



**FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER**

**Findings**

1. The owner, Ridgeline Vistas, LLC, represented by KM Engineering, LLP, is requesting approval for a Preliminary Plat, Irrigation Plan, Grading and Drainage Plan (Exhibit 4, Staff Report), Agriculture Preservation Plan (Exhibit 9, Staff Report), and Hillside Development Plan (Exhibit 7, Staff Report) subject to conditions of development in DA#21-033 (Exhibit 3, Staff Report). The proposed development, Ridgeline Vistas Subdivision, encompasses approximately 190 acres of conditionally zoned "CR-R-R" (Rural Residential) property (CR2020-0012). The proposed development consists of twenty (20) residential lots with an average lot size of 8.92 acres and one (1) common road lot. The subject property is located to the east of 11509 Shalako Street, Caldwell, Idaho, and is also referenced as Parcels R37369 (a portion of the SE ¼ of Section 06, Township 5N, Range 2W) and R37368 (a portion of the SW quarter of Section 05, T5N, R2W, BM, Canyon County, Idaho).
2. Parcels R37369 and R37368, containing 190± acres, are conditionally zoned "CR-R-R" (Conditional Rezone - Rural Residential) per case file CR2020-0012 subject to development agreement DA#21-033 (Exhibit 3 and attached hereto). Developer and future property owners are subject to the conditions of DA#21-033.
3. There are 20 residential lots with an average residential lot size of 8.92 acres in compliance with DA#21-033 (Exhibit 3, Staff Report).
4. The property is not located within an area of city impact.
5. The property has groundwater irrigation water rights. The developer shall provide irrigation water to each residential lot (transfer of shares) as indicated within Exhibit 5.
6. The development will be served by individual well and septic systems (Exhibit 4, Staff Report).
7. Subdivision runoff will be maintained within the subdivision. Drainage will be routed through roadside swales to proposed stormwater drainage basins and individual property owners shall maintain stormwater on each lot post-development.
8. The development will have paved private roads inclusive of Shalako Road and Ridgeline Vistas Lane per DA21-033 (Exhibit 3, Staff Report). The roads shall be maintained by the homeowners of High Plains Estates and Ridgeline Vistas Subdivision.
9. Canyon Highway District #4 is a signatory on the final plat and the developer must comply with the requirements of the highway district (Exhibit 21).
10. Middleton Rural Fire provided comments during the rezoning application process. The applicant and Fire District reached a mutual agreement see Exhibit 16 as follows: 1) The roads will be paved to a minimum width of 24 feet with appropriate turnarounds. 2) All residences within the development will be equipped with NFPA 13D sprinkler systems. 3) The developer will provide one (1) hydrant that will provide at least 1,000 GPM. The location of the hydrant will be agreed upon by both parties and the hydrant type and features as outlined in Staff Report Exhibit 17.
11. The development is located within a mapped floodplain (Flood Zone A). The developer has submitted base flood elevation for review in accordance with CCZO §07-10A-11 (3)(A)(3). The developer shall be required to submit a FEMA-approved LOMR with the Final Plat application per CCZO §07-10A-05(2) (see Exhibit 18)

12. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2021-0058.
13. Notice of the Planning and Zoning Commission public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on June 27, 2022 and November 7, 2023. Newspaper notice was completed on November 10, 2023. Property owners within 600' were notified by mail on November 7, 2023. The property was posted on November 11, 2023.
14. The Planning and Zoning Commission heard this case on December 21, 2023 and forwarded it to the Board of County Commissioners with a recommendation of approval as conditioned.
15. Notice of the Board of County Commissioners' public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on January 22, 2024. Newspaper notice was completed on January 25, 2024. Property owners within 600' were notified by mail on January 22, 2024. The property was posted on January 29, 2024.

### **Conclusions of Law**

Canyon County Zoning Ordinance (CCZO) Section 07-17-09(4) Commission Review:

- A. 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
  4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."

CCZO §07-17-09(5) **Board Action:**

- A. The board shall consider the commission's recommendation at a noticed public hearing.
- B. The board shall base its findings upon the evidence presented at the board's public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code. The findings shall specify:
  1. The ordinance and standards used in evaluating the application;
  2. The reasons for approval or denial; and
  3. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.

