



*Planning and Zoning Staff Report for
Golden West Produce LLC, CU-PH2017-8*

Hearing Date: March 16, 2017

Development Services Department

<p><u>Applicant:</u> Golden West Produce, LLC</p> <p><u>Staff:</u> Dan Lister, 455-5959 dlister@canyonco.org</p> <p><u>Tax ID:</u> R39313</p> <p><u>Current Zone:</u> “A” (Agricultural)</p> <p><u>Future Land Use Designation</u> “A” (Agricultural)</p> <p><u>Comprehensive Plan:</u> 2020 Canyon County Comprehensive Plan</p> <p><u>Lot Size/Project Area:</u> 70.54 acres/ approximately 19 acres</p> <p><u>Current Uses:</u> Agriculture</p> <p><u>Applicable Zoning Land Use Regulations:</u> CCZO §07-02-03; 07-10-27; 07-07-05</p> <p><u>Notification</u></p> <ul style="list-style-type: none">• Agency: 2/17/17• Property Owners: 2/24/2017• Publication:• Posting: 3/3/2017 <p><u>Exhibits:</u></p> <ol style="list-style-type: none">1. FCCO’s2. Small Aerial3. Letter of Intent, Site Plan and Land Use Worksheets4. Letter from Department of Environmental Quality5. Email from Southwest District Health	<p><u>Project Description</u> Design West Architects, representing Golden West Produce LLC, is requesting a Conditional Use Permit to allow a food processing facility. The facility will store, package, and ship onions. The property is zoned “A” (Agricultural) and designated as “Agricultural” on the Comprehensive Plan Future Land Use Map. The property is known as tax parcel R39313 and is located in a portion of the SE quarter of Section 8, Township 6N, Range 5W, BM, Canyon County, Idaho.</p> <p><u>Background</u> The 70.54 acre property is currently zoned “A” (Agricultural). The property is an original parcel with its current configuration dating back to 1969. An approved ag-exempt storage structure exists on the parcel (BP2016-208). The parcel is currently used for crop production.</p> <p>Golden West Produce LLC onion facility is currently located and operated in Nyssa, Oregon. Due to extreme weather this year, the facility was substantially damaged. Therefore, the applicant is requesting to move operations to Canyon County at the subject parcel.</p> <p><u>Scope of Work</u> As described in the applicant’s letter of intent, site plan and land use worksheet submitted February 14, 2017 (Exhibit #3), a food processing facility is being proposed on an approximate 19 acre portion of a 70 acre parcel. The facility includes four storage structures (30,000 to 38,000 square feet each) which are considered ag-exempt structures and the food processing facility (54,000 square feet) which includes administration offices. One storage facility has already been approved through the ag-exempt process. The facility will receive onions from on and off-site to be stored at the facility. The onions will then be conveyed from storage into the processing facility where they are inspected, culled, weighed, sized, graded, sorted, packaged, staged and shipped.</p> <ul style="list-style-type: none">• <u>Hours of operations:</u> 8 AM to 6 PM, Monday through Friday; 8 AM to Noon on Saturdays. During peak production (August – October), hours may be extended.• <u>Employees:</u> Initially, 20-24 employees, including administrative office staff, will be required within the first two years. The office will have occasional visitors from patrons and vendors.• <u>Irrigation:</u> Surface water provided from Farmer’s Cooperative Ditch Company will continue to be used for crop production. A limited area of pressurized irrigation will be used for landscaping.• <u>Domestic water:</u> Water will be provided by an existing domestic well for employee support with a minimal amount for processing. In the future, the owner intends to install a non-public well to accommodate occupation needs.
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- Storm-water Runoff: A detention pond is proposed on-site to mitigate for impervious areas created by the structural coverage and paved road surfaces.
- Access/Parking: The project site will have three access/egress areas off of Locker Road (two for trucks, one for employees and visitors). The facility is anticipated to generate 10 to 12 truckloads (1 truck per hour). The facility has five loading docks and two at-grade shipping doors. Currently, the facility will provide 24 parking spaces to accommodate employees.

