmer's Market	S							P	P		P			P
Feed Store	S							P	P	P		P		
Feedlot or Dairy	S													
Flea Market (Permanent)								S	S	S		S		
Flea Market/Swap Meet (Temporary)								P	P	P	P			P
Florist	P	P1	S1	S1	S1			P	P	P	P			
Food Pantry	P							P	P	P				
Food Processing Facility										S		P	P	
Food Truck Court								S	S	S	S			
Fraternity/Sorority/Dormitory/Residential Hall						S	S	S	S	S		S		
Freight Terminal												S	S	
Fuel Sales (Excluding convenience stores)								S	S	S	S	P	P	
Funeral Home/ Mortuary								P	P					
Furniture Restoration/Refinishing								S	P	P		P		
Golf Course and Country Club	S	S	S	S	S	S	S	P						P

Poultry Hatcheries	P											S	S	
Power Plant												S	S	
Preschool		S	S	S	S	S	S	S	S	S				
Printing, Blueprinting, and/or Mapping Services								P	P	P	P	P	P	
Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Service Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Publishing								P	P	P	P	P		
Radio and TV Stations								P	P	P	S	P		
Railroad Buildings, Yard and Equipment	S											P	P	
Recreational Vehicle/Camp Trailer Park and/or camping Sites	S													P
Recycle Center/Recycle Staging Area										S		P	P	
Recycling Plant												S	P	
Regional Sewage and Waste Treatment Plant	S	S											S	S
Repair Services (Small)		S1	S1	S1	S1			P	P		P	P		
Research and Development Facility									S	S	S	P	P	
Restaurant								P	P	P	P	P		
Restaurant with Bar 5								S	S	S	S	S		
Retail Stores/ Services								P	P	P	P	P		
Riding Arenas/Stables/Schools	P	S												
Roadside Stands, Seasonal	P	P						P	P	P	P			P
Sales									S	S		P		
Sanitary Landfill													S	S
School (College/University/Trade)								S	S	S		S		S
School (Elementary, Middle and High School)		S	S	S	S	S	S	S	S	S				S
Senior Housing				S	S	P	P							
Shelter					S	S	S	S						S
Shoe Repair		S1	S1	S1	S1	S1	S1	P	P	P	P	P	P	
Shooting Range (Indoor)									S	P		P	P	
Shooting Range (Outdoor)	S												S	S
Shopping Center								P	P	P				
Sign Shop								P	P	P		P	P	
Small Engine Repair	P	S1	S1	S1				P	P			P		
Sports Arena								S	S	S	S	S		S
Storage Facility (public/private) • 10 acres or more												S	S	
Storage Facility (public/private) • 5 to 10 acres									S	S		S	S	

Storage Facility (public/private) • 2 to 5 acres									S	S		S	S	
Storage Facility (public/private) • Up to 2 acres									S	S	S		S	S
Studio (Art, Dance, Music, Voice, Photographer, etc.)		P1	P1	P1	P1	S	S	P	P	P	P			
Swimming Pool		P	P	P	P	P	P	P	P		S			P
Tattoo Parlors/Body Piercing Establishment								P	P	P	P			
Bar/Nightclub/Lounge 5								S	S	S	S	S		
Taxi Services									S				P	
Taxidermy	P	P1	S1					S	P	P			P	P
Terminal Yard Trucking												S	S	
Theater								P	P	P	P			
Training Facility	S												S	S
Transitional Home		S	S	S	S									
Travel Agency		P1	P1	P1	P1	P1	P1	P	P	P	P			
Truck (Semi) and Tractor Repair Facility	S									S			P	P
Tree Farm	P	P								S			P	P
Truck Stop													S	S
Truck Wash													P	P
Upholstery Shop		P1	P1	S1	S1			P	P	P			P	
Vehicle Emission Testing Facility								P	P	P	P		P	P
Veterinary Clinic	S	S						P	P	P			P	
Warehousing										S			P	P
Wedding Chapel	P	S						P	P	P	P			
Zoo	S									S			S	P

LAND USE TABLE NOTES:

1. Subject to the home occupation, accessory use standards set forth in section 5-8-1004-K of this title.
2. Owner/Operator occupancy required for permitted daycares in residential Zoning Districts.
3. Multifamily and Condominium dwelling units shall only exist on secondary levels. The main/ground floor shall not be used for any residential purposes.
4. Up to five (5) animals allowed; however, no roosters are permitted.
5. Alcoholic beverages require city licensure according to the provisions of Title 3, Chapter 1, of Kuna City Code. Consumption of alcohol on-premises is prohibited within three hundred (300) feet of a school or place of worship as measured from the primary entrance, unless the city council provides relief from that distance

requirement. The three-hundred-foot distance separation requirement does not apply to temporary beer and wine licenses procured by way of catering license.

- 6. Child care facilities require a minimum of forty (40) square feet of usable indoor space per child and eighty (80) square feet of usable outdoor space per child.

7. Subject to additional Equivalent Dwelling Unit (EDU) Evaluation.

5-8-1004: PROVISIONS FOR UNIQUE LAND USES:

Certain unique land uses pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique land uses shall be adhered to in addition to all other provisions in this title:

- A. *Accessory building*: An accessory building shall not be located in the front yard setback area of the lot's primary building or placed closer than five (5) feet from any side or rear yard setback area.
- B. *Agriculture (buffer area)*: A buffer area shall be maintained as an untilled filler strip or in natural vegetation for placement between the tilled ground and the normal high water elevation of any surface water areas, according to the chart schedules.

Average Slope of Land Between Tilled Land and Normal High Water Elevation (Percent)	Width of Strip Between Tilled Land and Normal High Water Elevation (Feet Along Surface of Ground)
0—4	20
5—9	50
10—14	90
15 and over	110

- 1. Will be maintained to minimize soil erosion, sedimentation, contamination and nutrient enrichment of ground and surface water.
- C. *Animal clinic, animal hospital, veterinary office, animal shelter and kennel*: These types of animal care facilities shall be located in the appropriate zoning district, a minimum distance of three hundred (300) feet from residences, hotels and motels and similar type uses. The director may modify this distance separation standard if the animals are completely housed in soundproof structures that effectively screen them from the aforementioned uses and provided that action is in keeping with the city's animal control ordinance.
- D. *Animal commercial feedlots, meatpacking, processing plant, distribution center, freight terminal, incineration, bottling plant, rendering plant and slaughterhouse facilities*: These types of facilities and associated operations shall be located in the appropriate zoning district, a minimum distance of six hundred (600) feet from any residence or residential zoning district. These facilities shall have a minimum setback of thirty (30) feet from any property line and be designed and located with consideration for noise and odor impacts upon the surrounding properties.