Upon review of the preliminary plat application and submittals, the Planning and Zoning Commission forwarded the preliminary plat, irrigation plan, grading and drainage plan, and agricultural preservation plan for Ridgeline Vistas Subdivision to the Board of County Commissioners with a recommendation of approval subject to DA#21-033 and as conditioned herein. The preliminary plat application was found to be consistent with the standards of review, as conditioned (Exhibit 13 & 14, Staff Report).

- Idaho Code, Sections 67-6509 and 67-6513 (Subdivisions, Hearings, Decisions);
- Idaho Code, Sections 50-1301 through 50-1329 (Platting);
- Idaho Code, Section 31-3805 (Irrigation); and
- Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).
- Canyon County Zoning Ordinance, Chapter 7, Article 10A (Floodplain Regulations).
- Requirements of DA#21-033 (Exhibit 3, Staff Report)

Considering the Commission's recommendation and preceding ordinances and standards the Board finds and concludes that subject to DA#21-033 and as conditioned herein, the preliminary plat and associated plans are consistent with the evaluation criteria for the proposed development.

### **Conditions of Approval**

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. The development shall be in substantial compliance with the preliminary plat (Exhibit 4 staff report and attached hereto) and is subject to compliance with development agreement DA#21-033 (inst.#2021034824) and conditions enumerated therein (Exhibit 3-Staff Report).
3. All subdivision improvements (roads, operable fire hydrant, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed before the Board of County Commissioner's signature on the final plat.
4. The development is located within a mapped floodplain (Flood Zone A). The developer has submitted base flood elevations for review in accordance with CCZO §07-10A-11 (3)(A)(3). The LOMR application, incorporating the topography of the finished development, will be approved by FEMA prior to application for the final plat for Phase 1. The developer shall be required to submit a FEMA-approved LOMR with the Final Plat application per CCZO §07-10A-05(2) (Exhibit 18, Staff Report).
5. Subdivision improvement drawings must be reviewed and approved by the County Engineer prior to construction beginning.
6. Engineered grading/drainage plans will be submitted with building permit applications on individual lots except lots 9 through 12. Plans will demonstrate:
  - a. Conformance with the County hillside ordinance including but not limited to 07-17-33 (1) A1C, A1D, and A1E (if driveways will be paved)
  - b. Adequate plans for slope stabilization and revegetation
  - c. Adequate drainage of developed area
  - d. The hazards associated with necessary cuts, fills, padding, and terracing for the project and for access to the project will be appropriately mitigated considering lot-specific soils and geology
  - e. The above-mentioned required submittals will be reviewed and approved by the County Engineer prior to the issuance of a building permit. Engineer certification that construction substantially complies with approved plans will be submitted to DSD prior to Certificate of Occupancy or Completion.
7. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
  - a. Plans for maintaining the natural drainage way through the site will be reviewed and approved by the County Engineer prior to the construction of subdivision improvements. (see discussion Exhibit 13 of the Staff Report)
8. Development shall comply with the requirements of the local highway district. Before the Board of County Commissioner's signature on the final plat, the local highway district shall sign the final plat demonstrating consistency with their applicable regulations.
9. Development shall comply with irrigation plan requirements with the transfer of groundwater rights as indicated in Exhibit 5 of the Staff Report (SPF Water Report).
10. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Exhibit 4, Staff Report).
11. The development shall comply with Southwest District Health requirements. Before the Board of County Commissioner's signature on the final plat, Southwest District health shall sign the final plat demonstrating consistency with their applicable regulations.
12. The development is subject to compliance with the International Fire Code. The development shall comply with Middleton Rural Fire District requirements and mutual agreement between the parties (Exhibits 16 & 17).

Evidence of approval shall be a letter from Middleton Rural Fire District. Evidence shall be submitted prior to the Board's signature on the final plat.

