



**Planning and Zoning Commission
Canyon County Development Services Dept.
Kelly Ridge Preliminary Plat: SD2020-0023**

HEARING DATE: Thursday, January 4, 2024

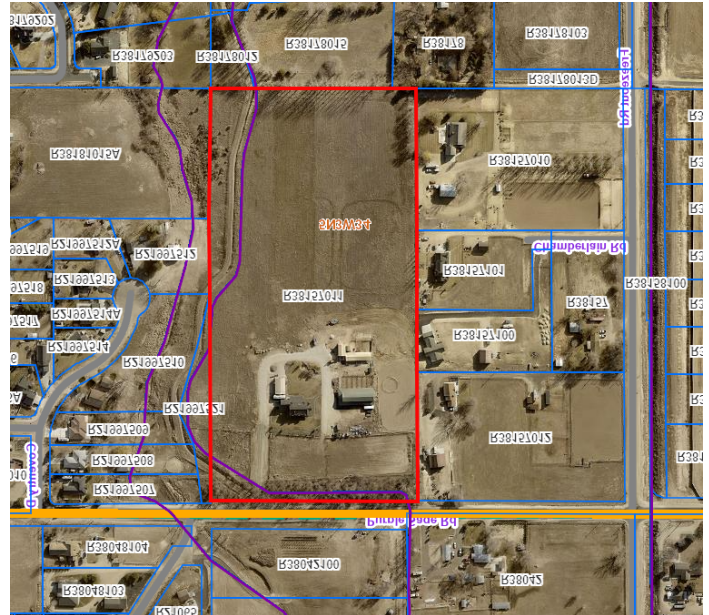
OWNER: Robert and Jeanne Kelly

APPLICANT/REP: Steve Wellington, PLS,
Wellington Land Surveying

PLANNER: Michelle Barron
Principal Planner

CASE NUMBER: SD2020-0023

LOCATION: R38157011
14715 Purple Sage Road,
Caldwell (18.95 acres)



PROJECT DESCRIPTION:

- A request by Steve Wellington, PLS for Robert and Jeanne Kelly, for approval of a Preliminary Plat for Kelly Ridge Subdivision and irrigation plan (Exhibit 3e and 3f) The development consists of 9 residential lots and a private road on approximately 18.95 acres. The subject property, parcel number R38157011, is located at 14715 Purple Sage Road in the NW ¼ of Section 34, T5N, R3W, BM, Canyon County, Idaho.

PARCEL INFORMATION: Exhibit 1 (*Parcel Tool Info*)

PROJECT OVERVIEW

- The applicant is requesting approval for a Preliminary Plat on the subject parcel to create 9 buildable lots in the Single Family Residential (R-1) Zone.
- The subject parcel is “R-1” and is located in Middleton’s Area of City Impact.
- The R-1 (Single Family Residential – 1-acre minimum) zoning designation for this parcel was approved on August 29, 2018 (RZ2018-0010). (Exhibit 4)
- There is a Private Road application running concurrently with this Preliminary Plat for RD2023-0024 for All Seasons Lane.
- The County Engineer, Keller Associates approved the Preliminary Plat with conditions on letter dated June 14, 2023 (Exhibit 5f).
- The pressure irrigation plans were submitted and approved by Keller Associates, acting as County Engineer, on November 20, 2023 (Exhibit 5g).

The Kelly Ridge Subdivision (Exhibit 3e) Summary:

Zoning: “R-1” (Single Family Residential, 1-acre minimum)

Acreage: 18.95 acres

Average residential lot size: 1.91 acres

Number of Residential lots: 9

Comprehensive Plan Alignment:

- The Future Land Use from the 2020 Comprehensive Plan Future Land Use Map is Residential.

Access and Traffic:

- Access to the public road system will be via a Private Road (All Seasons Lane) off of Purple Sage Road.

Facilities:

- The City of Middleton is approximately 9,100 feet from the city limits according to Highway District No. 4’s letter dated July 11, 2023, (Exhibit 5a)
- Individual septic systems are requested for each lot. This parcel is within the NE Canyon County Nitrate Priority area. Southwest District Health will likely require a Subdivision Engineering Report and NP1 study. Sanitary Restrictions will be satisfied when Southwest District Health signs the final plat.
- Individual wells are requested for each lot. Notice was given to the Idaho Department of Water Resources of this Preliminary Plat, but no comments were received.

Essential Services:

- All essential services were notified of the proposed subdivision.
- The parcel is served by Middleton School District and Middleton Fire District.
- No comments were received.

POTENTIAL IMPACTS:

- No comments were received from essential services.
- Traffic will increase, but is not expected to reduce the Level of Service at nearby intersections or roadways below an acceptable level according to Highway District No. 4. They will not require a traffic impact study. (Exhibit 5a)

COMMENTS:

- **Public:**
Property owners within 600 feet of the parcel were noticed on November 22, 2023.
 - No public comments were received prior to the Staff Report.
- **Agencies:**
Agencies were noticed on November 22, 2023. The following agencies replied:
 - Canyon Highway District No. 4
 - Black Canyon Irrigation District – July 26, 2023
 - Black Canyon Irrigation District – November 17, 2023
 - City of Middleton – July 18, 2023
 - Idaho Transportation Department – November 20, 2023
 - Keller Associates – County Engineer – June 14, 2023
 - Keller Associates – County Engineer – November 20, 2023

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed Preliminary Plat. Staff is recommending approval of the application as conditioned and has provided findings of fact and conclusions of law for The Planning and Zoning Commission’s consideration found in Exhibit 2.

DECISION OPTIONS:

- The Planning and Zoning Commission may recommend **approval** of the Preliminary Plat to the Board of County Commissioners as conditions and/or amended;
- The Planning and Zoning Commission may recommend **denial** of the Preliminary Plat to the Board of County Commissioners and direct staff to return with findings that support the decision; or
- The Planning and Zoning Commission may **continue the discussion** and request additional information on specific items.

ATTACHMENTS/EXHIBITS:

Exhibit 1: Parcel Tool

Exhibit 2: Draft FCOs for Planning and Zoning Commission

Exhibit 3: Application

- 3a. Original Letter of Intent
- 3b. Letter reflecting some updates requested and new applicant information
- 3c. Vicinity Map
- 3d. Land Use Worksheet
- 3e. Kelly Ridge Subdivision Preliminary Plat
- 3f. Kelly Ridge Irrigation Plan

Exhibit 4: Signed FCOs for RZ2018-0010 and Ordinance

Exhibit 5: Agency Comments

- 5a. Canyon Highway District No. 4
- 5b. Black Canyon Irrigation District – November 17, 2023
- 5c. Black Canyon Irrigation District – July 26, 2023
- 5d. City of Middleton – July 18, 2023
- 5e. Idaho Transportation Department – November 20, 2023
- 5f. Keller Associates – County Engineer – June 14, 2023
- 5g. Keller Associates – County Engineer – November 20, 2023

R38157011 PARCEL INFORMATION REPORT

12/22/2023 5:44:18 PM

PARCEL NUMBER: R38157011

OWNER NAME: KELLY ROBERT W

CO-OWNER: KELLY JEANNE L

MAILING ADDRESS: 14715 PURPLE SAGE RD CALDWELL ID 83607

SITE ADDRESS: 14715 PURPLE SAGE RD

TAX CODE: 0320000

TWP: 5N RNG: 3W SEC: 34 QUARTER: NW

ACRES: 19.03

HOME OWNERS EXEMPTION: No

AG-EXEMPT: Yes

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: R1 / SINGLE FAMILY RESIDENTIAL

HIGHWAY DISTRICT: CANYON HWY

FIRE DISTRICT: MIDDLETON FIRE

SCHOOL DISTRICT: MIDDLETON SCHOOL DIST

IMPACT AREA: MIDDLETON

FUTURE LAND USE 2011-2022 : Res

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030: RURAL RESIDENTIAL

FUTURE LAND USE 2030: RURAL RESIDENTIAL \ AG

IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST

FEMA FLOOD ZONE: X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0235F

WETLAND: Riverine

NITRATE PRIORITY: NE CANYON CO.

FUNCTIONAL Classification: Minor Arterial

INSTRUMENT NO. : 2018028116

SCENIC BYWAY: NOT In Scenic Byway

LEGAL DESCRIPTION: 34-5N-3W NW TX 97173 IN NENW & LS RD

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.



Planning and Zoning Commission
Kelly Ridge Subdivision Preliminary Plat SD2020-0023

FINDINGS, CONCLUSIONS LAW, AND ORDER

Findings of Fact

1. The applicant, Robert and Jeanne Kelly and representative Steve Wellington, PLS, are requesting approval of a preliminary plat and irrigation plan for the Kelly Ridge Subdivision. This proposed subdivision will consist nine (9) residential lots and one (1) private road lot.
2. The subject property was rezoned from “AG” agricultural to “R1” residential in case RZ2018-0010 approved on August 29, 2018.
3. The subject property is also known as parcel R38157011 and is located at 14715 Purple Sage Road, Caldwell and located in the NW ¼ of section 34 Township 5N 3W Canyon County, Idaho.
4. The property is located within the Middleton Area of City Impact. The City of Middleton had no comments for this case.
5. The subject property is located within Black Canyon Irrigation District jurisdiction. The district provided comment on the updated irrigation plan and has provided requirements and recommendations. (Exhibit 5b and 5c)
6. The development will be served by individual wells and septic systems.
7. Four (4) Structures are to remain on the Lots 1 and 2. The Kelly’s primary residence and a barn will remain on Lot 1. Two barn structures will remain on Lot 2.
8. Access to the public road system will be via Purple Sage Road from a private road named All Seasons Lane. A private road application has been submitted with this preliminary plat application.
9. The subject property is located within Highway District Number 4 jurisdiction. Comments and requirements were provided by the highway district. (Exhibit 5a)
10. Stormwater runoff shall be conveyed to the roadside ditches along the private road and or retained on site. All stormwater facilities are the responsibility of the Homeowner’s Association. If no homeowner’s association exists maintenance both routine and non-routine maintenance will be the responsibility of the property owner.
11. The development is not located in a floodplain (Flood Zone X).
12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. The Agency and City of Middleton were notified on June 27th, 2023. Agencies were noticed again on November 22, 2023. A newspaper notice was published on November 24, 2023. Property owners within 600’ were notified by mail on November 22, 2023. The property was posted on December 1, 2023.
13. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2020-0023.

