



**Board of County Commissioners
Canyon County Development Services Dept.**

Case #SD2022-0057

HEARING DATE: May 2, 2024

OWNER: Jerry Uptmor

PLANNER: Dan Lister, Principal Planner

CASE NUMBER: SD2022-0057

LOCATION: 27751 Gray Sage Road, Caldwell

PROJECT DESCRIPTION:

The applicant, Jerry Uptmor, is requesting a short plat for Kimber Ridge Subdivision #3, a two-lot subdivision. The 4.05-acre lot is zoned "R-R" (Rural Residential).

The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886213, a portion of the NE¼ of Section 18, T5N, R3W, BM, Canyon County, Idaho.

PROJECT INFORMATION: (*See Exhibit 1 for Parcel Information*)

The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision No. 2 approved in 2022 (Exhibit 6).

The property approved for Kimber Ridge Subdivision (SD2019-0042, Exhibit 8a & 8b), Phase #1 (SD2020-0037), and Phase #2 (SD2021-0030, Exhibit 6 & 8c) was rezoned to an "R-R" (Rural Residential) zone in 2018 (RZ2018-0020, Exhibit 5).

ANALYSIS

Section 07-17-09(5) of the Canyon County Zoning Ordinance (CCZO) states:

- 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.*

Standard of Review for Subdivision Plat:

- A. Idaho Code Section 67-6513 (Subdivisions);
- B. Idaho Code Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #2);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

Kimber Ridge Subdivision #3 (Exhibit 2) is summarized as follows:

- Acreage: 4.05-acres
- Average residential lot size: two (2) acres
- Zoning: "R-R" (Rural Residential, two-acre average minimum lot size).
- Residential Lots: Two (2)

- Water: Individual domestic wells (Plat Note 11).
- Sewage Disposal: Individual septic systems (Plat Note 12).
- Access: The lots will have access from Gray Sage Road, a public road, via a 60' wide access easement.
- Irrigation: The property does not have irrigation water rights. Therefore, each property will use domestic wells to irrigate up to 0.5 of an acre per Section 42-111 of Idaho Code (Plat note 3).
- Drainage: Subdivision runoff will be maintained on each lot by the property owner (Plat notes 10 & 14).
- Fire: No comments were received from Middleton Fire District. Development on each lot will be required to meet applicable fire codes at the time of building permit (CCCO Section 06-01-09(6)).

The preliminary plat was found to be consistent with the standards of review (Exhibit 4a).

COMMENTS:

Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on October 12, 2023, December 20, 2023 (Planning and Zoning Commission), and March 18, 2024. The newspaper notice was published on December 22, 2023 (Planning and Zoning Commission), and March 23, 2024. Property owners were sent a notice on December 20, 2023 (Planning and Zoning Commission), and March 18, 2024. The property was posted on December 29, 2023 (Planning and Zoning Commission), and March 29, 2024.

- Public: No public comments were received.
- Affected Agencies:
 - o Southwest District Health (SWDH - Exhibit 4b): Re-engineering is required before lifting sanitary restrictions.
 - o Notus-Parma Highway District (NPHD - Exhibit 4c): Shared access is required due to the request not meeting minimum driveway spacing requirements. A shared access is proposed.
 - o Idaho Transportation Dept. (ITD - Exhibit 4d): No concerns.
 - o Black Canyon Irrigation District (BCID - Exhibit 4e): Lots within BCID jurisdiction do not receive water from the District. Easements are required for all irrigation laterals (Conway Gulch 1.1 lateral). The driveway approach cannot use the District maintenance road within the District's easement. Fencing is recommended along the lateral per the District's standards.
 - o Idaho Dept. of Environmental Quality (DEQ - Exhibit 4f): Informational, not project-specific.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

On February 1, 2024, after considering the staff report, exhibits, and testimony, the Planning and Zoning Commission was concerned about the division creating two lots with a two-acre average lot size within an existing subdivision with an average lot size of 3.3 acres and potential impacts to the character, traffic, and essential services. DSD staff provided evidence demonstrating the request and all of Kimber Ridge Subdivision was rezoned to "R-R" without conditions in 2018 where the County found that two-acre average minimum lot sizes would not impact the character, traffic, or essential services (RZ2018-0020, Exhibit 5). Kimber Ridge and all phases on the plat were reviewed and found consistent with Chapter 7, Article 17 of the Canyon County Code (Exhibit 8a, b, and c).

The request was found consistent with the Idaho Code and Canyon County Code. Therefore, the Planning and Zoning Commission recommends approval of the plat subject to conditions of approval (Exhibit 7).

DECISION OPTIONS:

The Board of County Commissioners has the following decision options:

- **Approve** the preliminary plat,
 - o Sign FCOs (Exhibit 9); and
 - o Sign the final plat, if available. If not, the final plat will be scheduled on the next available Board agenda when conditions are met.
- **Deny** the plat and direct staff to bring back revised findings and conclusions of law, or
- **Continue** the hearing to request staff or the applicant to return with additional information.

EXHIBITS:

1. Parcel Information Report – Parcel R37886213
2. Applicant Submittal
 - a. Letter of Intent
 - b. Subdivision Worksheet
 - c. Preliminary Plat & Final Plat
 - d. Irrigation Plan
3. Aerial map
4. Comments
 - a. Keller Associates Review
 - b. Southwest District Health (SWDH)
 - c. Notus-Parma Highway District (NPHD)
 - d. Idaho Transportation Department (ITD)
 - e. Black Canyon Irrigation District (BCID)
 - f. Department of Environmental Quality (DEQ)
5. RZ2018-0020 – FCOs
6. Kimber Ridge Subdivision #2 Final Plat
7. Planning & Zoning Commission – 2/1/2024
 - a. FCOs
 - b. Minutes
8. Late Exhibits received at P&Z Hearing
 - a. Kimber Ridge Subdivision Preliminary Plat P&Z Minutes – SD2019-0042
 - b. Kimber Ridge Subdivision Preliminary plat BOCC minutes – SD2019-0042
 - c. Kimber Ridge Subdivision #2 Approval Validation – SD2021-0030
9. BOCC FCOs
 - Attachment A: Preliminary Plat
 - Attachment B: Keller Associates Preliminary Plat Comments
 - Attachment C: Notus-Parma Highway District Comments
 - Attachment D: Black Canyon Irrigation District Comments

R37886213 PARCEL INFORMATION REPORT

1/8/2024 4:22:53 PM

PARCEL NUMBER: R37886213**OWNER NAME: UPTMOR JERRY****CO-OWNER:****MAILING ADDRESS: 27751 GRAY SAGE RD CALDWELL ID 83607****SITE ADDRESS: 27751 GRAY SAGE RD****TAX CODE: 0330000****TWP: 5N RNG: 3W SEC: 18 QUARTER: NE****ACRES: 4.00****HOME OWNERS EXEMPTION: No****AG-EXEMPT: No****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: AG/RR / RURAL RESIDENTIAL****HIGHWAY DISTRICT: NOTUS-PARMA HWY****FIRE DISTRICT: MIDDLETON FIRE****SCHOOL DISTRICT: MIDDLETON SCHOOL DIST****IMPACT AREA: NOT In Impact Area****FUTURE LAND USE 2011-2022 : Res****FLU Overlay Zone Desc 2030:****FLU RR Zone Desc 2030:****FUTURE LAND USE 2030: AG****IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST****FEMA FLOOD ZONE: X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0125F****WETLAND: Riverine \ Riverine****NITRATE PRIORITY: NO Nitrate Prio****FUNCTIONAL Classification: NOT In COLLECTOR****INSTRUMENT NO. : 2022030702****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 18-5N-3W NE KIMBER RIDGE NO 2 LT 14 BLK 1****PLATTED SUBDIVISION: KIMBER RIDGE NO 2****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.





December 7, 2022

Canyon County Development Services
111 N 11th Ave Ste 310
Caldwell, ID 83605

Re: Kiber Ridge Sub. No. 3

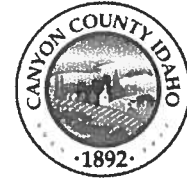
To whom it may concern,

I, Jerry Uptmor, wish to develop a two lot residential subdivision. The current address is 27751 Gray Sage Road also own as Parcel No. R3788621300.

The parcel is currently zoned R-R which is a 2 acres minimum requirement. The overall parcel has 4.05 acres and therefor the two new parcels will be above the required mininum size. Both lots will used a shared access point onto Gray Sage Road, and both lots will have individual wells and septics. The Conway Gulch Lateral runs along the North and West side of the parcel with existing platted easement that will remain in place. There is no irrigation rights to the property and therefore no services will be provided.

Thank you,

Jerry Uptmor
Owner



SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

GENERAL

1. **HOW MANY LOTS ARE YOU PROPOSING?**
 Residential 2 Non-buildable _____ Common _____
2. **AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS**
2.025 ACRES

IRRIGATION n/a

1. **IRRIGATION WATER IS PROVIDED VIA:**
 Irrigation Well Surface Water
2. **WHAT PERCENTAGE OF THE PROPERTY HAS WATER?** _____ %
3. **HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY?** _____
4. **HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?**

5. **HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?**

ROADS

1. **ROADS WITHIN THE DEVELOPMENT WILL BE:**
 Public Private N/A

* Private Road names must be approved by the County and the private road application submitted with the Preliminary Plat*

HILLSIDE DEVELOPMENT n/a

1. **OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?**
 Residential _____ Non-Buildable _____ Common _____
2. **WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?**
 YES NO

*If YES, a grading plan is required.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

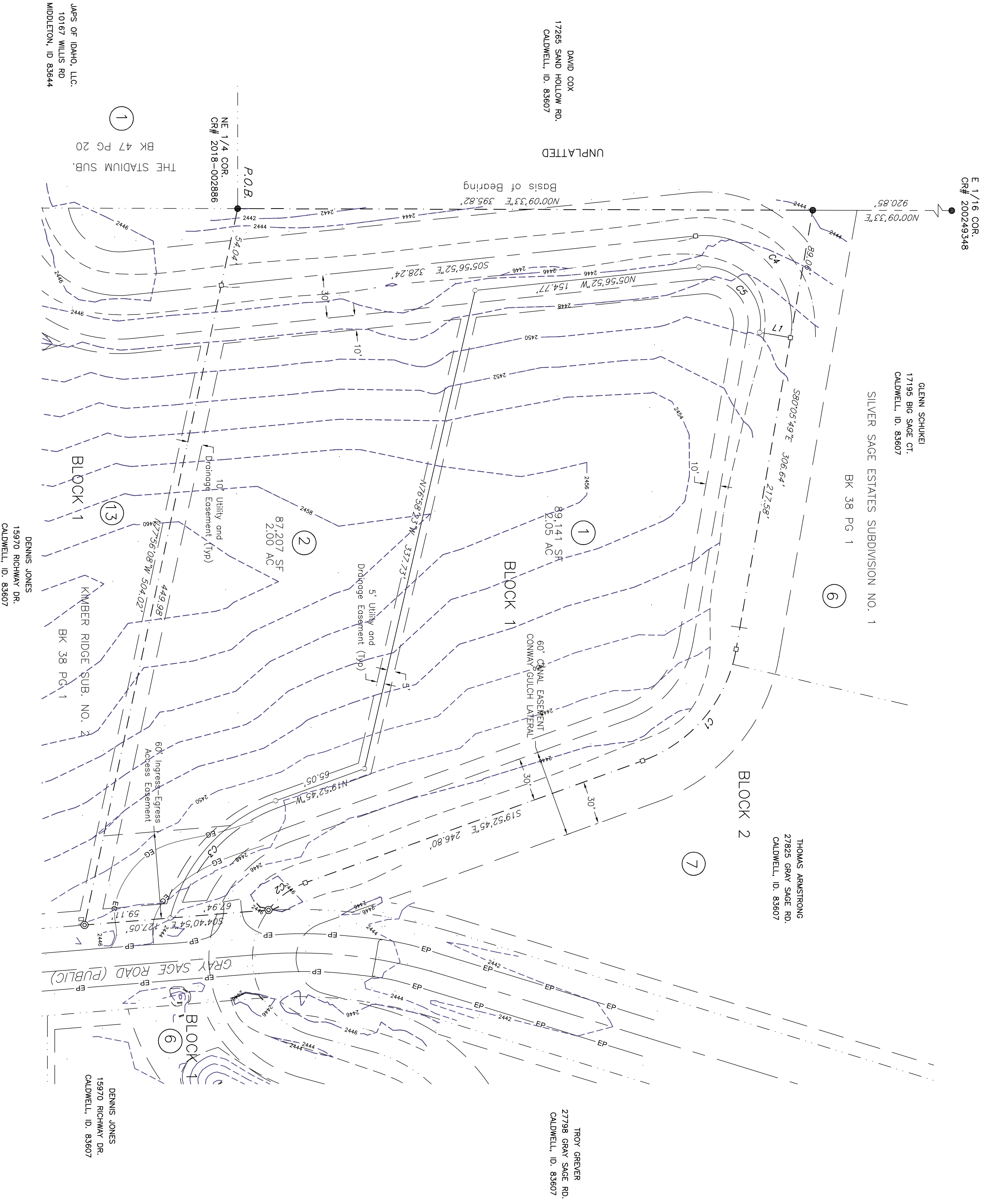
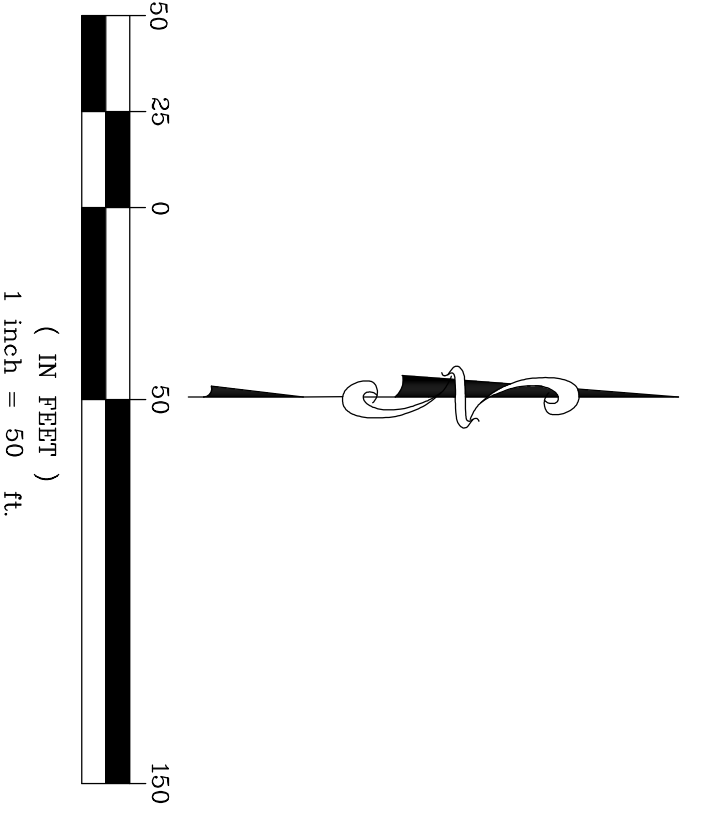


SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

n/a

1. **WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?**
 YES NO

2. **IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?**
 CURBS GUTTERS SIDEWALKS STREETLIGHTS LANDSCAPING



CURVE TABLE

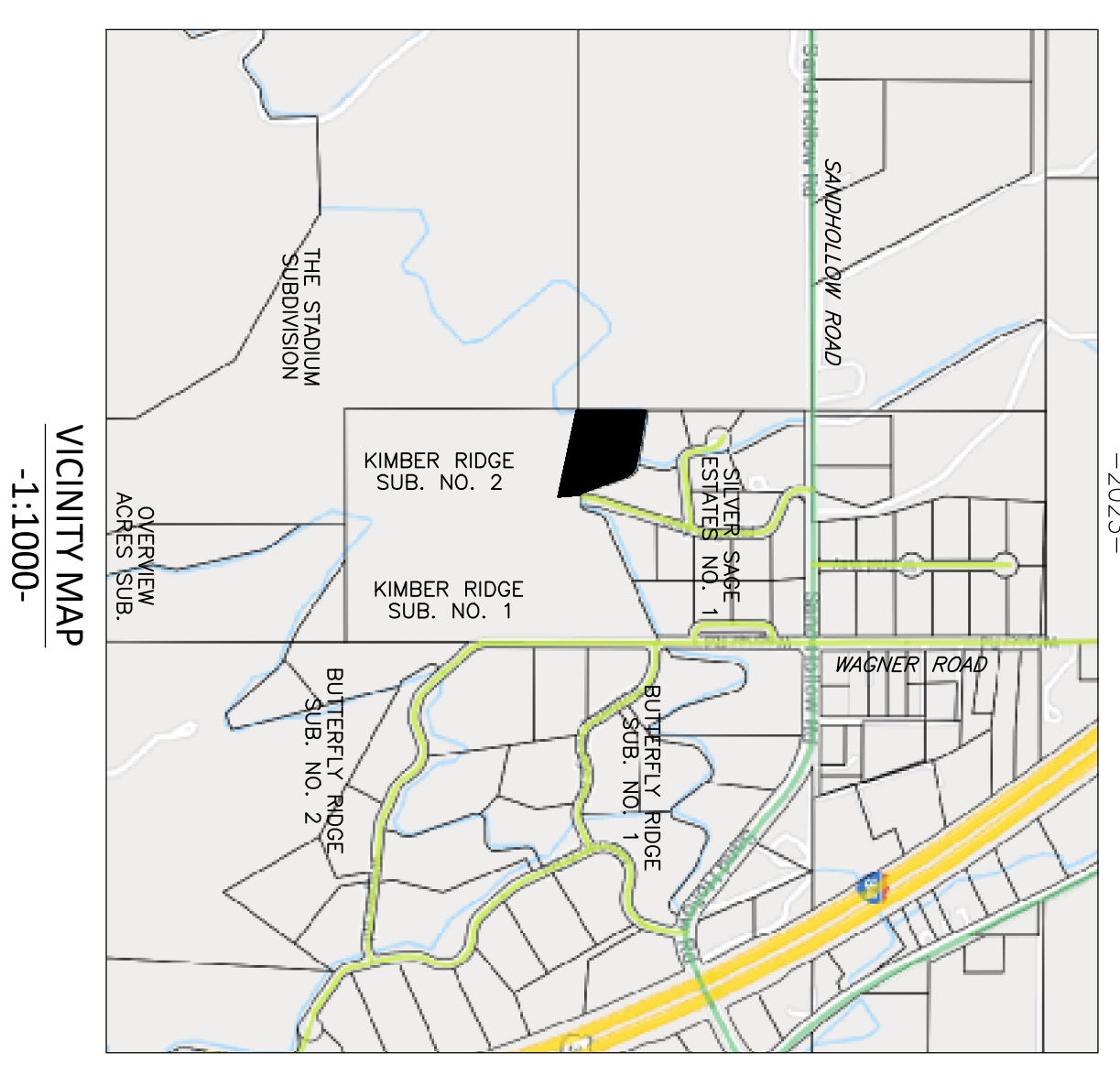
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	99.87'	104.96'	100.20'	S 49°59'17" E	60°13'04"
C2	35.08'	31.88'	31.44'	S 36°22'57" E	53°09'43"
C3	60.00'	110.95'	95.74'	S 46°58'39" W	105°51'03"
C4	38.50'	21.13'	61.43'	N 46°58'39" E	105°51'03"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 09°54'11" E	12.50'
L2	N 09°54'11" E	12.50'

PROJECT INFO:
 CURRENT ZONING: RR - RURAL RESIDENTIAL
 TOTAL SITE AREA: 176,348 SQ.FT.
 OR 4.03 AC.
 TOTAL LOTS: 2
 UNITS PER ACRE: 0.49

PROJECT SURVEYOR:
 EAGLE LAND SURVEYING, LLC.
 JEREMIAH B. FELDING, D.
 208-861-7513
 208-861-7513



NOTES

1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ASSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAN.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE TO ADJACENT NON-AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AS SET FORTH IN SECTION 22-4503 WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
3. THERE ARE NO WATER RIGHTS AVAILABLE FOR THIS SUBDIVISION. IRRIGATION FROM PRIVATE WELLS IS LIMITED TO 0.5 ACRES PER LOT.
4. UNLESS OTHERWISE NOTED, EASEMENT WIDTHS SHALL BE: 10 FEET ALONG SUBDIVISION BOUNDARY; 5 FEET ON EACH SIDE OF INTERIOR LOT LINES; AND PROVIDED THAT THE UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE BOUNDARY(S).
5. ANY RE-SUBDIVISION OF THIS PLAN SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
7. NO REMAINING STRUCTURE SHALL BE LOCATED CLOSER THAN SEVENTY FEET (70') TO ANY SECTION OR QUARTER LINE PRESERVED FOR A FUTURE ROAD (70') SETBACK REQUIREMENT. UNLESS OTHERWISE INDICATED BY THE SURVEYOR.
8. ALL STREETS GREATER THAN 15% ARE NO-BUILD ZONES. NO STRUCTURES OR OTHER IMPROVEMENTS SHALL BE LOCATED WITHIN THESE ZONES UNLESS OTHERWISE APPROVED.
9. RUSH GRASSES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING RUSH GRASSES. RUSH GRASSES SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
10. POST DEVELOPMENT STORM WATER RUN-OFF FROM EACH LOT IS TO BE MANAGED BY LANDSCAPING MEASURES, SWALES, DITCHES AND SIMILAR RETENTION METHODS, WHOLLY ON THE LOT GENERATING RUN-OFF. THE DESIGN RESPONSIBILITY OF EACH LOT OWNER.
11. WHEN FOR DOMESTIC PURPOSES SHALL BE SERVED BY SINGLE PARTY WELLS. INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
12. STORM DISPOSAL SHALL BE BY INDIVIDUAL SEPTIC SYSTEMS. SANITARY RESERVING AREAS RESERVED FOR THE CONSTRUCTION OF DRINKING FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
13. THE HOMEOWNER'S ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL UTILITIES (LINES, SPRINKLERS, SIDEWALKS, LANDSCAPING, ETC.) APPROVED BY THE DISTRICT TO BE WITHIN THE PUBLIC RIGHT-OF-WAY.
14. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE MAINTENANCE. THE "SHALL BE" SHALL BE MAINTAINED IN ALL RESIDUAL AND HEAVY MAINTENANCE.



SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FELDING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

Jeremiah B. Felding
 JEREMIAH B. FELDING, P.L.S.
 201-238-7500
 IDAHO LICENSE NO. 12220

DRAWING TITLE: PRELIMINARY PLAT FOR KIMBER RIDGE SUBDIVISION NO. 3	JOB NO. 22-092	CLIENT: JERRY UPTMOR 27751 GRAY SAGE RD CALDWELL, ID. 83607	DESIGNED BY: JBF	08-09-22	NO	BY	DATE	REVISION
			DRAWN BY: JBF	08-09-22				
SHEET NO. C1	Rev	Phone (907) 441-7800						

**FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 3
RE-PLAT OF LOT 14, BLOCK 1, KIMBER RIDGE SUB. NO. 2
SECTION 18, T. 5 N., R. 3 W., B.M.
CANYON COUNTY, IDAHO
2023**

NOTES

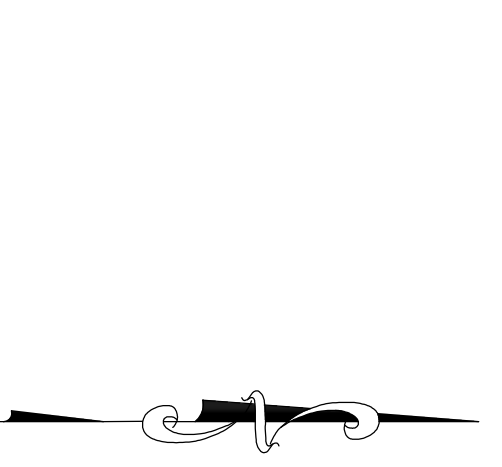
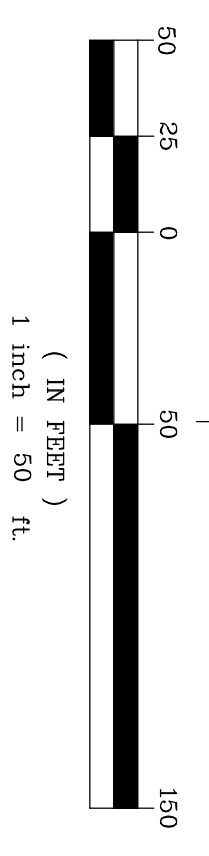
1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4903 OF THE IDAHO CODE, RIGHT 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 WHEN A CONSTRUCTION OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENCE OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
3. THERE ARE NO WATER RIGHTS AVAILABLE FOR THIS SUBDIVISION. IRRIGATION FROM PRIVATE WELLS IS LIMITED TO 0.5 ACRES PER LOT.
4. UNLESS OTHERWISE NOTED, EASEMENT WIDTHS SHALL BE: 10 FEET ALONG SUBDIVISION BOUNDARY, 5 FEET ON EACH SIDE OF INTERIOR LOT LINES, AND IF A LOT LINE IS MOVED, THE EASEMENTS SHALL MOVE WITH THE LOT LINE, PROVIDED THAT THE UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENTS).
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
7. NO PERMANENT STRUCTURE SHALL BE LOCATED CLOSER THAN SEVENTY FEET (70') TO ANY SECTION OR QUARTER LINE PRESERVED FOR A FUTURE ROAD UNLESS THE HIGHWAY DISTRICT HAVING JURISDICTION WAIVES THE SEVENTY FOOT (70') SETBACK REQUIREMENT.
8. ALL SLOPES GREATER THAN 15% ARE NO BUILD ZONES. NO STRUCTURES SHALL BE ALLOWED WITHIN THE NO BUILD ZONES. NO EARTHWORK IS ALLOWED IN THE NO-BUILD ZONES UNLESS A GRADING PLAN IS SUBMITTED.
9. FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
10. POST DEVELOPMENT STORM WATER RUN-OFF FROM EACH LOT IS TO BE MANAGED BY LANDSCAPING MEASURES, SWALES, DITCHES AND SIMILAR METHODS. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THESE FACILITIES IS TO BE THE RESPONSIBILITY OF EACH LOT OWNER.
11. WATER FOR DOMESTIC PURPOSES SHALL BE SUPPLIED BY SINGLE PARTY WELLS. SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR WELL INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
12. SEWAGE DISPOSAL SHALL BE BY INDIVIDUAL SEPTIC SYSTEMS. SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR THE CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
13. THE HOMEOWNER'S ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL AMENITIES (LAWNS, SPRINKLERS, SIDEWALKS, LANDSCAPING, ETC.) APPROVED BY THE DISTRICT TO BE WITHIN THE PUBLIC RIGHT-OF-WAY.
14. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.

CURVE TABLE

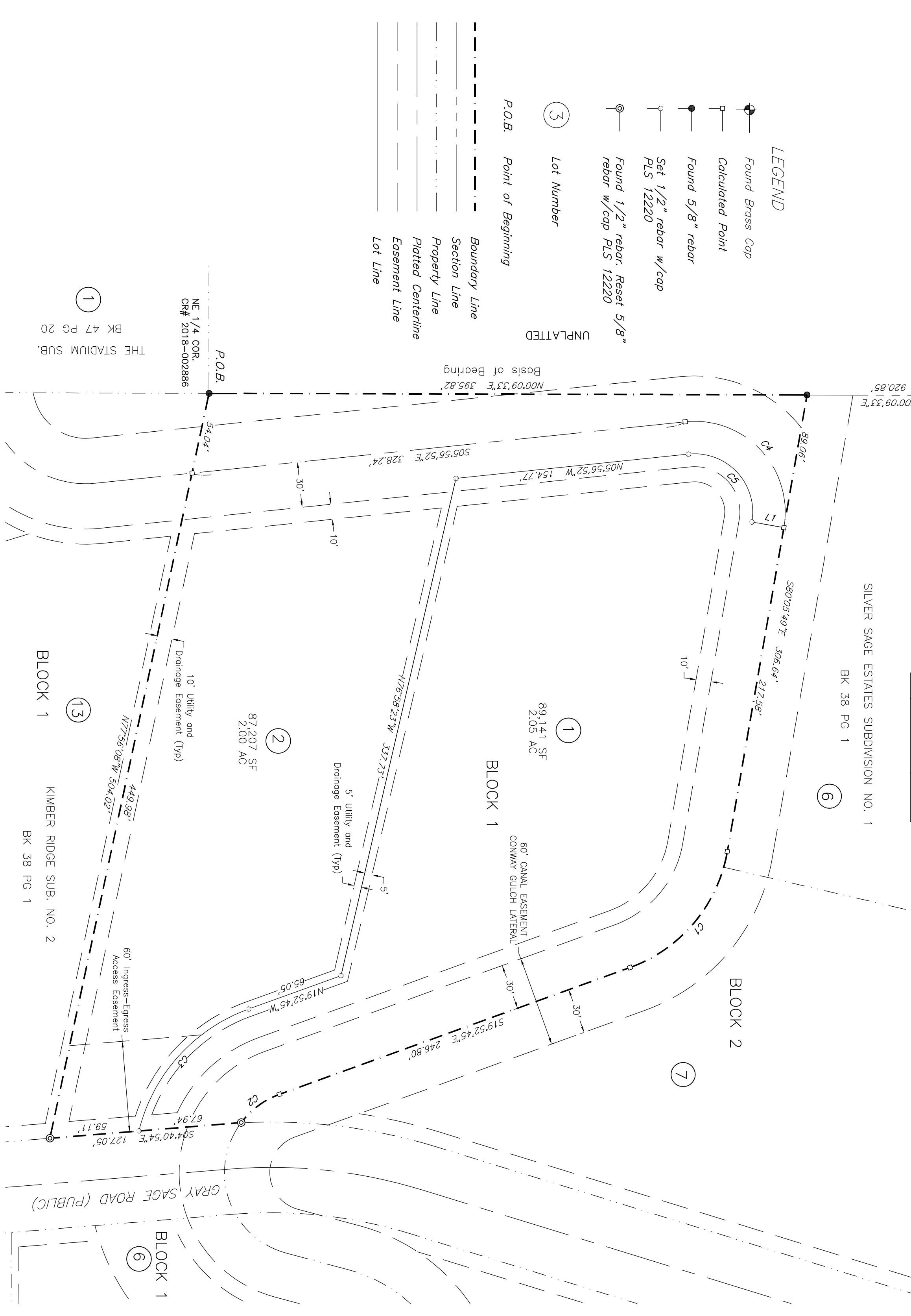
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
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C2	55.08'	31.88'	31.44'	S 36°27'37" E	33°09'43"
C3	115.08'	113.00'	108.51'	N 48°00'32" W	56°19'33"
C4	60.00'	110.85'	95.74'	S 46°58'39" W	105°51'03"
C5	38.50'	71.13'	61.43'	N 46°58'39" E	105°51'03"

LINE TABLE

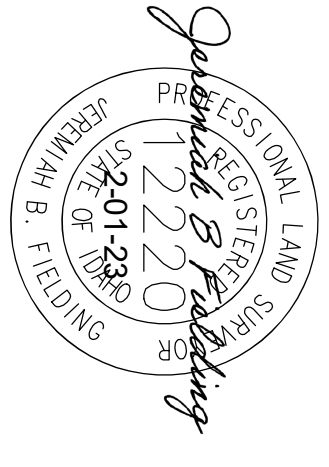
LINE	BEARING	DISTANCE
L1	N 09°54'11" E	21.50'



- LEGEND**
- Found Brass Cap
 - Calculated Point
 - Found 5/8" rebar
 - Set 1/2" rebar w/cap PLS 12220
 - Found 1/2" rebar, Reset 5/8" Found w/cap PLS 12220
 - ③ Lot Number
 - P.O.B. Point of Beginning
 - Boundary Line
 - Section Line
 - Property Line
 - Platted Centerline
 - Easement Line
 - Lot Line



OWNER/DEVELOPER:
JERRY UPTMOR
27751 GRAY SAGE RD
CALDWELL, ID 83607



EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 961-7513; pl#12220@eas.com

BOOK	PAGE

SEC. 18, T. 5 N., R. 3 W., B.M.

DATE:	7-25-22	PROJECT:	22-092
DRAWN BY:	JBF	APPROVED BY:	JBF
CHECKED BY:	JBF	DATE OF REVISION:	
SHEET 1		OF 3	

N/A

IRRIGATION PLAN APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310, Caldwell, ID 83605

zoninginfo@canyoncounty.id.gov

Phone: 208-454-7458

Fax: 208-454-6633



Applicant(s) Jerry Uptmor 907-441-7800
 Name PO Box 671797, Chugiak, AK 99567 Daytime Telephone Number
 Street Address City, State Zip

Representative Name Same as above Daytime Telephone Number / E-mail Address
 Street Address City, State Zip

Location of Subject Property: Gray Sage Rd and Big Sage Ct., Caldwell, ID
 Two Nearest Cross Streets or Property Address City

Assessor's Account Number(s): R 37886213 Section 18 Township 5N Range 3W

This land:

Has water rights available to it.

Is dry and has no water rights available to it. If dry, please sign this document and return to the Development Services Department representative from whom you received it.

Idaho Code 31-3805 states that when all or part of a subdivision is "located within the boundaries of an existing irrigation district or canal company, ditch association, or like irrigation water delivery entity ... no subdivision plat or amendment to a subdivision plat or any other plat or may recognized by the city or county for the division of land will be accepted, approved, and recorded unless:"

- a. The appropriate water rights and assessment of those water rights have been transferred from said lands or excluded from an irrigation entity by the owner; or
- b. The owner, person, firm, or corporation filing the subdivision plat or amendment to a subdivision plat or map has provided underground tile or conduit for lots of one (1) acre or less, or a suitable system for lots of more than one (1) acre which will deliver water to those land owners within the subdivision who are also within the irrigation entity with the appropriate approvals:
 - 1. For proposed subdivisions located within negotiated area of city impact, both city and county zoning authorities must approve such irrigation system in accordance with Idaho Code Section 50-1306. In addition, the irrigation entity charged with the delivery of water to said lands must be advised regarding the irrigation system.

- For proposed subdivisions outside of negotiated areas of city impact, the delivery system must be approved by the Planning and Zoning Commission and the Board of County Commissioners with the advice of the irrigation entity charged with the delivery of water to said lands.

To better understand your irrigation request, we need to ask you a few questions. A list of the map requirements follows the short questionnaire. **Any information missing information may result in the delay of your request before the Planning and Zoning Commission and ultimately the approval of your irrigation plan by the Board of County Commissioners.**

- Are you within an area of negotiated City Impact? Yes No
If yes, please include a copy of approvals by the City Planning & Zoning Commission and City Council of your Irrigation Plan.

- What is the name of the irrigation and drainage entities servicing the property?
 Irrigation: _____
 Drainage: _____

- How many acres is the property being subdivided? _____
- What percentage of this property has water? _____
- How many inches of water are available to the property? _____

- How is the land currently irrigated?

<input type="checkbox"/> Sprinkler	<input type="checkbox"/> Surface	<input type="checkbox"/> Irrigation Well
<input type="checkbox"/>	<input type="checkbox"/> Above Ground Pipe	<input type="checkbox"/> Underground Pipe
- How is the land to be irrigated after it is subdivided?

<input type="checkbox"/> Sprinkler	<input type="checkbox"/> Surface	<input type="checkbox"/> Irrigation Well
<input type="checkbox"/>	<input type="checkbox"/> Above Ground Pipe	<input type="checkbox"/> Underground Pipe

- Please describe how the head gate/pump connects to the canal and irrigated land and where ditches and/or pipes go.

- Are there irrigation easement(s) on the property? Yes No

- How do you plan to retain storm and excess water on each lot?

- How do you plan to remove the storm water /excess irrigation water prior to it entering the established drainage system? (i.e. oil, grease, contaminated aggregates)

===== Applicant Acknowledgement =====

I, the undersigned, agree that prior to the Development Services Department accepting this application I am responsible to have all of the required information and site plans.

I further acknowledge that the irrigation system, as approved by the Planning and Zoning Commission and ultimately the Board of County Commissioners, must be bonded and/or installed prior the Board's signature on the final plat.

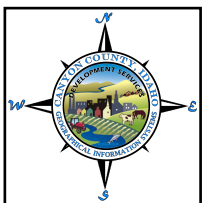
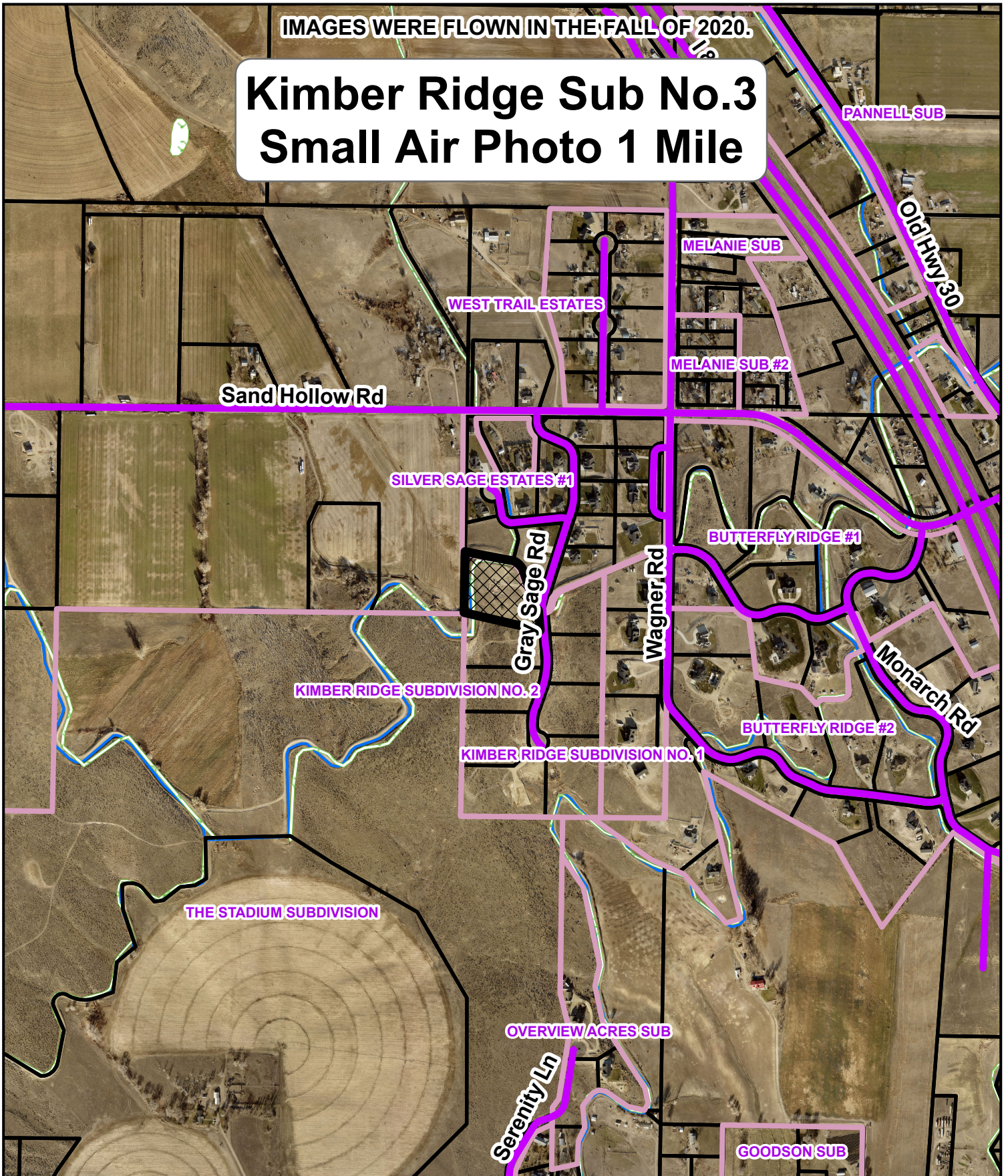
Signed: Jerry Upmire Date: ____/____/____
Property Owner (Application Submitted)

Signed: _____ Date: ____/____/____
Applicant/Representative (if not property owner) (Application Submitted)

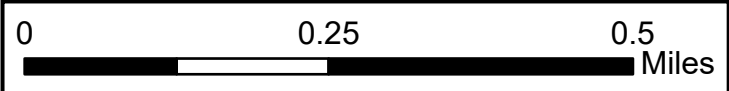
Accepted By: _____ Date: ____/____/____
Director / Staff

IMAGES WERE FLOWN IN THE FALL OF 2020.

Kimber Ridge Sub No.3 Small Air Photo 1 Mile



	City_Limits
	Wetlands





February 2, 2023

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

Re: Kimber Ridge No. 3 Preliminary Plat Application

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Kimber Ridge No. 3 dated February 01, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

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. Plat shall comply with irrigation district requirements.
3. 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.

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

Justin Walker, P.E.
County Engineer

cc: File



100 Bower Street, Suite 110
Meridian, ID 83642
(208) 288-1992

February 2, 2023

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

Re: Kimber Ridge No. 3 Final Plat Application

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Kimber Ridge No. 3 Final Plat dated February 01, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

We recommend that the final plat be **APPROVED**. Please note that the County Surveyor may have additional comments prior to signature of the Final Plat mylar. 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) 244-5065.

Sincerely,

KELLER ASSOCIATES, INC.

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

Justin Walker, P.E.
County Engineer

cc: File

Dan Lister

From: Anthony Lee <Anthony.Lee@phd3.idaho.gov>
Sent: Tuesday, December 12, 2023 10:23 AM
To: Dan Lister
Subject: [External] RE: Case #: SD2022-0057 - Kimber Ridge Subdivision #3

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Dan,

We can move forward with this proposal. The applicant will need to go through re-engineering prior to lifting sanitary restrictions. I have an engineer working on the subdivision engineering report for approval.

Let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, BS/REHS | Land Development Senior | Southwest District Health
13307 Miami Lane | Caldwell ID 83607 | ph: 208.455.5384 | cell: 208.899.1285
Anthony.Lee@phd3.idaho.gov | **Healthier Together** | www.swdh.org



From: Anthony Lee
Sent: Thursday, October 12, 2023 10:50 AM
To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Subject: Case #: SD2022-0057 - Kimber Ridge Subdivision #3

Hi Dan,

Regarding comments for this proposed subdivision, the applicant will need contact SWDH for a Pre-Development Meeting to discuss the details of this project.

Let me know if you have any questions.

Thank you,



Check out our new online self-service portal here! [PORTAL](#)

Anthony Lee, BS/REHS | Land Development Senior | Southwest District Health
13307 Miami Lane | Caldwell ID 83607 | ph: 208.455.5384 | cell: 208.899.1285
Anthony.Lee@phd3.idaho.gov | **Healthier Together** | www.swdh.org





J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

November 8, 2023

Canyon County Development Services Department

Attn: Dan Lister

Daniel.Lister@canyoncounty.id.gov

111 North 11th Ave., Ste. 140

Caldwell, ID 83605

RE: CASE NO. SD2022-0057

To whom it may concern:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the short plat submittal for SD2022-0057 dated October 12, 2023. The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886216, in Canyon County, Idaho, applicant is Jerry Uptmor, submitted to NPHD on October 12, 2023. Grey Sage Road is classified as a Low Volume Local Road.

At this time and based upon said information provided within the short plat application, the following conditions of approval apply:

1. Final Plat Sheet 1 of 3, dated 7-25-2022:
 1. ACCHD Section 3061 Intersection and Approach Policy. Minimum Driveway Spacing for a Low Volume Local Road is 75-ft.
 2. Proposed driveway spacing for Lot 1 and Lot 2 does not meet minimum ACCHD Standards. A dedicated shared access approach for Lot 1 & Lot 2 will need to be provided along with a described Ingress-Egress Access Easement that includes a legal description and exhibit.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the CUP is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

Timothy Blair, PE

Program Manager

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Friday, October 13, 2023 7:22 AM
To: Dan Lister
Cc: Pam Dilbeck
Subject: [External] RE: Agency Notification SD2022-0057 Kimber Ridge Subdivision #3

Good Morning, Dan –

After careful review of the transmittal submitted to ITD on October 12, 2023 regarding SD2022-0057 Kimber Ridge Subdivision #3, the Department has no comments or concerns to make at this time. Although this subdivision is near I-84, the distance to the nearest interchange is substantial, therefore causing minimal impact.

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: Pam Dilbeck <Pam.Dilbeck@canyoncounty.id.gov>
Sent: Thursday, October 12, 2023 9:17 AM
To: Lacey Grooms (lgrooms@msd134.org) <lgrooms@msd134.org>; Marc Gee <mgee@msd134.org>; mitch.kiester@phd3.idaho.gov; Anthony Lee <anthony.lee@phd3.idaho.gov>; PERMITS@STARFIRERESCUE.ORG; gwatkins@nphd.net; brandy.walker@centurylink.com; MONICA.TAYLOR@INTGAS.COM; JESSICA.MANSELL@INTGAS.COM; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; shayne.watterud@ziply.com; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; BRO.Admin@deq.idaho.gov; westerninfo@idwr.idaho.gov; Rick Britton <Rickey.Britton@canyoncounty.id.gov>
Subject: Agency Notification SD2022-0057 Kimber Ridge Subdivision #3

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.

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

November 30th, 2023

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

RE: Short Plat. Parcel R37886213 - **UPDATES**
Case No. SD2022-0057
Applicant: Jerry Uptmor
Planner: Daniel Lister

The parcel is located at approximately 27751 Gray Sage Road, Caldwell, Idaho. The parcel is lot 14, block 1 in the Kimber Ridge No. 2 subdivision.

According to the Black Canyon Irrigation District's (District) records, this lot is within the District, but does not receive irrigation water from the District. However, the property is adjacent to significant irrigation facilities that require action from the property owner.

The Black Canyon Irrigation District (District) has the following initial comments regarding this short plat application. **Please see the revisions made to this letter below in red text as of November 30th, 2023:**

Prior to Pre-Plat Concurrence Approval:

1. Please fill out and submit a Development Intake Sheet form found on our website (<https://blackcanyonirrigation.com/development>). It is required that the proponent apply to the District using this form for their proposed project to assist in identifying any additional project requirements. The proponent has not contacted the District with this application to date.

District's Comment: The developer has submitted an intake sheet and payment to the District. There is no further action required prior to Preliminary Plat approval concurrence.