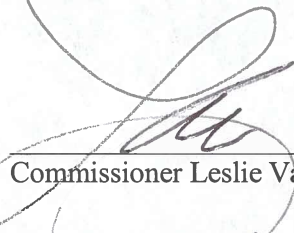
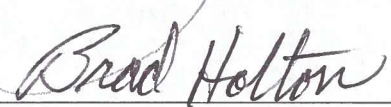
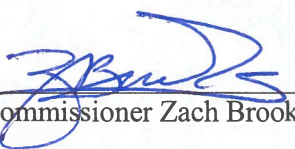
- 13. As required by DA#21-033 (Exhibit 3, Staff Report) each lot has a specific building envelope location identified. The building envelope must be no more than two acres in size. All residential and agricultural structures must lie within the identified building envelope. The building envelopes shall be shown and located on the final plat(s) in substantial compliance with the preliminary plat.
- 14. All lots are subject to the conditions of DA#21-033 and shall comply with the agriculture preservation plan (Exhibit 9, Staff Report).
- 15. The applicant voluntarily agreed to a restriction on secondary dwellings in the development. The final plat shall include a plat note prohibiting secondary dwellings within the development.

**Order**

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2021-0058, the Board of County Commissioners **APPROVE** the preliminary plat, irrigation plan, agriculture preservation plan, and grading and drainage plans for Ridgeline Vistas Subdivision subject to the Conditions of Approval as enumerated herein.