Conclusions of Law

Pursuant to CCZO §07-17-09(4): Commission Action:

“The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall

recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such

action will be shown in the Commission's minutes. The reasons for action taken shall specify:

1. *The ordinance and standards used in evaluating the application;*
2. *Recommendations for conditions of approval that would minimize adverse conditions, if any;*
3. *The reasons for recommending the approval, conditional approval, modification, or denial; and*



Planning and Zoning Commission Kelly Ridge Subdivision Preliminary Plat SD2020-0023

4. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.”*

Standard of Review for Subdivision Plat:

- A. Idaho Code, Sections 67- 6513 (Subdivisions);
- B. Idaho Code, Section 31-3805 & 67-6537 (Water Rights/Irrigation Water Delivery);
- C. Idaho Code, Section 22-4503 (Right-to-Farm Act);
- D. Idaho Code, Sections 50-1301 through 50-1329 (Platting);
- E. Canyon County Zoning Ordinance (CCZO), Article 17 (Subdivision Regulations).
 - a. The preliminary plat was found to be complete by Keller Associates (Exhibit 5f and 5g) subject to conditions of approval.
- F. Canyon County Code Section 09-09-13, Middleton – Area of City Impact Agreement.
 - a. The property is located within the Middleton Area of City Impact. Pursuant to CCZO Section 09-09-13, Middleton – Area of City Impact Agreement, the city had the opportunity to review the plat application and render an opinion and recommendation to the County. On June 27, 2023, the City of Middleton was noticed regarding the plat application which included a copy of the plat. The City of Middleton responded that they had no comment on the proposed preliminary plat. (Exhibit 5d).

Conditions of Approval

1. All subdivision improvements and amenities shall be bonded or completed prior to the Board of County Commissioner’s signature on the final plat.
2. Historic irrigation lateral, drain, ditch flow patterns, and easements shall be maintained unless approved in writing by the local irrigation entity.
3. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved (Exhibit 5f).
4. Plat shall comply with the requirements of Highway District No. 4 (Exhibit 5a). Evidence of compliance shall be Highway District No. 4 signature on the final plat.
5. The development shall comply with Southwest District Health requirements. Evidence of compliance shall be Southwest District Health’s signature on the final plat.
6. An Irrigation Water User’s Maintenance Agreement for all lots within the development shall be recorded with the Canyon County Recorder’s Office prior to the Board signing the final plat.
7. Prior to the Board signing the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
8. Plat shall comply with the International Fire Code as administered through Middleton Fire District.



**Planning and Zoning Commission
Kelly Ridge Subdivision Preliminary Plat SD2020-0023**

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2020-0023, the Planning and Zoning Commission **recommends approval** of the preliminary plat for Kelly Ridge Subdivision subject to conditions of approval as enumerated herein.

APPROVED this ____ day of _____, 2023.

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

Robert Sturgill, Chairman

State of Idaho)
) SS
County of Canyon County)

On this _____ Day of _____ in the year of 2023, 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 executed the same.

Notary: _____

My Commission Expires: _____

Al's Pin Pounders LLC



Allen R. Johnson, P.L.S.

2511 San Marco Way
Nampa, Idaho 83686

Professional Land Surveying

(208) 861-8414

Email: alspinpounders@cableone.net



June 17, 2020

Canyon County Development Services
County Administration Building
Caldwell, Idaho 83605

RE: Short Plat Submittal

Dear Staff:

Attached you will find a completed package submittal for the Kelly Ridge Subdivision.

The subdivision is located on 18.95 acres along Purple Sage Road. Our plan is to turn it into 9 lots. The existing home and barn will be located on two of the lots with the other seven being sold for residential construction as the parcel is zoned.

Access to the parcel will be a single gravel road as discussed with the Canyon Highway District No. 4. The road will be constructed to their standard. During the conversation with them the requested that we give them ownership to the Northerly 10 feet of the parcel so that they will have a 50' wide ownership for their road construction.

We have conducted the NP Study on the parcel and the report has been shared with the Southwest District Health Department. Any changes required have been addressed.

Thank you for your review. Please advise us if changes are required.

Sincerely;

A handwritten signature in black ink, appearing to read 'Allen R. Johnson'. The signature is fluid and cursive, written over a white background.

Allen R Johnson, RLS
Registered Land Surveyor
208-861-8414

Canyon County Development Services
111 N 11th Avenue
Caldwell, ID 83605
April 25, 2023

Subject: County Surveyor preliminary plat review
Kelly Ridge Subdivision
Purple Sage Road
Caldwell, Idaho

The plat was originally submitted to Canyon County by Al's Pin Pounders. Because they are no longer providing professional services, we have been retained to complete the platting process. We have conducted field surveys to verify the boundary and topographic data. The revised preliminary plat reflects these surveys.

The boundary we recovered reasonably agrees with the plat as submitted. The proposed interior lots have been adjusted slightly to obtain mathematical closure while maintaining the submitted lot configuration. The only difference in lot configuration is Lot 2. The preliminary plat submitted by Al's Pin Pounders did not correctly show the lot lines as desired by the owners. A second page is needed to show the additional information required.

The following comments correspond with the preliminary plat review provided by Keller Associates.

- 1 The plat is signed and dated.
- 2 The basis of bearing has been labeled.
- 3 New topographic data has been obtained. There are no slopes greater than 15%.
- 4 The well and septic system are shown.
- 5 The flow direction of the canal is shown.
- 6 The 60' width of the private road is shown.
- 7 It is unknown what this comment references. The preliminary and final plats we received from Al's Pin Pounders do not show the names of the adjoining subdivisions. The names of the adjoining subdivisions and recording information has been shown.
- 8 A detail and corresponding table have been added to show the mailing addresses of property owners within 600' of the proposed subdivision.
- 9 Property owners' names are spelled correctly according to the provided county records.
- 10 The plat shows the road name approved by Canyon County.
- 11 A lot number has been added for the private road and a note has been added to describe the purpose.
- 12 The boundary line between the private road and the public right-of-way has been added and dimensioned.
- 13 The easement for the Black Canyon Canal has been shown.
- 14 Spelling has been corrected.
- 15 A note has been added regarding the 70' setback and the setback line is shown graphically.

A preliminary irrigation/drainage plan has been prepared and is included. Storm water will be directed to the drainage swales along the private road at the time the lots are developed, or otherwise contained on site by the lot owners.
The preliminary plat is being submitted to the appropriate reviewing agencies.



Steven C. Wellington P.L.S.

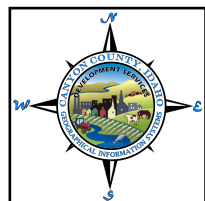
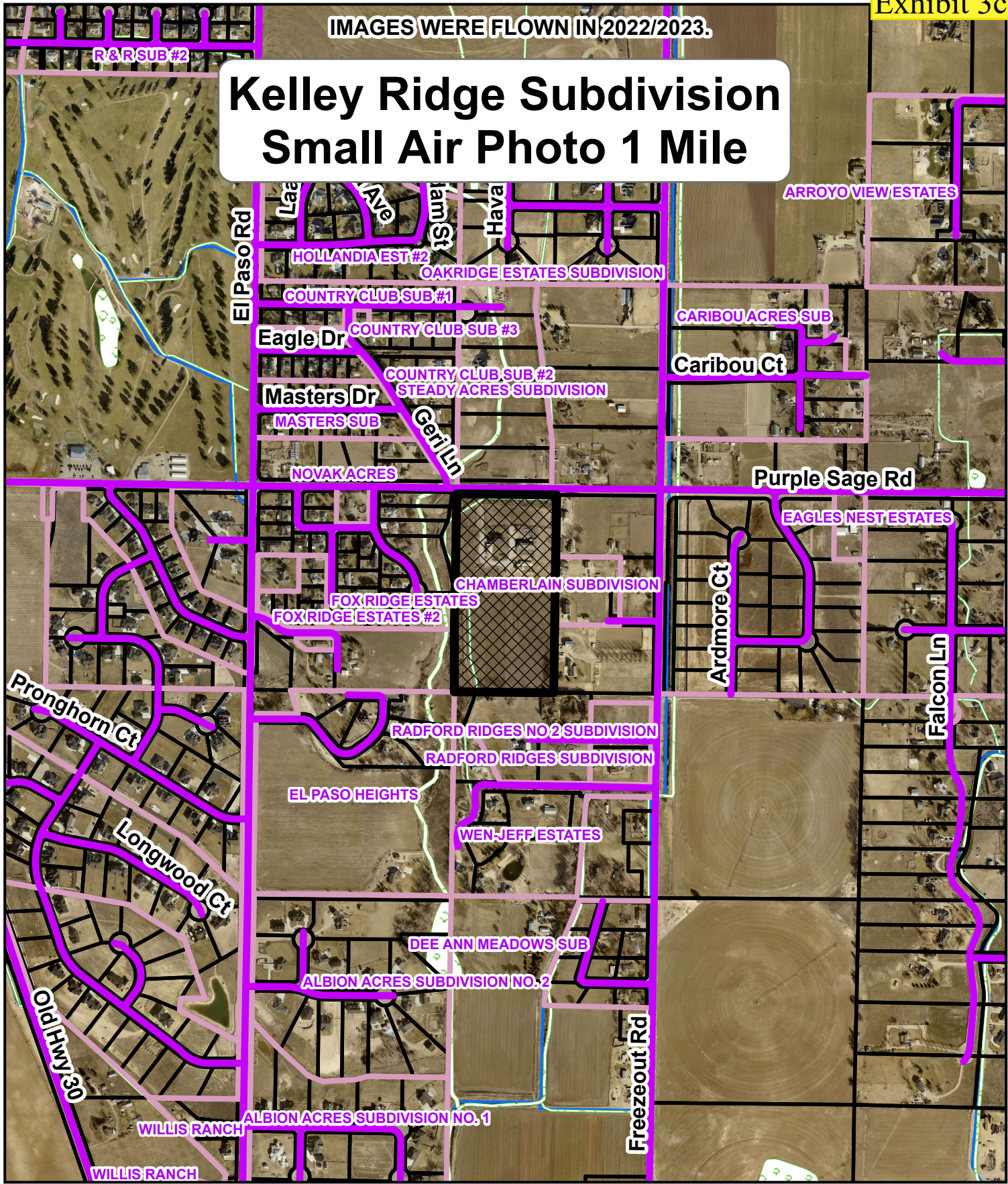
WELLINGTON LAND SURVEYING

steve.wellington@idaholandsurveying.com

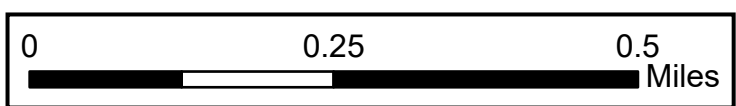
www.idaholandsurveying.com

IMAGES WERE FLOWN IN 2022/2023.