Prior to Final Plat Concurrence Approval:

1. A standalone, recorded easement(s) will be required for any irrigation lateral that is located within (including adjacent to) the property boundary. This parcel is directly adjacent to Conway Gulch 1.1 lateral. The District's lateral along this parcel has a historical easement on the proponent's property which needs to be recorded. The Developer will be required to provide the easement description and an exhibit signed by a professional surveyor licensed in the state of Idaho. The District will provide easement language once the description and the exhibit have been provided for applicant signature.
2. A driveway approach (access) is currently paved onto the property through the District's easement on the southside of the Conway Gulch lateral that appears to be used as access to this lot. This entrance is not an approved entrance for these proposed lots. Separate access will be required outside the District's easement (similar to what is shown on the proposed application) for both properties.
3. Fencing will be required along the lateral per District's standards.

District's Comment: Fencing will be recommended along the lateral per District's standards.

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

General Comments:

1. It is assumed from this application that no changes are being proposed within the existing easements, however if changes are made the District and Reclamation will require a signed agreement be in place prior to any changes being made to the sections of the Conway Gulch 1.1, and any appurtenant irrigation facilities that are affected by the short plat not listed in this letter.
2. Construction runoff and drainage from the proposed land should be addressed as it shall not enter the lateral or District's right of way.
3. No outside utilities or other structures are allowed within BOR/District's right-of-way.
4. 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).
5. Please ensure that separation distances between any proposed wells, septic drain fields, and the District's irrigation canal meet minimum IDAPA requirements.

Please let us know if you have any questions.

Thank You,

Donald Popoff

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

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

October 13, 2023

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Case No.SD2022-0057 / Kimber Ridge Subdivision #3

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
 - For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
 - If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
 - The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
 - The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
- For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK

Canyon County Board of Commissioners
Jones Rezone A to RR-- RZ2018-0020 FCO's

Development Services Department

December 4, 2018



Findings of Fact, Conclusions of Law, and Order

Rezone approximately 48.6 acres from Agricultural to Rural Residential

Findings of Fact

1. The applicant is requesting to rezone approximately 48.6 acres from "A" (Agricultural) to "RR" (Rural Residential). (Exhibit 3)
2. The subject property is currently zoned "A" (Agricultural) [Exhibit 6].
3. Notifications were made in accordance with CCZO §07-05-01. Notifications were mailed to the applicant and property owners 10/12/18 & 11/08/18. The legal notice was published to the Idaho Press Tribune on 10/17/18 and 11/16/18. Agencies were notified on 9/10/18 & 10/12/18 & 11/5/18. The property was posted on or before 10/19/18 and 11/27/18.
4. There are 15 platted subdivisions within one mile of the subject property with a total of 181 residential and common lots with an average lot size of 3.92 acres. (Exhibit 4)
5. The subject property is designated Residential on the 2020 Comprehensive Plan Future Land Use Map. (Exh. 5)
6. The subject property is not located within an area of city impact.
7. The subject property is located within the Notus Parma Highway District, Middleton Fire District, Middleton School District, and the Black Canyon Irrigation District.
8. The record includes all testimony, staff reports, exhibits, and documents in case file RZ2018-0020.
9. The Planning and Zoning Commission forwarded this case with a recommendation of approval on 11/1/18.

Conclusions of Law

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

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

Conclusion: The proposed zone change is generally consistent with the comprehensive plan.

Finding: The subject property is designated as residential on the Canyon County 2020 Comprehensive Plan Future Land Use Map. (Exhibit 8) The request is also consistent with the following Components, Goals and Policies with the Comprehensive Plan:

Property Rights Goal No. 2- *"The community goal is to acknowledge the responsibilities of each property owner as a steward of the land, to use their property wisely, maintain it in good condition and preserve it for future generations."*

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."*

Population Policy No. 3 – *"Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses."* This area is conducive for residential living. There is access to the public road system, Wagner Road, and access to Interstate 84 at Sand Hollow Road. There is not irrigation water available to the dry rangeland.

Land Use Component Residential—*“Residential development should be encouraged in or near Areas of City Impact or within areas that demonstrate a development pattern of residential land uses.”* The subject properties are surrounded by a significant amount of rural residential development, planned development, and/or residential zoning that reflects a trend toward residential.

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. There are 15 platted subdivisions within a mile of the subject property. The subject property is bounded by residential development. (Exhibits 3 & 4)

Land Use Policy No. 2—*“Encourage orderly development of subdivisions and individual land parcels, and require development agreements where appropriate.”*

Land Use Residential policy *“Recognizes that population growth and the resulting development should occur where public infrastructure, services and facilities are available or where there is a development pattern already established.”*

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 Fire District.

Transportation Goal No. 2-*“Promote and improve traffic safety in the design and development of local and regional transportation facilities, particularly for local and neighborhood facilities.”*

Transportation Goal No. 3-*“Support development of local transportation systems that are well-connected, both internally and to the regional transportation system.”*

Transportation Policy No. 2-*“Coordinate with transportation agencies to protect and enhance the traffic-carrying capacity of principal arterial roads designed for through traffic where appropriate and not in direct conflict with other Canyon County objectives.”*

Transportation Policy No. 11-*“Promote connectivity through design of well-connected street systems and pathways.”*

Transportation Policy No. 13-*“Ensure that all new development is accessible to regularly maintained roads for fire protection and emergency service purposes.”*

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

Conclusion: The proposed zone change from Agricultural to Rural Residential is appropriate.

Finding: The current zoning of Agricultural does not reflect the comprehensive plan designations of residential for the County (Exhibit 5). This area of the county is currently developed or being developed for rural residential uses. There is agriculture in the area but topography including hills and gulches create significant limitations to productive crop farming. This area has been historically utilized as spring dryland cattle grazing.

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

Conclusion: The proposed rezone from Agricultural to Rural Residential is compatible with the surrounding land uses.

Finding: The proposed use is compatible with the surrounding land uses as there are small residential acreages, larger farmed parcels, and 15 platted residential subdivisions within a mile radius of the subject properties (Exhibit 4). The proposed zone of rural residential is compatible with the agricultural and residential uses in the area as it is similar to the existing and trending uses of surrounding properties.

4. 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. The development shall not affect the irrigation systems that border the property.

Finding: The character of the area is rural residential and agricultural. The proposed zone change will not affect the character of the area. The character of the development will be similar to the existing residential uses.

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

Conclusion: Adequate water, sewer, irrigation, drainage and storm water drainage facilities and utility systems will be provided to accommodate the proposed use. City services are not available at this time and not proposed.

Finding: The proposed use will not significantly change the existing services, irrigation or drainage on the property and the developer will be required to meet agency requirements at the time of platting and development.

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

Conclusion: Yes, there is road frontage to the subject property along Wagner Road (public road).

Finding: The subject property has adequate road frontage to public road and shall meet Notus Parma Highway District standards at the time of subdivision platting (required) and development (Exhibit 2 & 10).

7. 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. Currently there is not a development plan on file with the county. Road improvements will be required at the time of platting and development.

Finding: The request is to rezone the property for potential future development. There is not a development plan on file with the County. The developer will be required to meet highway district permit requirements at time of platting and development.

8. 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?


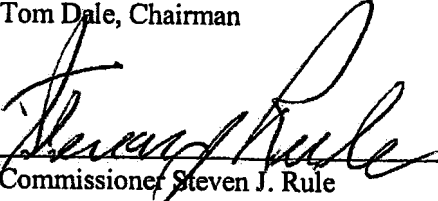
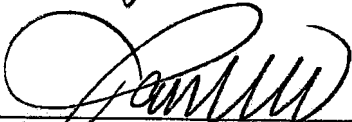
Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: The proposed use will not require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the property.

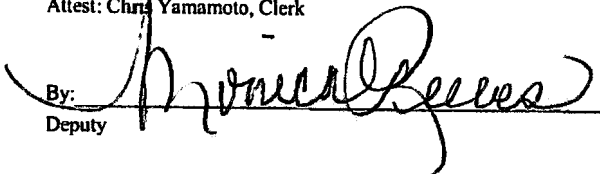
Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein the Board of County Commissioners APPROVE Case # RZ2018-0020, a request to rezone parcel R37886012, approximately 48.6 acres, from "A" (Agricultural) to "RR" (Rural Residential).

APPROVED this 4th day of December, 2018.

	Yes	No	Did Not Vote
 _____ Tom Dale, Chairman	✓	_____	_____
 _____ Commissioner Steven J. Rule	✓	_____	_____
 _____ Commissioner Pam White	✓	_____	_____

Attest: Chris Yamamoto, Clerk

By: 
 Deputy

Date: 12-4-18

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
811.00
P.O. BOX 5
JAINSLAW
KIMBER RIDGE SUBDIVISION

E 1/4 COR. SEC. 18
CR# 200233184

Basis of Bearing
S00708°32'W
2637.12'

NE COR SEC 18
CR# 200249346

KIMBER RIDGE SUB NO. 1
BK 52 PG 1

THE STADIUM SUBDIVISION
BK 47 PG 20

CE 17/16 COR.
CR# 200362394

BOOK 54 PAGE 82

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513, ps12220@epls.com

REVISION DATE: 1-18-22

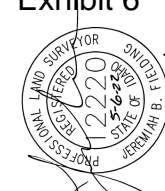
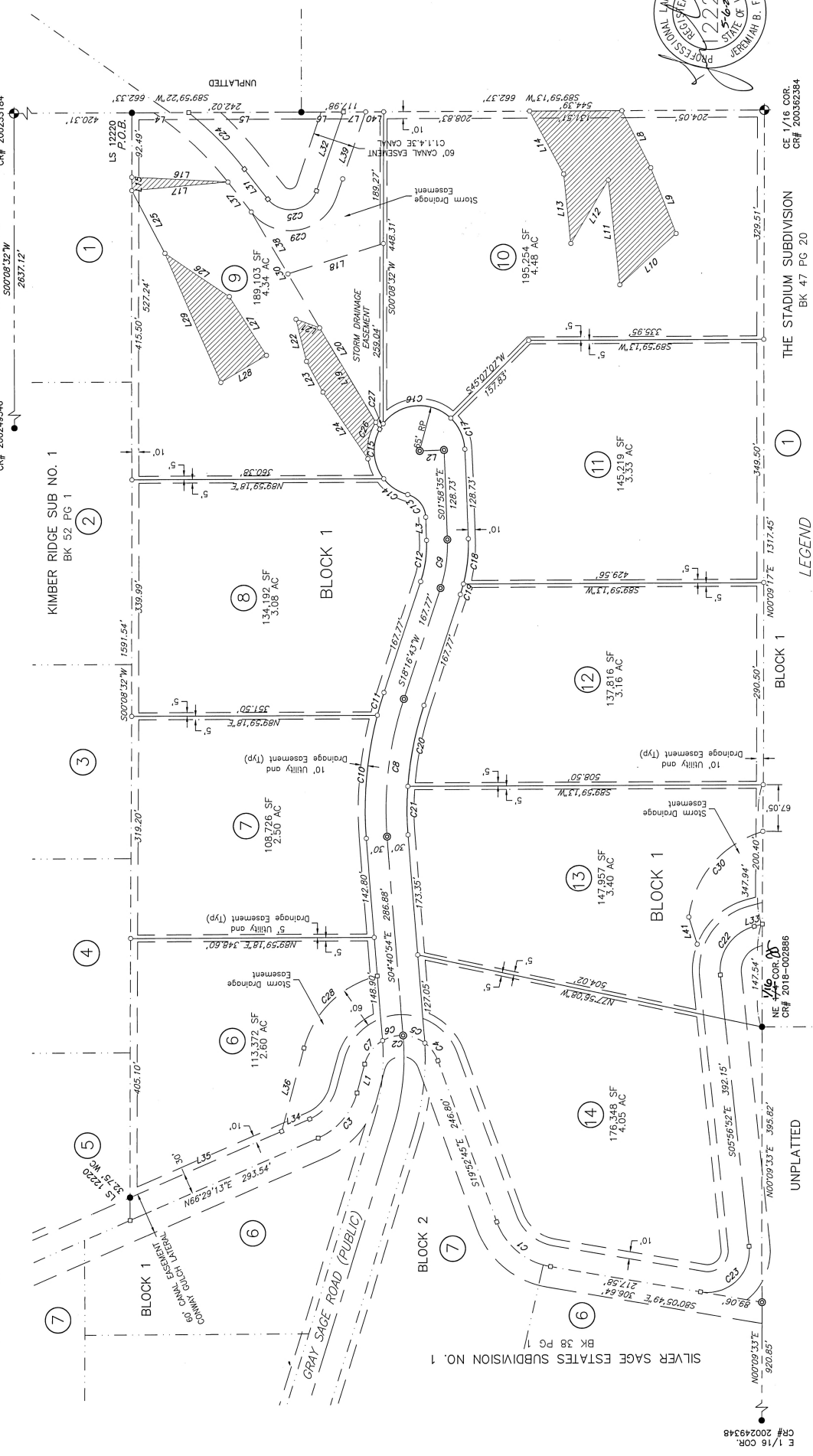
DATE: 4-29-21 PROJECT: 19-126
DRAWN: JHJ JHJ COPYRIGHT © EAGLE LAND SURVEYING, LLC
CHECKED: JHJ JHJ ALL RIGHTS RESERVED.

SHEET: 1 OF: 3
SEC. 18, T. 5 N., R. 3 W., B.M.

FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 2
PART OF THE E 1/2 OF THE NE 1/4 OF
SECTION 18, T. 5 N., R. 3 W., B.M.
CANYON COUNTY, IDAHO
2022



(IN FEET)
1 inch = 100 ft.



NE COR SEC 18
CR# 200249346

KIMBER RIDGE SUB NO. 1
BK 52 PG 1

THE STADIUM SUBDIVISION
BK 47 PG 20

CE 17/16 COR.
CR# 200362394

BOOK 54 PAGE 82

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513, ps12220@epls.com

REVISION DATE: 1-18-22

DATE: 4-29-21 PROJECT: 19-126
DRAWN: JHJ JHJ COPYRIGHT © EAGLE LAND SURVEYING, LLC
CHECKED: JHJ JHJ ALL RIGHTS RESERVED.

WC Witness Corner

P.O.B. Point of Beginning

Found Brass Cap

Calculated Point

Found 5/8" rebar

Set 1/2" rebar with plastic cap labeled "PLS 12220"

Set 5/8" rebar with plastic cap labeled "PLS 12220"

Boundary Line

Section Line

Property Line

Platted Centerline

Easement Line

Lot Line

Slope Greater than 15%

Found Brass Cap

Calculated Point

Found 5/8" rebar

Set 1/2" rebar with plastic cap labeled "PLS 12220"

Set 5/8" rebar with plastic cap labeled "PLS 12220"

Boundary Line

Section Line

Property Line

Platted Centerline

Easement Line

Lot Line

Slope Greater than 15%

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Set 5/8" rebar with plastic cap labeled "PLS 12220"

Boundary Line

Section Line

Property Line

Platted Centerline

Easement Line

Lot Line

Slope Greater than 15%

* Notes are located on Sheet 2.

FINAL PLAT OF KIMBER RIDGE SUBDIVISION NO. 2

CERTIFICATE OF OWNERS

KNOW ALL PEOPLE BY THESE PRESENTS: THAT I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE OWNER OF THAT REAL PROPERTY TO BE KNOWN AS KIMBER RIDGE SUBDIVISION NO. 2, AND THAT I INTEND TO INCLUDE SAID REAL PROPERTY, AS DESCRIBED BELOW, IN THIS PLAT:

Part of the East 1/2 of the NE 1/4 of Section 18, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho described as:

Commencing at a found Brass Cap marking the East Quarter corner of Section 18, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and running thence S89°59'22"W 420.31 feet along the South line of the Northeast 1/4 of said Section to the Point of Beginning; thence S89°59'22"W 242.02 feet along said South line to a found 5/8" rebar; thence S89°59'13"W 662.37 feet along said South line to a Brass Cap marking the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section; thence N00°09'17"E 1317.45 feet along the West line of the Southeast 1/4 of the Northeast 1/4 of said Section to a found 5/8" rebar marking the Southwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section; thence N00°09'33"E 395.82 feet along the West line of the Northeast 1/4 of the Northeast 1/4 of said Section to the Southwest corner of Lot 6, Block 2 of the Silver Sage Estates Subdivision No. 1; thence along the South line of said Subdivision the following seven (7) courses: (1) thence along S80°05'49"E 306.64 feet to a point of curve; (2) thence Southeast 104.96 feet along said curve to the right (Curve data: Radius= 99.87', Delta= 60°13'04", Chord Bearing and Distance= S49°59'17"E 100.20 feet); (3) thence S19°52'45"E 246.80 feet to a point of curve; (4) thence E 139.51 feet along said curve to the left (Curve data: Radius= 55.08', Delta= 145°07'38", Chord Bearing and Distance= N87°33'36"E 105.10 feet); (5) thence N14°59'37"E 42.97 feet to a point of curve; (6) thence North 88.23 feet along said curve to the right (Curve data: Radius= 98.17', Delta= 51°29'36", Chord Bearing and Distance= N40°44'25"E 85.29 feet); (7) thence N66°29'13"E 293.54 feet; thence S00°08'32"W 1591.54 feet to the Point of Beginning.

Parcel contains 32.37 acres, more or less.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT, THE PUBLIC STREETS AND RIGHTS-OF-WAYS SHOWN ON THIS PLAT ARE DEDICATED TO THE PUBLIC FOREVER. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENTS. ALL INDIVIDUAL LOTS WITHIN THIS SUBDIVISION WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE OR MORE OF THE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND:

Dennis G. Jones
DENNIS G. JONES

ACKNOWLEDGMENT

STATE OF IDAHO) S.S.
COUNTY OF CANYON)

ON THIS 20th day of MAY, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED, DENNIS G. JONES AND TRACIE LEE JONES, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO SAID INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC: *Mariam Elena Partridge*
RESIDING AT: *1121 21st St*
MY COMMISSION EXPIRES: *11/28/2024*



NOTES

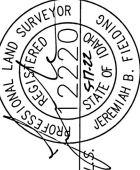
1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME AGRICULTURAL OPERATION OR FACILITY, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF, OR ANY CHANGED CONDITIONS IN OR ABOUT 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 OR EXPANSION THEREOF."
3. THERE ARE NO WATER RIGHTS AVAILABLE FOR THIS SUBDIVISION. IRRIGATION FROM PRIVATE WELLS IS LIMITED TO 0.3 ACRES PER LOT.
4. UNLESS OTHERWISE NOTED, EASEMENT SHALL BE 10 FEET ALONG SUBDIVISION BOUNDARY, 5 FEET ON EACH SIDE OF INTERIOR LOT LINES, AND 10 FEET ON EACH SIDE OF THE HIGHWAY RIGHT-OF-WAY WITHIN THE LOT LINE, PROVIDED THAT THE UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENT(S).
5. ANY RE-UBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-UBDIVISION.
6. NO PERMANENT STRUCTURE SHALL BE LOCATED CLOSER THAN SEVENTY FEET (70') TO ANY SECTION OR QUARTER LINE PRESERVED FOR A FUTURE ROAD UNLESS THE HIGHWAY DISTRICT HAVING JURISDICTION WAIVES THE SEVENTY FOOT (70') SETBACK REQUIREMENT.
7. ALL SLOPES GREATER THAN 15% ARE NO BUILD ZONES. NO STRUCTURES SHALL BE ALLOWED WITHIN THE NO BUILD ZONES. NO EARTHWORK IS ALLOWED IN THE NO-BUILD ZONES UNLESS A GRADING PLAN IS SUBMITTED.
8. FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
9. POST DEVELOPMENT STORM WATER RUN-OFF FROM EACH LOT IS TO BE MANAGED BY LANDSCAPING MEASURES, SWALES, DITCHES AND SIMILAR RETENTION METHODS, WHOLLY ON THE LOT GENERATING RUN-OFF. THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THESE FACILITIES IS TO BE THE RESPONSIBILITY OF EACH LOT OWNER.
10. WATER FOR DOMESTIC PURPOSES SHALL BE SUPPLIED BY SINGLE PARTY WELLS. SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR WELL INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
11. SEWAGE DISPOSAL SHALL BE BY INDIVIDUAL SEPTIC SYSTEMS. SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR THE CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
12. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.

SURVEYOR NARRATIVE:

1. THE BOUNDARY OF THIS SUBDIVISION WAS ESTABLISHED BY KIMBER RIDGE SUB. NO. 1, TO THE WEST, SILVER SAGE, ESTATES SUB. NO. 1, TO THE SOUTH, AND THE STADIUM SUBDIVISION TO THE WEST.
2. THIS PLAT WAS DONE AT THE REQUEST OF DENNIS G. JONES AND TRACIE LEE JONES TO DEVELOP NINE RESIDENTIAL LOTS.

SURVEYOR'S CERTIFICATE

I, JEREMAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED TO, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



JEREMAH B. FIELDING, P.L.S. IDAHO LICENSE NO. 12220

BOOK 54 PAGE 2A

EAGLE LAND SURVEYING, LLC.
106 W. MAIN ST. SUITE D, MOULTON, ID 83844
(208) 961-2515, ps12220@eagle.com

REVISION DATE: 1-18-22

SEC. 18, T. 5 N., R. 3 W., B.M.

DATE:	4-26-21	PROJECT:	19-126	SHEET:	2
DRAWN BY:	JBF	CHECKED BY:	ALL RIGHTS RESERVED	OF	3
CREATED BY:	JBF				

**FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 2**

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

[Signature]
SOUTHWEST DISTRICT HEALTH

4/5/2022
DATE

APPROVAL OF CANYON COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS 1 DAY OF June, 2022, BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.



[Signature]
CHAIRMAN, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

[Signature]
SECRETARY, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

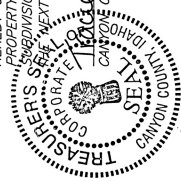
CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR, IN AND FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

[Signature]
CANYON COUNTY SURVEYOR PHILIP J. JONES
DAVID T. KANSER PEPLS 2659 4/5/22

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES, THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAS BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THIRTY (30) DAYS ONLY.



[Signature]
CANYON COUNTY TREASURER

05-24-2022
DATE

APPROVAL OF NOTUS-PARMA HIGHWAY DISTRICT NO. 2

NOTUS-PARMA HIGHWAY DISTRICT NO. 2 DOES HEREBY ACCEPT THIS PLAT, AND THE DEDICATED PUBLIC STREETS, HIGHWAYS, AND RIGHTS OF WAY AS ARE DEPICTED ON THIS PLAT, IN ACCORDANCE WITH THE PROVISIONS OF I.C. § 50-1312.

[Signature]
CHAIRMAN

5-10-2022
DATE



BOOK 54 PAGE 22

EAGLE LAND SURVEYING, LLC.
106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; info@eaglesurvey.com

REVISION DATE: 1-18-22

SEC. 18, T. 5 N., R. 3 W., B.M.

DATE:	4-28-22	PROJECT:	19-126	SHEET	3
DRAWN BY:	USF	CHECKED BY:	USF	OF	3
COPYRIGHT © 2022 ELS				ALL RIGHTS RESERVED.	