**CANYON COUNTY BOARD OF COMMISSIONERS**

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

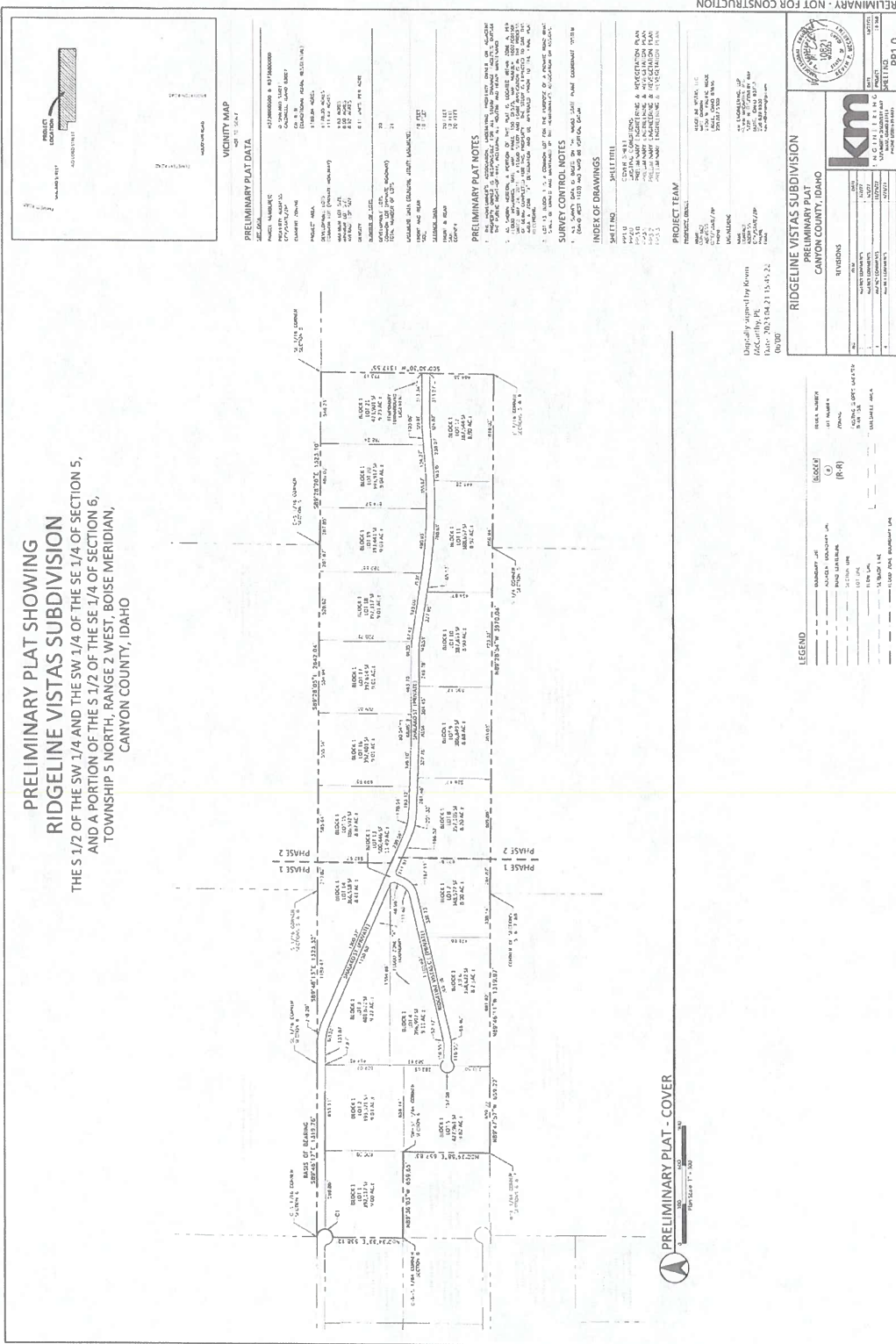
Attest: Rick Hogaboam, Clerk