Kelley Ridge Subdivision Small Air Photo 1 Mile



	City Limits
	Wetlands





CANYON COUNTY DEVELOPMENT SERVICES

111 North 11th Avenue, Caldwell, ID 83605 Phone: 208-454-7458 Fax: 208-454-6633

GENERAL

1. How Many Lots are you proposing? 9
2. Average Lot Size of the Residential Parcels? 18.95 Acres

IRRIGATION

1. Irrigation Water is Provided via Irrigation Well Surface Water
2. What percentage of the property has water? 70 %
3. How many inches of water are available to property? _____
4. How do you plan to retain storm and excess water on each lot?
indivial detention ponds
5. How do you plan to process storm water / excess irrigation water prior to it entering the established drainage system?
individual detention ponds

ROADS

1. Roads within the Development will be: Public Private N/A

HILLSIDE DEVELOPMENT

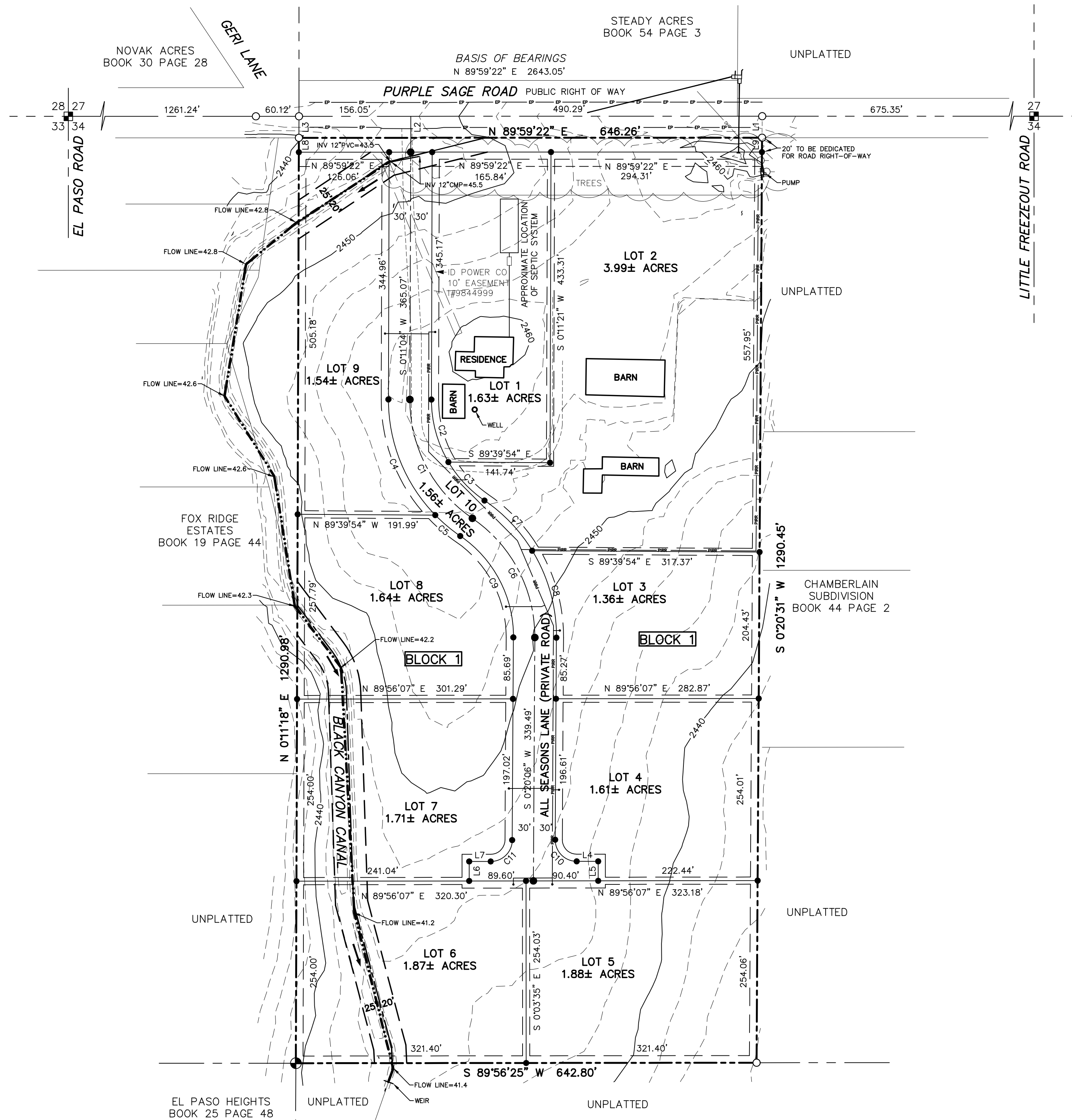
1. Of the total lots requested, how many of the lots will contain slopes greater than 15%?
0 Residential 0 Non-Buildable 0 Common
2. Will the proposed Road(s) be located within any area that has slopes greater than 15%
 Yes No

SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

1. Will you be requesting waivers of Subdivision Improvements from the City?
 Yes No
2. If yes, which waivers will you be requesting?
 Curbs Gutters Sidewalks Streetlights Landscaping

PRELIMINARY PLAT KELLY RIDGE SUBDIVISION

SITUATED IN THE W 1/2 OF THE NE 1/4 OF THE NW 1/4
SECTION 34
T5N R3W BM
CANYON COUNTY, IDAHO



LINE TABLE

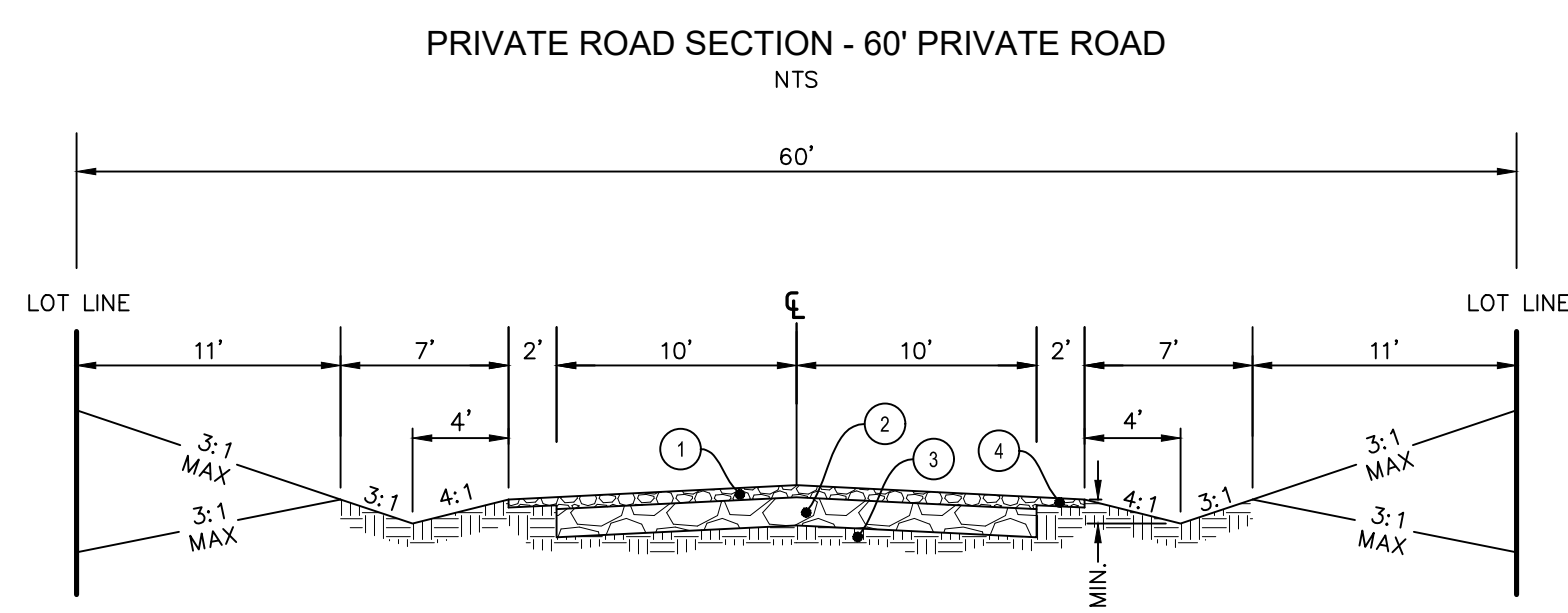
LINE	LENGTH	BEARING
L1	30.00'	S 0°20'31" W
L2	30.00'	S 0°11'04" W
L3	30.00'	S 0°11'18" W
L4	30.00'	N 89°56'07" E
L5	27.19'	S 0°03'53" E
L6	27.19'	S 0°03'53" E
L7	30.00'	N 89°56'07" E
L8	20.00'	S 0°11'18" W
L9	20.00'	N 0°20'31" E

CURVE TABLE

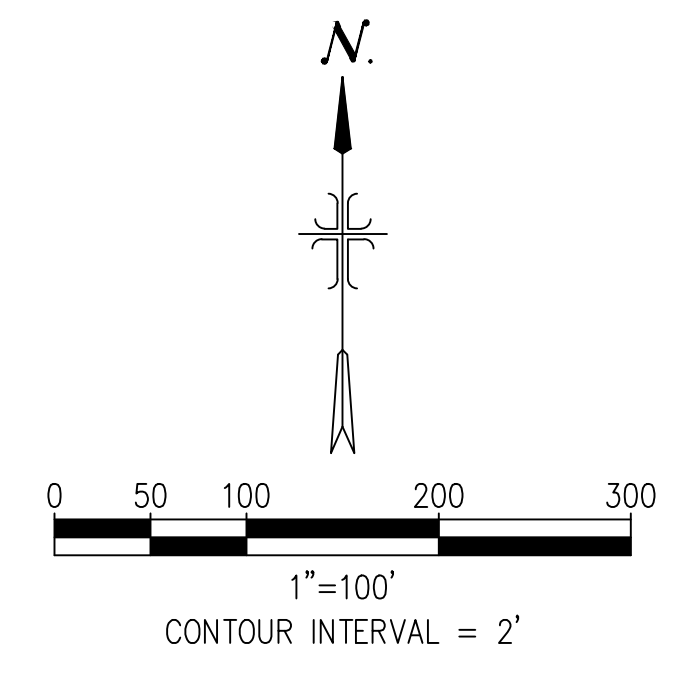
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	194.93'	200.00'	55°50'31"	187.30'	S 27°44'11" E
C2	91.57'	170.00'	30°51'39"	90.46'	S 15°14'45" E
C3	74.12'	170.00'	24°58'52"	73.53'	S 43°10'01" E
C4	178.56'	230.00'	44°28'52"	174.11'	S 22°03'22" E
C5	45.61'	230.00'	11°21'39"	45.53'	S 49°58'37" E
C6	195.45'	200.00'	55°59'33"	187.77'	S 27°39'40" E
C7	97.19'	230.00'	24°12'40"	96.47'	S 43°33'06" E
C8	127.58'	230.00'	31°46'53"	125.95'	S 15°33'20" E
C9	166.13'	170.00'	55°59'33"	159.60'	S 27°39'40" E
C10	47.33'	30.00'	90°23'59"	42.57'	S 44°51'53" E
C11	46.91'	30.00'	89°36'01"	42.28'	S 45°08'07" W