- E. *The storage of bulk flammable liquids and gases for resale, fuel yard and explosive storage:* These types of storage facilities shall be located in the appropriate zoning district at least six hundred (600) feet from any residential district, residences, public or quasi public facility, religious institution, hotels and motels.
1. Will be erected subject to the approval of the fire chief.
 2. Will have suitable loading and unloading spaces and off-street parking facilities subject to the approval of the fire chief.
- F. *Chemicals, pesticide, fertilizer storage and manufacturing:* Storage and manufacturing facilities shall be located in the appropriate zoning district at least three hundred (300) feet from residential districts and residential uses located in the zone. The facilities shall meet the permitting agencies' health and safety standards.
- G. *Contractor's yard, lumberyard and supply yard:* The yard shall be located in the appropriate zoning district, a minimum distance of three hundred (300) feet from any residence and surrounded on all sides by a properly constructed, and city approved, six-foot-high solid fence or masonry wall.
- H. *Drive-in restaurant:*
1. Will be enclosed on the property line with landscaping and fencing, except for ingress and egress, to prevent trash from moving onto other properties.
 2. Will have a six-foot-high sight obscuring fence along the property lines that adjoin a residence.
 3. Will provide for adequate trash receptacles.
 4. Will avoid the direction of night-lighting toward any residence.
- I. *Filling, grading, lagooning, dredging or other earthmoving activity:*
1. Will result in the smallest amount of bare ground exposed for the shortest time feasible.
 2. Will provide temporary groundcover, such as mulch.
 3. Will use diversions, silting, basins, terraces and other methods to trap sediment.
 4. Will provide lagooning in such a manner as to avoid creation of fish trap conditions.
 5. Will not restrict a floodway, channel or natural drainage way.
 6. Will construct and stabilize sides and bottom of cuts, fills, channels and artificial watercourses to prevent erosion or soil failure.
 7. Will not have below grade elevation except for drainage ways within fifty (50) feet of any lot line or public right-of-way.
 8. Will restore topsoil or loam to a depth of not less than four (4) inches.
- J. *Natural resources, mineral extraction, processing and storage (pertaining to gravel pits, rock quarries, sand and clay pits and other natural resources extracted for commercial gain):* These types of operations shall be sited and permitted in the M-3

zoning district, according to the permitting agencies' health and safety standards. The operator shall submit a reclamation strategy to the city as part of the permitting process, with provisions for setting aside a sufficient layer of overburden to be placed timely over subterranean waters exposed through such activity.

- K. *Home occupation:* Authorized home occupations are permitted in any dwelling unit subject to the following provisions:
1. *Home occupations permitted:* Home occupations include, but are not limited to the following:
 - a. Artists, authors, sculptors.
 - b. Home office for outside salesperson, not to include retail sales or personal visits.
 - c. Dressmakers, seamstresses and tailors.
 - d. Family daycare homes.
 - e. Home crafts, and instruction in arts and crafts, limited to not more than four (4) participants.
 - f. Music or dancing teachers, provided that the instruction shall be limited to four (4) pupils at one (1) time, except for occasional groups.
 2. *Home occupations not permitted:*
 - a. Auto repair, minor or major.
 - b. Cabinet shop.
 - c. Gift shop.
 - d. Painting of vehicles, trailers or boats.
 - e. Photo developing, retail.
 3. *Use limitations:* An occupation which does not comply with the following criteria shall not be deemed a "home occupation":
 - a. Not more than one (1) person, other than members of a family residing on the premises, shall be engaged in such occupation.
 - b. The use of the dwelling unit shall be clearly incidental and subordinate to its occupants.
 - c. No outdoor storage shall be permitted.
 - d. No visible signs.
 - e. There shall be no other exterior indication of the home occupation.
 - f. No home occupation shall be conducted in such a manner, and/or no materials or mechanical equipment shall be used which will be detrimental to the residential use of said residence or cause a nuisance to surrounding residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.

- g. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front or side yard.
 - h. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises.
 - i. The occupation shall be conducted only in the dwelling unit and not in a building which is detached from the dwelling unit unless a conditional use permit is obtained.
 - j. The occupation shall not generate more than ten (10) vehicle trips to and from the premises daily.
4. *Special use permit required:* The following home occupations may be permitted upon issuance of a special use permit by the planning and zoning commission:
- a. Conduct a home occupation in an accessory building.
 - b. Swimming classes in a home pool.
 - c. Barber and beauty shops.
 - d. Photographer.
5. *Determine valid home occupation:* The following criteria shall be used by the commission to determine a valid home occupation:
- a. Conditions of subsections K:3:a through K:3:j of this section.
 - b. The area of the necessary building used shall be no larger than one-fourth of the gross area of one (1) floor of the dwelling.
 - c. Swimming instructions shall be limited to four (4) pupils per class, between the hours of 8:00 a.m. and 6:00 p.m.
- L. *Outdoor storage of commercial and industrial type materials:* These storage materials shall be screened from the view of adjoining residences and/or residentially zoned districts and relying on the city's design review committee or the planning and zoning commission for screening evaluation purposes. The outdoor storage of these materials is prohibited within the front yard setback area.
- M. *Riding stables, arenas and schools:* Equestrian related facilities shall be located in the appropriate zoning district a minimum one hundred (100) feet from any residence and set back a distance of thirty (30) feet from any property line. These facilities and their supporting areas shall be sited on the property with consideration for noise and odor impact upon the adjoining properties.
1. *Commercial stable/riding arena:*
- a. Any establishment that meets one (1) or more of the following criteria shall be deemed a commercial use and shall require special use approval:
 - (1) The riding arena is open to the general public, a homeowners' association or a club.