By: JROSS  
Deputy

Date: 03.12.24

# Attachment "A"

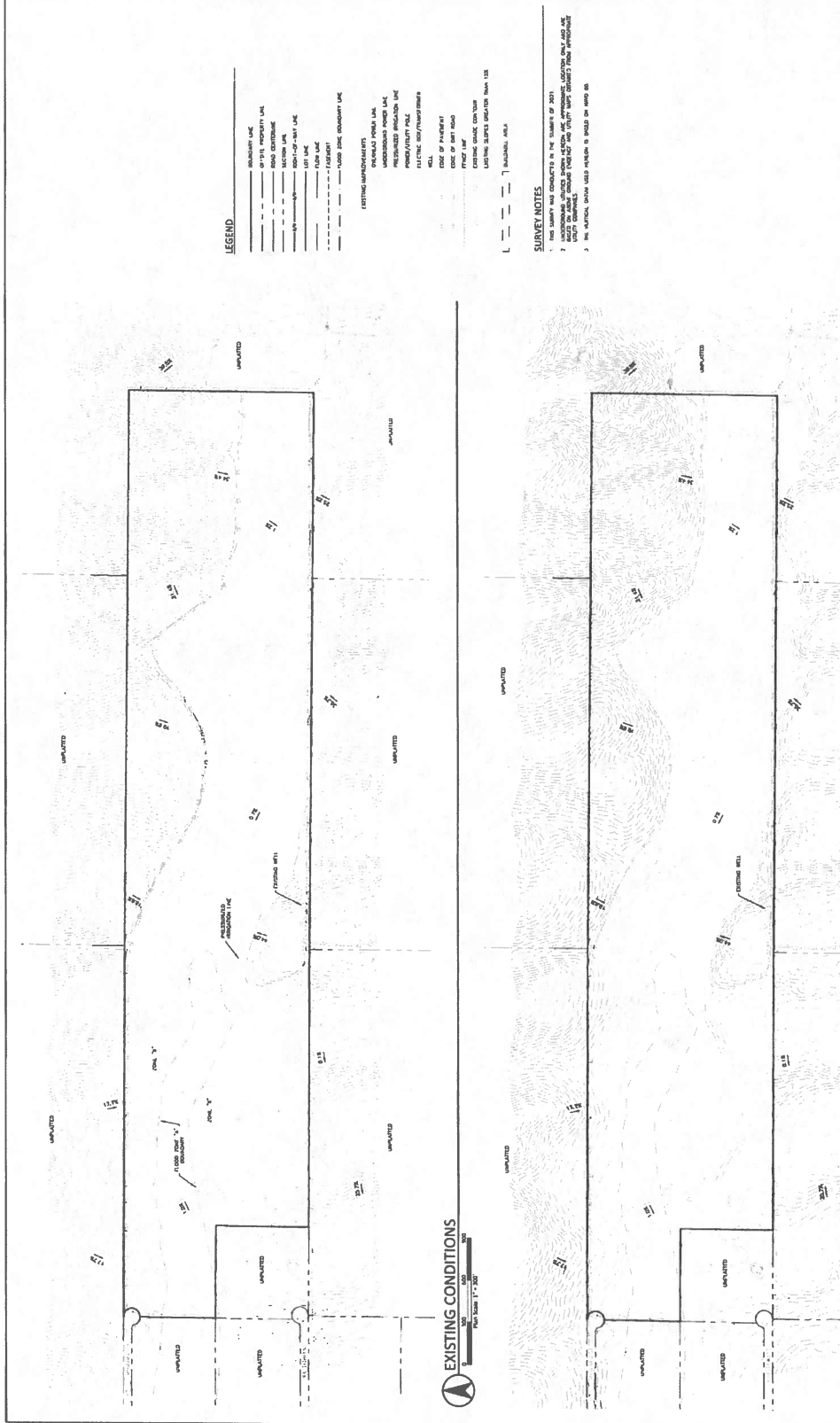
## Preliminary Plat: Ridgeline Vistas Subdivision