Planning & Zoning Commission
Kimber Ridge Subdivision #3 - SD2022-0057
 Development Services Department

FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER
 Kimber Ridge Subdivision #3 - SD2022-0057

Findings

1. The applicant, Jerry Uptmor, is requesting a short plat for Kimber Ridge Subdivision #3, a two-lot subdivision (Attachment A). The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886213, a portion of the NE¼ of Section 18, T5N, R3W, BM, Canyon County, Idaho.
2. The 4.05-acre property is zoned "R-R" (Rural Residential, two-acre average lot size; RZ2018-0020, Exhibit 5 of the staff report).
3. The average residential lot size is two (2) acres.
4. The property is not located within an area of city impact.
5. The property does not have irrigation water rights. Therefore, each property will use domestic wells to irrigate up to 0.5-acre feet. The development shall comply with Black Canyon Irrigation District requirements (Attachment A, plat note 3, and Attachment D).
6. The development will be served by individual wells and septic systems (Attachment A, plat notes 11 & 12).
7. Subdivision runoff will be maintained within the subdivision (Attachment A, plat notes 10 & 14).
8. The lots will have access from Gray Sage Road, a public road, via a 60' wide access easement as required by the Notus-Parma Highway District (Attachment C).
9. No comments were received from Middleton Fire District. Development on each lot will be required to meet applicable fire codes at the time of building permit (CCCO Section 06-01-09(6)).
10. The development is not located within a mapped floodplain (Flood Zone X).
11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0057.
12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on December 20, 2023. The newspaper notice was published on December 22, 2023. Property owners were sent a notice on December 20, 2023. The property was posted on December 29, 2023.

Conclusions of Law

Section 07-17-09(4)A of the Canyon County Zoning Ordinance (CCZO) states, "*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."*

Upon review of the preliminary plat, the Planning and Zoning Commission finds that the plat is consistent with the following subject to conditions of approval:

- A. Idaho Code Section 67-6513 (Subdivisions);
- B. Idaho Code Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #2);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

The preliminary plat was found to be consistent with the standards of review (Attachment B).

Conditions of Approval

1. All subdivision improvements (public roads, shared access, irrigation and drainage swales/basins) 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, and ditch flow patterns shall be maintained and protected. The development shall comply with Black Canyon Irrigation District requirements (Attachment B & D). Evidence of approval shall be a letter from Black Canyon Irrigation District. Evidence shall be submitted prior to the Board signing the final plat.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Attachment B).
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH’s signature on the final plat.
5. The development shall comply with the requirements of the Notus-Parma Highway District (Attachment C). Evidence shall be Notus-Parma Highway District’s signature on the final plat.
6. The shared 60’ wide access easement shall have a recorded road user’s maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0057, the Planning & Zoning Commission **recommends approval** of the Preliminary Plat for Kimber Ridge Subdivision #3 to the Board of County Commissioners subject to the Conditions of Approval as enumerated herein.

RECOMMENDED FOR APPROVAL on this 1 day of February, 2024.

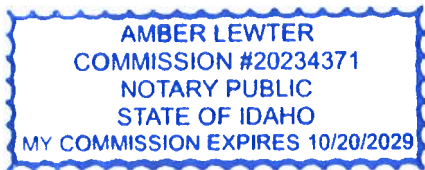
**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**


Robert Sturgill, Chairman

State of Idaho)
SS

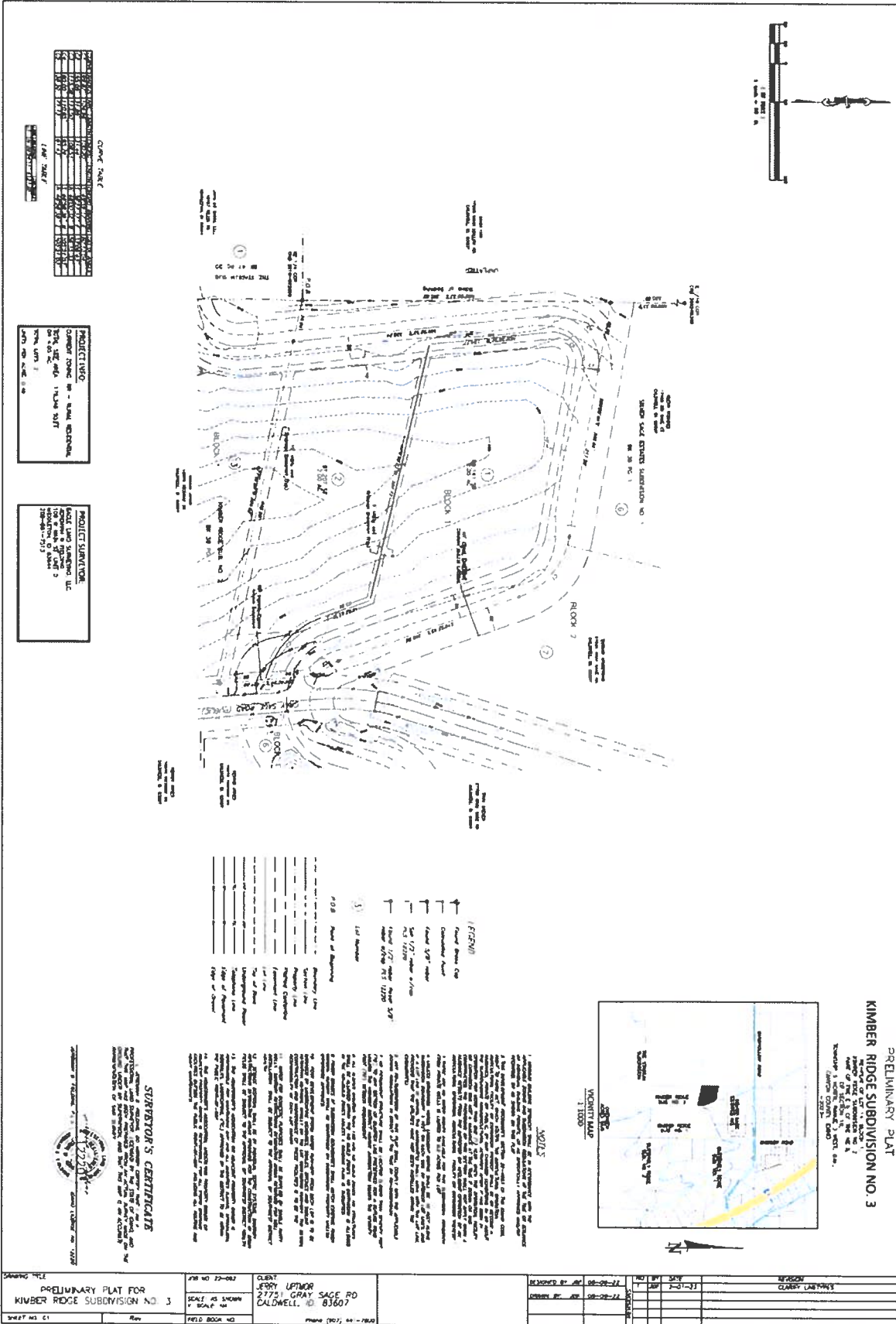
County of Canyon County)

On this 1 day of February, in the year 2024, before me Amber Lewter, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he(she) executed the same.

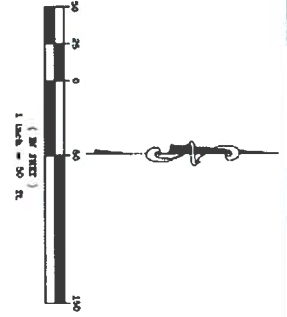


Notary: Amber Lewter
My Commission Expires: 10/20/2029

ATTACHMENT A



**FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 3
RE-PLAT OF LOT 14, BLOCK 1, KIMBER RIDGE SUB. NO. 2
SECTION 18, T. 5 N., R. 3 W., B.M.
CANYON COUNTY, IDAHO
2023**



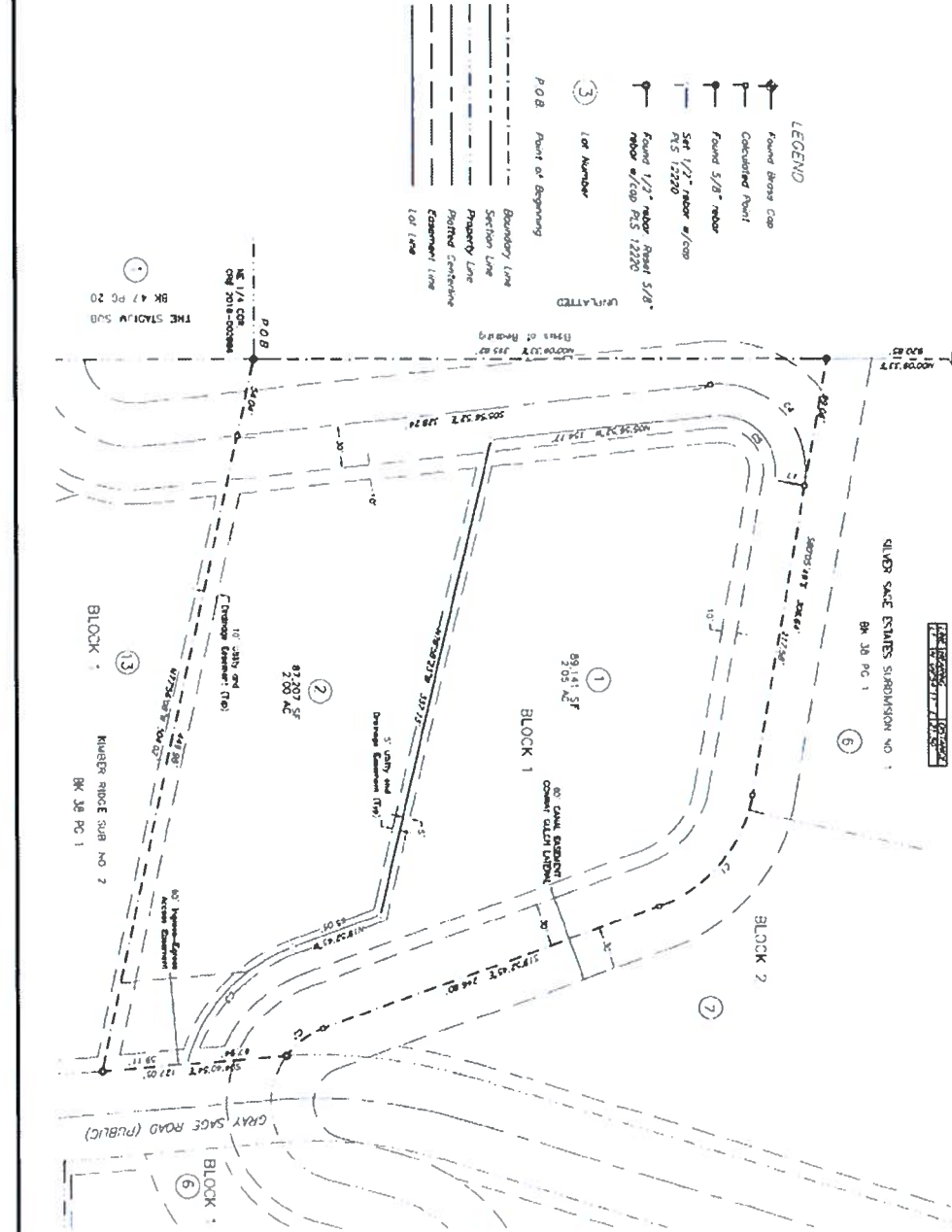
CURVE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	DELTA ANGLE	PC	PT
1	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	4	507.13
2	S 11° 08' 11" E	126.83	126.83	0° 00' 00"	5	507.13
3	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	6	507.13
4	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	7	507.13
5	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	8	507.13
6	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	9	507.13
7	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	10	507.13
8	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	11	507.13
9	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	12	507.13
10	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	13	507.13

LINE TABLE

STATION	CHORD BEARING	CHORD LENGTH	ARC LENGTH	DELTA ANGLE	PC	PT
1	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	4	507.13
2	S 11° 08' 11" E	126.83	126.83	0° 00' 00"	5	507.13
3	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	6	507.13
4	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	7	507.13
5	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	8	507.13
6	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	9	507.13
7	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	10	507.13
8	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	11	507.13
9	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	12	507.13
10	S 89° 01' 10" E	108.26	107.20	4° 35' 17"	13	507.13

- LEGEND**
- Round Brass Cap
 - Calculating Point
 - Found 5/8" rebar
 - Set 1/2" rebar w/cap
 - Found 1/2" rebar
 - Found w/cap P.S. 12220
 - Found 1/2" rebar
 - Found 5/8" rebar
 - Lot Number
 - Point of Beginning
 - Boundary Line
 - Section Line
 - Property Line
 - Platted Contour
 - Estimated Line
 - Lot Line



- NOTES**
1. ALL SURVEYING INSTRUMENTS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS (NBS) 1752-100, AS REVISED, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS.
 2. THE SURVEYOR HAS REVIEWED THE RECORD PLAT OF THE SUBDIVISION AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS (NBS) 1752-100, AS REVISED, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS.
 3. THE SURVEYOR HAS REVIEWED THE RECORD PLAT OF THE SUBDIVISION AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS (NBS) 1752-100, AS REVISED, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS, OR AS APPROVED BY THE NATIONAL BUREAU OF STANDARDS.
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OWNER/DEVELOPER
 JERRY LUTHER
 3775 S. WILSON ROAD
 CALDWELL, ID 83407

BOOK PAGE

FIELD LAND SURVEYING, LLC
 1000 S. WILSON ROAD
 CALDWELL, ID 83407
 (208) 867-2111

PROFESSIONAL LAND SURVEYOR
 JERRY LUTHER
 No. 22220
 IDAHO

DATE	BY	REVISION	DESCRIPTION
12-27-2023	JL	1	FINAL PLAT
08-27-2023	JL	2	REVISION
08-27-2023	JL	3	REVISION

SUB. NO. 18, T. 5 N., R. 3 W., B.M.

KELLER
ASSOCIATES



February 2, 2023

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

Re: Kimber Ridge No. 3 Preliminary Plat Application

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Kimber Ridge No. 3 dated February 01, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

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. Plat shall comply with irrigation district requirements.
3. 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



100 E. Lower Street, Suite 110
Meridian, ID 83642
(208) 288-1992

ATTACHMENT C



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

November 8, 2023

Canyon County Development Services Department

Attn: Dan Lister

Daniel.Lister@canyoncounty.id.gov

111 North 11th Ave., Ste. 140

Caldwell, ID 83605

RE: **CASE NO. SD2022-0057**

To whom it may concern:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the short plat submittal for SD2022-0057 dated October 12, 2023. The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886216, in Canyon County, Idaho, applicant is Jerry Uptmor, submitted to NPHD on October 12, 2023. Grey Sage Road is classified as a Low Volume Local Road.

At this time and based upon said information provided within the short plat application, the following conditions of approval apply:

1. Final Plat Sheet 1 of 3, dated 7-25-2022:
 1. ACCHD Section 3061 Intersection and Approach Policy. Minimum Driveway Spacing for a Low Volume Local Road is 75-ft.
 2. Proposed driveway spacing for Lot 1 and Lot 2 does not meet minimum ACCHD Standards. A dedicated shared access approach for Lot 1 & Lot 2 will need to be provided along with a described Ingress-Egress Access Easement that includes a legal description and exhibit.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the CUP is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

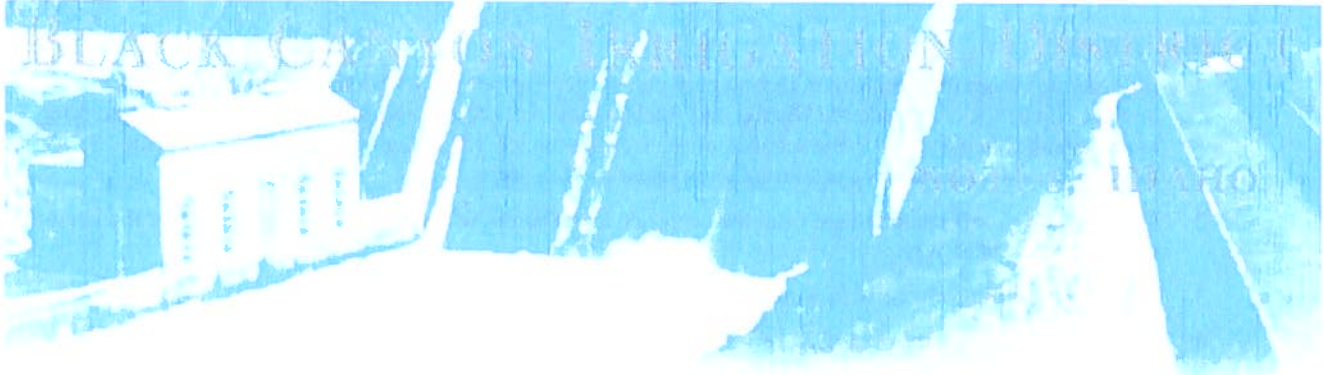
Timothy Blair, PE

Program Manager

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

ATTACHMENT D



November 30th, 2023

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

RE: Short Plat, Parcel R37886213 - **UPDATES**
Case No. SD2022-0057
Applicant: Jerry Uptmor
Planner: Daniel Lister

The parcel is located at approximately 27751 Gray Sage Road, Caldwell, Idaho. The parcel is lot 14, block 1 in the Kimber Ridge No. 2 subdivision.

According to the Black Canyon Irrigation District's (District) records, this lot is within the District, but does not receive irrigation water from the District. However, the property is adjacent to significant irrigation facilities that require action from the property owner.

The Black Canyon Irrigation District (District) has the following initial comments regarding this short plat application. **Please see the revisions made to this letter below in red text as of November 30th, 2023:**

Prior to Pre-Plat Concurrence Approval:

1. Please fill out and submit a Development Intake Sheet form found on our website (<https://blackcanyonirrigation.com/development/>). It is required that the proponent apply to the District using this form for their proposed project to assist in identifying any additional project requirements. The proponent has not contacted the District with this application to date.

District's Comment: The developer has submitted an intake sheet and payment to the District. There is no further action required prior to Preliminary Plat approval concurrence.

Prior to Final Plat Concurrence Approval:

1. A standalone, recorded easement(s) will be required for any irrigation lateral that is located within (including adjacent to) the property boundary. This parcel is directly adjacent to Conway Gulch 1.1 lateral. The District's lateral along this parcel has a historical easement on the proponent's property which needs to be recorded. The Developer will be required to provide the easement description and an exhibit signed by a professional surveyor licensed in the state of Idaho. The District will provide easement language once the description and the exhibit have been provided for applicant signature.
2. A driveway approach (access) is currently paved onto the property through the District's easement on the southside of the Conway Gulch lateral that appears to be used as access to this lot. This entrance is not an approved entrance for these proposed lots. Separate access will be required outside the District's easement (similar to what is shown on the proposed application) for both properties.
3. Fencing will be required along the lateral per District's standards.

District's Comment: Fencing will be recommended along the lateral per District's standards.

General Comments:

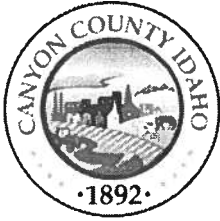
1. It is assumed from this application that no changes are being proposed within the existing easements, however if changes are made the District and Reclamation will require a signed agreement be in place prior to any changes being made to the sections of the Conway Gulch 1.1, and any appurtenant irrigation facilities that are affected by the short plat not listed in this letter.
2. Construction runoff and drainage from the proposed land should be addressed as it shall not enter the lateral or District's right of way.
3. No outside utilities or other structures are allowed within BOR/District's right-of-way.
4. 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).
5. Please ensure that separation distances between any proposed wells, septic drain fields, and the District's irrigation canal meet minimum IDAPA requirements.

Please let us know if you have any questions.

Thank You,

Donald Popoff

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



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, February 1, 2024
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

- Commissioners Present : Robert Sturgill, Chairman
 Brian Sheets, Commissioner
 Miguel Villafana, Commissioner
 Patrick Williamson, Commissioner
 Harold Nevill, Commissioner
 Geoff Mathews, Commissioner
 Matt Dorsey, Commissioner
- Staff Members Present: Jay Gibbons, Assistant Director of Development Services
 Carl Anderson, Planning Supervisor
 Dan Lister, Principal Planner
 Amber Lewter, Hearing Specialist

Chairman Sturgill called the meeting to order at 6:31 p.m.

Commissioner Villafana read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. CU2023-0002-APL – Jimenez – Approval of revised FCO’s.

MOTION: Commissioner Nevill moved to approve & sign the revised Findings of Facts, Conclusions of Law and Order. Motion seconded by Commissioner Sheets. Voice vote, motion carried.

Item 2A:

Case No. CR2022-0033 – Kelley: The applicants, Shawn & Rae Lynn Kelley, are requesting a conditional rezone of parcel R38194010A from an “A” (Agricultural) zone to a “CR-R-1” (Conditional Rezone – Single Family Residential). The request includes a development agreement limiting development to three (3) buildable lots. The 4.12-acre parcel is located at 24720 Harvey Road, Caldwell, also referenced as a portion of the NW¼ of Section 35, T5N, R3W, B-M Canyon County, Idaho.

Planner Dan Lister reviewed the Staff report for the record.

Commissioner Williamson asked how far City services are from the subject property. Planner Dan Lister advised they are over a mile away. Commissioner Williamson asked if the ditch is an open lateral. Planner Dan Lister confirmed that is correct. Commissioner Williamson confirmed all the lots are will take access from the existing private lane.

Commissioner Nevill asked why there isn’t a road user’s agreement if the road is a private lane. Planner Dan Lister explained it is only servicing one house at this time and there is a condition that a road users’ agreement will be established before final plat.

Commissioner Sheets asked if there is an existing utility easement on Harvey Rd. Planner Dan Lister stated

he didn't see an existing easement.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Shawn Kelley (Representative) – IN FAVOR – 24720 Harvey Rd, Caldwell, ID 83607

Mr. Kelley stated the reason for the road location is because that is what Highway District 4 required. Mr. Kelley addressed the reason why Black Canyon Irrigation could not find the irrigation rights is because it was tied into Drakes Subdivisions irrigation pump, Black Canyon Irrigation will split the 3 lots off and there will be annual fees off of the irrigation pump.

Commissioner Williamson asked if there will be a water users' agreement. Mr. Kelley stated according to Black Canyon Irrigation the three lots will go into the irrigation rotation and pay an annual fee. Commissioner Williamson asked if Mr. Kelley plans on keeping the extra surface water rights or giving them back to the ditch company. Mr. Kelley stated that Black Canyon Irrigation said he gets 1 inch per year and whatever isn't used stays in the canal and goes down, he isn't sure what is done with it after that.

Commissioner Nevill confirmed with Mr. Kelley that he is in agreeance with the conditions of approval.

Commissioner Villafana asked if the perimeter of the subdivision will be fenced. Mr. Kelley stated he doesn't have any plans to do so at this time.

Commissioner Williamson referenced exhibit 4E page 2, the letter from Black Canyon Irrigation stating that fencing will be required along the lateral and then they later stated that fencing is recommended. Mr. Kelley advised he is going to leave fencing up to the property owners.

MOTION: Commissioner Williamson moved to close public testimony on Case CR2022-0033, seconded by Commissioner Villafana, voice vote, motion carried.

DELIBERATION:

MOTION: Commissioner Williamson moved to approve Case CR2022-0033 based on the Findings of Fact and Conclusions of Law and conditions of approval and forward the recommendation to the Board of County Commissioners. Seconded by Commissioner Mathews.