- (2) The riding arena is for private use, but is enclosed within a structure that exceeds twenty-four (24) feet in height and/or the total area of the structure exceeds two thousand (2,000) square feet.
 - (3) The riding arena can be rented by an individual or group.
 - (4) Spectator seating for more than fifty (50) people is provided at the arena.
 - (5) Retail sales accessory to the stables or riding arena are conducted on the site.
 - (6) Group lessons are provided to the general public for a fee.
- b. All commercial riding arenas and commercial stables shall provide sufficient parking and turnaround areas for horse trailers; such areas shall be designed to preclude vehicles from backing out into a roadway.
 - c. Minimum property size for commercial stables or commercial riding arenas shall be five (5) acres.
 - d. Only off-site catering is permitted, and must be approved by Central District Health Department (CDHD).
2. *Private stables:* A detached accessory building or structure for the keeping of one (1) or more horses or cows owned and used by the occupant of the premises and not for remuneration, hire or sale.
- N. *Rifle, pistol and archery range:* These sporting facility uses shall be located in the appropriate zoning districts and designed with a backstop that meets city approval. Outdoor facilities shall be designed to avoid a line of fire that is directed towards any residence or business within a one-mile range or other distance separation that meets city approval and sporting standards.
- O. *Sanitary landfill:* A sanitary landfill shall be located in the appropriate zoning district and separated from residential zoning districts and/or residential uses, a minimum distance of one thousand three hundred twenty (1,320) feet (one-fourth mile) and the actual site location determined after review of site plans and pertinent analysis by the approving authorities.
- P. *Wrecking yard, junkyard, vehicle salvage storage yard and impound yard:* These yards shall be located in the appropriate zoning districts and separated from residential zoning districts and/or residential uses a minimum distance of six hundred (600) feet. These yards will be completely enclosed by a six-foot-high, sight-obscuring fence and sited in such a fashion as not to be seen from any public right-of-way. The physical location of these type uses shall be determined by the approving authorities' evaluation of site plans and other health and safety factors.
1. Will be completely enclosed by a solid six-foot-high, sight-obscuring fence.
 2. Will not result in the storage of automobile, junk or salvage material that is visible from any public right-of-way.
 3. Will not result in the storage of automobiles that exceed the height of the fence.

4. Will have such landscaping that is appropriate with the surrounding area.
- Q. *Power transmission:* Power lines transmitting two hundred thirty (230) Kilovolts (kV) of electrical energy up to five hundred (500) kV shall be centered within an eight-hundred-foot-wide utility easement; power lines transmitting greater than five hundred (500) kV of electrical power shall be centered in a one thousand three hundred twenty-foot-wide utility easement. No residential dwelling shall be placed within four hundred (400) feet of a two hundred thirty (230) to five hundred (500) kV power line or six hundred sixty (660) feet of a five hundred (500) to eight hundred (800) kV power line. Distance separations for other habitable structures shall be determined on a case-by-case basis.

R. *Energy Production Facilities, Renewable Sources and Energy Storage Facilities:*
These facilities shall require special use permit approval in zoning districts as set forth in section 5-8-503 of this title.

1. Application Requirements:

- a. A decommissioning plan that includes, but is not limited to, the anticipated life of the ground equipment, disposal methods of the equipment, the way the site will be restored, and the timeline for the removal of the ground equipment following the cessation of operations or irreparable damage to equipment. The applicant shall also provide the method in which the panels or components will be recycled at the end of their useful life. Decommissioning shall be completed in accordance with the approved decommissioning plan.
- b. A fire protection plan that provides fire protection measures and describes fire suppression methods for the construction and operation of the energy project. The applicable fire authority shall approve the fire protection plan prior to application submittal to the city.
- c. An emergency response plan that outlines procedures for safe shutdown, de-energizing or isolation of equipment and systems under emergency conditions.

2. Use Exceptions:

- a. Energy Storage facilities may be permitted as an accessory and subordinate use to distribution and source substations.
- b. Where energy storage facilities are utilized as an accessory use a decommissioning plan, fire protection plan, and emergency response plan shall be required.

5-8-503: OFFICIAL SCHEDULE OF DISTRICT LAND USE REGULATIONS:

A. Determining Where Land Uses Are Allowed:

1. Find the land use in subsection B of this section.
2. Read across the schedule until either a "P" or "S" appears. If a "P" appears, the use is considered a permitted use in the corresponding zoning district it appears in. If a "S" appears, the use is only allowed in the corresponding zoning district it appears in upon the issuance of a Special Use Permit in accordance with Chapter 8, Part 8, of this title.
3. If a "P" or "S" do not appear under a district, that use is not allowed in that district.
4. Many of the land uses identified in the land use table are defined in Chapter 2 of this title. In the event the definition is not listed there, please refer to staff's copy of, "A Planners Dictionary" edited by Michael Davidson and Fay Dolnick, American Planning Association Planning Advisory Service for land use definition. If the term sought is not found in either location, the City staff may refer to another Treasure Valley jurisdiction's terminology for land use definition.
5. In the event that a land use is unlisted, the Director, or their designee, shall interpret appropriate zoning district for land uses not specifically identified in the land use table and determine their placement status in a particular zone by comparing the requested land use to similar type uses on the land use table.
6. When several land uses are proposed to be combined together on a land use parcel or need to be reconciled to determine their placement in a zone, the most intensive land use shall be considered as the primary activity and relied upon for establishing zoning placement status.

B. Schedule of Land Use Regulations:

Land Uses	Zoning Districts													
	A	R-2	R-4	R-6	R-8	R-12	R-20	C-1	C-2	C-3	CBD	M-1	M-2	P
Agriculture	P	P												P
Accessory Dwelling Unit (aka mother-in-law quarters) 7	S	S	S	S	S									
Accessory Use	P							P	P	P	P	P	P	P
Adult Oriented Business									S					
Agri-tainment	P	P												P
Agritourism	P	P												P
Airport, Landing Strip, Heliport	S												S	S
Amusement Center (Indoor)								S	P	P				
Amusement Center (Outdoor)									S	S		S		S
Animal Boarding	S													
Animal Grooming	P	P1	S1	S1	S1			P	P	P	P			
Animal Hospital	P							S	S	P		P	P	S
Animal Shelter	S									S		S	S	P
Appliance Repair								P	P	P		P		
Aquaculture	P												S	S
Aquarium								P	P	P		P		P
Arboretum	P	P												P
Archery Range	P							P	P	P		P		P
Art Gallery								P	P	P	P			
Assisted Living, Retirement Living, Congregate Living					S	S	S	P	P					
Auction Sales	S								S	P		P		
Auditorium									P	P		S		P
Automobile Body, Paint Shop									S	S		P	P	
Automobile Dealership/Rental								S	P	P		P		
Automobile Detailing								P	P	P		P	P	
Automobile Detailing (Mobile)		S1	S1	S1	S1	S1	S1	P	P	P		P		
Automobile Repair Shop								S	P	P		P	P	
Bakery or Baked Goods Store		S1	S1	S1	S1	S1	S1	P	P	P	P	P		
Bank, Credit Union, Savings & Loan								P	P	P	P	P		