LOT SUMMARY

NUMBER OF RESIDENTIAL LOTS	9
NUMBER OF NON-RESIDENTIAL LOTS	1
TOTAL NUMBER OF LOTS	10



- NOTES:**
- 6" OF 3/4" MINUS CRUSHED GRAVEL
 - 14" OF PIT RUN
 - COMPACTED STABLE SUBGRADE
 - 4" OF 3/4" MINUS GRAVEL SHOULDER



- LEGEND**
- FOUND ALUMINUM CAP
 - FOUND BRASS CAP
 - FOUND 5/8" REBAR
 - SET 5/8"x30" REBAR WITH PLASTIC CAP PLS 7881
 - SET 1/2"x24" REBAR WITH PLASTIC CAP PLS 7881
 - UTILITY POLE
 - DECIDUOUS TREE
 - BOUNDARY
 - LOT LINE
 - SECTION LINE
 - STREET CENTERLINE
 - EASEMENT
 - EDGE ASPHALT PAVEMENT
 - OVERHEAD POWER
 - CONTOUR
 - CONTOUR-INDEX
 - BUILDING SETBACK

VICINITY MAP
NOT TO SCALE



REVISIONS

DATE	BY	DESCRIPTION
4/29/23	SCW	REVISED FOR COMMENTS
9/6/23	SCW	REVISED FOR COMMENTS

WELLINGTON LAND SURVEYING
PO BOX 702
MERIDIAN IDAHO 83680
(208) 850-7506
steve.wellington@idaholandsurveying.com

DEVELOPER
ROBERT AND JEANNE KELLY
14715 PURPLE SAGE ROAD
CALDWELL, ID 83607

JOB 596-22	DRAWING 596 KELLY RIDGE PRELIMINARY SUB.DWG	SCALE 1" = 100'	PAGE 1 OF 2
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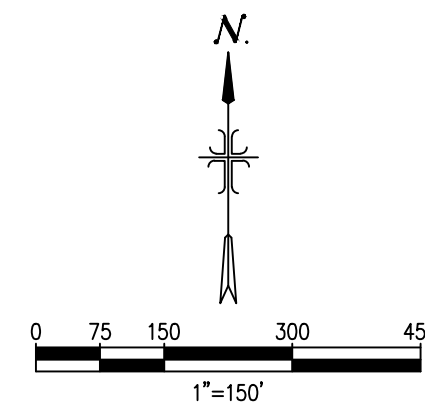
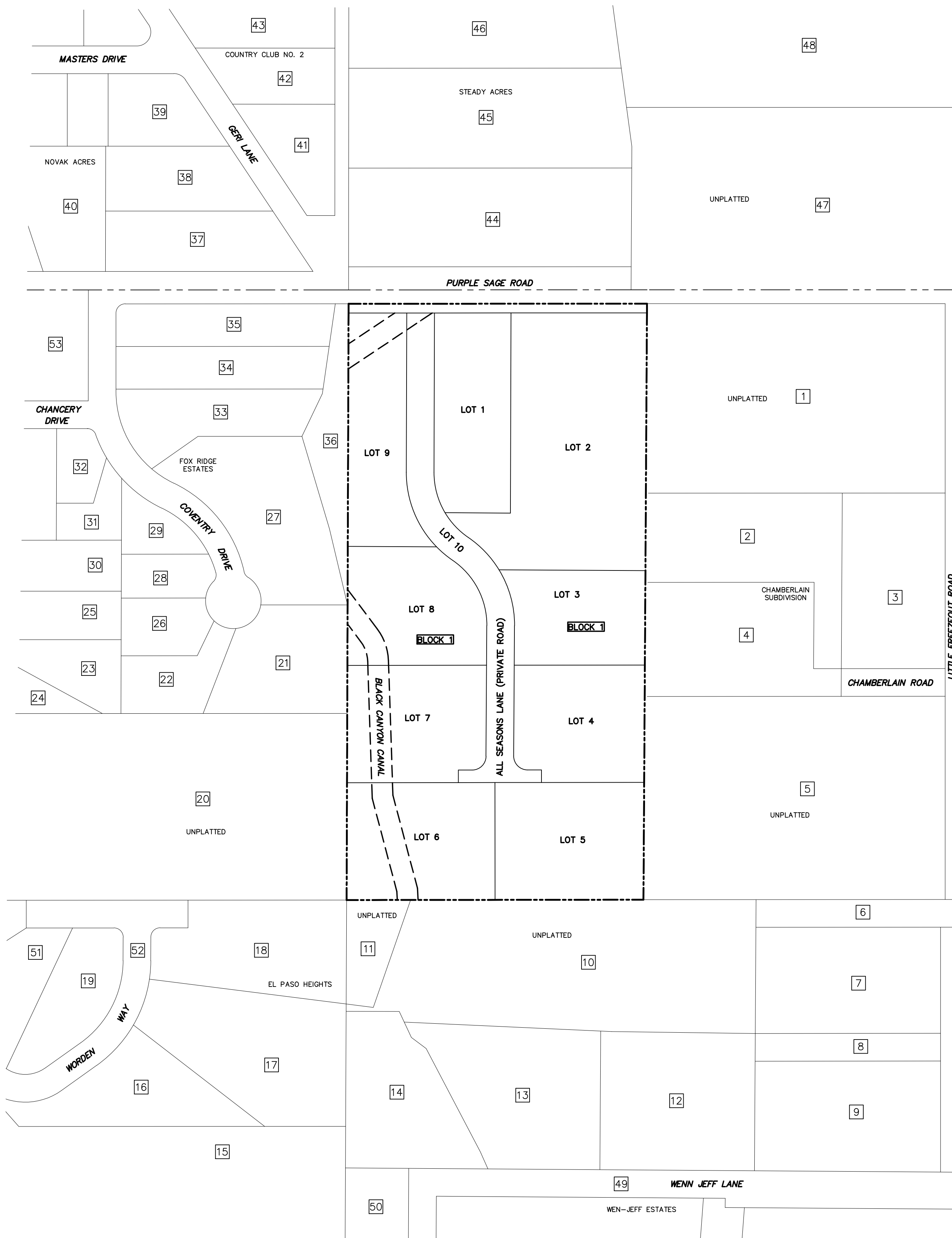
PRELIMINARY PLAT KELLY RIDGE SUBDIVISION

SITUATED IN THE W 1/2 OF THE NE 1/4 OF THE NW 1/4
SECTION 34
T5N R3W BM
CANYON COUNTY, IDAHO

NOTES

- 1 THE PARCEL IS ZONED R1.
- 2 THE PARCEL ACREAGE IS 18.95± ACRES.
- 3 THE SEWAGE DISPOSAL SYSTEMS SHALL BE INDIVIDUAL SEPTIC TANK AND DRAIN FIELDS.
- 4 THE DOMESTIC WATER SYSTEMS SHALL BE INDIVIDUAL WELLS.
- 5 STORM WATER WILL BE CONVEYED TO THE ROADSIDE DITCHES ALONG THE PRIVATE ROAD AND/OR WILL BE CONTAINED ON SITE. STORM DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER'S ASSOCIATION OR PROPERTY OWNER ON WHICH THE STORM DRAINAGE FACILITY IS CONSTRUCTED IF NO HOMEOWNER'S ASSOCIATION EXISTS. RESPONSIBILITY FOR STORM DRAINAGE FACILITIES INCLUDES ALL MAINTENANCE, BOTH ROUTINE AND NON-ROUTINE.
- 6 IRRIGATION WATER WILL BE PROVIDED FROM BLACK CANYON IRRIGATION DISTRICT IN COMPLIANCE WITH IDAHO CODE 31-3805(8).
- 7 THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE(1) YEAR, WHEN THE OPERATION, FACILITY, OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OF EXPANSION THEREOF."
- 8 ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
- 9 THERE SHALL BE A 10 FOOT UTILITY EASEMENT AROUND THE PERIMETER OF THE SUBDIVISION AND ALONG ALL ROADS.
- 10 THERE SHALL BE A 5 FOOT UTILITY EASEMENT ALONG ALL INTERIOR LOT LINES.
- 11 NO PERMANENT STRUCTURES SHALL BE LOCATED CLOSER THAN 70 FEET TO THE SECTION LINE UNLESS THE HIGHWAY DISTRICT WAIVES THE 70 FOOT SETBACK REQUIREMENT.
- 12 LOT 10 SHALL BE RESERVED FOR A PRIVATE ROAD.