Analysis – Conditional Use Permit Criteria

Pursuant to Section 07-07-05 CCZO, the following findings are required to be made for all conditional use permit applications:

A. Is the proposed use permitted in the zone by conditional use permit?

Section 07-02-03 of the Canyon County Zoning Ordinance defines a food processing facility as a facility where food, in its raw product form, is prepared for market. A food processing facility requires a Conditional Use Permit in the “A” (Agricultural) zoning district (§07-10-27 CCZO). Therefore, the use is permitted through the conditional use permit process.

B. What is the nature of the request?

See Exhibit #3 and the Project Description and Scope of Work (above).

C. Is the proposed use consistent with the Comprehensive Plan?

The use is consistent with the 2020 Canyon County Comprehensive Plan. The proposed project is consistent with the following applicable policies:

- Property Rights Policy No. 1- “No person shall be deprived of private property without due process of law.”
- Property Rights Policy No. 11- “Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.”
- Economic Development Policy No. 4- “Encourage growth of responsible business in Canyon County by recruiting businesses based on their job creation and their willingness to have a positive impact on the community.”

D. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?

A food processing facility in this location would not be injurious to other properties in the vicinity nor will it negatively change the essential character of the area. The primary use of the surrounding properties is agricultural. Majority of the surrounding parcels, especially along Locker Road, include row crop production uses with accessory structures and dwellings. Two onion processing facility existing within the vicinity along Highway 20-26 (Fort Boise and Apple Valley) and Rodriguez Bakery (CU-PH2016-40) was recently approved as a food processing facility along Highway 20-26. Therefore, the proposed uses is consistent with the surrounding area and zoning district.

Prior to commencement of the use, the State of Idaho’s Department of Environmental Quality is recommending that the applicant apply for an air quality permit which would include an odor management plan to ensure State air quality requirements are met (Exhibit # 4).

E. Will adequate water, sewer, irrigation, drainage and storm water drainage facilities, and utility systems be provided to accommodate the use;

Staff has not found that there will be issues with the proposed food processing facility in regards to adequate water, sewer, irrigation, drainage and storm water drainage facilities. Southwest District Health is currently reviewing the septic design for the proposed facility which will require a septic system permit prior to issuance of related building permits (Exhibit #5).

Existing irrigation, managed by Farmer’s Cooperative Ditch Company, appears to be adequate for the proposed project. The existing domestic well is adequate for the initial operations of the facility. All future proposed domestic well expansion/drink water system must be compliance with all State requirements (Exhibit #4).

Storm water discharge and proposed retention pond shall be review and approved by the Department of Environmental Quality prior to commencement of use.

F. Does legal access to the subject property for the development exist or will it exist at the time of final plat;

The project site will have three access/egress areas off of Locker Road (see site plan, Exhibit #3). Two of the access points will be for trucks and one access point is for employees and visitors. The Idaho Department of Transportation and Notus-Parma Highway District were adequately notified of the proposed project. No comments were received. However, based on Canyon County building permit submittal requirements, an approved permit from the highway district will be required prior to permit issuance. Therefore, the project will be reviewed and approved for consistency with highway district requirements prior to building permit issuance.

G. Will there be undue interference with existing or future traffic patterns?

The proposed use will not cause undue interference with existing or future traffic patterns. The facility is anticipated to generate 10 to 12 truckloads (1 truck per hour). Initially, 20-24 employees, including administrative office staff, will be required. The Notus-Parma Highway District was notified of the proposed project. No comments were received. However, based on Canyon County building permit submittal requirements, an approved permit from the highway district will be required prior to permit issuance.

H. Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?

Staff has not found that this request will affect essential services nor will it negatively impact them.

Comments

Public Comments: The public was notified. No public comment were received.

Agency Comments: Staff informed applicable agencies of the proposal and the responses are attached as exhibits.

Recommendation

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed Conditional Use Permit. Staff is recommending **approval** of the request for a food processing facility and has provided findings of fact, conclusions of law and conditions of approval for the Planning and Zoning Commission's consideration found in Exhibit 1.