Beauty Salon/Barber Shop/Nail Technician		S1	S1	S1	S1			P	P	P	P	P		
Bed and Breakfast	S	S												
Beekeeping (Hives)	P	P	S	S								P	P	P
Berry and Bush Crop/Vineyard	P	P										P		P
Beverage Processing and Production/Distillery 5									S	S		P	P	
Bicycle Shop								P	P	P	P	P		
Billboards	S												S	
Bookstore								P	P	P	P			
Botanical Garden	P	S						P	S					P
Bowling Alley								P	P	P	P	P		
Brewery/Winery 5	P							S	P	P	P	P	P	
Butcher Shop								P	P	P	S	P		
Call Center								S	S	P	P	P		
Car Wash								P	P	P	S	P		
Carnival/Circus (Temporary)	P							P	P	P		P		P
Catering		S1	S1	S1	S1	S1	S1	P	P	P	P	P		
Cell Tower	S	S								S		S	P	P
Cemetery or Mausoleum	P	S	S	S	S	S	S	S						P
Child Care, Center (13+ children) 6								P	P	S				
Child Care, Group (7—12 children) 6		S2	S2	S2	S2			P	S					
Child Care, Home (1—6 children) 6		S2	S2	S2	S2									
Church or Place of Worship	S	S	S	S	S	S	S	P	P	P	P			
Community Center								P	P	P	P	P		P
Community/Urban Garden	P	P	P	P	P	P	P	P			P	P		P
Contractor Facility & Yard	S									S		P	P	
Convenience Store (Including fuel sales)								P	P	P	P	P	P	
Correctional Facility 7-33										S		S	S	S
Dairy Product Processing 7-53	P											S	P	
Data Processing Facility									S	P		P	P	
Dispatch Center 34-47								S	P	P		P		
Distribution Center 15-26-53										S		P	P	
Dog Daycare Facility	P	S							S	S		P		

Drive-in Theater	S							S	S	S		S		P
Driving School								P	P	P	P	P		P
Dry Cleaners								P	P	P	S	P		
Dry-Cleaning Plant 53												S	P	
Dwelling, Condominium				S	P	P	P				S 3			
Dwelling, Duplex		S	P	P	P	P	P							
Dwelling, Multifamily/Apartments (3 or more units under one roof)					S	P	P				S3			
Dwelling, Rowhouse/Townhome				S	P	P	P							
Dwelling, Single-Family	P	P	P	P	P	P	P							
Emergency Care Facility/Clinic								P	P	P	P	P		
Energy System, Production Through Renewable Sources Energy Production and Energy Storage Facilities	S											S	S	S
Equipment Sales and Rental (Light Equipment)	S								P	P		P	P	
Equipment Sales (Large and Heavy Equipment)										S		P	P	
Event Center								S	P	P	P	P		P
Fairground	P	S										S		P
Farm Animals	P	P										S	P	P
Farm Machinery and Trailer Sales and Repair	S								S	S		P	P	
Farmer's Market	S							P	P		P			P
Feed Store	S							P	P	P		P		
Feedlot or Dairy	S													
Flea Market (Permanent)								S	S	S		S		
Flea Market/Swap Meet (Temporary)								P	P	P	P			P
Florist	P	P1	S1	S1	S1			P	P	P	P			
Food Pantry	P							P	P	P				
Food Processing Facility										S		P	P	
Food Truck Court								S	S	S	S			

Fraternity/Sorority/Dormitory/Residential Hall						S	S	S	S	S		S		
Freight Terminal												S	S	
Fuel Sales (Excluding convenience stores)								S	S	S	S	P	P	
Funeral Home/Mortuary								P	P					
Furniture Restoration/Refinishing								S	P	P		P		
Golf Course and Country Club	S	S	S	S	S	S	S	P						P
Grain (Feed and Seed Processing and Sales)	P											S	S	
Grain Storage—Bulk	P											S	S	
Group Home		P	P	P	P	P	P							
Handicraft		P1	P1	P1	P1	P1	P1	P	P	P	P			
Health Club/Gym								P	P	P	P	P		
Home Improvement Center								S	P	P				
Hospital								S	S	S		S		
Hotel/Motel								S	S	S	S	S		
Impound/Storage Yard (vehicle)												S	S	
Incineration (Garbage, Animal Remains or Refuse)	S												S	
Industry, Light										S		P	P	
Industry, Heavy												S	P	
Junkyard/Wrecking Yard													S	
Kennel, Commercial	S									S		S		
Laboratory								S	P	P		P		
Laundromat								P	P	P	S	P		
Library						S	S	P	P	P	P			P
Liquor Store								P	P	P	P	P		
Livestock Sales	S												S	
Locksmith		S1	S1	S1	S1	S1	S1	P	P			P		
Machine or Welding Shop										S		P	P	
Manufactured Home Park						S	S							

Regional Sewage and Waste Treatment Plant	S	S											S	S
Repair Services (Small)		S1	S1	S1	S1			P	P		P	P		
Research and Development Facility									S	S	S	P	P	
Restaurant								P	P	P	P	P		
Restaurant with Bar 5								S	S	S	S	S		
Retail Stores/ Services								P	P	P	P	P		
Riding Arenas/Stables/Schools	P	S												
Roadside Stands, Seasonal	P	P						P	P	P	P			P
Sales									S	S		P		
Sanitary Landfill													S	S
School (College/University/Trade)								S	S	S		S		S
School (Elementary, Middle and High School)		S	S	S	S	S	S	S	S	S				S
Senior Housing				S	S	P	P							
Shelter					S	S	S	S						S
Shoe Repair		S1	S1	S1	S1	S1	S1	P	P	P	P	P	P	
Shooting Range (Indoor)									S	P		P	P	
Shooting Range (Outdoor)	S												S	S
Shopping Center								P	P	P				
Sign Shop								P	P	P		P	P	
Small Engine Repair	P	S1	S1	S1				P	P			P		
Sports Arena								S	S	S	S	S		S
Storage Facility (public/private) • 10 acres or more												S	S	
Storage Facility (public/private) • 5 to 10 acres									S	S		S	S	
Storage Facility (public/private) • 2 to 5 acres									S	S		S	S	
Storage Facility (public/private) • Up to 2 acres								S	S	S		S	S	
Studio (Art, Dance, Music, Voice, Photographer, etc.)		P1	P1	P1	P1	S	S	P	P	P	P			