PARCEL OWNERS MAP



PARCEL OWNERS TABLE

1	R38157012	SHARP BRIAN C	24921 FREEZEOUT RD	CALDWELL	ID	83607
2	R38157100	STILLER ROD	14572 CHAMBERLAIN RD	CALDWELL	ID	83607
3	R38157	WEGMAN KAREN A	24875 FREEZEOUT RD	CALDWELL	ID	83607
4	R38157101	HAMMOND JORDAN R	14580 CHAMBERLAIN RD	CALDWELL	ID	83607-4821
5	R38157010	SEAL BOONE	24795 FREEZEOUT RD	CALDWELL	ID	83607
6	R38178013D	ASHCRAFT ARTHUR E	24771 FREEZEOUT RD	CALDWELL	ID	83607
7	R38178103	RADFORD JAMES W	24770 FREEZEOUT RD	CALDWELL	ID	83607
8	R38178104	RADFORD JAMES W	24770 FREEZEOUT RD	CALDWELL	ID	83607
9	R38178102	MAZE CHRISTOPHER	14555 SIMPLICITY LN	CALDWELL	ID	83607
10	R38178	ASHCRAFT ARTHUR E	24771 FREEZEOUT RD	CALDWELL	ID	83607
11	R38178012	TOPIE ROBERT LEE JR	14835 WORDEN WAY	CALDWELL	ID	83607
12	R38178100	PEW FAMILY LIVING TRUST	22297 E ESCALANTE RD	QUEEN CREEK	AZ	85142
13	R38178101	RADFORD JASON REX	14675 SIMPLICITY LN	CALDWELL	ID	83607
14	R27862500	VANDAELE ROGER J JR	14710 WEN JEFF LN	CALDWELL	ID	83607
15	R38179206	WILSON KEVIN	24556 EL PASO RD	CALDWELL	ID	83607
16	R38179205	PETERSON PHILICIA	14885 WORDEN WAY	CALDWELL	ID	83607
17	R38179204	CROWNOWER GERALD W	14855 WORDEN WAY	CALDWELL	ID	83607
18	R38179203	TOPIE ROBERT LEE JR	14835 WORDEN WAY	CALDWELL	ID	83607
19	R38179202	IZHEVSKIY YELENA T	14820 WORDEN WAY	CALDWELL	ID	83607
20	R38181015A	SMITH MARVIL J AND CHARLOTTE I REVOCABLE TRUST	14889 MARVEL PL	CALDWELL	ID	83607
21	R21997512	VISSER PAUL	24864 COVENTRY DR	CALDWELL	ID	83607
22	R21997512A	BARNES PATRICK	24867 COVENTRY DR	CALDWELL	ID	83607
23	R21997519	AMMERMAN RICHARD RW AND MARILYN T FAMILY TRUST	24844 BAYWATER DR	CALDWELL	ID	83607
24	R21997520	ARRASMITH STEVEN E	24840 BAYWATER DR	CALDWELL	ID	83607
25	R21997518	KOSAK REVOCABLE TRUST	24878 BAYWATER DR	CALDWELL	ID	83607
26	R21997513	MARTINEZ KENNETH J @@@	24869 COVENTRY DR	CALDWELL	ID	83607
27	R21997510	BULLOCK ROCIO	24900 COVENTRY DR	CALDWELL	ID	83607
28	R21997514A	SCHLOEGEL MICHAEL F	24881 COVENTRY DR	CALDWELL	ID	83607
29	R21997514	HAWKES KARA LEIGH	24891 COVENTRY DR	CALDWELL	ID	83607
30	R21997517	BEDOLLA JEIMI	24888 BAYWATER DR	CALDWELL	ID	83607
31	R21997515	WATANABE SCOTT	24921 COVENTRY DR	CALDWELL	ID	83607
32	R21997515A	BEAMIE JACKIE	24935 COVENTRY DR	CALDWELL	ID	83607
33	R21997509	ROSS JAMES M AND PEGGY L LIVING TRUST	12468 N COUNTRY RD 15	WELLINGTON	CO	80549
34	R21997508	MARTIN EDWARD	24966 COVENTRY DR	CALDWELL	ID	83607
35	R21997507	MUNSEE PAT	2558 E 3708 N	TWIN FALLS	ID	83301
36	R21997521	DINGELDEIN JOHN P	9549 OLD MILL DR	BOISE	ID	83709
37	R38048104	BRADSHAW CHELSEA C	25033 GERI LN	CALDWELL	ID	83607
38	R38048103	KELLEY DANIEL L AND TERRI L TRUST	25043 GERI LN	CALDWELL	ID	83607
39	R24257517	HARRELL TERRY L	14871 MASTER DR	CALDWELL	ID	83607
40	R38048102	NOVAK BETTY JO	14998 PURPLE SAGE RD	CALDWELL	ID	83607
41	R21065	SHORT RON AND PENNY TRUST	25026 GERI LN	CALDWELL	ID	83607
42	R21064	BAKER DALE F	25076 GERI LN	CALDWELL	ID	83607
43	R21063	DUMAS DANIEL J	25124 GERI LN	CALDWELL	ID	83607
44	R38042100	ETHINGTON MICHAEL WADE	23193 LANSING LN	MIDDLETON	ID	83607
45	R38042101	MC CLURE MARK	10161 W ARROWLEAF CT	STAR	ID	83607
46	R38042102	BIEDERMAN LARRY J AND DIANE L TRUST	25111 FREEZEOUT RD	CALDWELL	ID	83607
47	R38042	RODRIGUEZ MATEO	14602 PURPLE SAGE RD	CALDWELL	ID	83607
48	R38042012	BIEDERMAN LARRY J AND DIANE L LIVING TRUST	25111 FREEZEOUT RD	CALDWELL	ID	83607
49	R27862506	WEN-JEFF ACRES HOMEOWNERS ASSO	2280 N YONKERS LN	BOISE	ID	83704-8400
50	R27862501	BARNETT VERNON LEE	14725 WEN JEFF LN	CALDWELL	ID	83607
51	R38179201	WINKEL AARON LUKE	14810 WORDEN WAY	CALDWELL	ID	83607
52	R38179207	EL PASO HEIGHTS SUB HOMEOWNERS ASSO	14930 WORDEN WAY	CALDWELL	ID	83607
53	R38181010	CARRILLO GUSTAVO	14897 PURPLE SAGE RD	CALDWELL	ID	83607



REVISIONS		
DATE	BY	REVISIONS
4/29/23	SCW	REVISED FOR COMMENTS

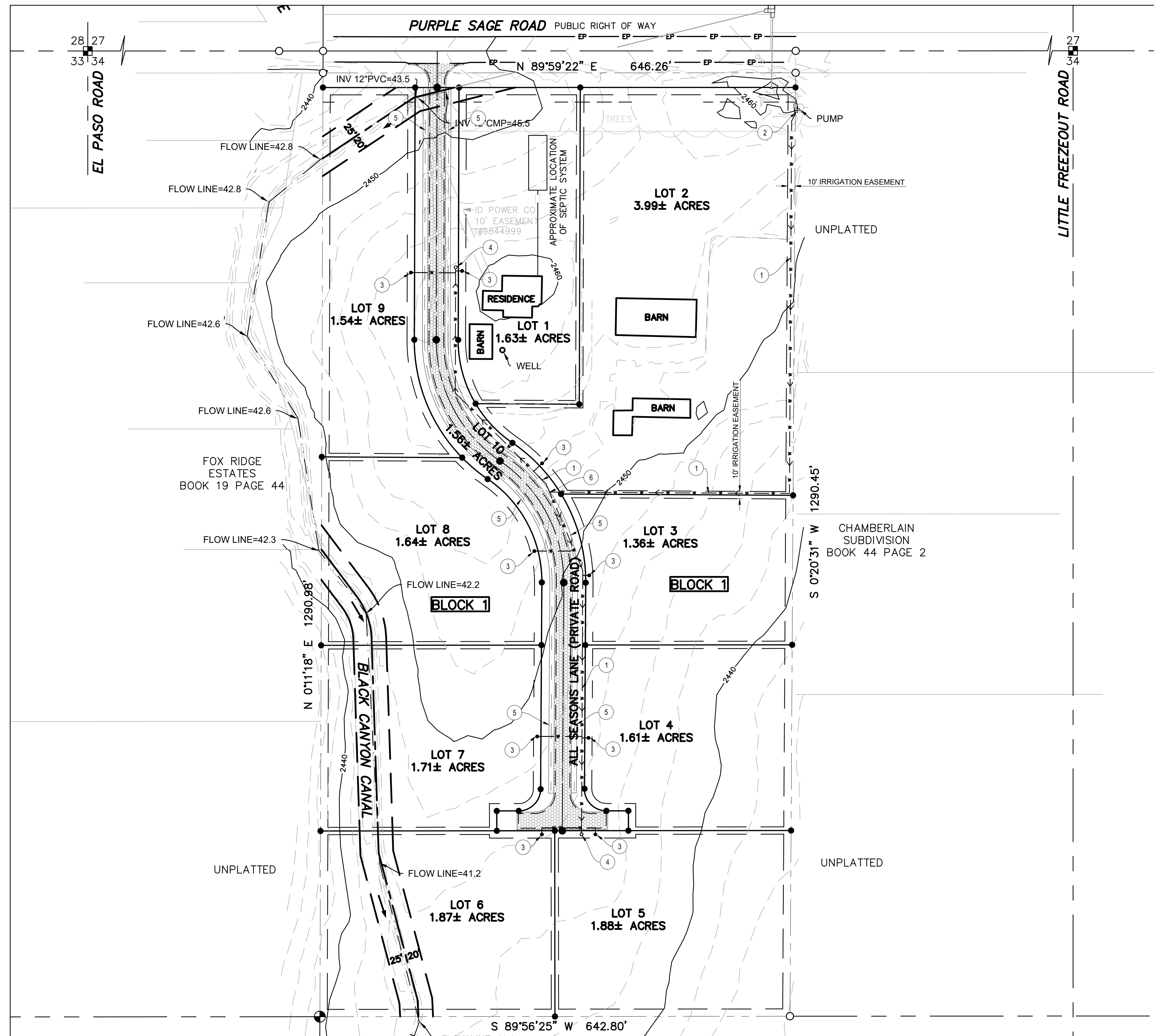

**WELLINGTON
LAND
SURVEYING**
 PO BOX 702
 MERIDIAN IDAHO 83680
 (208) 850-7506
 steve.wellington@idaholandsurveying.com

DEVELOPER
ROBERT AND JEANNE KELLY
 14715 PURPLE SAGE ROAD
 CALDWELL, ID 83607

JOB 596-22	DRAWING 596 KELLY RIDGE PRELIMINARY SUB.DWG	SCALE 1" = 150'	PAGE 2 OF 2
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PRELIMINARY IRRIGATION PLAN

KELLY RIDGE SUBDIVISION



PRESSURIZED IRRIGATION KEYNOTES

- ① 6" PIP PRESSURIZED IRRIGATION PIPE (100 PSI).
- ② CONNECTION TO EXISTING PUMP STUB.
- ③ PRESSURIZED IRRIGATION SERVICE TO LOT.
- ④ BLOW OFF ASSEMBLY.
- ⑤ FUTURE ROADSIDE DITCH.
- ⑥ 6" x 6" x 6" TEE

PRESSURIZED IRRIGATION NOTES

1. HISTORIC IRRIGATION LATERAL, DRAIN, AND DITCH FLOW PATTERNS SHALL BE MAINTAINED UNLESS APPROVED IN WRITING BY THE LOCAL IRRIGATION DISTRICT OR DITCH COMPANY.
2. PRESSURIZED IRRIGATION PIPE SHALL BE BURIED A MINIMUM 4' UNDERGROUND.
3. 14.6 IRRIGATABLE ACRES ARE AVAILABLE FOR THE SUBDIVISION AND WILL BE SPLIT EVENLY BETWEEN ALL 9 LOTS. THE WATER WILL BE PROVIDED BY BLACK CANYON IRRIGATION.
4. ALL STORMWATER AND EXCESS WATER FROM THE LOTS WILL BE CONVEYED TO THE FUTURE ROADSIDE DITCH PROPOSED AS A PRIVATE ROAD AND/OR WILL BE RETAINED ON-SITE BY EACH LOT BUILDER. ALL STORMWATER AND EXCESS WATER WILL BE DIRECTED AWAY FROM EXISTING DITCHES.
5. THE FINISH GRADES AT ALL LOT BOUNDARIES WILL MATCH EXISTING FINISH GRADES.