Discussion on the Motion:

Commissioner Dorsey asked for clarification on the irrigation users' agreement as well as the fencing requirement along the lateral. Planner Dan Lister stated the conditions state if you have the water rights you need to use them or prove at the time of plat why you can't use them. The letter from Black Canyon Irrigation shows they are working on that part. At the plat stage other conditions can be made. Planner Dan Lister explained Black Canyon used to require fencing but there was a change in policy, and now they recommend fencing.

Roll call vote: 7 in favor, 0 opposed, motion passed.

Item 2B:

Case No. SD2022-0057 – Kimber Ridge Subdivision #3: The applicant, Jerry Uptmor, is requesting a

short plat, Kimber Ridge Subdivision #3, a two-lot subdivision. The 4.05-acre lot is zoned "R-R" (Rural Residential). The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886213, a portion of the NE¼ of Section 18, T5N, R3W, BM, Canyon County, Idaho.

Planner Dan Lister viewed the Staff report for the record.

Commissioner Sheets asked how long after the Final Plat was approved on June 1, 2022 did this application come in. Planner Dan Lister advised the application was submitted December 8, 2022.

Chairman Sturgill stated he requested the past minutes from when the original plat was approved.

MOTION: Commissioner Nevill moved to accept late exhibits 8a, 8b, and 8c for the past hearing minutes. Seconded by Commissioner Sheets. Voice vote, motion carried.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Jerry Uptmor (Representative) – IN FAVOR – 27751 Gray Sage Rd, Caldwell, ID, 83607

Mr. Uptmor agreed with Staff's report and stood for questions.

Commissioner Nevill confirmed with Mr. Uptmor that he agrees with the conditions. Commissioner Nevill asked for Mr. Uptmor's thoughts on the fencing recommendation from Black Canyon Irrigation District. Mr. Uptmor stated if he gets the split he will be putting fencing on his lateral and will leave the option for the property owner on the split. Commissioner Nevill asked Mr. Uptmor's thoughts on the road user's maintenance agreement for the shared access. Mr. Uptmor stated he already put a driveway in and made it extra wide in anticipation of the split. Commissioner Nevill asked if the property is on a hill. Mr. Uptmor stated it is a slight hill to get to the top, basically a null.

Planner Dan Lister advised that hillside development is part of the platting process and it was already determined that the subject property doesn't slope over 15%.

Commissioner Sheets asked if there is an HOA. Mr. Uptmor stated there are CCNR's but there isn't an HOA. Commissioner Sheets asked if the plans conformed with the CC&R's. Mr. Uptmor confirmed that it does.

Commissioner Williamson asked why Mr. Uptmor wants to split the 4-acre lot. Mr. Uptmor stated that is the reason he bought the 4-acre lot instead of the other lots. He was originally looking at a smaller lot and the developer Dennis Jones convinced him to buy the 4-acres because it is zoned rural residential for a minimum of two acres. This appealed to Mr. Uptmor to help with some of the cost. Commissioner Williamson asked if it was the developer that suggested buying the 4-acres and then doing a split. Mr. Uptmor stated that is correct and that the developer has an additional 4-acre lot that he is doing the same thing with.

Commissioner Dorsey asked if the property has surface water rights. Mr. Uptmor stated it does not. Commissioner Dorsey asked what Mr. Uptmor's plan is for irrigation water rights or if he would be comfortable with additional conditions. Mr. Uptmor stated he would be comfortable with Planning and Zoning giving recommendations.

Commissioner Mathews stated he could purchase additional water rights through the Department of Water Resources.

Diana Hoffman – IN OPPOSITION – 27990 Gray Sage Rd, Caldwell, ID, 83607

Ms. Hoffman stated that traffic and speeding has increased from construction workers and the influx of residents. Notus Parma Highway District has posted a 20 mph sign and it continues to get ignored. Ms. Hoffman has put signs up asking to slow down, those get ignored. Ms. Hoffman believes having an additional well in the area will negatively impact the resource of water. Ms. Hoffman stated the switchback is a steep hill and is concerned for the Fire Department and EMT's needing to go to the property.

Commissioner Nevill asked if any of the concerns are with Mr. Uptmor or just the developer. Ms. Hoffman stated adding an additional home would contribute with the concerns she already has.

Marina Peters – IN OPPOSITION – 17134 Big Sage Ct, Caldwell, ID, 83607

Ms. Peters stated she is opposed to the subdivision for many reasons. When the land was sold prior to 2016 the potential buyers in Silver Sage Subdivision were told the subdivisions would not be connected, when the land was rezoned from ag to rural residential they were told it was one homeowner with a couple homes for his children. Then it turned into 14 homes. Now the once dead-end road has Kimber Ridge residents speeding down the road. Ms. Peters stated the schools are over capacity. Ms. Peters stated it takes the Fire Department about 30 minutes to get to the area and there were 5 fires last year.

Commissioner Williamson asked if the fires are in her subdivision or the Kimber Ridge Subdivision. Ms. Peters stated there was one in Kimber Ridge which was a brush fire.

Commissioner Nevill asked for clarification on the schools being over capacity. Ms. Peters stated she has two kids in Mill Creek and she believes they are over capacity 130%. Commissioner Nevill asked where the other four fires were. Ms. Peters stated two fires were off of Sand Hollow and the other one or two were in Butterfly Ridge. Commissioner Nevill asked how the fires occurred. Ms. Peters stated the one in Kimber Ridge was a brush fire during construction, the one on Butterfly Ridge was brush fire, one in Sand Hollow was a brush fire, and the last one was a home fire.

Jeffy Uptmor – REBUTTAL – 27751 Gray Sage Rd, Caldwell, ID, 83607

Mr. Uptmor stated the brush fire in Kimber Ridge was the well drillers who were drilling a well took the blow torch to clear out some tall grass and the wind caused the fire. The fire department came out and put it out. Mr. Uptmor stated the grade going up to the house is less than 15%. He put a large pad near his shop for the Fire Department to be able to turn around and it meets the Fire Departments requirements. Mr. Uptmor stated there isn't going to be a bunch of splits because with rural residential they have to be 2 acres. There are only three 4-acre lots in the subdivision, his, one that won't be split and one other. Mr. Uptmor stated the signs for traffic to slow down work. He sees people speeding and then slow down on that road.

Commissioner Williamson asked with the five fires in a year make Mr. Uptmor consider other fire suppression measures. Mr. Uptmor stated it doesn't because there is so much space between each lot and the lot he has is three quarters surrounded by the irrigation ditch.

Planner Dan Lister reminded the Commission that this isn't a rezone request, it is a subdivision plat. The area is zoned rural residential. The lot has been approved by the Fire District.

Commissioner Nevill asked what they are able to consider and if they can consider 2-acre lots are smaller than the lots around. Planner Dan Lister advised they cannot because the area is zoned rural residential which allows 2-acre lots. The split will not have impact on any essential services because that was already determined at the re-zone. The findings for this case are if the split meets the minimum requirement and if there is any improvement the Commissioners want to recommend. Additional conversation transpired regarding the rezone and short plat.

Chairman Sturgill asked why the case was brought forward as a short plat instead of a modification to the plat Planning and Zoning approved. Planner Dan Lister explained those plats have already been decided upon and the change is to one lot within the plat. Additional conversation occurred in regards to the difference of the plat that was approved and the case before them.

Commissioner Villafana asked if the lot sizes were a concern previously and the average lot sizes are 3.3 acres, the request is 2-acres, when do we stop allowing re-plats. Planner Dan Lister explained it would have to meet the standards for the zone it is in or have to go through the process of rezoning. Commissioner Villafana asked why there wasn't a condition on the rezone for splitting the properties. Planner Dan Lister stated it was a full rezone and not a conditional rezone.

MOTION: Commissioner Williamson moved to close public testimony on Case SD2022-0057, seconded by Commissioner Mathews, voice vote, motion carried.

DELIBERATION:

Commissioner Dorsey stated he understands the codes and why staff recommended approval but he sits on a Planning and Zoning Commission and in the name is planning, he see's the frustration because by code it is allowed, but he feels this is a loophole.

Commissioner Nevill stated he believes they get to make land use decisions and that includes if smaller lots are appropriate for the zone due to traffic or school impacts, they are able to say no to the application. Chairman Sturgill stated he understands the frustration for the Commissioners but for the interest of driving towards a motion he suggested they review the criteria.

Commissioner Mathews stated his concern is if the original plat said that the lots could be subdivided and the Commission says they can't that is an arbitrary action on Planning and Zoning Commission.

Commissioner Williamson proposed a condition of approval that the applicant would need to reach out to the fire district and see if there needs to be any modifications.

Chairman Sturgill proposed they continue the case and ask for the original developer to come in and provide a revised plat showing all the subdivisions that are contemplated. Planning Supervisor Carl Anderson stated the application meets the zoning ordinance and is permitted under the current code. He suggested the Planning and Zoning Commission entertain the application before them and if there are conditions on the current application however for the previous application has already been approved.

MOTION: Commissioner Mathews moved to approve Case CR2022-0033 based on the Findings of Fact and Conclusions of Law and conditions of approval and forward the recommendation of approval to the Board of County Commissioners. Seconded by Commissioner Sheets.

Discussion on the Motion:

Commissioner Sheets stated he believes this is a loophole. To have a final plat approved and before the ink is dry an application comes in to start changing it, he believes the code needs to reflect something to that effect that a replat within a certain amount of time will not be considered by this body because they took evidence and made their decision based on a representation that lasted for five months. He doesn't like it but according to the code he doesn't have a reason to deny the case.

Commissioner Villafana agrees with Commissioner Sheets. The issue is the case meets the criteria, another split is allowed, and it is a loophole.

Commissioner Williamson agrees with the other Commissioners.

Roll call vote: 4 in favor, 2 opposed, 1 abstained, motion passed.

APPROVAL OF MINUTES:

MOTION: Commissioner Nevill moved to approve the minutes from January 4, 2024 with the approved revisions done via email, seconded by Commissioner Mathews. Voice vote, motion carried.

DIRECTOR, PLANNER, COMMISSION COMMENTS:

Commissioner Nevill believes if they cannot do anything about land use then they shouldn't have to hear the case.

Assistant Director of Development Services Jay Gibbons expressed gratitude for the Commissioners hard work. He understands the frustration in regards to timing for the previous case, the applicant had to go through the process and will continue to go through the process. Assistant Director of Development Services Jay Gibbons advised they are actively reviewing the current codes in regards to several items and amendments have been identified to move forward.

Planner Supervisor Carl Anderson provided future hearings that are scheduled.

Commissioner Dorsey thanked the Chairman for allowing him to abstain his vote in the previous case.

Planner Dan Lister stated staff tries to make the best staff reports so the Commissioners can make their decisions and asked if the Commissioners need more information to let them know.

ADJOURNMENT:

MOTION: Commissioner Williamson moved to adjourn, seconded by Commissioner Villafana. Voice vote, motion carried. Hearing adjourned at 8:33 PM.

An audio recording is on file in the Development Services Departments' office.

Approved this 15th day of February, 2024



Robert Sturgill, Chairman

ATTEST



Amber Lewter – Hearing Specialist



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, August 6, 2020
7:00 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE BUILDING

Commissioners Present: Robert Sturgill, Chairman
Patrick Williamson, Vice Chairman
Sandi Levi, Secretary
Rick Fried, Commissioner
Rick Hall, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Kellie George, Recording Secretary

Chairman Robert Sturgill called the meeting to order at 6:00 p.m.

ACTION ITEMS

1. **Case No SD2019-0042:** Dennis Jones has submitted a Preliminary Plat and Grading and Drainage Plan for **Kimber Ridge Subdivision** on Parcel R37886012. The proposed development contains 14 residential lots on approximately 48.59 acres and located within the R-R zone. The property is located adjacent to 27798 Gray Sage Drive, Caldwell. The property is further described as a portion of the NE ¼ of Section 18, T5N, R3W, BM, Canyon County, Idaho.

Commission Secretary Levi read the testimony guidelines and proceeded to the business item on the Agenda.

No conflicts were stated by the Commissioners.

Planner Dan Lister presented the staff report. He presented a Powerpoint that included specifics of this project and comments that were received. This project is a 14 lot subdivision with an average lot size of 3.3 acres. It was originally rezoned in 2013. The lots will be served by individual well and septic systems. The domestic wells will be used to irrigate up to .5 acres. There are no irrigation water rights on the property. Southwest District Health is still reviewing the SER report and will have their review completed before the Board review of this application. They did not indicate concerns with the proposal. He reviewed the late exhibits 6 and 7. The comments were concerned that the project has more lots than what was represented in the rezone and with the extension of Grey Sage Road. Planner Lister said the record of the rezone did not include any representation of the number of lots on the subject parcel. He listed some corrections to the findings should the project be recommended for approval by the Commission.

Commissioner Williamson asked if they are using Grey Sage Road instead of Wagner Road.

Commissioner Hall asked if Wagner Road was an arterial road. Planner Lister replied it was a local road.

Testimony:

Kurt Smith, 2587 Southside Boulevard, Melba, ID, is the engineer on the project and represented the applicant. They will comply with the agency comments. The plat has been revised to reflect the highway district comments. Wells in the area show adequate water is available. Grey Sage Road was planned to be extended and are using the existing bridge that was provided for that purpose. The developer could have developed 24 lots. Their smallest lot is 2.4 acres. The no-build areas are designated on the plat. They will comply with agency requirements.

Commissioner Williamson asked about the load that can be accommodated on the bridge. Mr. Smith responded that it is his understanding that the bridge, being part of the public road ROW, it meets the highway district standards.

Commissioner Fried asked about fire flow requirements and how it will affect wells. Mr. Smith stated the fire department could require, based on the size of the house, that adequate fire flow be on site, usually by providing a water source or sprinklers.

Director Nilsson stated that the need for sprinklers can be included in the land use decision. The County has not adopted the International Fire Code so sprinklers can't be required at the time of building permit issuance.

Tracie Jones, 15970 Which Way Drive, Caldwell, ID, testified in favor of the application as the property owner. She said they originally intended to develop a few lots, but after talking with engineers and designed the project, they added more lots to make a better neighborhood than just have random houses placed on the property and increase her family's financial stability.

Diana Hoffman, 27990 Gray Sage Road, Caldwell, ID, said that the Jones' told them at a previous P&Z meeting that only a few lots would be developed. They want to know that the highway district will require. She wants the road to come from Wagner through Phase 1. She doesn't think the area near Wagner Road is hilly. She is concerned with the combined impact to wells when Stadium Subdivision is developed.

Cheryl Keithly, 27846 Gray Sage Road, Caldwell, ID, testified in opposition to the project. She stated she submitted two letters. A road from Wagner could be aligned with the Butterfly Ridge Subdivision. They were told their street would dead end. More traffic on Gray Sage will ruin their neighborhood.

Mr. Smith provided rebuttal testimony. Regarding Wagner Road, both the highway district and the original plat intended to stub Gray Sage Road to this property. It has a 60' right-of-way and no capacity issues. The revised highway district comments have been submitted to the County. The water study is part of the engineering report to be reviewed by Southwest District Health and it has also been submitted to the County who may be able to make available for review by interested parties.

Commissioner Williamson asked if a secondary access from Wagner would be considered. Mr. Smith replied that it would create 600 feet of excess road that the highway district would have to maintain. If required, they would do it, but does not feel it is needed.

Commissioner Hall stated that highway district does not like to add new road connections to arterials. Another road would be very costly. Mr. Smith responded that is correct. The highway district did

request additional right-of-way along Wagner Road.

MOTION: Commissioner Hall moved to close public testimony on Case SD2019-0042, seconded by Commissioner Williamson. Voice vote, motion carried.

Commissioner Hall stated it is rare that we get proposals that represented less density than allowed by the entitlement. The fact there's a bridge indicates the road was intended to be continued. He has no issues with how it sits. It will pass 8 other properties. The lot sizes are large. He is concerned that we don't have some improvements but he feels that can be dealt with when the final plat is prepared in compliance with the conditions.

MOTION: Commissioner Hall moved to recommend approval of Case SD2019-0042, to the Board of Canyon County Commissioners based on Findings of Fact, Conclusions of Law and forward the recommendation to the Board of County Commissioners. Motion seconded by Commissioner Williamson. Commissioner Fried commented that the opposition comments should have happened at the rezoning. There may have been intentions made, but the property could have traded hands since then and be developed using the entire entitlements. Roll call vote with 5 in favor and 0 opposed, motion carried.

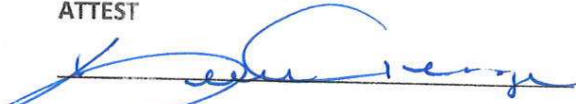
Commissioner Fried moved to adjourn. Commissioner Williamson seconded the motion. Voice vote, motion carried. Meeting adjourned at 8:19pm.

Approved this 20th day of August, 2020



Chairman Robert Sturgill

ATTEST



Kellie George, Recording Secretary

O:\Planning & Zoning Commission\Minutes\2020 Minutes\8-6-2020 Kimber Ridge Sub.docx

Commissioners Minutes

September 21, 2020 – 1:32 p.m. to 2:16 p.m.

PUBLIC HEARING – PRELIMINARY PLAT AND GRADING AND DRAINAGE PLAN FOR KIMBER RIDGE SUBDIVISION, CASE NO. SD2019-0042

Commissioners Pam White, Tom Dale and Leslie Van Beek

DSD Director Tricia Nilsson

Kurt Smith

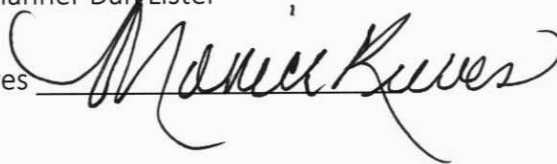
Tracie Jones

Patricia Alvey

Dennis Jones

Present via Webex: DSD Planner Dan Lister

Deputy Clerk Monica Reeves



PUBLIC HEARING – PRELIMINARY PLAT AND GRADING AND DRAINAGE PLAN FOR KIMBER RIDGE SUBDIVISION, CASE NO. SD2019-0042

The Board met today at 1:32 p.m. to conduct a public hearing in the matter of a request by Dennis Jones for a preliminary plat and grading and drainage plan for Kimber Ridge Subdivision on Parcel R37886012, Case No. SD2019-0042. Present were: Commissioners Pam White, Tom Dale and Leslie Van Beek, DSD Director Tricia Nilsson, Kurt Smith, Tracie Jones, Patricia Alvey, Dennis Jones and Deputy Clerk Monica Reeves. DSD Planner Dan Lister participated via Webex. Dan Lister gave the oral staff report. The parcel was rezoned to rural residential in 2018. The P&Z Commission recommended approval subject to conditions. Staff reviewed the plat with the county engineer and found it to be consistent with the code. The plat is a 48.59 parcel with an average lot size of 3.3 acres. The project will be completed in two phases. Mr. Lister reported on agency comments as well as the testimony at the underlying P&Z Commission hearing. Staff recommends the Board approve the preliminary plat with conditions of approval. Mr. Lister responded to questions from the Board following his report.

The following people testified in support of the request:

Kurt Smith gave testimony about the plat as the project engineer. The applicants agree with the staff report and proposed conditions. They have revised the plat to show a 60-foot access for Lots 1 and 2 for Phase 1, and they will meet the requirements of the highway district. Discussion ensued regarding fire code and a note on the plat. Mr. Smith responded to questions from the Board following his testimony. Commissioner Van Beek does not support the overreach to put the cost of the developer as it pertains to fire code. Mr. Lister it's not a plat note at this

point, it's a condition that the fire district review it at the final plat stage and at that point there can be discussions about whether they want a plat note.

Tracie Jones testified that she and her husband own the project but they are not developers. Their goal was to subdivide and build their home and give their kids a few lots and sell a few lots. They had to rezone the property since the original owner had let the zoning lapse. Once they rezoned the property and had professionals involved they realized the project was much more than they anticipated. They listened to neighbors' concerns and decided that 14 lots would be a better alternative.

Dennis Jones testified about lot sizes in nearby subdivisions.

Patricia Alvey testified that she and her husband have been looking for property in a peaceful rural setting and this project offers what they are looking for.

Upon the motion of Commissioner Dale and the second by Commissioner Van Beek, the Board voted unanimously to close public comment. Commissioner Dale supports the request as it does not take any agricultural ground out of production. Commissioner Van Beek likes the project and their applicants plan to offer something different in the market. She does not want further restrictions placed on the applicants. Following the Board's deliberation, Commissioner Van Beek made a motion to approve the preliminary plat as well as the grading and drainage plan for Kimber Ridge Subdivisions and to sign the findings of fact, conclusions of law, and order. The motion was seconded by Commissioner Dale and carried unanimously. The hearing concluded at 2:16 p.m. An audio recording is on file in the Commissioners' Office.