Swimming Pool		P	P	P	P	P	P	P	P	P	S			P
Tattoo Parlors/Body Piercing Establishment								P	P	P	P			
Bar/Nightclub/Lounge 5								S	S	S	S	S		
Taxi Services									S			P		
Taxidermy	P	P1	S1					S	P	P		P	P	
Terminal Yard Trucking												S	S	
Theater								P	P	P	P			
Training Facility	S											S	S	
Transitional Home		S	S	S	S									
Travel Agency		P1	P1	P1	P1	P1	P1	P	P	P	P			
Truck (Semi) and Tractor Repair Facility	S									S		P	P	
Tree Farm	P	P								S		P	P	P
Truck Stop												S	S	
Truck Wash												P	P	
Upholstery Shop		P1	P1	S1	S1			P	P	P		P		
Vehicle Emission Testing Facility								P	P	P	P	P	P	
Veterinary Clinic	S	S						P	P	P		P		
Warehousing										S		P	P	
Wedding Chapel	P	S						P	P	P	P			
Zoo	S									S		S		P

LAND USE TABLE NOTES:

1. Subject to the home occupation, accessory use standards set forth in section 5-8-1004-K of this title.
2. Owner/Operator occupancy required for permitted daycares in residential Zoning Districts.
3. Multifamily and Condominium dwelling units shall only exist on secondary levels. The main/ground floor shall not be used for any residential purposes.
4. Up to five (5) animals allowed; however, no roosters are permitted.
5. Alcoholic beverages require city licensure according to the provisions of Title 3, Chapter 1, of Kuna City Code. Consumption of alcohol on-premises is prohibited within three hundred (300) feet of a school or place of worship as measured from the primary entrance, unless the city council provides relief from that distance requirement. The three-hundred-foot distance separation requirement does not apply to temporary beer and wine licenses procured by way of catering license.

6. Child care facilities require a minimum of forty (40) square feet of usable indoor space per child and eighty (80) square feet of usable outdoor space per child.
7. Subject to additional Equivalent Dwelling Unit (EDU) Evaluation.

5-8-1004: PROVISIONS FOR UNIQUE LAND USES:

Certain unique land uses pose special problems that may have detrimental influences on surrounding land uses. The following performance standards for such unique land uses shall be adhered to in addition to all other provisions in this title:

- A. *Accessory building*: An accessory building shall not be located in the front yard setback area of the lot's primary building or placed closer than five (5) feet from any side or rear yard setback area.
- B. *Agriculture (buffer area)*: A buffer area shall be maintained as an untilled filler strip or in natural vegetation for placement between the tilled ground and the normal high water elevation of any surface water areas, according to the chart schedules.

Average Slope of Land Between Tilled Land and Normal High Water Elevation (Percent)	Width of Strip Between Tilled Land and Normal High Water Elevation (Feet Along Surface of Ground)
0—4	20
5—9	50
10—14	90
15 and over	110

- 1. Will be maintained to minimize soil erosion, sedimentation, contamination and nutrient enrichment of ground and surface water.
- C. *Animal clinic, animal hospital, veterinary office, animal shelter and kennel*: These types of animal care facilities shall be located in the appropriate zoning district, a minimum distance of three hundred (300) feet from residences, hotels and motels and similar type uses. The director may modify this distance separation standard if the animals are completely housed in soundproof structures that effectively screen them from the aforementioned uses and provided that action is in keeping with the city's animal control ordinance.
- D. *Animal commercial feedlots, meatpacking, processing plant, distribution center, freight terminal, incineration, bottling plant, rendering plant and slaughterhouse facilities*: These types of facilities and associated operations shall be located in the appropriate zoning district, a minimum distance of six hundred (600) feet from any residence or residential zoning district. These facilities shall have a minimum setback of thirty (30) feet from any property line and be designed and located with consideration for noise and odor impacts upon the surrounding properties.
- E. *The storage of bulk flammable liquids and gases for resale, fuel yard and explosive storage*: These types of storage facilities shall be located in the appropriate zoning district at least six hundred (600) feet from any residential district, residences, public or quasi public facility, religious institution, hotels and motels.
 - 1. Will be erected subject to the approval of the fire chief.
 - 2. Will have suitable loading and unloading spaces and off-street parking facilities subject to the approval of the fire chief.

- F. *Chemicals, pesticide, fertilizer storage and manufacturing*: Storage and manufacturing facilities shall be located in the appropriate zoning district at least three hundred (300) feet from residential districts and residential uses located in the zone. The facilities shall meet the permitting agencies' health and safety standards.
- G. *Contractor's yard, lumberyard and supply yard*: The yard shall be located in the appropriate zoning district, a minimum distance of three hundred (300) feet from any residence and surrounded on all sides by a properly constructed, and city approved, six-foot-high solid fence or masonry wall.
- H. *Drive-in restaurant*:
1. Will be enclosed on the property line with landscaping and fencing, except for ingress and egress, to prevent trash from moving onto other properties.
 2. Will have a six-foot-high sight obscuring fence along the property lines that adjoin a residence.
 3. Will provide for adequate trash receptacles.
 4. Will avoid the direction of night-lighting toward any residence.
- I. *Filling, grading, lagooning, dredging or other earthmoving activity*:
1. Will result in the smallest amount of bare ground exposed for the shortest time feasible.
 2. Will provide temporary groundcover, such as mulch.
 3. Will use diversions, silting, basins, terraces and other methods to trap sediment.
 4. Will provide lagooning in such a manner as to avoid creation of fish trap conditions.
 5. Will not restrict a floodway, channel or natural drainage way.
 6. Will construct and stabilize sides and bottom of cuts, fills, channels and artificial watercourses to prevent erosion or soil failure.
 7. Will not have below grade elevation except for drainage ways within fifty (50) feet of any lot line or public right-of-way.
 8. Will restore topsoil or loam to a depth of not less than four (4) inches.
- J. *Natural resources, mineral extraction, processing and storage (pertaining to gravel pits, rock quarries, sand and clay pits and other natural resources extracted for commercial gain)*: These types of operations shall be sited and permitted in the M-3 zoning district, according to the permitting agencies' health and safety standards. The operator shall submit a reclamation strategy to the city as part of the permitting process, with provisions for setting aside a sufficient layer of overburden to be placed timely over subterranean waters exposed through such activity.
- K. *Home occupation*: Authorized home occupations are permitted in any dwelling unit subject to the following provisions:
1. *Home occupations permitted*: Home occupations include, but are not limited to the following:

- a. Artists, authors, sculptors.
 - b. Home office for outside salesperson, not to include retail sales or personal visits.
 - c. Dressmakers, seamstresses and tailors.
 - d. Family daycare homes.
 - e. Home crafts, and instruction in arts and crafts, limited to not more than four (4) participants.
 - f. Music or dancing teachers, provided that the instruction shall be limited to four (4) pupils at one (1) time, except for occasional groups.
2. *Home occupations not permitted:*
- a. Auto repair, minor or major.
 - b. Cabinet shop.
 - c. Gift shop.
 - d. Painting of vehicles, trailers or boats.
 - e. Photo developing, retail.
3. *Use limitations:* An occupation which does not comply with the following criteria shall not be deemed a "home occupation":
- a. Not more than one (1) person, other than members of a family residing on the premises, shall be engaged in such occupation.
 - b. The use of the dwelling unit shall be clearly incidental and subordinate to its occupants.
 - c. No outdoor storage shall be permitted.
 - d. No visible signs.
 - e. There shall be no other exterior indication of the home occupation.
 - f. No home occupation shall be conducted in such a manner, and/or no materials or mechanical equipment shall be used which will be detrimental to the residential use of said residence or cause a nuisance to surrounding residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
 - g. Any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front or side yard.
 - h. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises.
 - i. The occupation shall be conducted only in the dwelling unit and not in a building which is detached from the dwelling unit unless a conditional use permit is obtained.

- j. The occupation shall not generate more than ten (10) vehicle trips to and from the premises daily.
4. *Special use permit required:* The following home occupations may be permitted upon issuance of a special use permit by the planning and zoning commission:
- a. Conduct a home occupation in an accessory building.
 - b. Swimming classes in a home pool.
 - c. Barber and beauty shops.
 - d. Photographer.
5. *Determine valid home occupation:* The following criteria shall be used by the commission to determine a valid home occupation:
- a. Conditions of subsections K:3:a through K:3:j of this section.
 - b. The area of the necessary building used shall be no larger than one-fourth of the gross area of one (1) floor of the dwelling.
 - c. Swimming instructions shall be limited to four (4) pupils per class, between the hours of 8:00 a.m. and 6:00 p.m.
- L. *Outdoor storage of commercial and industrial type materials:* These storage materials shall be screened from the view of adjoining residences and/or residentially zoned districts and relying on the city's design review committee or the planning and zoning commission for screening evaluation purposes. The outdoor storage of these materials is prohibited within the front yard setback area.
- M. *Riding stables, arenas and schools:* Equestrian related facilities shall be located in the appropriate zoning district a minimum one hundred (100) feet from any residence and set back a distance of thirty (30) feet from any property line. These facilities and their supporting areas shall be sited on the property with consideration for noise and odor impact upon the adjoining properties.
1. *Commercial stable/riding arena:*
- a. Any establishment that meets one (1) or more of the following criteria shall be deemed a commercial use and shall require special use approval:
 - (1) The riding arena is open to the general public, a homeowners' association or a club.
 - (2) The riding arena is for private use, but is enclosed within a structure that exceeds twenty-four (24) feet in height and/or the total area of the structure exceeds two thousand (2,000) square feet.
 - (3) The riding arena can be rented by an individual or group.
 - (4) Spectator seating for more than fifty (50) people is provided at the arena.
 - (5) Retail sales accessory to the stables or riding arena are conducted on the site.

- (6) Group lessons are provided to the general public for a fee.
 - b. All commercial riding arenas and commercial stables shall provide sufficient parking and turnaround areas for horse trailers; such areas shall be designed to preclude vehicles from backing out into a roadway.
 - c. Minimum property size for commercial stables or commercial riding arenas shall be five (5) acres.
 - d. Only off-site catering is permitted, and must be approved by Central District Health Department (CDHD).
2. *Private stables:* A detached accessory building or structure for the keeping of one (1) or more horses or cows owned and used by the occupant of the premises and not for remuneration, hire or sale.
- N. *Rifle, pistol and archery range:* These sporting facility uses shall be located in the appropriate zoning districts and designed with a backstop that meets city approval. Outdoor facilities shall be designed to avoid a line of fire that is directed towards any residence or business within a one-mile range or other distance separation that meets city approval and sporting standards.
- O. *Sanitary landfill:* A sanitary landfill shall be located in the appropriate zoning district and separated from residential zoning districts and/or residential uses, a minimum distance of one thousand three hundred twenty (1,320) feet (one-fourth mile) and the actual site location determined after review of site plans and pertinent analysis by the approving authorities.
- P. *Wrecking yard, junkyard, vehicle salvage storage yard and impound yard:* These yards shall be located in the appropriate zoning districts and separated from residential zoning districts and/or residential uses a minimum distance of six hundred (600) feet. These yards will be completely enclosed by a six-foot-high, sight-obscuring fence and sited in such a fashion as not to be seen from any public right-of-way. The physical location of these type uses shall be determined by the approving authorities' evaluation of site plans and other health and safety factors.
1. Will be completely enclosed by a solid six-foot-high, sight-obscuring fence.
 2. Will not result in the storage of automobile, junk or salvage material that is visible from any public right-of-way.
 3. Will not result in the storage of automobiles that exceed the height of the fence.
 4. Will have such landscaping that is appropriate with the surrounding area.
- Q. *Power transmission:* Power lines transmitting two hundred thirty (230) Kilovolts (kV) of electrical energy up to five hundred (500) kV shall be centered within an eight-hundred-foot-wide utility easement; power lines transmitting greater than five hundred (500) kV of electrical power shall be centered in a one thousand three hundred twenty-foot-wide utility easement. No residential dwelling shall be placed within four hundred (400) feet of a two hundred thirty (230) to five hundred (500) kV power line or six hundred sixty (660) feet of a five hundred (500) to eight hundred (800) kV power line.

Distance separations for other habitable structures shall be determined on a case-by-case basis.

R. *Energy Production and Energy Storage Facilities:* These facilities shall require special use permit approval in zoning districts as set forth in section 5-8-503 of this title.

1. Application Requirements:

- a. A decommissioning plan that includes, but is not limited to, the anticipated life of the ground solar equipment, disposal methods of the equipment, the way the site will be restored, and the timeline for the removal of the ground solar equipment following the cessation of operations or irreparable damage to panels or equipment. The applicant shall also provide the method in which the panels or components will be recycled at the end of their useful life. Decommissioning shall be completed in accordance with the approved decommissioning plan.
- b. A fire protection plan that provides fire protection measures and describes fire suppression methods for the construction and operation of the energy project. The applicable fire authority shall approve the fire protection plan prior to application submittal to the city.
- c. An emergency response plan that outlines procedures for safe shutdown, de-energizing or isolation of equipment and systems under emergency conditions.