**K.M. ENGINEERING**  
KYLE M. KIMMEL, P.E.  
10083  
STATE OF TEXAS

PROJECT: **PP2.0**  
SHEET NO. **13** OF **18**

REVISIONS	
NO.	DESCRIPTION
1	ISSUE FOR PERMIT
2	REVISED PERMIT CONDITIONS
3	REVISED PERMIT CONDITIONS
4	REVISED PERMIT CONDITIONS
5	REVISED PERMIT CONDITIONS







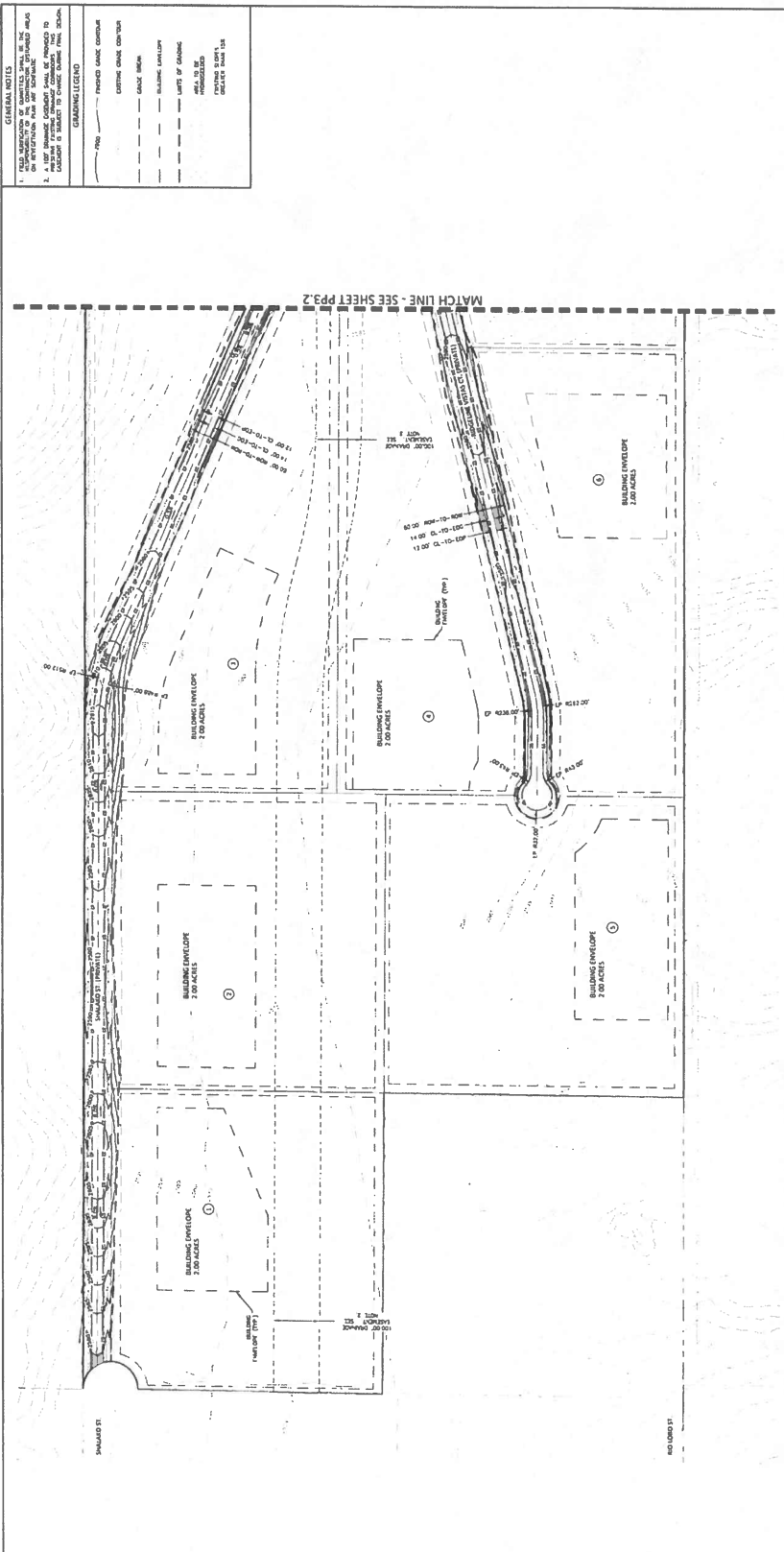


**RIDGELINE VISTAS SUBDIVISION**  
**PRELIMINARY ENGINEERING AND REVEGETATION PLAN**  
 CANTON COUNTY, IDAHO

**km**  
**K.M. ENGINEERING**  
 1000 W. UNIVERSITY BLVD.  
 BOISE, IDAHO 83725  
 TEL: 208-333-8888  
 WWW.KMENGINEERING.COM

NO.	DATE	BY	REVISIONS
1	12/27/21	DK	ISSUE FOR PERMIT
2	01/11/22	DK	REVISIONS
3	01/11/22	DK	REVISIONS
4	01/11/22	DK	REVISIONS

PP3.1



**GENERAL NOTES**

1. THIS INFORMATION IS INTENDED TO BE USED FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY OTHER ACTION.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

**DRAWING LEGEND**

- ROAD ENVELOPE 2.00 ACRES
- BUILDING ENVELOPE 2.00 ACRES
- VEGETATION ENVELOPE 2.00 ACRES
- ROAD ENVELOPE 2.00 ACRES
- BUILDING ENVELOPE 2.00 ACRES
- VEGETATION ENVELOPE 2.00 ACRES