Know what's below.
Call before you dig.

NOTICE TO CONTRACTORS

CONTRACTOR TO NOTIFY USA (UNDERGROUND SERVICE ALERT) AT 811 A MINIMUM OF 48 HOURS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION OF UNDERGROUND UTILITIES

NO.	REVISION	BY	NO.	REVISION	BY	PLAN DATE
△			△	9/29/2023		SEP 2023
△			△			9/29/23
△			△			SCALE
△			△			DESIGNER DJH
△			△			JOB NO B22.0597



CCE DESIGN ASSOCIATES, INC.

MERIDIAN: 3507 E Monarch Sky Ln F-240 Meridian, ID 83846
IDAHO-CALIFORNIA-FLORIDA
P:208.418.2358
www.ccedesignassociates.com

DUSTIN J. HAYES, P.E.

KELLY RIDGE SUBDIVISION

IRRIGATION PLAN

14715 PURPLE SAGE RD
CALDWELL, ID 83607

SHEET

1

OF 1 SHEETS



Canyon County Board of County Commissioners
Bob and Jeanne Kelley – Rezone Case No. RZ2018-0010

Development Services Department

August 29, 2018

Findings of Fact, Conclusions of Law, and Order

Findings of Fact

1. The applicant is requesting to rezone parcel No. R38157-011 which is approximately 18 acres from an “A” (Agricultural) to an “R-1” (Single Family Residential) zone.
2. If this request is approved, platting will be required for more divisions of the property.
3. The subject property is currently zoned “A” (Agricultural).
4. The subject property is designated ‘Residential’ on the 2020 Canyon County Future Land Use Map. (Exhibit 10).
5. The subject property is located within the Middleton’s Area of City Impact.
6. The City of Middleton designates the property as “residential” on their Future Land Use Map.
7. The subject property is located within the Canyon Highway District No. 4, Middleton Fire District, and Middleton School District.
8. The neighborhood meeting was held in accordance with CCZO §07-01-15.
9. Notice of the public hearing was provided as per CCZO §07-05-01: Agencies were notified on August 3, 2018 property owners within 300 ft. were notified by mail on August 3, 2018 Newspaper notice was provided on August 12, 2018 and the property was posted on August 17, 2018.
10. The Planning and Zoning Commission recommended approval of this request on July 19, 2018.
11. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing on July 19, 2018 and all information contained in DSD case file RZ2018-0010.

Conclusions of Law

For this request the Board of County Commissioners finds and concludes the following regarding the Standards of Review for a Zoning Amendment (§07-06-05):

A. Is the proposed zone change generally consistent with the comprehensive plan?

Conclusion: The proposed zone change is consistent with the 2020 Canyon County Comprehensive Plan.

Finding: The proposed rezone is consistent with the Future Land Use Map which has this area designated as “residential”. The proposed zoning of “R-1” (Single Family Residential) is consistent with multiple goals and policies of the 2020 Canyon County Comprehensive Plan including but not limited to:

- Property Rights Policy No. 1- *“No person shall be deprived of private property without due process of law.”*
- Property Rights Policy No. 8- *“Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.”* The subject property is located within Middleton’s Area of City Impact where growth is expected. The property is designated as “residential” on the 2020 Canyon County

Future Land Use Map (Exhibit 9). The subject property is also adjacent to existing residential zoning (Exhibit 5).

- Property Rights Policy No. 11- "*Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.*" The surrounding area is designated as "residential" on the future land use map and is adjacent to residential zoning. Approval of the request would not introduce an incompatible use to the area.
- Land Use Goal No. 4 – "*To encourage development in those areas of the county which provide the most favorable conditions for future community services.*" The property is located within Middleton's Area of City Impact where growth is expected. Growth in an Area of City Impact provides the most favorable conditions for future community services.
- Land Use Goal No. 6 – "*Designate areas where rural type residential development will likely occur and recognize areas where agricultural development will likely occur.*" The subject property is designated as "residential" on the Canyon County Future Land Use Map. The property is also located within Middleton's Area of City Impact. The City of Middleton also designates this area as "residential."
- Land Use Residential Goal No. 3- "*Encourage compatible residential zones or areas within the county so that public services and facilities may be extended and provided in the most economical and efficient manner.*" The subject property is located within Middleton's Area of City Impact where growth is expected. Growth within the impact area provides the most economical and efficient manner of extending/providing services.
- Public Services, Facilities and Utilities Policy No. 3- "*Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.*" The subject property is located within Middleton's Fire District.

B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?

Conclusion: The proposed zone change is more appropriate as the current zoning designation.

Finding: The proposed zone change is more appropriate than the current zone designation of "A" (Agricultural). The Future Land Use designates the subject property as 'Residential'. The surrounding area is a mix of agricultural and residential uses. There are 32 platted subdivisions within one (1) mile of the subject property for a total of 555 lots and a 1.45 acre average lot size. The proposed development would create lots that are commensurate with the existing subdivisions in the area. The property is also considered as "not prime farmland" (Exhibit 9). The property to the west of this property on Pinehurst Way was recently approved by the Board of County Commissioners to be rezoned (May 15, 2018) from Agricultural to Single Family Residential (R-1) (case PH2017-74). There has been a recent trend of residential in the area.

C. Is the proposed rezone compatible with surrounding land uses?

Conclusion: The proposed use is compatible with the surrounding land uses.

Finding: The proposed rezone is compatible with the surrounding land uses in the area. The subject property is adjacent to existing residential zoning (Exhibit 5). The proposed lot sizes are commensurate with

the average lot size within one mile (1.45 acres). The proposed rezone would not create an incompatible land use. The property to the west of this property on Pinehurst Way was recently approved by the Board of County Commissioners to be rezoned (May 15, 2018) from Agricultural to Single Family Residential (R-1) (case PH2017-74).

D. Will the proposed use negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: The proposed use will not negatively affect the character of the area and no mitigation is proposed or warranted at this time.

Finding: The proposed use will not negatively impact the essential character of this residential area. The property is located within Middleton's Area of City Impact and is designated as 'Residential' on the 2020 Comprehensive Plan Future Land Use Map. The surrounding area is a mix of agricultural and residential uses. There are 32 platted subdivisions within one (1) mile of the subject property for a total of 555 lots and a 1.45 acre average lot size. The City of Middleton's Future Land Use Map shows this area designated as residential. The proposed development would create lots that are commensurate with the existing subdivisions in the area. The subject property is adjacent to residential zoning as shown on Exhibit 5. The property to the west of this property on Pinehurst Way was recently approved by the Board of County Commissioners to be rezoned (May 15, 2018) from Agricultural to Single Family Residential (R-1) (case PH2017-74). At this time no mitigation is warranted.

E. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed use?

Conclusion: Adequate sewer, drainage, and storm water drainage facilities and utility systems will be provided to accommodate the proposed use at the time of development.

Finding: Adequate facilities will be provided. The property will utilize septic and well's for the individual lots. Southwest District Health did not state they were in opposition, but did require that applicant set up a pre-application meeting. The irrigation district, Idaho Power and Intermountain Gas were notified of the request and did not provide comments. If this request is approved, platting will be required and the applicant will be required to show services are provided.

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

Conclusion: Legal access to the parcel exist via existing access onto Purple Sage Road.

Finding: Legal access to the parcel exist on Purple Sage Road. Canyon Highway District #4 stated that they had no objection to the access location. At the time of development the property owner will be required to apply for an approach permit (Exhibit 13).

G. Does the proposed development require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will not cause undue interference with existing or future traffic patterns as proposed. Any road improvements will be required at the time of platting and/or development of the project.

Finding: Canyon Highway District #4 has indicated that access onto Purple Sage is allowed. Canyon Highway District #4 has indicated that addition of 9 homes in this location will not cause an interference with existing or future traffic patterns. New internal roads within the proposed development are planned to be improved to public road standards and dedicated to the public.

H. Will the proposed zone change amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.


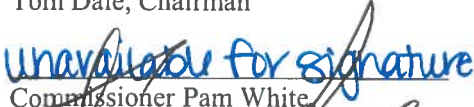
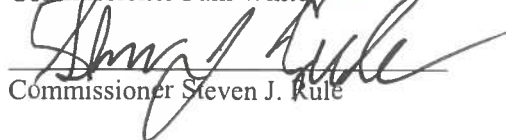
Finding: Canyon County Ambulance District, Middleton School District, Canyon County Sheriff, and Middleton Fire were notified of the request and did not provide responses to indicate that the proposed zone change amendment would have a negative impact. No mitigation measures are proposed at this time.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein the Board of County Commissioners approves Case # RZ2018-0010, a request to rezone parcel R38157-011, approximately 19.00 acres, from an "A" (Agricultural) zone to an "R-1" (Single Family Residential) zone.

APPROVED this 29th day of August, 2018

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO**

	Yes	No	Did Not Vote
 Tom Dale, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Pam White	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Steven J. Rule	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: Chris Yamamoto, Clerk

By: Jelena Ross, Deputy Clerk



2018-038479
RECORDED
08/29/2018 11:40 AM



00389818201800384790040042

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=4 HCRETAL NO FEE
ORDINANCE
CANYON COUNTY COMMISSIONERS

**Canyon County
Recorder's Office
Document
Cover Sheet**



ORDINANCE NO. 18-024

ORDINANCE DIRECTING AMENDMENTS TO THE
CANYON COUNTY ZONING MAP
(Bob and Jeanne Kelly – Rezone – RZ2018-0010)

An ordinance of Canyon County, Idaho directing amendments to the Canyon County Zoning Map (Ordinance No. 12-021); providing for title, structure, purpose and authority clauses; rezone; severability; and an effective date.

Be It Ordained by the Board of County Commissioners of Canyon County, Idaho:

SECTION 1. TITLE.

This Ordinance shall be known as the “Ordinance Directing Amendments to Canyon County Zoning Map (for approximately 19 acres; R38157-011).