Doug Hanson

From: Maffuccio, Jeff <JMaffuccio@idahopower.com>
Sent: Thursday, November 14, 2024 8:37 AM
To: Doug Hanson
Cc: Dickerson, Paris
Subject: Proposed Energy Production and Energy Storage Facilities Ordinance Changes

Doug,

I received notice of the proposed ordinance changes, KCC 5-8-503 and KCC 5-8-1004 for *energy production and energy storage facilities*. [Communication site - 24-05-OA ENERGY PRODUCTION AND ENERGY STORAGE - All Documents](#)

Idaho Power requests the revised land use category be considered as a special use in all zones, similar to *public service facilities*. Although KCC 5-8-503.A.6 seems to address the following concern, this consideration would remove any potential confusion or conflict if, for example, Idaho Power were to request a *energy production and energy storage facility* (battery storage) within a *public service facility* (electrical substation). Otherwise, I see no issue with these proposed changes or the application requirements.

Please let me know if you would prefer Idaho Power submit a formal agency comment letter. Thank you,

Jeff Maffuccio

Facility Siting Coordinator

Idaho Power | Engineering and Construction

Office 208-388-2402 | Mobile 208-859-3718

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November 29, 2024

Doug Hanson, Director
Development Services
751 West 4th Street
Kuna, Idaho 83634

Idaho Power's Comments on the Proposed Ordinance Amendment 24-05-OA, *Energy Production and Energy Storage Facilities*

Dear Doug,

Idaho Power values its deep relationship with Kuna. For over 100 years, we have supplied energy to the farms, ranches, businesses, and homes that have fueled economic growth and vitality in Kuna. Considering that longstanding partnership and our service to your community, we appreciate the opportunity to comment on the proposed 24-05-OA changes to Kuna City Code (KCC) 5-8-503 and 5-8-1004, for *Energy Production and Energy Storage Facilities*.

Idaho Power's General Comments

Every ten years, Idaho Power collaborates with local leaders and community stakeholders to develop, or update, regional Electrical Plans. In March 2023, Idaho Power published the Eastern Treasure Valley Electrical Plan (ETVEP)¹, which considers the area's growth and electrical needs over the next 20 years and anticipates upgrades in Kuna and surrounding areas of Ada County. One of its findings within the ETVEP is that Idaho Power must maintain flexibility to address growth. Upgrades will include distribution substations (typically 3 to 5 acres in total area), transmission/source substations (typically 8 to 10 acres), sub-transmission lines (typically 138-kilovolts) and transmission lines (typically 230-kilovolts).

Every two years, Idaho Power works with regional leaders, regulators, and stakeholders to project the energy needed to serve its growing number of customers over the next 20 years. This robust process helps identify the best way to ensure that energy provides the reliable and affordable service that our customers expect. Idaho Power filed its 2023 Integrated Resource Plan (IRP) with its regulatory agencies in September 2023. As outlined in this report, Idaho Power's peak load is expected to grow by approximately 80 megawatts (MW) per year, or 1,500 MW over the next 20 years.

To meet this growing demand, Idaho Power's IRP includes new, cost-effective resources to meet the growth expectations. Idaho Power's system may incorporate resources such as solar, wind, battery storage, natural gas conversions, hydrogen, energy efficiency and geothermal. In Idaho Power's experience, energy projects undergo robust review and design processes before authorization, and subsequently meet rigorous construction, electrical, and operating standards.

¹ [2023–24 Eastern Treasure Valley Electrical Plan Update](#)

Idaho Power's Recommendations

Idaho Power respectfully requests that *Energy Production and Energy Storage Facilities* be considered as Special Uses in all zones, with the same review and consideration as *Public Service Facilities*. To meet the needs expressed above, Idaho Power may consider battery storage inside, or adjacent to, distribution substations as a reliable and cost-effective resource to offset customer needs during peak energy usage. Although KCC 5-8-503.A (6) addresses this concern, clarification would remove confusion or conflict if, for example, Idaho Power were to request an *Energy Production and Energy Storage Facility* (such as battery storage) as a component of a *Public Service Facility* (such as distribution substation).

The ETVEP defines the following facilities that would be considered under the *Public Service Facility* land use category, and Idaho Power suggests those definitions are added to the *Public Facility* or *Public Utility Structures* definition in KCC 5-2-3:

- Distribution substations: Converts transmission voltages (138 kV) to distribution voltages (12.5 kV to 34.5 kV) that serve local loads, such as homes and businesses, throughout the community.
- Transmission/Source substations: Converts high-voltage transmission lines (230 kV and above) to lower voltages (138 kV). Acts as a power source for distribution substations.
- Transmission lines: Electrical circuits used to transfer power (138 kV) from source substations to distribution substations and between distribution substations.
- High-Voltage Transmission lines: Electrical circuits used to transfer large amounts of power (230 kV and above) long distances.

Idaho Power agrees *Energy Production and Energy Storage Facility* and *Public Service Facilities* should be separate and disparate land uses. *Energy Production and Energy Storage Facilities* should benefit Idaho Power's customers in Kuna, whether by Idaho Power or a "third-party" developer. Idaho Power may purchase the energy or the facility from "third-party" developers or may only be a connection point to the electrical grid as required by the Federal Energy Regulatory Commission. Idaho Power will continue to own and operate all *Public Service Facilities* in Kuna as regulated by the Idaho Public Utility Commission.

Finally, Idaho Power is supportive of the application requirements in 5-8-1004.R. Plans for emergency response, fire protection and decommissioning are critical to the safe and successful operations and maintenance of energy production and energy storage facilities.

Thank you in advance for your consideration. Please contact me with any questions at 208-388-2402 or jmaffuccio@idahopower.com.

Regards,



Jeffrey Maffuccio
Idaho Power Company
Facility Siting Coordinator

December 5, 2024

Doug Hanson, Director
Development Services
751 West 4th Street
Kuna, Idaho 83634

Idaho Power's Comments on the **Updated Proposed Ordinance Amendment 24-05-OA, *Energy Production and Energy Storage Facilities***

Dear Doug,

Idaho Power values its deep relationship with Kuna. For over 100 years, we have supplied energy to the farms, ranches, businesses, and homes that have fueled economic growth and vitality in Kuna. Considering that longstanding partnership and our service to your community.

Idaho Power is appreciative for the opportunity to comment on the *initial* (November 11, 2024) proposed 24-05-OA changes to Kuna City Code (KCC) 5-8-503 and 5-8-1004, along with the revised definitions, in KCC 5-2-3, that better describe the facilities that Idaho Power owns and operates in Kuna. Idaho Power is agreeable with the *updated* (December 4, 2024) version of this ordinance amendment.