PRELIMINARY ENGINEERING AND REVEGETATION PLAN





PP3.2  
SHEET NO.  
DATE

RIDGELINE VISTAS SUBDIVISION  
PRELIMINARY ENGINEERING AND VEGETATION PLAN  
CANTON COUNTY, IDAHO

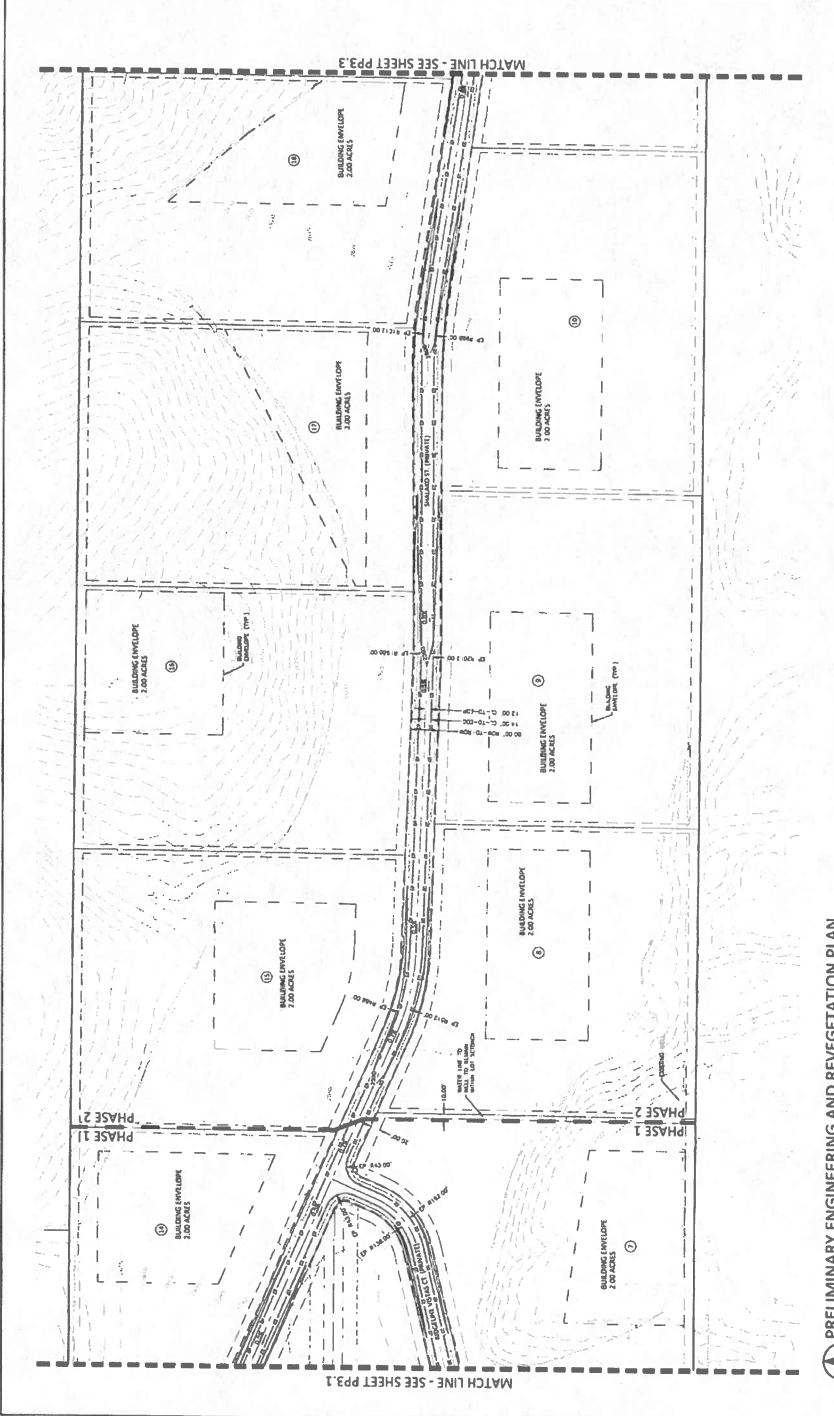
REVISIONS	
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2	09/01/21
3	09/02/21
4	09/02/21

