

Dan Lister

From: Dan Lister
Sent: Tuesday, February 13, 2024 11:49 AM
To: '208rover@gmail.com'; HECO Jesse
Subject: McDowell Subdivision - SD2019-0019: Inactive Application
Attachments: 2019.04.29 Letter Preliminary Plat.pdf; 2019.04.26 Letter Final Plat.pdf; 2019.04.29 Letter Construction Drawing Review.pdf

Mr. McDowell,

This e-mail is regarding Case No. SD2019-0019, McDowell Subdivision, which has been inactive for over three years. If the application does not become active, DSD will close the case due to being incomplete and inactive.

To provide some background, on April 12, 2019, a short plat was submitted for a two-lot subdivision, McDowell Subdivision (SD2019-0019). The request was submitted in compliance with a conditional rezone approved in 2018 (PH2018-18). On April 29, 2019, the plat review was completed by Keller Associates, County consulting engineer and surveyor (Attached). The biggest issue was regarding hillside development and compliance with CCZO Section 07-17-33. If hillside development is proposed, a short plat application cannot be considered. The preliminary plat must be processed separately from the final plat due to the required engineering review (CCZO Section 07-17-17(B)). Since that review, no revisions have been submitted.

In 2022, you submitted an e-mail concerned about the hillside development requirements due to the costs for engineering and reports and the overall process of the rezone and platting applications being cumbersome. Per the approval of PH2018-18, you and the County agreed to a development agreement to create one buildable parcel subject to platting requirements (Chapter 7, Article 17 of the Canyon County Zoning Ordinance). Based on the subdivision application submitted, items are missing required per CCZO Section 07-17-09, 13, and 33. Therefore, the application is incomplete and cannot be further processed until the plat meets minimum code requirements.

Your options are as follows:

- 1) Withdraw the application and request a refund. By doing so, the rezone (PH2018-18) will revert to an "A" Zone.
- 2) Request a public hearing without submittal of the required information. Staff will schedule the subdivision for the next available hearing recommending denial due to incompleteness. It will first go to the Planning and Zoning Commission, and then the Board of County Commissioners. If denied, the rezone reverts to an "A" Zone.
- 3) Revised the plat and submit the missing information to DSD as stated in the Keller comment letter (attached).

If a response is not received in 15 days, DSD will proceed in closing the case due to incompleteness and inactivity. If option #3 is chosen, please provide a conservative timeframe as to when the revised plat will be submitted to DSD.

Contact me if you have any questions.

Sincerely,

Dan Lister, Principal Planner

DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

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

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April 29, 2019

Ms. Jennifer Almeida
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: McDowell Subdivision Preliminary Plat Application

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the Preliminary Plat for the McDowell Subdivision dated April 3, 2019. 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. Provide address of developer.
2. Identify on plat areas in excess of 15% slope. If work is done within any area with slopes in excess of 15% than the Hillside Development standards shall be applied. If not, these areas shall be designated the no earthmoving activities are to occur. Hillside requirements include:
 - Hydrology, Geology, and Soil Reports.
 - Grading and drainage plan that includes proposed contours.
 - Revegetation plan.

See county hillside ordinance for additional information.

3. Provide a statement on stormwater disposal. How will stormwater from new access road be addressed.
4. Provide "public" or "private" labels for roads shown on plat.
5. Provide a note with approximate acreage of tract.
6. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
7. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
8. Plat shall comply with requirements of the local highway district.
9. Plat shall comply with irrigation district requirements.
10. Plat shall comply with Southwest District Health requirements.

We recommend that the **conditions one through five listed above be addressed prior to approval of the Preliminary Plat**. 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, when granted, 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) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.



Ryan Morgan, P.E.
County Engineer

cc: File



131 SW 5th Ave, Suite A
Meridian, ID 83642
(208) 288-1992

April 29, 2019

Ms. Jennifer Almeida
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, ID 83605

Re: McDowell Subdivision Final Plat Application

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the McDowell Subdivision Final Plat dated April 3, 2019. 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 County requirements:

1. Label roads "public" or "private".
2. Hillside development requirements may apply to this plat, see preliminary plat and construction drawing comments.

We recommend that the **conditions listed above be addressed prior to approval of the Plat.** 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 Plat, when granted, 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) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Ryan Morgan".