SUBDIVISION VALIDATION

Subdivision Name: Kimber Ridge No. 2 Zone: "RR" Impact Area: NA

Hwy District	Fire District	School District	Zip Code	Originating Parcel(s)
Notus-Parma	Middleton	Middleton		R37886012

Floodplain: Not in SFHA Zone X Zone A Zone AE FLOODWAY Zone AH

Land Use Approval

Subdivision Approval

RZ#:	RZ2018-0020	Case File#:	SD2019-0042 (Prelim) SD2021-0030 (final)	
CU#:		# Residential Lots:	9	
#Acres:		# Common Lots:	#Restricted Lots:	
P&Z	Date: 11/01/2018	P&Z	Date: 08/06/2020	
HE	Date:	HE	Date:	
BOCC	Date: 12/4/2018	BOCC	Date: 06/01/2022 Final	

Applicable Ordinance	16-007	Final Plat Recordation	06/01/2022	Instrument #:	2022-028407
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GRADING & DRAINAGE PLANS: (Lot development i.e. residence and accessory structures) Required w/BP Not required

APPLICABLE CONDITIONS:

1. Plat Note No. 8 – All slopes greater than 15% are **NO BUILD ZONES**, as stated on Plat Note No. 8 (Lots 9 & 10 of Block 1)

Subdivision Improvements Required: No improvements required

Road(s) Curbs Gutters Sidewalks Streetlights Landscaping or Other (describe) Irrigation system

Roads:

<input checked="" type="checkbox"/>	Public	<input type="checkbox"/>	Private	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	60'	<input type="checkbox"/>	Other	Director's Appr:	<input type="checkbox"/>
Approved Road Names:		Gray Sage Road									
Road User's Maint. Agrmt (RUMA) Instrument #:						N/A – public roads			<input checked="" type="checkbox"/>	Road Certification:	
Addressed by:		<input type="checkbox"/>	County		<input checked="" type="checkbox"/>	City					

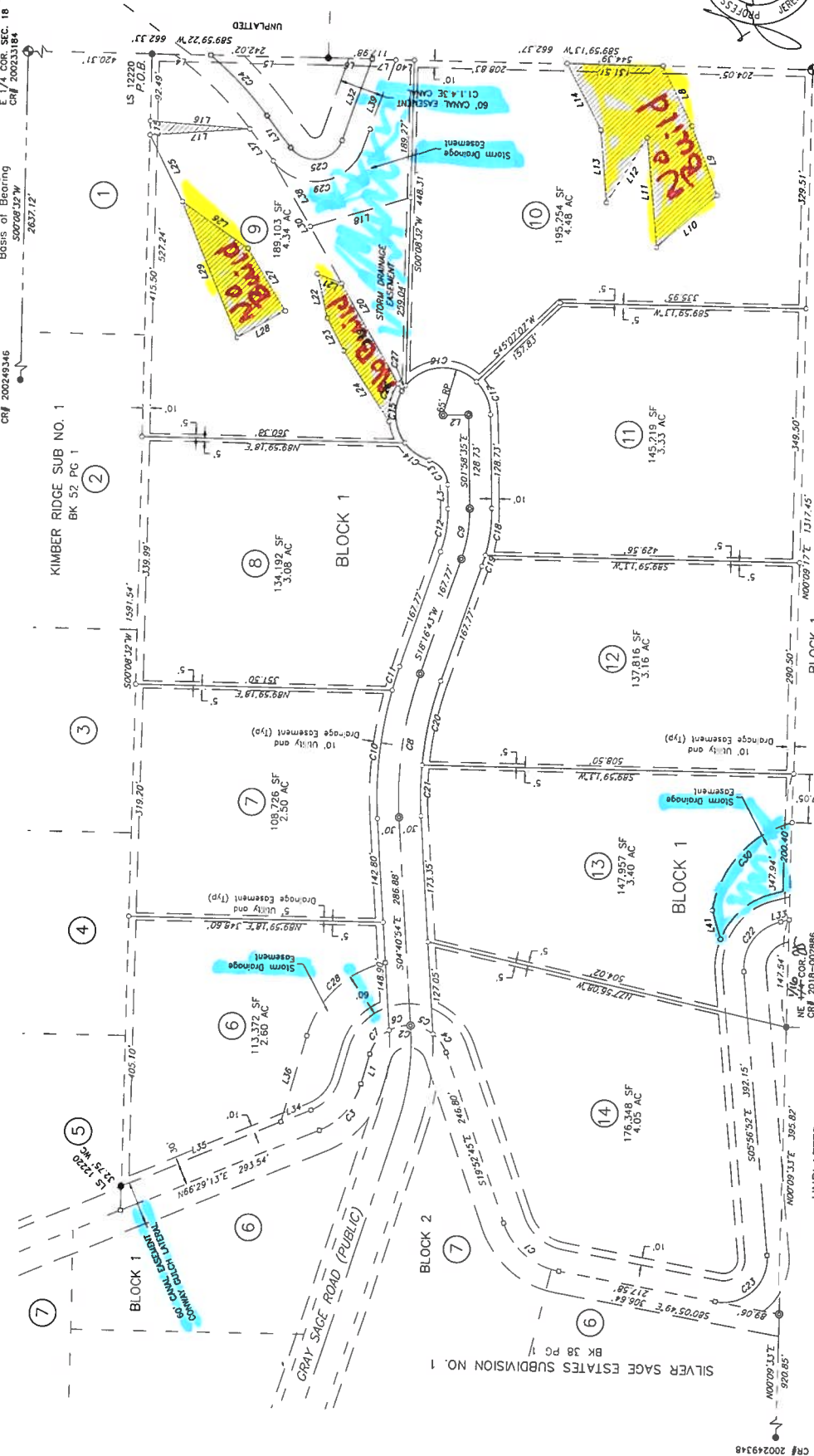
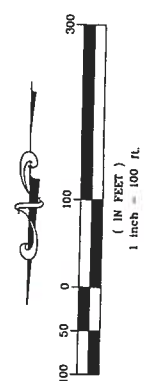
	Certification --- Date/Engineer	As built Plans in Office	Bonded Expiration Date
Irrigation System	Certified 05/20/2022		
Private Road	Public Roads		
Drainage	On site		
Subdivision Improvements	Roads		
Street Signs	Installed		
Other:			

APPROVED for Building Permits: YES NO Building Envelopes/Non-Build Lots: YES NO

Planner: Stephanie Hailey Date: 6/7/2022 Reviewed By: Stephanie Hailey Date: 06/7/2022

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
PLAT
Pgs-3 JMWISLOW
KIMBER RIDGE SUBDIVISION
\$11.00

**FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 2**
PART OF THE E 1/2 OF THE NE 1/4 OF
SECTION 18, T. 5 N., R. 3 W., B.M.
CANYON COUNTY, IDAHO
2022



NE COR SEC 18
CR# 200249346

E 1/4 COR. SEC. 18
CR# 200233184

Basis of Bearing
2637.12'

WC Witness Corner

P.O.B. Point of Beginning

THE STADIUM SUBDIVISION
BK 47 PG 20

CE 1/16 COR.
CR# 200328284

BOOK 54 PAGE 82

EAGLE LAND SURVEYING, LLC.
108 W. MAIN ST., SUITE 0, MADISON, ID 83444
(208) 667-1515, info@eaglesurvey.com

REVISION DATE: 1-18-22

LEGEND

	Found Brass Cap
	Calculated Point
	Found 5/8" rebar
	Set 1/2" rebar with plastic cap labeled PLS 12220
	Set 5/8" rebar with plastic cap labeled PLS 12220
	Record Distance
	Lot Number

Boundary Line
Section Line
Property Line
Platted Centerline
Easement Line
Lot Line

Slope Greater than 15%

* Notes are located on Sheet 2.

DATE:	4-28-21	PROJECT:	19-126	OF	3
DRAWN BY:	JMB	CHECKED BY:	JMB	DATE:	1-18-22
SEC. 18, T. 5 N., R. 3 W., B.M.					
SHEET 1					

FINAL PLAT OF KIMBER RIDGE SUBDIVISION NO. 2

CERTIFICATE OF OWNERS

KNOW ALL PEOPLE BY THESE PRESENTS: THAT I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE OWNER OF THAT REAL PROPERTY TO BE KNOWN AS KIMBER RIDGE SUBDIVISION NO. 2, AND THAT I INTEND TO INCLUDE SAID REAL PROPERTY, AS DESCRIBED BELOW, IN THIS PLAT:
Part of the East 1/2 of the NE 1/4 of Section 18, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho described as:

Commencing at a found Brass Cap marking the East Quarter corner of Section 18, Township 5 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and running thence S89°52'22"W 420.31 feet along the South line of the Northeast 1/4 of said Section to the Point of Beginning; thence S89°52'22"W 242.02 feet along said South line to a found 5/8" rebar; thence S89°52'13"W 662.37 feet along said South line to a Brass Cap marking the Southwest corner of the Southeast 1/4 of said Section; thence N00°09'17"E 1317.45 feet along the West line of the Southeast 1/4 of said Section; thence N00°09'17"E 395.82 feet along the West line of the Northeast 1/4 of said Section; the Northeast 1/4 of said Section to the Southwest corner of Lot 6, Block 2 of the Silver Sage Estates Subdivision No. 1; thence along the South line of said Subdivision the following seven (7) courses: (1) thence along the South line of said lot to a point of curve; (2) thence Southeasterly 104.96 feet along said curve to the right (Curve data: Radius= 99.87'; Delta= 60°13'10"); Chord Bearing and Distance= S49°59'17"E 100.20 feet; (3) thence S19°52'45"E 246.80 feet to a point of curve; (4) thence Easterly 139.51 feet along said curve to the left (Curve data: Radius= 55.08'; Delta= 145°07'38"; Chord Bearing and Distance= N87°33'26"E 105.10 feet); (5) thence N14°59'37"E 42.97 feet to a point of curve; (6) thence Northeasterly 88.23 feet along said curve to the right (Curve data: Radius= 98.17'; Delta= 51°29'36"; Chord Bearing and Distance= N40°44'25"E 85.29 feet); (7) thence N66°29'13"E 293.54 feet; thence S00°08'32"W 1591.54 feet to the Point of Beginning.

Parcel contains 32.37 acres, more or less.

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY INCLUDE THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT, AND TO DEDICATE TO THE PUBLIC RIGHTS-OF-WAYS SHOWN ON THIS PLAT. PUBLIC STREETS AND RIGHTS-OF-WAYS SHOWN ON THIS PLAT ARE DEDICATED TO THE PUBLIC FOREVER. THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS MAY BE REQUIRED WITHIN THE LINES OF SAID EASEMENTS. ALL INDIVIDUAL LOTS WITHIN THIS SUBDIVISION WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE OR MORE OF THE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND:
Dennis G. Jones
DENNIS G. JONES

Tracie Lee Jones
TRACIE LEE JONES

ACKNOWLEDGMENT

MARIA ELENA PANTOLUA
Notary Public, State of Idaho
My Commission Expires Nov 28, 2024

STATE OF IDAHO) S.S.
COUNTY OF CANYON)

ON THIS 2ND DAY OF MAY, 2022, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, HAS APPEARED DENNIS G. JONES AND TRACIE LEE JONES, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO SAID INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC *Maria Elena Pantolua*
RESIDING AT *14142111*
MY COMMISSION EXPIRES *11/28/2024*

NOTES

1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF SUBMISSION. SETBACKS SHALL BE AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY UNLAWFUL FACILITY OR OR ABOUT THE SURROUNDING AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR 1 YEAR FROM THE DATE WHEN THE PROVISIONS OF THIS SECTION BECAME APPLICABLE TO THE FACILITY OR EXPANSION. WHEN THE NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF, TO 0.5 ACRES PER LOT.
3. THERE ARE NO WATER RIGHTS AVAILABLE FOR THIS SUBDIVISION. IRRIGATION FROM PRIVATE WELLS IS LIMITED TO 0.5 ACRES PER LOT.
4. UNLESS OTHERWISE NOTED, EASEMENT WIDTHS SHALL BE 10 FEET ALONG SUBDIVISION BOUNDARY, 5 FEET ALONG PRIVATE LOT LINES, AND IF A LOT LINE IS MOVED, THE EASEMENT(S) SHALL MOVE WITH THE LOT LINE. PROVIDED THAT THE UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENT(S).
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
6. NO PERMANENT STRUCTURE SHALL BE LOCATED CLOSER THAN EIGHTY FEET (80') TO ANY SECTION OR QUARTER LINE PRESERVED FOR A FUTURE ROAD UNLESS THE HIGHWAY DISTRICT HAVING JURISDICTION WAIVES THE SEVENTY FOOT (70') SETBACK REQUIREMENT.
7. ALL SLOPES GREATER THAN 1:5% ARE NO-BUILD ZONES. NO STRUCTURES SHALL BE ALLOWED WITHIN THE NO-BUILD ZONES. NO EXCAVATION IS ALLOWED IN THE NO-BUILD ZONES UNLESS A GRADING PLAN IS SUBMITTED.
8. FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUMPOFF SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
9. POST DEVELOPMENT STORM WATER RUN-OFF FROM EACH OF IS TO BE MANAGED BY LANDSCAPING MEASURES, SWALES, DITCHES AND SIMILAR RETENTION METHODS. THE RESPONSIBILITY OF LANDSCAPING CONSTRUCTION AND MAINTENANCE OF THESE FACILITIES IS TO BE THE RESPONSIBILITY OF EACH LOT OWNER.
10. WATER FOR DOMESTIC PURPOSES SHALL BE SUPPLIED BY SINGLE PARTY WELLS. SANITARY RESTRICTIONS CONCERNING WELLS RESERVED FOR WELL INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
11. SPRAWLS, DISPOSAL SHALL BE BY INDIVIDUAL SEPTIC SYSTEMS. SANITARY RESTRICTIONS CONCERNING AEROS ASSESSED. THE CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
12. THE HOMEOWNERS' ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL ASPECTS OF THE CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
13. THE HOMEOWNERS' ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL ASPECTS OF THE CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
14. THE HOMEOWNER'S ASSOCIATION, UNDERLYING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ROUTINE AND HEAVY MAINTENANCE.

SURVEYOR'S NARRATIVE:

1. THE BOUNDARY OF THIS SUBDIVISION WAS ESTABLISHED BY KIMBER RIDGE SUR. NO. 1 TO THE EAST, SUR. NO. 1 TO THE NORTH, BUTTERFLY RIDGE SUB. NO. 2 TO THE SOUTH, AND THE STADIUM SUBDIVISION TO THE WEST.
2. THIS PLAT WAS DONE AT THE REQUEST OF DENNIS G. JONES AND TRACIE LEE JONES TO DEVELOP NINE RESIDENTIAL LOTS.

SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE BY ME AND MY ASSISTANTS UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE CONDITIONS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.



JEREMIAH B. FIELDING, P.L.S. IDAHO LICENSE NO. 12220

BOOK 54 PAGE 22
EAGLE LAND SURVEYING, LLC.
100 W. MAIN ST., SUITE B, MERIDIAN, IDAHO 83645
(208) 867-7515; FAX: 208-220-9900; www.els.com

REVISION DATE: 1-18-22

SEC. 18, T. 5 N., R. 3 W., B.M.

DATE:	4-26-22	PROJECT:	19-126	OF	3
PREPARED BY:	JBF	CHECKED BY:	JBF	DATE:	4-26-22
CHECKED BY:	JBF	DATE:	4-26-22	BY:	JBF

SHEET 2

FINAL PLAT OF KIMBER RIDGE SUBDIVISION NO. 2

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

[Signature]
SOUTHWEST DISTRICT HEALTH
DATE: 4/5/2022

APPROVAL OF CANYON COUNTY COMMISSIONERS
ACCEPTED AND APPROVED THIS 1 DAY OF June, 2022, BY
THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.

[Signature]
CHAIRMAN, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS
[Signature]
SECRETARY, CANYON COUNTY BOARD OF COUNTY COMMISSIONERS



CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR, IN AND FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

[Signature]
CANYON COUNTY SURVEYOR
PAUL R. KINASCIE TEL# 2659 4/5/22

CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. § 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THIRTY (30) DAYS ONLY.

[Signature]
TREASURER
CANYON COUNTY, IDAHO
DATE: 05.24.2022

APPROVAL OF NOTUS-PARMA HIGHWAY DISTRICT NO. 2

NOTUS-PARMA HIGHWAY DISTRICT NO. 2 DOES HEREBY ACCEPT THIS PLAT, AND THE DEDICATED PUBLIC STREETS, HIGHWAYS AND RIGHTS OF WAY AS ARE DEPICTED ON THIS PLAT, IN ACCORDANCE WITH THE PROVISIONS OF I.C. § 50-1312.

[Signature]
CHAIRMAN
DATE: 5-10-2022



BOOK 54 PAGE 22
EAGLE LAND SURVEYING, LLC.
108 W MAIN ST. SUITE 100
2000 MT.AIN, PA. IDAHO 83424
REVISION DATE: 1-18-22

SEC. 10, T. 5 N., R. 3 W., B.M.	
DATE	SHEET
4-26-22	3
PROJECT: 19-126	OF
CONTRACT NO. 19-126	3
CITY: ID	ALL RIGHTS RESERVED



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, Suite 310 ▪ Caldwell, Idaho ▪ 83605 ▪ (208) 454-7458

DSDInfo@canyonco.org • www.canyonco.org/dsd

Madam Chair

Kimber Ridge Subdivision No.2 - Case No. SD2021-0030

Staff: Stephanie Hailey – Engineering Coordinator

Request:

BOCC signature on the **Final Plat** for Kimber Ridge Subdivision No. 2.

Development Data:

- Zoned “R-R” (Rural Residential, average residential lot size of 3.3 acres; RZ2018-0020).
- 9 residential lots
- Internal public roads
- Individual septic systems
- Individual domestic wells

Project Background:

The preliminary plat for Kimber Ridge Subdivision No. 2 was approved by the Board of County Commissioners on September 21, 2020, subject to eight (8) conditions of approval (Exhibit A). All conditions of approval have been met, as follows:

- **Condition #1:** Subdivision improvements have been constructed and certified by Intermountain Engineering (Exhibit B). Construction drawings have been approved by Keller & Associates (Exhibit C).
- **Condition #2:** No changes are proposed to the historic drainage patterns (Exhibit F).
- **Condition #3:** Finish grades at subdivision boundaries shall match existing grades. Storm water runoff shall be maintained on the subject property unless otherwise approved, Plat Note 9 of the final plat (Exhibit D) and (Exhibit E).
- **Condition #4:** The development complies with Southwest District Health requirements, agency has signed the final plat mylar.
- **Condition #5:** The development complies with Middleton Rural Fire requirements (Exhibit G).
- **Condition #6:** The development complies with the requirements and requests of the Notus-Parma Highway District, agency has signed the final plat mylar.
- **Condition #7:** The 60’ wide shared access easement is not applicable to Phase 2 of the Kimber Ridge final plat.
- **Condition #8:** All slopes greater than 15% are no build zones, as stated on Plat Note 8 of the final plat (Exhibit D).

Keller & Associates Engineering:

Keller & Associates has reviewed the final plat and construction drawings and recommended that they be approved (Exhibit C).

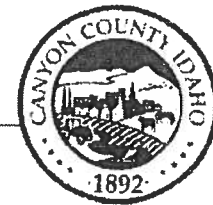
Recommendation:

The Final Plat is in compliance with CCZO § 07-17-13. Staff recommends that the Board of County Commissioners sign the Final Plat for Kimber Ridge Subdivision No. 2.

Exhibits:

- **Exhibit A:** BOCC Preliminary Plat FCOs
- **Exhibit B:** Engineer Certification of Completion (improvements)
- **Exhibit C:** Keller & Associates
- **Exhibit D:** Final Plat
- **Exhibit E:** Storm Drainage Report
- **Exhibit F:** Black Canyon Irrigation District
- **Exhibit G:** Middleton Rural Fire District

Canyon County Board of County Commissioners
Kimber Ridge Subdivision - SD2019-0042
Development Services Department



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER
Kimber Ridge Subdivision - SD2019-0042

Findings

1. Dennis Jones submitted a Preliminary Plat with Grading and Drainage Plan for Kimber Ridge Subdivision on Parcel R37886012. The proposed development contains 14 residential lots on approximately 48.59 acres. The subdivision will be completed in two phases. The property is located adjacent to 27798 Gray Sage Drive, Caldwell. The property is further described as a portion of the NE ¼ of Section 18, T5N, R3W, BM; Canyon County, Idaho.
2. The 48.59 acre property is zoned "R-R" (Rural Residential, two acre average lot size; RZ2018-0020).
3. The average residential lot size of 3.3 acres.
4. The property is not located within an area of city impact.
5. The property does not have irrigation water rights. Therefore, each property will use domestic wells to irrigate up to 0.5 acre feet. The development shall comply with Black Canyon Irrigation District requirements.
6. The development will be served by individual well and septic systems.
7. Subdivision runoff will be maintained within the subdivision. Drainage will be routed through roadside swales to two easements proposed as stormwater drainage basins (Attachment A; Lots 6 and 9 of Block 1).
8. Nine lots within the subdivision (Phase Two) will be served by the extension of Gray Sage Road, a public road. Five lot (Phase one) will be served by Wagner Road, a public road. Lots 1 and 2 will be served by 51' wide shared access easement. As a condition of approval, the applicant shall increase the easement to 60' wide or obtain approval for an easement reduction. Also, the shared access easement requires a road user's maintenance agreement (CCZO Section 07-10-03(1)B3 and must be constructed to shared driveway standards (CCZO Section 07-10-03(3)).
9. Notus-Parma Highway District does not oppose the request subject to conditions of approval (Attachment D). The conditions include corrections such as right-of-way dedication, driveway spacing, cul-de-sac design, vertical alignment for Gray Sage Road, drainage easement information, borrow ditch design and detention/retention facilities sizing. Notus-Parma believes the corrections do not ultimately alter the preliminary plat. Therefore, correction will be provided as part of the construction plan and final plat review.
10. Middleton Rural Fire does not oppose the request. Final plat review is required to ensure adequate access road design and that each lot can meet minimum fire flow requirements. If not, all dwellings will be required to be fully sprinkled (Attachment E).
11. The development is not located within a mapped floodplain (Flood Zone X).
12. On August 6, 2020, the Planning and Zoning Commission recommended approval of the plat subject to conditions of approval.
13. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2019-0042.
14. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on September 1, 2020. Newspaper notice was published on September 6, 2020. Property owners within 300' were notified by mail on September 2, 2020. The property was posted on or before September 14, 2020.



Conclusions of Law

Pursuant to CCZO Section 07-17-09(5):

1. *The Board shall consider the Commission's recommendation at a noticed public hearing.*
 - On August 6, 2020, the Planning and Zoning Commission recommended approval of the preliminary plat
2. *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.*

Standard of Review for Subdivision Plat:

- A. Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions);
- B. Idaho Code, Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code, Section 31-3805 (Irrigation); and
- D. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

The preliminary plat was found to be consistent with the standards of review (Exhibit 1, Attachment C).

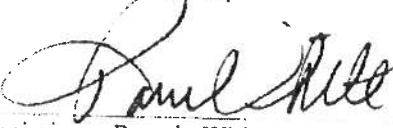
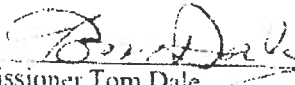
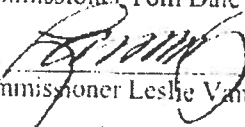
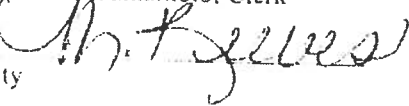
Conditions of Approval

1. All subdivision improvements (public roads, shared access, irrigation and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
 - a. Prior to installation of improvements, a construction plan must be reviewed and approved by the County engineer.
 - b. As recommended by the Idaho Department of Environmental Quality (Attachment C) an approved dust preventive and control plan and NPDES permit shall be acquired and submitted prior to any construction.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected. Modification shall be approved in writing by Black Canyon Irrigation District and Bureau of Reclamation. The development shall comply with Black Canyon Irrigation District requirements. Evidence of approval shall be a letter from Black Canyon Irrigation District. Evidence shall be submitted prior to final plat approval.
3. Finish grades at subdivision boundaries shall match existing finish grades. Storm water runoff shall be maintained on the subject property (Attachment C).
4. The development shall comply with Southwest District Health requirements (Attachment C)
5. The development shall comply with Middleton Rural Fire requirements (Attachment E). Evidence of approval shall be a letter from Middleton Rural Fire District. Evidence shall be submitted prior to final plat approval.
6. The development shall comply with requirements and requested correction of the Notus-Parma Highway District (Attachment D).
7. Prior to final plat submittal, the shared access easement serving Lots 1 and 2 shall either be 60' wide or approved for an easement reduction in accordance with CCZO Section 07-10-03(1)D.
 - a. The shared access easement shall have a recorded road user's maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with instrument number shall be added as a plat note on the final plat.
8. The applicant shall clearly delineate the boundaries of the no-build area where slopes exceeding 15% on the preliminary and final plat. No structures shall be allowed within the no-build area.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2020-0042, the Board of County Commissioners **approval** of the Preliminary Plat, Irrigation, and Drainage Plans for Kimber Ridge Subdivision subject to the Conditions of Approval as enumerated herein.

APPROVED this 21 day of September, 2020.

	Yes	No	Did Not Vote
 Commissioner Pamela White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Tom Dale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Leshe Van Beck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attest: Chris Yamamoto, Clerk			
By:  Deputy			
			Date: <u>12/20</u>

Intermountain Engineering

5/20/22

Canyon County Development Services Department
Devin Krasowski
111 N. 11th Avenue
Caldwell, ID 83605

Re. Kimber Ridge Subdivision No. 2

Dear Mr. Krasowski

Intermountain Engineering has visited the above mentioned site and inspected the drainage system that has been constructed as well as the grading along the boundary of the development. The construction was found in substantial compliance with the approved plans. The dust prevention and control plan was implemented during construction keeping the project in compliance to its requirements. The storm drain systems as constructed appears to be working as designed. The ponds have been seeded as shown on the attached plans. It also appears Idaho power has also extended power to each or the proposed lots. If you have questions or need more information you can reach me at (208) 941-1245.