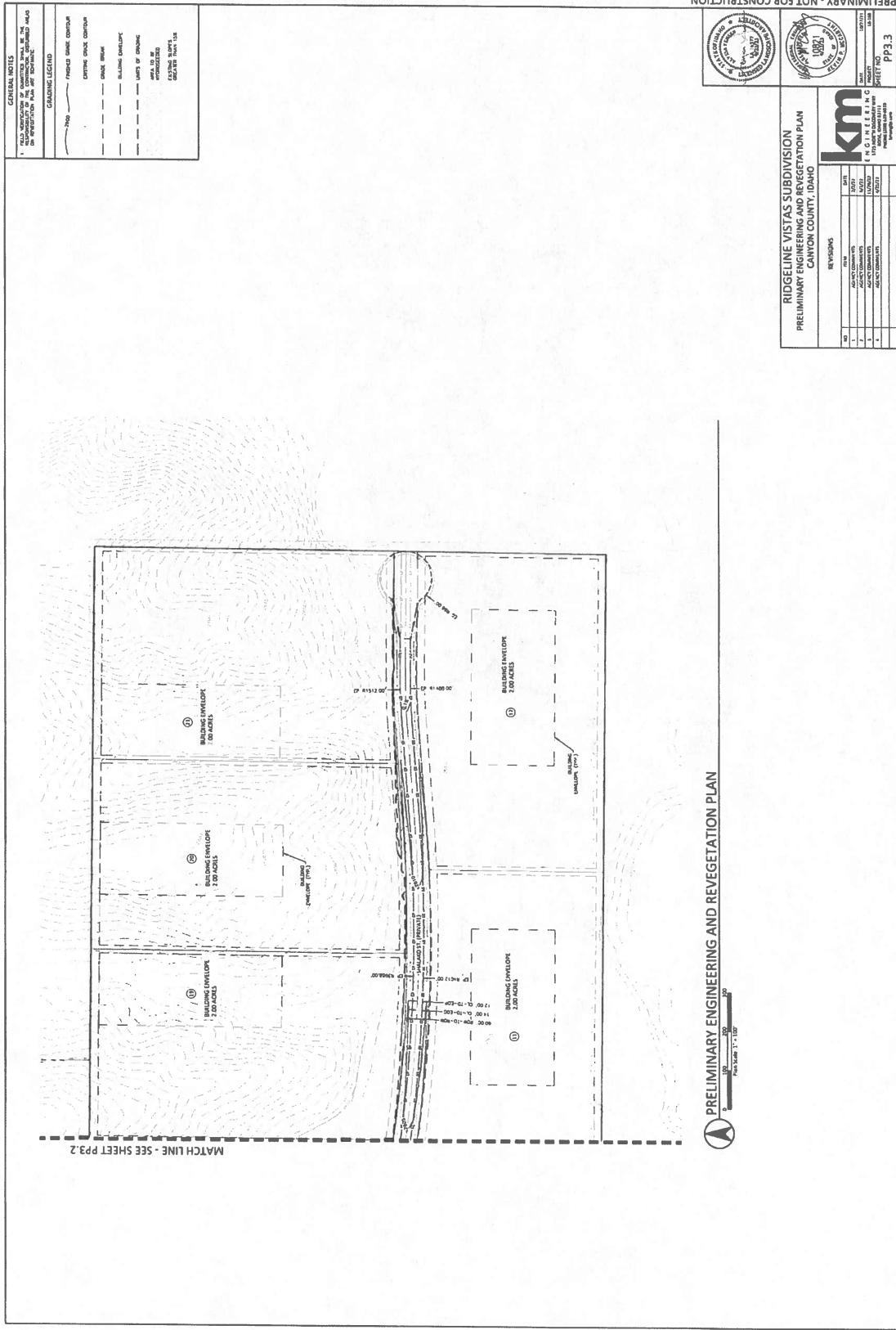
**GENERAL NOTES**

- FIELD SURVEY TO BE IN ACCORDANCE WITH THE SURVEYING ACT OF 1984.
- A 10% DAMAGE WAIVER SHALL BE PROVIDED TO THE COUNTY ENGINEER FOR THE PROJECT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

**GRADING LEGEND**

--- PROPOSED STREET CENTERLINE  
 --- EXISTING STREET CENTERLINE  
 --- EXISTING GRADE  
 --- PROPOSED GRADE  
 --- EXISTING ELEVATION  
 --- PROPOSED ELEVATION  
 --- EXISTING SURFACE  
 --- PROPOSED SURFACE  
 --- EXISTING TYPICAL  
 --- PROPOSED TYPICAL





**GENERAL NOTES**

- ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES TO NEAREST TENTH.
- ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE IN FEET AND INCHES TO NEAREST TENTH.

**CLEARING LEGEND**

- REMOVE ALL VEG.
- REMOVE ALL VEG. & STUMP.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 1 YEAR.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 2 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 3 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 4 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 5 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 6 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 7 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 8 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 9 YEARS.
- REMOVE ALL VEG. & STUMP & GRAZE FOR 10 YEARS.

PRELIMINARY - NOT FOR CONSTRUCTION

**RIDGELINE VISTAS SUBDIVISION**  
**PRELIMINARY ENGINEERING AND REVEGETATION PLAN**  
 CANYON COUNTY, IDAHO

**km**  
 K. M. MENDENHALL  
 PROFESSIONAL ENGINEER  
 2021

SHEET NO. PP3.3  
 PROJECT NO. SD2021-0058  
 DATE 03/11/21  
 TIME 10:00 AM  
 SCALE AS SHOWN  
 BY KMM  
 CHECKED BY KMM  
 DESIGNED BY KMM  
 DRAWN BY KMM  
 PROJECT MANAGER  
 PROJECT ENGINEER

PRELIMINARY ENGINEERING AND REVEGETATION PLAN