Ryan Morgan, P.E.
County Engineer

cc: File



April 29, 2019

Ms. Jennifer Almeida
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: McDowell Subdivision Construction Drawings

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the construction drawings for the McDowell Subdivision dated April 3, 2019. 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. Show the limits of earthwork activities.
2. Provide proposed contour lines.
3. Identify on plat areas in excess of 15% slope. If work is done within any area with slopes in excess of 15% than the Hillside Development standards shall be applied. If not, these areas shall be designated the no earthmoving activities are to occur. Hillside requirements include:
 - a. Hydrology, Geology, and Soil Reports.
 - b. Grading and drainage plan that includes proposed contours.
 - c. Revegetation plan.

See county hillside ordinance for additional information.

4. What erosion control and soil stabilization measures will be employed for the slope north of new residential lot and proposed road? It appears there may be large cuts in this area.
5. Provide Geotech Report showing depth to free draining soil, seasonal high groundwater elevation, and soil percolation rate.

We recommend that the **conditions one through five listed above be addressed prior to approval of the construction drawings**. 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 construction drawings, when granted, 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) 288-1992.

Sincerely,

KELLER ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Ryan V. Morgan".

Ryan V. Morgan, P.E.
County Engineer

Dan Lister

From: McDowell, Samuel P (Sam) MAJ USARMY NG IDARNG (USA)
<samuel.p.mcdowell.mil@army.mil>
Sent: Wednesday, July 13, 2022 5:50 PM
To: Stephanie Hailey
Cc: Devin Krasowski
Subject: [External] RE: McDowell Subdivision - SD2019-0019

Stephanie,

I appreciate the reply. July 19th at 9 works.

While I absolutely understand the why's of the subdivision plat requirement for my parcel, I'm concerned about the lack of information from the County when I first began this process years ago as well as why I was required to even go down this road. I obviously went through the conditional rezone process where a topographical survey was required that would absolutely show grading, and P/Z stated to me numerous times as well as to my engineers (HECO), that a short plat would suffice.

I also understand that this parcel did not have any further splits available. However, what I don't understand is why, as non-water rights junk land, an administrative approval was not considered. This acreage is exactly where we should be building homes, NOT on true AG land. Not only that, but the previous P/Z Director would only approve one split for the conditional rezone. Then Commissioner Tom Dale, during the conditional rezone board, seemed incredulous when he saw that I was asking for only one split on 50 acres of non-water rights land. I would ask the same still.

I just wanted to provide a quick synopsis on what I'd like to discuss on Tuesday. I appreciate your time and see you then.

Respectfully,

Sam

Mobile: 208-800-8878

From: Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>
Sent: Wednesday, July 13, 2022 4:54 PM
To: McDowell, Samuel P (Sam) MAJ USARMY NG IDARNG (USA) <samuel.p.mcdowell.mil@army.mil>
Cc: Devin Krasowski <Devin.Krasowski@canyoncounty.id.gov>
Subject: [Non-DoD Source] McDowell Subdivision - SD2019-0019

Samuel,

I have been assigned your subdivision case and wanted to reach out in response to your email sent to Dan Lister on 7/6/2022.

Jenna Petroll, one of our planners, has briefed me on the history of your parcels and the approved development agreement, in addition, I have read through the case file so that I can continue to assist you through the rest of the platting process.

Subdivision platting is necessary when all previous land divisions from the original parcel have been exhausted, dividing the homestead acreage from the vacant land acreage triggered the process of platting. The Short Plat application is only suitable for plat applications that require no improvements, such as drainage and grading plans, hillside development, floodplain, etc., that do not require engineering review. The slopes of 15% or greater are improvements that require engineering review.

The County has a newly formed engineering division comprised of myself and Devin Krasowski, Associate Engineer. If you could provide your engineers name and contact information that is working on your plat, we can then reach out to them and coordinate reviews/comments for the plat in order to keep the ball rolling for this development.

Devin and I are available for meetings on Tuesdays between 9:00 and 10:30 am, and on Thursdays from 2:00 to 3:30, in 45-minute increments. I understand that you are being deployed the first part of August, our next available meeting time is Tuesday, July 19th between the hours of 9:00 and 10:30 am. If you would like to schedule for this time, please let me know and I will send out a calendar invitation or provide me with a date and time you are available.

If you are unable to make any of the times for a meeting before deployment, Devin and I are able to work with your engineer directly with your permission.

Devin and I look forward to working with you on this project, hope to hear from you soon.

Best regards,



Stephanie Hailey, CFM

Engineering Coordinator

Floodplain Manager

Canyon County Development Services

P(208) 454-7254

F(208) 454-6633

stephanie.hailey@canyoncounty.id.gov