Sincerely
Intermountain Engineering P.C.

L. Kurt Smith, P.E.
President
cc.



2587C Southside Blvd., Melba, Idaho 83641 • (208) 941-1245 • Fax (208) 495-2469

Exhibit 8c



100 E Bower Street, Suite 110
Meridian, ID 83642

(208) 288-1992

May 13, 2022

Mr. Dan Lister
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, ID 83605

Re: Kimber Ridge Subdivision No. 2 Final Plat Application

Dear Mr. Lister:

Keller Associates, Inc. has reviewed the Kimber Ridge Subdivision No. 2 Final Plat dated January 18, 2022. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

We recommend that the Final Plat 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 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 that reads "Justin Walker".

Justin Walker, P.E.
County Engineer

cc: File



KELLER
ASSOCIATES



100 E Bower Street, Suite 110
Meridian, ID 83642

(208) 288-1992

May 20, 2022

Mr. Dan Lister
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: Kimber Ridge Subdivision No. 2 Construction Drawings

Dear Mr. Lister:

Keller Associates, Inc. has reviewed the construction drawings for the Kimber Ridge Subdivision No. 2 dated May 13, 2022. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

We recommend that the construction drawings 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 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,

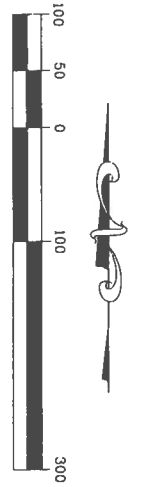
KELLER ASSOCIATES, INC.

Justin Walker, P.E.
County Engineer

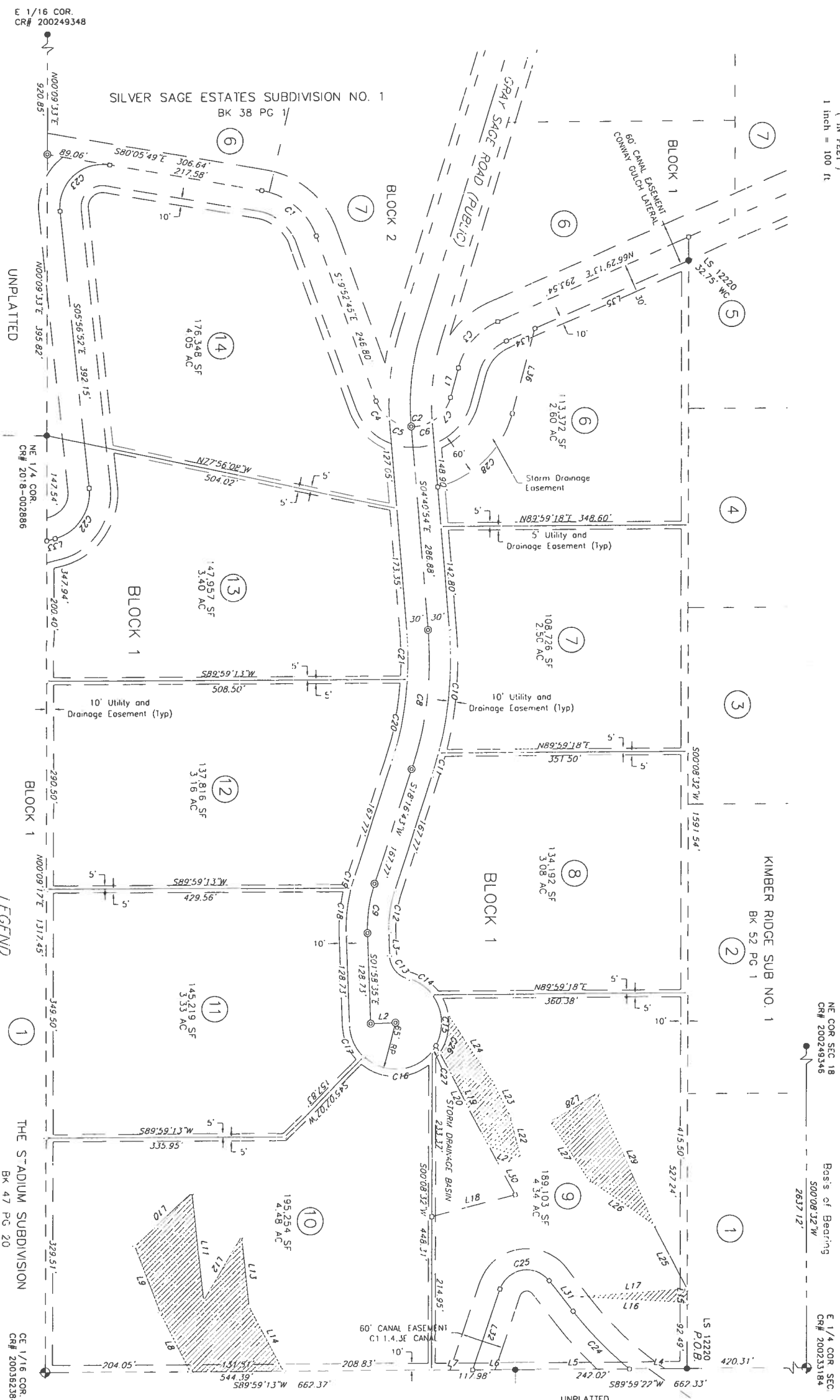
cc: File



sent to Keller for review on 6/3/21



FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 2
 PART OF THE E 1/2 OF THE NE 1/4 OF
 SECTION 18, T. 5 N., R. 3 W. B.M.
 CANYON COUNTY, IDAHO
 2021



* Notes are located on Sheet 2



- LEGEND**
- Found Brass Cap
 - Calculated Point
 - Found 5/8" rebar
 - Set 1/2" rebar with plastic cap labeled "PLS 12220"
 - Set 5/8" rebar with plastic cap labeled "PLS 12220"
 - Record Distance
 - () Lot Number
 - Boundary Line
 - Property Line
 - Platted Centerline
 - Easement Line
 - Lot Line
 - ▨ Slope Greater than 15%
 - WC Witness Corner
 - P.O.B. Point of Beginning



DATE:	4-26-21	PROJECT:	19-126	SHEET:	1
DRAWN BY:	JBR	CHECKED BY:	JBR	DATE:	07
BOOK:		PAGE:			3
SEC. 18, T. 5 N., R. 3 W., B.M.					

NE COR SEC 18
 CR# 200249346

Bas's of Bearing
 500°08'32"W
 263°12'

E 1/4 COR SEC 18
 CR# 200233184

STORM DRAINAGE
CALCULATIONS FOR:

KIMBER RIDGE ESTATES ESTATES PHASE 2
Sand Hollow, Idaho

May 24, 2021

AS PREPARED BY:
Intermountain Engineering
2587C Southside BLVD.
Melba, Idaho 83641
(208) 941-1245



Exhibit 8c

Area = Infiltration bed area, sf
Perc. rate = percolation rate, in/hr
t = worst-case duration, min.

ORIFICE EQUATION

$$Q = (\text{Coefficient})(3.1416 \times \text{Radius}^2)(64.4 \times \text{Head})^{1/2}$$

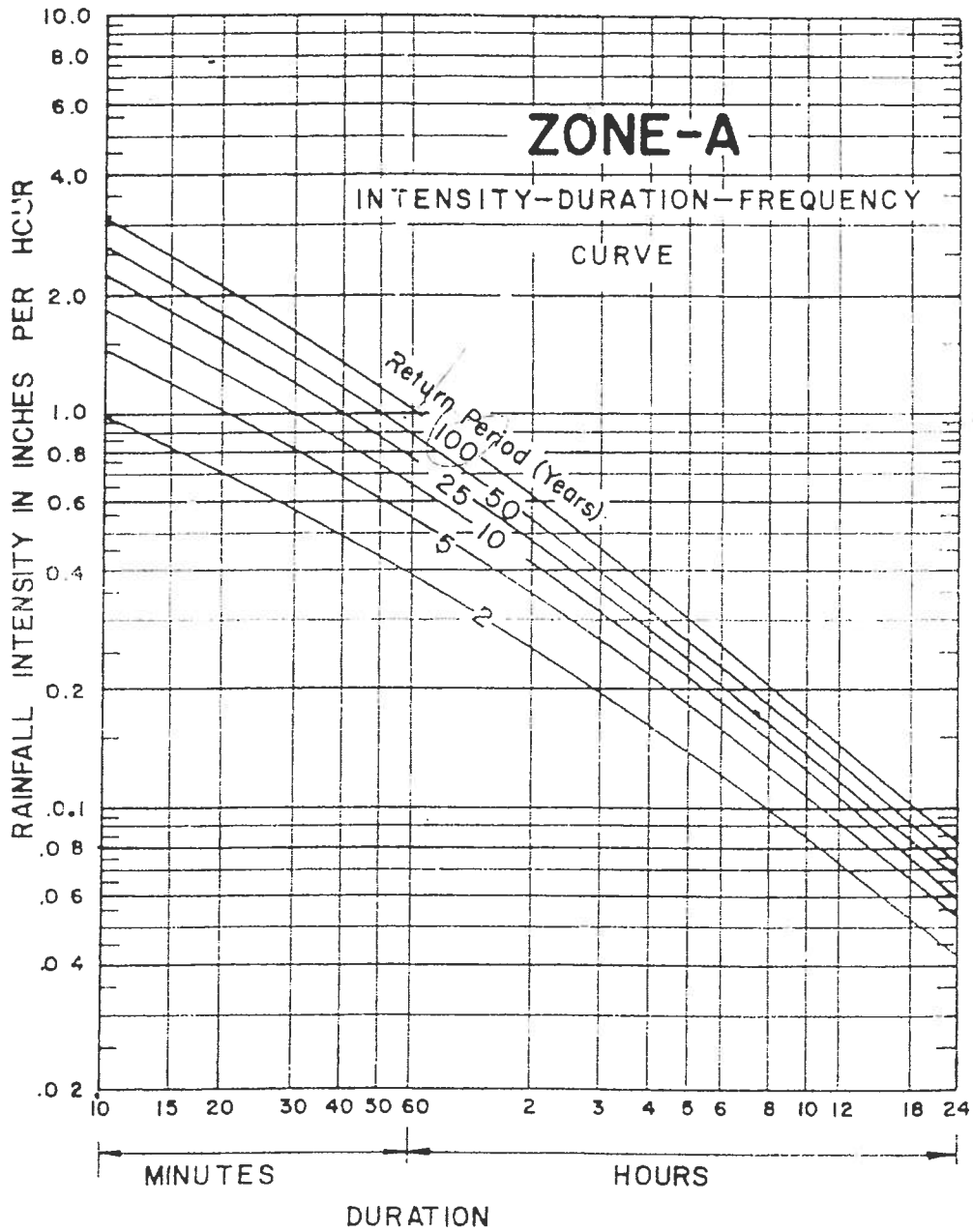
where: Head = W.S.E. - Center of Orifice
= 81.50 - 78.14
= 3.4'

OTHER EQUATIONS USED

$$Q = VA$$

where: Q = Flow, cfs
V = Velocity, fps
A = Cross Sectional Area, sq. ft.

Exhibit A



Stormdrain system #1

POST-DEVELOPED FLOW AND VOLUME CALCULATIONS

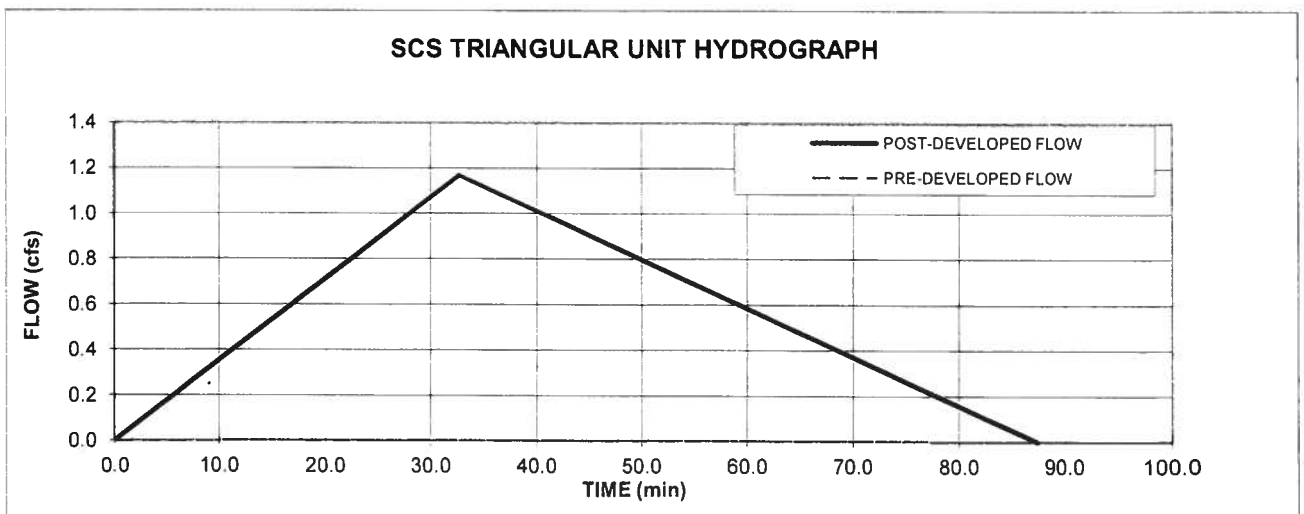
STORM RETURN PERIOD = 100 YEAR

BASIN CHARACTERISTICS

BASIN AREA=	5.16	acres	
DISTANCE TO BARROW DITCH=	337.00	feet	DISTANCE ACCESS ASPHALT=
LOT SLOPE =	5.29%		LOT SLOPE TO VG=
MANNING'S n FOR Range=	0.130		MANNING'S n FOR ASPHALT=
INTERCEPT Coeff short grass	7.0		
BARROW DITCH FLOW			
FLOW LENGTH=	158	feet	
Barrow Ditch SLOPE=	0.40%		
AVERAGE Ditch Velocity=	1.50	ft/sec	
PIPE LENGTH=	33	feet	
AVERAGE PIPE VELOCITY=	2.00	ft/sec	
RUNOFF COEFFICIENT (C)=	0.2	CHART	

FLOW AND VOLUME CALCULATION RESULTS

LOT TRAVEL TIME =	20.31 min.	Sheet flow	
LOT TRAVEL TIME=	0.38 min.	Shallow Concentrated Flow	
BARROW DITCH TRAVEL TIME=	1.8 min.		
PIPE TRAVEL TIME=	0.3 min.		
TOTAL TIME OF CONCENTRATION		32.7 min	USE 32.7 MIN
100 YEAR STORM INTENSITY (i)=		1.13 in/hr	60 min.
100 YEAR PEAK FLOW (Q)=		1.17 cfs	
100 YEAR VOLUME (from SCS triangular unit hydrograph)=		5,611 cf	



STORM DRAINAGE CALCULATIONS
Stormdrainage System #1
RETENTION POND DESIGN

TOTAL STORAGE REQ'D= 6,453 cf
 WORST CASE STORM DURATION 33 minutes
 OFFSITE DISCHARGE 0.00 cfs

POND VOLUME CALCULATION

POND BOTTOM AREA = 2702 sf
 POND WATER SURFACE AREA = 4697 sf
 POND TOP BANK ELEV = 2448.00 ft
 POND WATER SURFACE ELEV = 2447.00 ft
 AVE. POND INVERT ELEV = 2444.17 ft
 SEASONAL GROUND WATER = 0.00 ft Not a concern

POND FREEBOARD = 1.00 ft
 INVERT TO GROUND H2O = 2444.17 ft
 POND DEPTH = 2.83 ft
 POND STORAGE = 10469.585 cf

POND BOTTOM PERCOLATION CALCULATION

PERCOLATION SURFACE AREA = 0 sf
 PERCOLATION RATE = 4.00 in/hr silt-loam

POND PERCOLATION VOLUME = 0 cf

INFILTRATION BED CALCULATION

INFILTRATION AREA = 0 sf (bottom)
 ROCK BED DEPTH = 7 ft
 SAND BED DEPTH = 0 ft
 VOID SPACE IN SAND = 25%
 VOID SPACE IN DRAIN ROCK = 40%
 PERCOLATION RATE = 1.00 in/hr

	W	L
ROCK	0	0
SAND	0	0

VOLUME IN VOIDS = 0 cf (rock & sand)
 PERCOLATION VOLUME = 0 cf

INFILTRATION BED STORAGE = 0 cf

TOTAL STORED VOLUME = 10470 cf

> 6453 cf
 THEREFORE STORAGE IS ADEQUATE

TIME REQUIRED TO DISSIPATE VOLUME

TIME = #DIV/0! hours (Based on 100-yr event)

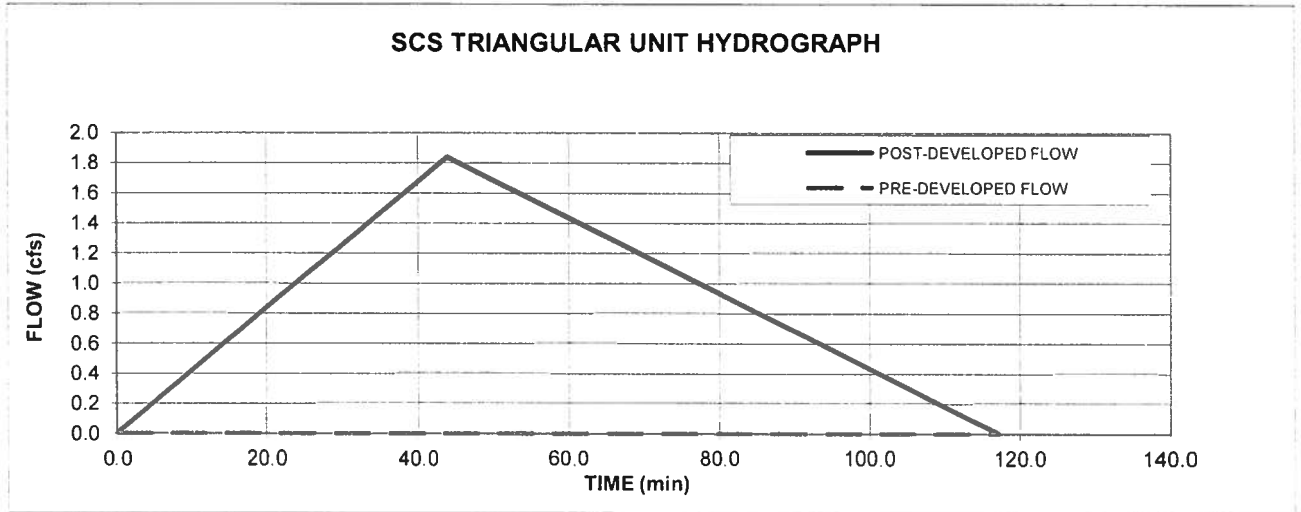
Stormdrain system #2

DETENTION VOLUME CALCULATIONS

STORM RETURN PERIOD = 100 YEAR

METHOD ONE - UNIT HYDROGRAPH METHOD

PRE-DEVELOPED SITE DISCHARGE = 0.00 cfs
POST-DEVELOPED VOLUME = 8,837 cf



DETENTION VOLUME REQUIRED = 8837 cf
+ 15% 10163 cF

Stormdrain system #3

POST-DEVELOPED FLOW AND VOLUME CALCULATIONS

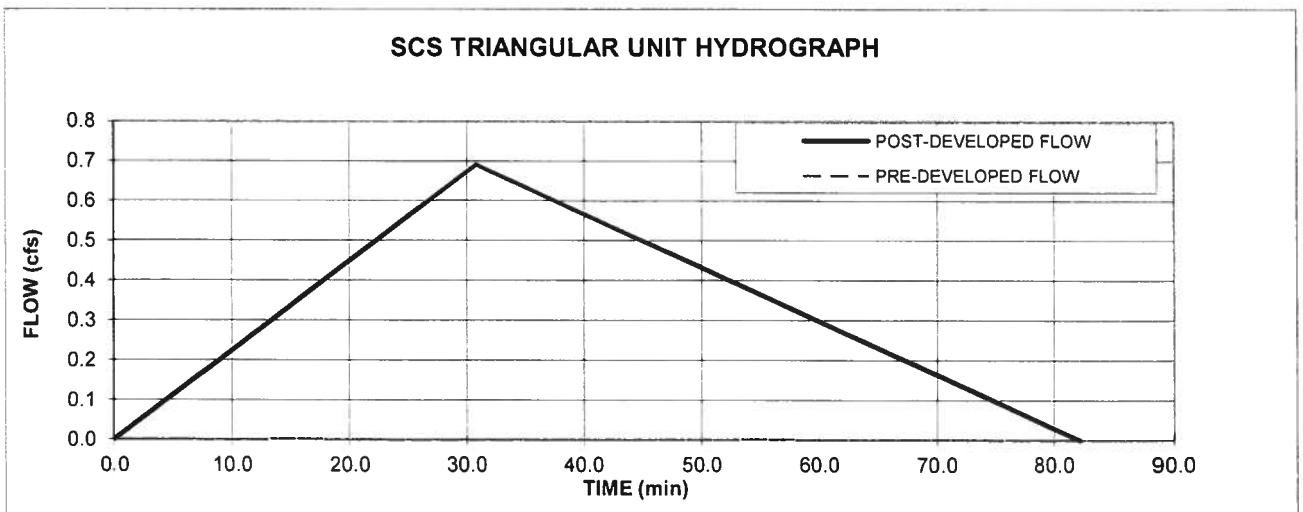
STORM RETURN PERIOD = 100 YEAR

BASIN CHARACTERISTICS

BASIN AREA=	4.49	acres	
DISTANCE TO POND=	450.00	feet	DISTANCE ACROSS ASPHALT=
LOT SLOPE =	6.22%		LOT SLOPE TO VG=
MANNING'S n FOR Range=	0.130		MANNING'S n FOR ASPHALT=
INTERCEPT Coeff short grass	7.0		
BARROW DITCH FLOW			
FLOW LENGTH=	0	feet	
Barrow Ditch SLOPE=	0.40%		
AVERAGE Ditch Velocity=	1.50	ft/sec	
PIPE LENGTH=	-	feet	
AVERAGE PIPE VELOCITY=	2.00	ft/sec	
RUNOFF COEFFICIENT (C)=	0.13	CHART	

FLOW AND VOLUME CALCULATION RESULTS

LOT TRAVEL TIME =	19.34 min.	Sheet flow	
LOT TRAVEL TIME=	1.43 min.	Shallow Concentrated Flow	
BARROW DITCH TRAVEL TIME=	0.0 min.		
PIPE TRAVEL TIME=	0.0 min.		
TOTAL TIME OF CONCENTRATION		30.8 min	USE 30.8 MIN
100 YEAR STORM INTENSITY (i)=		1.18 in/hr	60 min.
100 YEAR PEAK FLOW (Q)=		0.69 cfs	
100 YEAR VOLUME (from SCS triangular unit hydrograph)=		1,701 cf	



Intermountain Engineering

STORM DRAINAGE CALCULATIONS
Stormdrainage System #3
RETENTION POND DESIGN

TOTAL STORAGE REQ'D= 1956 cf
 WORST CASE STORM DURATION 30.8 minutes
 OFFSITE DISCHARGE 0.00 cfs

POND VOLUME CALCULATION

POND BOTTOM AREA = 1112 sf
 POND WATER SURFACE AREA = 1995 sf
 POND TOP BANK ELEV = 2448.50 ft
 POND WATER SURFACE ELEV = 2447.50 ft
 POND INVERT ELEV = 2446.00 ft
 SEASONAL GROUND WATER = 0.00 Not a concern