Alternatives

- The Planning and Zoning Commission may modify the recommended approval the conditional use permit;
- The Planning and Zoning Commission may deny the conditional use request and direct staff to make findings of fact to support this decision; or
- The Planning and Zoning Commission may continue the discussion and request additional information on specific items.



Findings of Fact, Conclusions of Law, Conditions of Approval and Order

CU-PH2017-8: Golden West Produce LLC

Findings of Fact

1. The applicant is requesting a Conditional Use Permit to allow a food processing facility. The facility will store, package, and ship onions.
2. The property is zoned "A" Agricultural.
3. There is currently an ag-exempt structures on the subject property. The site is currently in agricultural production.
4. The property is not located within an impact area.
5. The property has adequate access from Locker Road. The nearest interest ion is State Highway 20-26. Adequate noticing was provide to Notus-Parma Highway District and Idaho Department of Transportation
6. The property is located within the Parma Rural Fire Protection District.
7. Property owners within 300 feet of the subject property were notified. No comments were received.
8. The record herein consists of exhibits provided as part of the public hearing staff report and other documents provided during the public hearing on March 16, 2017.

Conclusions of Law

For case file CU-PH2017-8, the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for Conditional Use Permit (07-07-05).

1. Is the proposed use permitted in the zone by conditional use permit?

Conclusion: The proposed use is permitted in the zone by conditional use permit.

Finding: Canyon County Zoning Ordinance §07-10-27 provides opportunity for the proposed use as a conditional use permit.

2. What is the nature of the request?

As described in the applicant's letter of intent, site plan and land use worksheet submitted February 14, 2017, a food processing facility is being proposed on an approximate 19 acre portion of a 70 acre parcel. The facility includes four storage structures (30,000 to 38,000 square feet each) which are considered ag-exempt structures and the food processing facility (54,000 square feet) which includes administration offices. One storage facility has already been approved through the ag-exempt process (BP2016-208). The facility will receive onions from on and off-site to be stored at the facility. The onions will then be conveyed from storage into the processing facility where they are inspected, culled, weighed, sized, graded, sorted, packaged, staged and shipped.

- Hours of operations: 8 AM to 6 PM, Monday through Friday; 8 AM to Noon on Saturdays. During peak production (August – October), hours may be extended.
- Employees: Initially, 20-24 employees, including administrative office staff, will be required within the first two years. The office will have occasional visitors from patrons and vendors.
- Irrigation: Surface water provided from Farmer's Cooperative Ditch Company will continue to be used for crop production. A limited area of pressurized irrigation will be used for landscaping.
- Domestic water: Water will be provided by an existing domestic well for employee support with a minimal amount for processing. The owner intends to install a non-public well to accommodate occupation needs.

- Storm-water Runoff: A detention pond is proposed on-site to mitigate for impervious areas created by the structural coverage and paved road surfaces.
- Access/Parking: The project site will have three access/egress areas off of Locker Road (two for trucks, one for employees and visitors). The facility is anticipated to generate 10 to 12 truckloads (1 truck per hour). The facility has five loading docks and two at-grade shipping doors. Currently, the facility will provide 24 parking spaces to accommodate employees.

3. Is the proposed use consistent with the Comprehensive Plan?

Conclusion: The proposed use is consistent with the Comprehensive Plan.

Finding: The use is consistent with the Canyon County Comprehensive Plan, Section 1. Property Rights

- Property Rights Policy No. 1- *“No person shall be deprived of private property without due process of law.”*
- Property Rights Policy No. 11- *“Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.”*
- Economic Development Policy. 4- *“Encourage growth of responsible business in Canyon County by recruiting businesses based on their job creation and their willingness to have a positive impact on the community.”*

4. Will the proposed use be injurious to other property in the immediate vicinity and/or negatively change the essential character of the area?

Conclusion: The proposed use will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.

Finding: The Commission finds a food processing facility in this location would not be injurious to other properties in the vicinity nor will it negatively change the essential character of the area. The primary use of the surrounding properties is agricultural. Majority of the surrounding parcels, especially along Locker Road, include row crop production uses with accessory structures and dwellings. Two onion processing facility existing within the vicinity along Highway 20-26 (Fort Boise and Apple Valley) and Rodriquez Bakery (CU-PH2016-40) was recently approved as a food processing facility along Highway 20-26. Therefore, the proposed uses is consistent with the surrounding area and zoning district.