SECTION 2. STRUCTURE.

Titles and subtitles of this Ordinance are only used for organization and structure and the language in each paragraph of this Ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to authorize the rezone of the property described in Section 5 of this Ordinance from “A” (Agricultural) to “R-1” (Single Family Residential). The purpose of this Ordinance also authorizes amendments to the Official Maps of Canyon County to reflect the conditional rezone authorized by this Ordinance.

SECTION 4. AUTHORITY.

This Ordinance amending the Official Zoning Maps of Canyon County (is enacted pursuant to the authority conferred by Canyon County Zoning Ordinance No. 16-007, Chapter 7, Article 6; and Idaho Code §67-6511, 67-6511A, 31-714, 31-801 and 31-828.

SECTION 5. REZONE.

The subject property shall be and is rezoned from “A” (Agricultural) to “R-1” (Single Family Residential), as specifically identified and described on the attached Exhibit “A”, pursuant to the Findings of Fact, Conclusions of Law and Order issued on *August 29, 2018*, the Board of Canyon County Commissioners as authorized by Canyon County Zoning Ordinance No. 16-007, Chapter 7, Article 6; the Idaho Constitution; and Idaho Code § 67-6511, 67-6511A.

SECTION 6. SEVERABILITY CLAUSE.


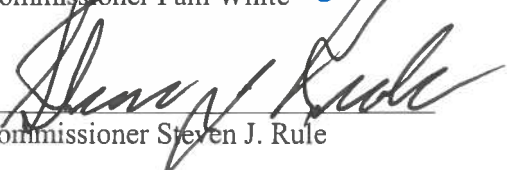
Should any provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance in whole or in part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on September 4, 2018.

ADOPTED AND APPROVED this 29th day of August, 2018.

BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

	Yes	No	Did Not Vote
 Tom Dale, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Unavailable for signature</u> Commissioner Pam White	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Steven J. Rule	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: Chris Yamamoto, Clerk

By: Jenna Ross
Deputy

Date: 08/29/18



Publication Date: September 4, 2018, Idaho Press-Tribune

EXHIBIT "A"

Parcel R38157-011

A portion of the Northeast Quarter of the Northwest Quarter of Section 34, Township 5 North, Range 3 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

COMMENCING at the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence

South 89° 59' 22" West along the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 675.35 feet to the TRUE POINT OF BEGINNING; thence

South 0° 20' 40" West parallel with the East boundary of said Northeast Quarter of the Northwest Quarter a distance of 1,320.69 feet to a point on the South boundary of said Northeast Quarter of the Northwest Quarter; thence

South 89° 56' 40" West along said South boundary a distance of 642.87 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence

North 0° 11' 38" East along the West boundary of said Northeast Quarter of the Northwest Quarter a distance of 1,321.18 feet to the Northwest corner of said Northeast Quarter of the Northwest Quarter; thence

North 89° 59' 22" East along the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 646.34 feet to the TRUE POINT OF BEGINNING.

Excepting therefrom:

This is a portion of the Northeast Quarter of the Northwest Quarter of Section 34, Township 5 North, Range 3 West of the Boise Meridian and is more particularly described as follows:

Beginning at the Northeast corner of said Northeast Quarter of the Northwest Quarter; thence

South 0°20'40" West along the East boundary of said Northeast Quarter of the Northwest Quarter a distance of 1320.17 feet to the Southeast corner of said Northeast Quarter of the Northwest Quarter; thence

South 89°56'40" West along the South boundary of said Northeast Quarter of the Northwest Quarter a distance of 30.00 feet; thence

North 0°20'40" East parallel with said East boundary a distance of 1280.19 feet to a point on a line parallel with and 40.00 feet southerly from the North boundary of said Northeast quarter of the Northwest Quarter; thence

South 89°59'22" West along said parallel line a distance of 1291.58 feet to a point of the West boundary of said Northeast Quarter of the Northwest Quarter; thence

North 0°11'38" East along said West boundary a distance of 40.00 feet to the Northwest corner of said Northeast Quarter of the Northwest Quarter; thence

North 89°59'22" East along the North boundary of said Northeast Quarter of the Northwest Quarter a distance of 1321.69 feet to the Point of Beginning.

**CANYON HIGHWAY DISTRICT No. 4**15435 HIGHWAY 44
CALDWELL, IDAHO 83607TELEPHONE 208/454-8135
FAX 208/454-2008

July 11, 2023

Canyon County P&Z Commission and
County Commissioners
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Ivan Kowalczyk, PlannerWellington Land Surveying
PO Box 702
Meridian, Idaho 83680
Attention: Steve Wellington, PLS**RE: SD2020-0023**
Kelly Ridge Subdivision Preliminary Plat
Parcel Number R 38167011 aka 14715 Purple Sage Rd

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has received the agency notice for preliminary plat of Kelly Ridge Subdivision, approximately 9 acres lying south of Purple Sage Rd in the NW 1/4 Section 34, T4N R3W, and provides the following comments:

General

The subject property has approximately 645-feet of frontage on Purple Sage Rd along the south boundary. Linden Rd is the only public highway or right-of-way adjacent to or within the subject property. Purple Sage Rd is classified as a minor arterial road on the functional classification maps adopted by CHD4 and Canyon County. Existing right-of-way width along the subject property is a 40-foot half width right-of-way, measured from the section line. Ultimate right-of-way width for a rural collector is 50-foot half-width, measured from the section line. The development is proposing 9 residential lots (1 existing, 8 new), to be served by a single private road access located in the western 1/3 of the property frontage. The subject property is located approximately 9,100 feet from Middleton city limits, and is considered rural for purposes of development.

Access

The private road access (All Seasons Lane) proposed to serve the development is consistent with access spacing standards for a minor arterial roadway as there is no other available public road with a lower classification to serve the property. The proposed access location has adequate intersection sight distance for the posted 35 mph speed. No direct lot access to collector roads is allowed.

The applicants will be required to construct a paved apron at the private road approach to Purple Sage meeting ACCHD SD-106 prior to final plat approval. A permit from CHD4 is required for this work.

Preliminary Plat

CHD4 has reviewed the preliminary plat submitted with the agency notice dated April 29, 2023 and provides the following comments:

1. Add a note to the face of the plat that "No lot shall have direct access to Purple Sage Rd except the All Seasons Lane private road."
2. Stormwater runoff from the private road and residential lots should be retained and disposed on site.
3. Verify the irrigation box at the northeast corner of the property is located outside of the proposed 50-ft right-of-way dedication for Purple Sage Rd. If it is not, the irrigation siphon crossing Purple Sage should be extended such that the box or pipe end is located outside of that right-of-way.
4. Add a note to the preliminary plat to remove all existing trees, fences, irrigation facilities, and other obstructions from the 50-ft right-of-way dedication for Purple Sage Rd.

Prior to final plat approval, the following conditions will need to be satisfied:

1. Final Plat review fees of \$300 + \$20/lot = \$460 paid to CHD4.
2. Construct paved apron at private road access meeting ACCHD SD-106.
3. Remove obstructions from Purple Sage right-of-way described above.

See final plat checklist and submittal requirements available on our website at www.canyonhd4.org/development

All other platting and improvement requirements to be in accordance with the Highway Standards and Development Procedures Manual (HSDP Manual)

Traffic Impacts

The proposed 8 new residential lots does not meet the minimum threshold of 500 trips/day or 50 peak hour trips necessary to require a traffic impact study, and are not anticipated to reduce Level of Service (LOS) at nearby intersections or roadways below an acceptable level. Traffic impacts from the development will be mitigated through dedication of public right-of-way, and transportation impact fees collected at the time of access permit issuance for each lot.

CHD4 appreciates the opportunity to provide comment on this proposed development, and requests the Commission make all comments above conditions of approval for the project. Please feel free to contact me with any questions on this request.

Respectfully,

Chris Hopper, P.E.
District Engineer

File: Purple Sage Rd- Kelly Ridge Subdivision

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

November 17, 2023

Canyon County Development Services Department
111 North 11th Ave. Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Kelly Ridge Subdivision, Parcel R38157011
Case No. SD2020-0023
Applicant: Robert and Jeanne Kelly
Planner: Ivan Kowalczyk

The parcel is located at 14715 Purple Sage Road in Canyon County, Idaho.

Black Canyon Irrigation District (District) has reviewed the Preliminary Plat and Irrigation and Drainage Plan for the Kelly Ridge Subdivision. The developer has submitted the District's project application form and has initiated the development review process.

The District has worked with the developer in coordination with the comments that are found below. As a result, the developer provided a revised preliminary plat detailing the changes that needed to be made for approval. Please let this letter serve as the District's preliminary plat concurrence of approval. **Please see the revisions made to this letter below in red text as of November 17, 2023:**

Prior to District Approval of the pre-plat – Resolution Needed

- The proposed pre-plat and application shows expansion of Purple Sage Road right-of-way for Canyon Highway District 4 (CHD4). The roadway expansion of 10' southward appears to encroach the District's historical easement. This section of lateral has already been piped and would likely be located within CHD4 right-of way if expansion occurs as shown. This condition is not favorable for all parties involved. The applicant is requested to show the location of the existing piping, the existing Bureau of Reclamation easement, and the requested encroachment. A resolution to either move the pipeline outside of the right of way and provide a full width unencumbered BOR easement or not expand the right of way over the District's historical easement should be considered. Other alternatives may also exist once survey of the pipeline and easements are shown on the pre-plat mapping. Please resolve prior to pre-plat approval.

District's Comment: The developer has potholed for the existing District irrigation pipeline. As a result, it was found that this pipeline does not follow the previously assumed path, as it crosses Purple Sage Road at a skewed angle prior to connecting into

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

the proposed subdivision property. Therefore, the proposed 10' southward expansion of CHD4's right-of way will not interfere with the District's easement. CHD4 has been notified of this and has surveyed the dig site for their own record. The applicant is requested to update the final plat to show the location of the District's pipeline and provide a recorded easement. No further action is required for this item.