Thank you in advance for your consideration. Please contact me with any questions at 208-388-2402 or jmaffuccio@idahopower.com.

Regards,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Jeffrey Maffuccio
Idaho Power Company
Facility Siting Coordinator

Doug Hanson

From: T.J. Lawrence <tlawrence@kunafire.com>
Sent: Wednesday, December 4, 2024 1:35 PM
To: Doug Hanson
Cc: Scott Arellano; Krystal Hinkle
Subject: RE: City of Kuna Request for Comment Case No. 24-05-OA (Ordinance Amendment)
Energy Production and Energy Storage Facilities

Doug,

I see no issues with the proposed changes.

Thank you,

T.J. Lawrence
Fire Chief
Kuna Rural Fire District
PO Box 607
Kuna, Idaho 83634
Station 1:(208)922-1144
Fax:(208)922-1982



From: Doug Hanson <dhanson@kunaid.gov>
Sent: Wednesday, December 4, 2024 8:58 AM
To: Ada County Engineer <agilman@adaweb.net>; Ada County Highway District <planningreview@achdidaho.org>; Adam Ingram <adam.ingram@cableone.biz>; Bobby Withrow <bwithrow@kunaid.gov>; Boise Kuna Irrigation District <aflavel.bkirrdist@gmail.com>; Boise Project Board of Control <tritthaler@boiseproject.org>; Boise Project Board of Control 2 <gashley@boiseproject.org>; Brent Moore (Ada County) <bmoore@adacounty.id.gov>; Brian Graves Kuna School District <bgraves@kunaschools.org>; Camille Burt (USPS) <camille.r.burt@usps.gov>; Central District Health Department <lbadigian@cdhd.idaho.gov>; Chief Fratusco <mfratusco@adacounty.id.gov>; COMPASS <gis@compassidaho.org>; David Reinhardt <reinhardt.david@westada.org>; DEQ <BRO.Admin@deq.idaho.gov>; Eric Adolfson <eadolfson@compassidaho.org>; Erika Olvera (NMID) <eolvera@nmid.org>; Idaho Power Easements <easements@idahopower.com>; Idaho Power Easements 2 <kfunke@idahopower.com>; Intermountain Gas <bryce.ostler@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; ITD Kendra Conder <Kendra.Conder@itd.idaho.gov>; J&M Sanitation <Chad.Gordon@jmsanitation.com>; Jonathon Gillen <gillen.jonathon@westada.org>; Justin Walker <jwalker@kellerassociates.com>; Krystal Hinkle <khinkle@kunafire.com>; Leon Letson (Ada County) <lletson@adacounty.id.gov>; Marc Boyer (Kuna Postmaster) <marc.c.boyer@usps.gov>; Megan Leatherman <mleatherman@adaweb.net>; Meridian Fire (Brandon Medica) <bmedica@meridianscity.org>; Meridian Fire (Steve Taublee) <staulbee@meridianscity.org>; Nampa Meridian Irrigation District <nmid@nmid.org>; New York Irrigation <terri@nyid.org>; Niki Benyakhlef ITD <Niki.Benyakhlef@itd.idaho.gov>; Paris Dickerson <PDickerson@idahopower.com>; PWorkoffice <PWorkoffice@kunaid.gov>; Robbie Reno <rreno@kunaschools.org>; Scott Arellano (KRFD) <scott@fccnw.com>; Sparklight/Cable One (John Walburn) <john.walburn@cableone.biz>; Stacey Yarrington (Ada County) <syarrington@adacounty.id.gov>; Tim Jensen (Kuna School District) <tejensen@kunaschools.org>; T.J. Lawrence <tlawrence@kunafire.com>

Cc: Troy Behunin <tbehunin@kunaid.gov>; Topacio Irish <TIrish@kunaid.gov>; Morgan Treasure <mtreasure@kunaid.gov>; Jessica Reid <jhall@kunaid.gov>

Subject: City of Kuna Request for Comment Case No. 24-05-OA (Ordinance Amendment) Energy Production and Energy Storage Facilities

Agency Transmittal Updated – December 4, 2024

Notice is hereby given by the City of Kuna the following actions are under consideration:

<p>CASE NUMBER:</p>	<p>24-05-OA ENERGY PRODUCTION AND ENERGY STORAGE</p>
<p>PROJECT DESCRIPTION</p>	<p>The City of Kuna Planning and Zoning Department respectfully submits a zoning text amendment application.</p> <p>The text changes include modifications to the Development Regulations Code for Energy Production and Energy Storage. Text changes are as follows:</p> <ol style="list-style-type: none"> 1. KCC 5-2-3: Proposing new definitions for: <ol style="list-style-type: none"> a. Energy Production Facility, Renewable Sources b. Energy Storage Facility c. Public Service Facility d. Public Uses e. Substation (Distribution) f. Substation (Source) g. Transmission Lines h. Transmission Lines (High Voltage) 2. KCC 5-8-503: Proposing changes to the Schedule of Land Use Regulations. 3. KCC 5-8-1004: Proposing additional application requirements Energy Production Facilities, Renewable Sources and Energy Storage Facilities to include: decommissioning plan, fire protection plan, and emergency response plan.
<p>APPLICANT</p>	<p>City of Kuna 751 W 4th Street, Kuna, ID 83634</p>
<p>SCHEDULED HEARING DATE</p>	<p>Tuesday, January 14, 2024, at 6:00 P.M.</p>
<p>REVIEWING BODY</p>	<p>Planning & Zoning Commission</p>
<p>STAFF CONTACT</p>	<p>Doug Hanson 208.287.1771 dhanson@kunaid.gov</p>

- We have enclosed information to assist you with your consideration and response; we would appreciate any information as to how this action would affect the service(s) your agency provides. *If your agency requires additional information, or if contact information for your agency needs updated, please notify our office.*
- *No response within **15 business days** will indicate you have no objection or comments regarding this project.*
- The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. Kuna City Hall is located at 751 W. 4th Street, Kuna, ID 83634. Please contact staff with questions.



751 W. 4th Street
P.O. Box 13
Kuna, ID 83634

Doug Hanson
Planning & Zoning Director
City of Kuna | Development Services

Phone: 208-287-1771
Email: dhanson@kunaid.gov
www.kunacity.id.gov

All e-mail messages sent to or received by City of Kuna e-mail accounts are subject to Idaho law, in regard to both release and retention, and may be released upon request, unless exempt from disclosure by law.