5. Will adequate water, sewer, irrigation, drainage and storm water drainage facilities, and utility systems be provided to accommodate the use;

Conclusion: Adequate facilities for sewer, irrigation, drainage and storm water drainage facilities, and utility systems will be required at the time of development.

Finding: The Commission has not found, based on the submitted letter of intent and conditions of approval, there are issues with the proposed food processing facility in regards to adequate water, sewer, irrigation, drainage and storm water drainage facilities.

6. Does legal access to the subject property for the development exist or will it exist at the time of final plat;

Conclusion: Legal access exists to the subject property from Locker Road.

Finding: The site will have three access/egress areas off of Locker Road (two for trucks, one for employees and visitors). The Idaho Department of Transportation and Notus-Parma Highway District were adequately notified of the proposed project. No comments were received. However, based on Canyon County building permit submittal requirements, an approved permit from the highway district will be required prior to building permit issuance. Therefore, the project will be reviewed for consistency with highway district requirements prior to building permit issuance.

7. Will there be undue interference with existing or future traffic patterns?

Conclusion: There will not be undue interference with existing or future traffic patterns.

Finding: The facility is anticipated to generate 10 to 12 truckloads (1 truck per hour). Initially, 20-24

employees, including administrative office staff, will be required. The Notus-Parma Highway District was notified of the proposed project. No comments were received. However, based on Canyon County building permit submittal requirements, an approved permit from the highway district will be required prior to permit issuance.

8. **Will essential services be provided to accommodate the use including, but not limited to, school facilities, police and fire protection, emergency medical services, irrigation facilities, and will the services be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use?**

Conclusion: Essential services will be provided and this application will not negatively impact existing services or require additional public funding.

Finding: The request for a food processing facility in a rural area and will not significantly affect essential services nor will it negatively impact them.

Conditions of Approval

- 1) The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the subject property.
- 2) All permits and best management practices recommended and/or required by the State of Idaho's Department of Environmental Quality (See Exhibit #4 of the staff report) shall be obtain, reviewed and approved by the State prior to the commencement of use. Evidence of review and approval by the State of Idaho's Department of Environmental Quality shall be submitted to Canyon County Development Services prior to the use of the food processing facility.
- 3) Building permit for the food processing facility/administrative office shall be obtain, issued and finalized prior to the commencement of use.
- 4) The three storage structures require an ag-exempt building permit from Canyon County Development Services prior to construction and use.
- 5) The development shall be in substantial conformance with the letter of intent and site plan dated February 14, 2017 (Exhibit #3 of the staff report). Any substantial changes or expansion of use shall be submitted through the conditional use permit process as a modification to this permit.
- 6) The applicant shall obtain a permit from Southwest District Health prior to the issuance of a building permit for the food processing facility.
- 7) The applicant shall obtain a permit from Idaho Department of Transportation and Notus-Parma Highway District prior to the issuance of a building permit for the food processing facility.
- 8) A parking plan shall be submit to Canyon County Development Services for review and approval prior issuance of a building permit for the food processing facility.
- 9) All signs shall meet the dimensions required in Canyon County Code, Section 07-10-13 with a maximum of (64) square feet and not exceeding 10 feet in height unless approval is obtained through administrative decision and shall comply with any applicable requirements of Canyon County Code, Chapter 6, Building Regulations.
- 10) The project must commence within three (3) years of approval of the conditional use permit and be completed within (5) years of the same date. For the purposes of this permit, commencement is defined as receiving zoning compliance after submitting a building permit application.

Order

Based upon the Findings of Fact, Conclusions of Law and Conditions of Approval contained herein the Planning and Zoning Commission **approves** Case # CU-PH2017-8, a request for a Conditional Use Permit for a food processing facility for Golden West Produce LLC on parcel R39313.

APPROVED this _____ day of _____, 2017.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Chairman, Richard Hall

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year of 2017, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____