Site Specific Comments – (can be addressed after pre-plat approval):

- This property has irrigation water attached to it. An irrigation system with an adequate overflow needs to be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water.
- The District and Reclamation will require a signed licensing agreement to be in place prior to any changes being made to the section of the Conway Gulch 3.4 lateral currently located on the parcel. Additionally, the licensing agreement will include provisions for the permanent crossing at the North entrance to the subdivision. Any appurtenant irrigation facilities that are affected by the proposed land changes not listed in this letter will also need to be addressed.
- The District will require that the laterals affected by this proposed land change be piped and structures built to ensure the delivery of irrigation water to our patrons. Any variance of the District standard will need to be approved by the District's Board.
District's Comment: After review of the site, the portion of the Conway Gulch 3.4 lateral on the south side of the property will not be required to be piped due to a lack of fall across the existing land. The section of this lateral on the north side of this property will be required to be piped up to the subdivision property boundary. Along with this, an approved BCID irrigation box will need to be installed on the west side of the driveway entry to the property.
- Fencing will be required along the lateral per District standards.
District's Comment: Fencing along the lateral is recommended but will not be required as part of the approval process.
- A maintenance road will be required to be installed per District standards.
- A standalone, recorded easement will be required for any irrigation lateral that is located within the property boundary. The District will provide the easement language. The Developer will be required to provide the easement description and exhibit signed by a professional surveyor, licensed in the state of Idaho.
- Construction drawings, signed by a licensed Engineer in the State of Idaho, will need to be submitted and approved by the District, along with the licensing agreement, prior to work occurring in the Districts easement.

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

General Comments (can be addressed after pre-plat):

- Any and all **maintenance road right-of ways, lateral right-of ways and drainage right-of ways** will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or the Reclamation.
- Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.
- Idaho Administrative Code (IDAPA 58.01.03) requires a minimum of 50-foot separation between septic tanks and permanent/intermittent surface water, in this case the Conway Gulch 3.4 Canal. These separations will need to be shown on the design plans or noted on the final plat.
- IDAPA Code 58.01.08 requires a minimum 50 feet separation between a well and any potential source of contamination. Irrigation canals are considered as non-potable water. These separations will need to be shown on the design plans or noted on the final plat.

All the above requirements shall be met, including any others that arise during future review.

Thank You,

Donald Popoff

Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

July 26th, 2023

Canyon County Development Services Department
111 North 11th Ave. Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Kelly Ridge Subdivision\, Parcel R38157011
Case No. SD2020-0023
Applicant: Robert and Jeanne Kelly
Planner: Ivan Kowalczyk

The parcel is located at 14715 Purple Sage Road in Canyon County, Idaho.

Black Canyon Irrigation District (District) has reviewed the Preliminary Plat and Irrigation and Drainage Plan for the Kelly Ridge Subdivision. The developer has submitted the District's project application form and has initiated the development review process.

Please find this letter regarding comments for the preliminary plat with the following conditions and initial comments:

Prior to District Approval of the pre-plat – Resolution Needed

- The proposed pre-plat and application shows expansion of Purple Sage Road right-of-way for Canyon Highway District 4 (CHD4). The roadway expansion of 10' southward appears to encroach the District's historical easement. This section of lateral has already been piped and would likely be located within CHD4 right-of way if expansion occurs as shown. This condition is not favorable for all parties involved. The applicant is requested to show the location of the existing piping, the existing Bureau of Reclamation easement, and the requested encroachment. A resolution to either move the pipeline outside of the right of way and provide a full width unencumbered BOR easement or not expand the right of way over the District's historical easement should be considered. Other alternatives may also exist once survey of the pipeline and easements are shown on the pre-plat mapping. Please resolve prior to pre-plat approval.

Site Specific Comments – (can be addressed after pre-plat approval):

- This property has irrigation water attached to it. An irrigation system with an adequate overflow needs to be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water.
- The District and Reclamation will require a signed licensing agreement to be in place prior to any changes being made to the section of the Conway Gulch 3.4 lateral currently located on the parcel. Additionally, the licensing agreement will include provisions for the permanent crossing at the North entrance to the subdivision. Any appurtenant irrigation facilities that are affected by the proposed land changes not listed in this letter will also need to be addressed.
- The District will require that the laterals affected by this proposed land change be piped and structures built to ensure the delivery of irrigation water to our patrons. Any variance of the District standard will need to be approved by the District's Board.
- Fencing will be required along the lateral per District standards.
- A maintenance road will be required to be installed per District standards.

BLACK CANYON IRRIGATION DISTRICT

- A standalone, recorded easement will be required for any irrigation lateral that is located within the property boundary. The District will provide the easement language. The Developer will be required to provide the easement description and exhibit signed by a professional surveyor, licensed in the state of Idaho.
- Construction drawings, signed by a licensed Engineer in the State of Idaho, will need to be submitted and approved by the District, along with the licensing agreement, prior to work occurring in the Districts easement.

General Comments (can be addressed after pre-plat):

- Any and all **maintenance road right-of ways, lateral right-of ways and drainage right-of ways** will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or the Reclamation.
- Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.
- Idaho Administrative Code (IDAPA 58.01.03) requires a minimum of 50-foot separation between septic tanks and permanent/intermittent surface water, in this case the Conway Gulch 3.4 Canal. These separations will need to be shown on the design plans or noted on the final plat.
- IDAPA Code 58.01.08 requires a minimum 50 feet separation between a well and any potential source of contamination. Irrigation canals are considered as non-potable water. These separations will need to be shown on the design plans or noted on the final plat.

All the above requirements shall be met, including any others that arise during future review.

Thank You,

Donald Popoff

Donald Popoff P.E.
District Engineer
Black Canyon Irrigation District

Archived: Monday, November 20, 2023 3:23:21 PM
From: [Roberta Stewart](#)
Mail received time: Tue, 18 Jul 2023 16:33:00
Sent: Tue, 18 Jul 2023 22:32:50
To: [Ivan Kowalczyk](#)
Subject: [External] RE: SD2020-0023 Kelly Ridge Agency Noticing
Importance: Normal
Sensitivity: None

Thanks, Ivan. City of Middleton has no comments for the Kelly Ridge application.

Roberta L. Stewart

PLANNING & ZONING OFFICIAL

City of Middleton, Planning & Zoning

1103 W. Main St.

P.O. Box 487

Middleton, ID 83644

Tele - (208) 585-3133

Fax – (208) 585-9601

rstewart@middletoncity.com

www.middleton.id.gov



From: Ivan Kowalczyk <Ivan.Kowalczyk@canyoncounty.id.gov>

Sent: Tuesday, July 18, 2023 3:34 PM

To: Roberta Stewart <rstewart@middletoncity.com>

Subject: SD2020-0023 Kelly Ridge Agency Noticing

Hello,

This is Ivan Kowalczyk, Planner I at Canyon County Development Services. I am reaching out to confirm that you have received our agency notice for case SD2020-0023 Kelly Ridge Subdivision. This proposed development lies within the Area of Impact for the City of Middleton. If the City of Middleton would like to provide comment for this case please do so by July 27th, 2023. I have attached the Master Application and preliminary plat to this email for your review. Please submit comments to my email provided below and if you have any questions please let me know. Thanks!

Respectfully,

Ivan Kowalczyk

Planner I

Canyon County Development Services

208-454-7459

Ivan.kowalczyk@canyoncounty.id.gov

Archived: Monday, November 20, 2023 4:46:09 PM
From: [Niki Benyakhlef](#)
Mail received time: Mon, 20 Nov 2023 14:59:59
Sent: Mon, 20 Nov 2023 21:59:45
To: [Michelle Barron](#)
Cc: [Amber Lewter](#)
Subject: [External] RE: Agency Notice SD2020-0023 Kelly Ridge
Importance: Normal
Sensitivity: None

Hello Michelle –

After careful review of the transmittal submitted to ITD on November 16, 2023, regarding SD2020-0023 Kelly Ridge, the Department has no comments or concerns to make at this time. This subdivision is only proposing 9 lots and is more than 2 miles north of SH-44. Although it is relatively close to I-84, there is not enough trips to generate a concern that an impact will be had on the state facility.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov

Website: itd.idaho.gov

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Thursday, November 16, 2023 8:46 AM
To: 'srule@middletoncity.com' <srule@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'chopper@canyonhd4.org' <chopper@canyonhd4.org>; 'lriccio@canyonhd4.org' <lriccio@canyonhd4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelley@idahopower.com' <mkelley@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'shayne.watterud@ziply.com' <shayne.watterud@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; 'mitch.kiester@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef

<Niki.Benyakhlef@itd.idaho.gov>; 'gis@compassidaho.org' <gis@compassidaho.org>; 'brentc@brownbuscompany.com' <brentc@brownbuscompany.com>; Brian Crawfordth <Brian.Crawforth@canyoncounty.id.gov>; Brian Crawfordth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>; 'gmprdjennifer@gmail.com' <gmprdjennifer@gmail.com>

Subject: Agency Notice SD2020-0023 Kelly Ridge

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Dear Agencies:

Please see the attached agency notice regarding the scheduled Planning and Zoning hearing on this project. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they were included in the Staff report. No response is required unless there is an update to your original comments. This is the notification that a hearing date of January 4, 2024 at 6:30 pm has been set for this case along with a final deadline of December 17, 2023 for agency comments. Any written testimony or exhibits received after the agency comment deadline will need to be brought to the public hearing and read into the record by the person submitting the information. If it is a large document that can't easily be read into the record, the hearing body will determine if they will accept it as a late exhibit.

Please direct your comments or questions to Planner Michelle Barron at michelle.barron@canyoncounty.id.gov

Thank you,



Amber Lewter

Hearing Specialist

Canyon County Development Services Department

111 N. 11th Ave., #310, Caldwell, ID 83605

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

****We will not be closed during lunch hour ****

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.



June 14, 2023

Ms. Stephanie Hailey
Engineering Coordinator
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Kelly Ridge Subdivision Preliminary Plat Application

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Kelly Ridge Subdivision dated April 29, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. The existing well on Lot 1 referred to in the response letter could not be found on the plat. Please show and label.
2. Label the right of way dedication along Purple Sage Road.
3. Show and label the easement for the 6-inch pressure irrigation line across Lots 1 and 2.
4. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
5. Finish grades at subdivision boundaries shall match existing finish grades.
6. Plat shall comply with requirements of the local highway district.
7. Plat shall comply with irrigation district requirements.
8. Plat shall comply with Southwest District Health requirements.

We recommend that the preliminary plat be **APPROVED with the conditions listed above**. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

Sincerely,

KELLER ASSOCIATES, INC.



Justin Walker, P.E.

County Engineer

cc: File



November 20, 2023

Ms. Stephanie Hailey
Engineering Coordinator
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Kelly Ridge Subdivision Pressure Irrigation Plan Review Letter

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Pressure Irrigation plan for the Kelly Ridge Subdivision dated September 29, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17 and standard engineering principles and practices.

We recommend that the Pressure Irrigation plan be APPROVED. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced Pressure Irrigation plan does not relieve the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink that reads "Justin Walker".

Justin Walker, P.E.
County Engineer

cc: File