POND FREEBOARD = 1.00 ft
 INVERT TO GROUND H2O = 2446.00 ft
 POND DEPTH = 1.50 ft
 POND STORAGE = 2330.25 cf

POND BOTTOM PERCOLATION CALCULATION

PERCOLATION SURFACE AREA = 0 sf
 PERCOLATION RATE = 2.00 in/hr silt-loam

POND PERCOLATION VOLUME = 0 cf

INFILTRATION BED CALCULATION

INFILTRATION AREA = 0 sf (bottom)
 ROCK BED DEPTH = 0 ft
 SAND BED DEPTH = 0 ft
 VOID SPACE IN SAND= 25%
 VOID SPACE IN DRAIN ROCK= 40%
 PERCOLATION RATE = 1.00 in/hr

	W	L
ROCK	0	0
SAND	0	0

VOLUME IN VOIDS = 0 cf (rock & sand)
 PERCOLATION VOLUME = 0 cf

INFILTRATION BED STORAGE = 0 cf

TOTAL STORED VOLUME = 2330 cf

> 1956 cf
 THEREFORE STORAGE IS ADEQUATE

TIME REQUIRED TO DISSIPATE VOLUME

TIME = 10.55 hours (Based on 100-yr event)

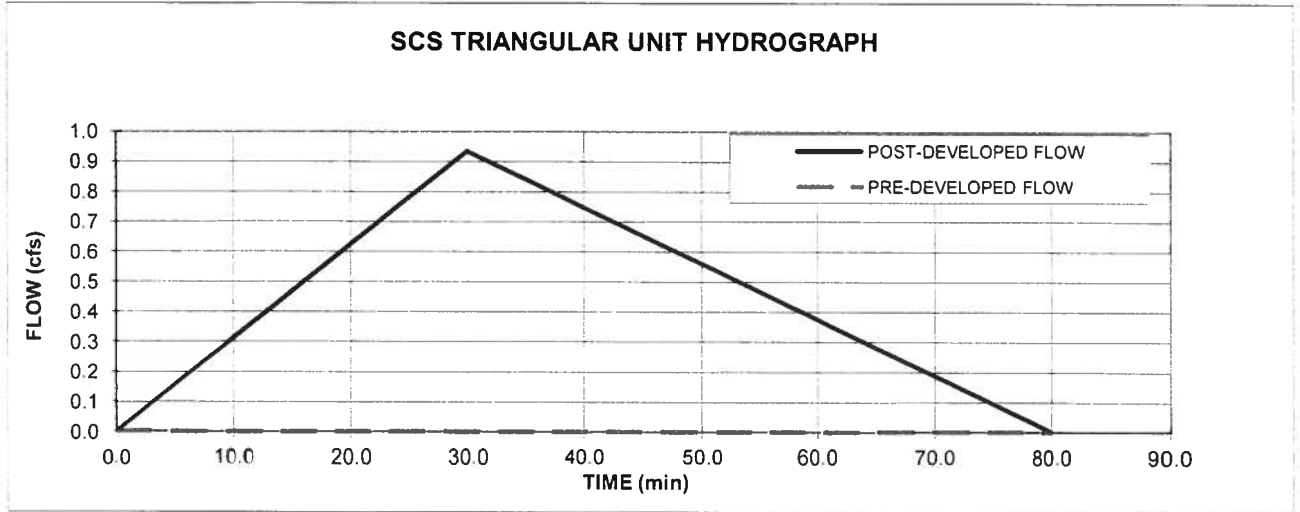
Stormdrain system #4

DETENTION VOLUME CALCULATIONS

STORM RETURN PERIOD = 100 YEAR

METHOD ONE - UNIT HYDROGRAPH METHOD

PRE-DEVELOPED SITE DISCHARGE = 0.00 cfs
POST-DEVELOPED VOLUME = 2,244 cf



DETENTION VOLUME REQUIRED = 2244 cf
+ 15% 2581 cF

Stephanie Hailey

From: Carl Hayes <carl@blackcanyonirrigation.com>
Sent: Thursday, May 19, 2022 2:18 PM
To: Tracie Jones
Cc: Devin Krasowski; Dennis Jones; Stephanie Hailey
Subject: [External] RE: Black Canyon Request

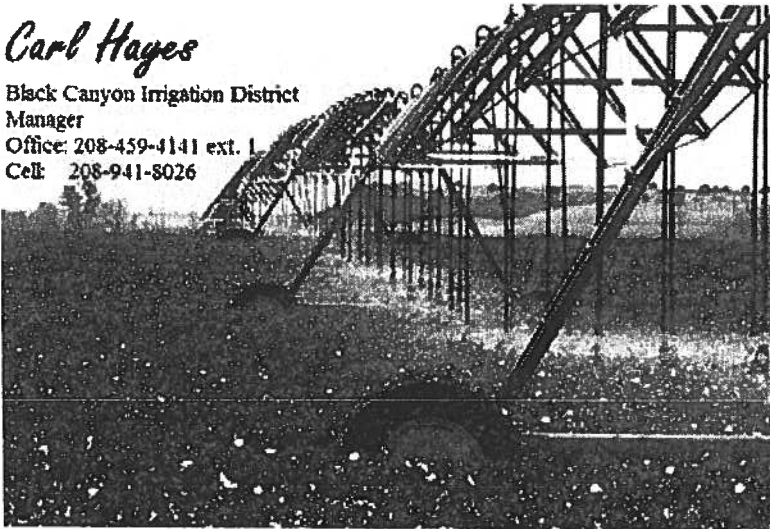
Tracie,

BCID sees no issue with the plat as received, the county should be able to take this as email as approval as the District ROW is recorded on the plat and the agreements were completed prior to any District Standard Changes.

Thank you,

Carl Hayes

Black Canyon Irrigation District
Manager
Office: 208-459-4141 ext. 1
Cell: 208-941-8026



From: Tracie Jones <tjones@whitewaterbrands.com>

Sent: Thursday, May 19, 2022 1:59 PM

To: Carl Hayes <carl@blackcanyonirrigation.com>

Cc: Devin Krasowski <Devin.Krasowski@canyoncounty.id.gov>; Dennis Jones <plasterking2@aol.com>; Stephanie Hailey



CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

After my review of the provided plans and conversation with the Highway District, the Fire District does not have any problems with the proposed length of the road or turnaround.

If you have any questions please feel free to contact my office at 208-286-7772 or cell phone 208-860-1078.

DC Islas



Middleton Rural Fire District
Star Fire Protection District

Victor E. Islas
DEPUTY CHIEF

Fire District Headquarters
11665 W. State St. Suite B
Star, Idaho 83669

Office: (208) 286-7772
Mobile: (208) 860-1078
vislas@starfirerescue.org

The content of this email is confidential and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party, without the written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

From: "L. Kurt Smith" <kurt@intermountainengineering.net>
Date: Thursday, September 9, 2021 at 3:22 PM
To: Victor Islas <permits@starfirerescue.org>, Tim Blair <tblair@jub.com>
Cc: Tracie Jones <tjones@whitewaterbrands.com>, "Lynn Troxel (lynntroxel@nphd.net)" <lynntroxel@nphd.net>
Subject: FW: Kimber Ridge Subdivision.

Victor,

We are waiting for your feed back on the proposed road extention discussed below. The Highway district is holding a hearing tuesday 9-14-21 and needs your input before the meeting to make an informed decision.

We are looking forward to recieving your input and proceeding as required.

Thanks,
Intermountain Engineering P.C.
L. Kurt Smith P.E.
President
Phone (208) 941-1245
Fax (208) 495-2469



Exhibit 8c

Stephanie Hailey

From: Stephanie Hailey
Sent: Friday, May 13, 2022 10:01 AM
To: 'Tracie Jones'; Devin Krasowski
Cc: 'L. Kurt Smith'; Dennis Jones
Subject: RE: [External] FW: Kimber Ridge Subdivision.

Tracie,

Yes, this approval from Middleton Fire is one of the preliminary plat conditions needed for the final plat. I will get this on file.

Thanks,



Stephanie Hailey, CFM
Engineering Coordinator
Floodplain Manager
Canyon County Development Services
P(208) 454-7254
F(208) 454-6633
stephanie.hailey@canyoncounty.id.gov

From: Tracie Jones <tjones@whitewaterbrands.com>
Sent: Friday, May 13, 2022 9:55 AM
To: Devin Krasowski <Devin.Krasowski@canyoncounty.id.gov>
Cc: 'L. Kurt Smith' <kurt@intermountainengineering.net>; Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>; Dennis Jones <plasterking2@aol.com>
Subject: [External] FW: Kimber Ridge Subdivision.

Hi Devin,

Please see below. Is this what you are looking for?

Thanks,
Tracie

From: Permits <permits@starfirerescue.org>
Sent: Monday, September 13, 2021 3:17 PM
To: L. Kurt Smith <kurt@intermountainengineering.net>; Tim Blair <tblair@jub.com>
Cc: Tracie Jones <tjones@whitewaterbrands.com>; Lynn Troxel (lynntroxel@nphd.net) <lynntroxel@nphd.net>
Subject: Re: Kimber Ridge Subdivision.



Board of County Commissioners
Kimber Ridge Subdivision #3 - SD2022-0057
 Development Services Department

FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER
 Kimber Ridge Subdivision #3 - SD2022-0057

Findings

1. The applicant, Jerry Uptmor, is requesting a short plat for Kimber Ridge Subdivision #3, a two-lot subdivision (Attachment A). The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886213, a portion of the NE¼ of Section 18, T5N, R3W, BM, Canyon County, Idaho.
2. The 4.05-acre property is zoned “R-R” (Rural Residential, two-acre average minimum lot size). The property approved for Kimber Ridge Subdivision (SD2019-0042, Exhibit 8a & 8b, Staff Report), Phase #1 (SD2020-0037), and Phase #2 (SD2021-0030, Exhibit 6 & 8c of the staff report) was rezoned to an “R-R” zone in 2018 (RZ2018-0020, Exhibit 5 of the staff report).
3. The average residential lot size is two (2) acres.
4. The property is not located within an area of city impact.
5. The property does not have irrigation water rights. Therefore, each property will use domestic wells to irrigate up to 0.5-acre feet. The development shall comply with Black Canyon Irrigation District requirements (Attachment A, plat note 3, and Attachment D).
6. The development will be served by individual wells and septic systems (Attachment A, plat notes 11 & 12).
7. Subdivision runoff will be maintained within the subdivision (Attachment A, plat notes 10 & 14).
8. The lots will have access from Gray Sage Road, a public road, via a 60’ wide access easement as required by the Notus-Parma Highway District (Attachment C).
9. No comments were received from Middleton Fire District. Development on each lot will be required to meet applicable fire codes at the time of building permit (CCCO Section 06-01-09(6)).
10. The development is not located within a mapped floodplain (Flood Zone X).
11. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0057.
12. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on October 12, 2023, December 20, 2023 (Planning and Zoning Commission), and March 18, 2024. The newspaper notice was published on December 22, 2023 (Planning and Zoning Commission), and March 23, 2024. Property owners were sent a notice on December 20, 2023 (Planning and Zoning Commission), and March 18, 2024. The property was posted on December 29, 2023 (Planning and Zoning Commission), and March 29, 2024.
 - a. On February 1, 2024, the Planning and Zoning Commission recommends approval of the plat subject to conditions of approval (Exhibit 7 of the staff report).

Conclusions of Law

Section 07-17-09(5) of the Canyon County Zoning Ordinance (CCZO) states:

- A. *The board shall consider the commission's recommendation at a noticed public hearing.*
- On February 1, 2024, after considering the staff report, exhibits, and testimony, the Planning and Zoning Commission was concerned about the division creating two lots with a two-acre average lot size within an existing subdivision with an average lot size of 3.3 acres and potential impacts to the character, traffic, and essential services (Exhibit 7b, staff report). DSD staff provided evidence demonstrating the request and all of Kimber Ridge Subdivision was rezoned to “R-R” in 2018 where the County found that two-acre average minimum lot sizes would not impact the character, traffic, or essential services (RZ2018-0020, Exhibit 5). Kimber Ridge and all phases on the plat were reviewed and found consistent with Chapter 7, Article 17 of the Canyon County Code (Exhibit 8a, b, and c, of the staff report).

The request was found consistent with the Idaho Code and Canyon County Code. Therefore, the Planning and Zoning Commission recommends approval of the plat subject to conditions of approval (Exhibit 7 of the staff report).

- 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, the Board of County Commissioners found that the plat is consistent with the following subject to conditions of approval:

- A. Idaho Code Section 67-6513 (Subdivisions);
- B. Idaho Code Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #2);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

The preliminary plat was found to be consistent with the standards of review (Attachment B).

Conditions of Approval

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) 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, and ditch flow patterns shall be maintained and protected. The development shall comply with Black Canyon Irrigation District requirements (Attachment B & D). Evidence of approval shall be a letter from Black Canyon Irrigation District. Evidence shall be submitted prior to the Board signing the final plat.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Attachment B).
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat.
5. The development shall comply with the requirements of the Notus-Parma Highway District (Attachment C). Evidence shall be Notus-Parma Highway District's signature on the final plat.
6. The shared 60' wide access easement shall have a recorded road user's maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0057, the Board of County Commissioners **approve** the Preliminary Plat for Kimber Ridge Subdivision #3 to the Board of County Commissioners subject to the Conditions of Approval as enumerated herein.

DATED this _____ day of _____, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

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

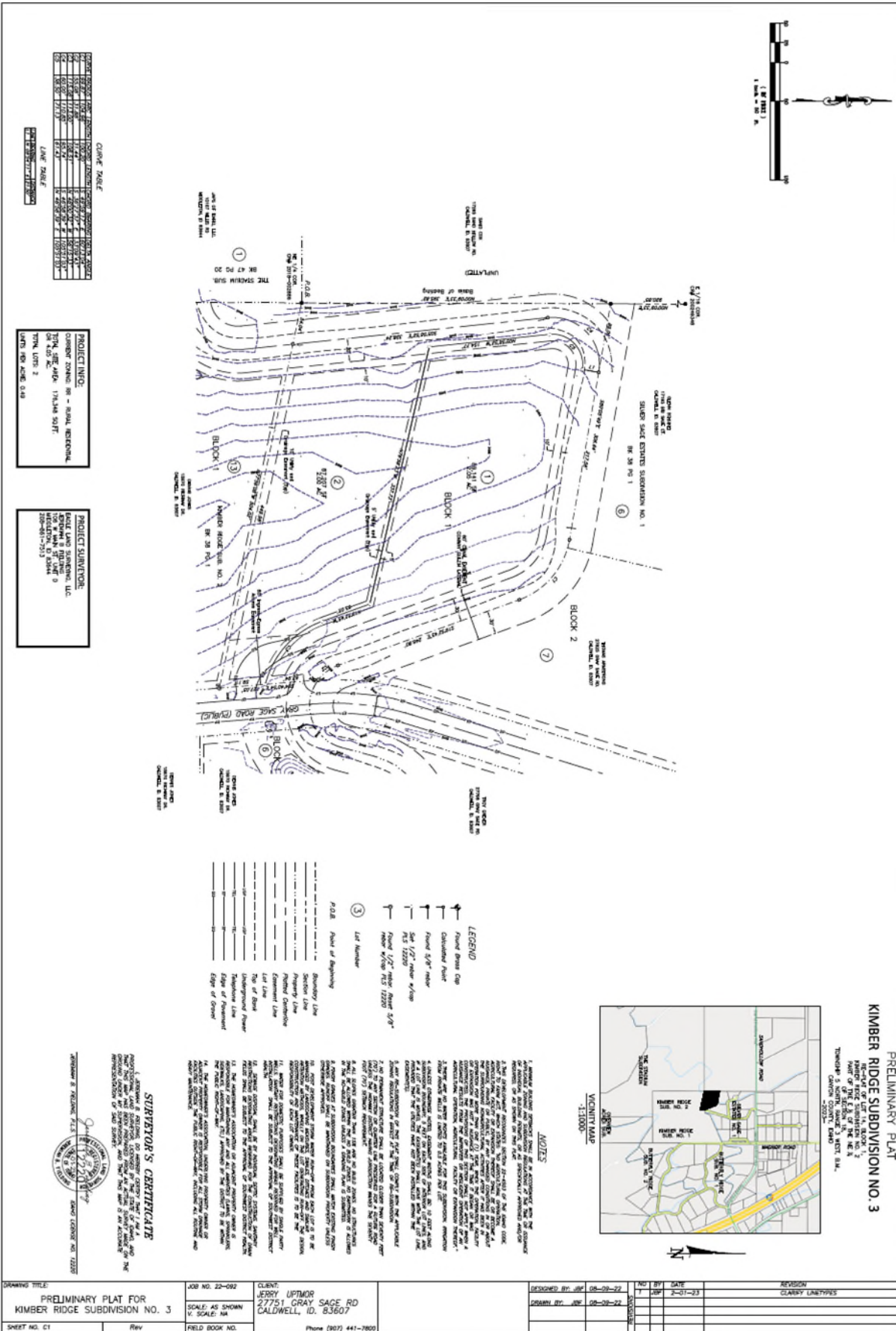
	Yes	No	Did Not Vote
_____ Commissioner Leslie Van Beek	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Rick Hogaboam, Clerk

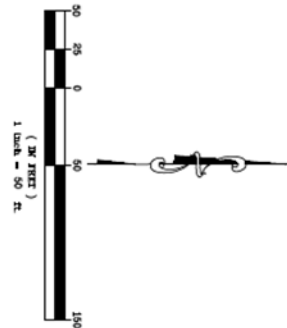
By: _____
Deputy

Date: _____

ATTACHMENT A



FINAL PLAT OF
KIMBER RIDGE SUBDIVISION NO. 3
RE-PLAT OF LOT 14, BLOCK 1, KIMBER RIDGE SUB. NO. 2
SECTION 18, T. 5 N., R. 3 W., B.M.
CANYON COUNTY, IDAHO
2023



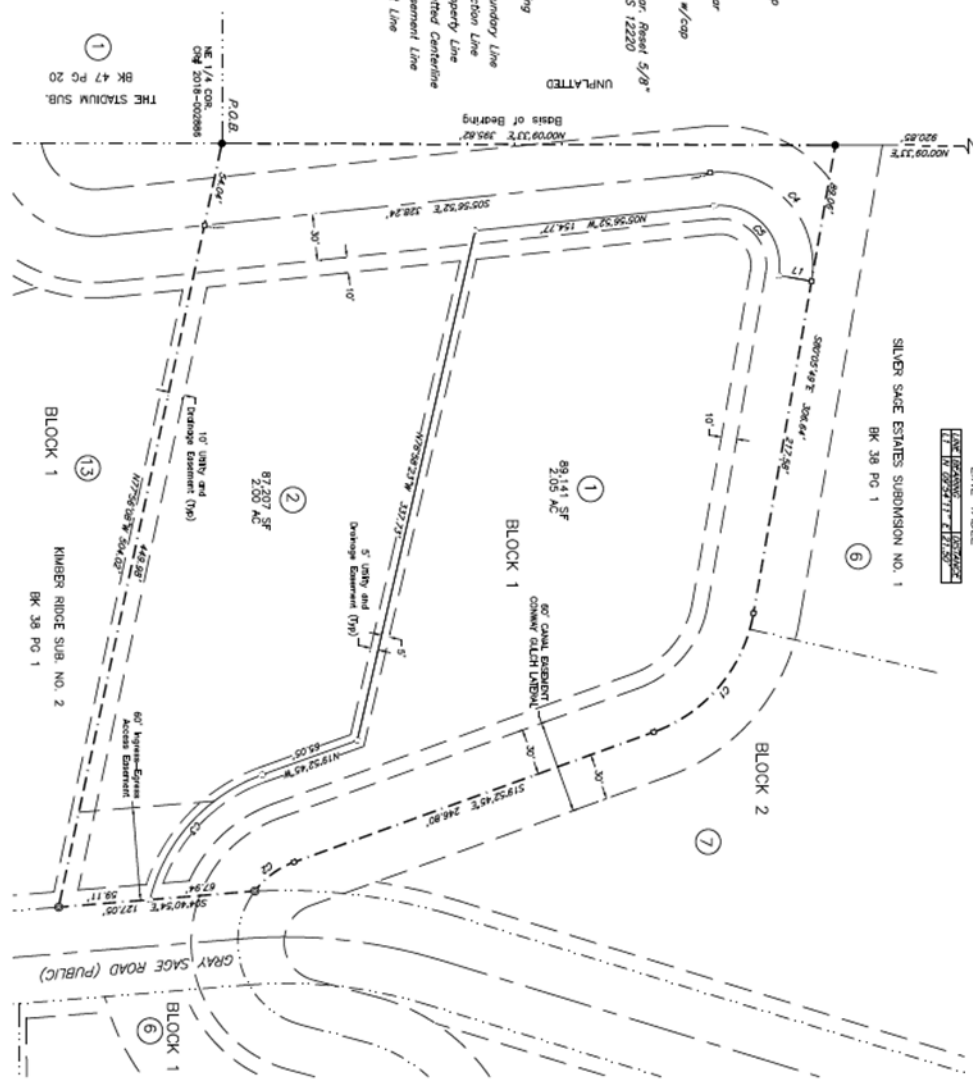
CURVE TABLE

CHORD BEARING	CHORD LENGTH	CHORD BEARING	BEARING	ARC LENGTH	ARC BEARING
C1	99.87	104.88	100.20	5.9759177° E	60.1130° E
C2	55.08	51.88	51.44	5.977171° E	15.0942° E
C3	62.02	116.05	95.24	5.462915° W	105.5103° W
C4	38.50	71.13	61.43	W 45.2819° E	105.5103° W

LINE TABLE

LINE	BEARING	LENGTH
1	N 92° 47' 11" E	217.50
2	N 92° 47' 11" E	217.50

- LEGEND**
- Found Brass Cap
 - Calculated Point
 - Found 5/8" rebar
 - Set 1/2" rebar w/cap PLS 12220
 - Found 1/2" rebar, Rebar 5/8" rebar w/cap PLS 12220
 - UNPLATTED
 - Lot Number
 - Point of Beginning
 - Boundary Line
 - Section Line
 - Property Line
 - Plotted Centerline Easement Line
 - Lot Line



- NOTES**
1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE CITY OF BOYDA, IDAHO, OR AS SPECIFICALLY APPLICABLE AND/OR RECORDED, OR AS SHOWN ON THIS PLAT.
 2. THIS DEVELOPMENT REQUIRES SECTION 21-4403 OF THE BOYDA CODE, WHICH PROVIDES THAT ANY DEVELOPER OF A SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROVISION OF PUBLIC UTILITY SERVICES TO THE SUBDIVISION. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROVISION OF PUBLIC UTILITY SERVICES TO THE SUBDIVISION. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROVISION OF PUBLIC UTILITY SERVICES TO THE SUBDIVISION.
 3. ANY RE-DEVELOPMENT OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-DEVELOPMENT.
 4. UNLESS OTHERWISE NOTED, EXISTING METERS SHALL BE 10 FEET ALONG SUBDIVISION BOUNDARIES, 5 FEET ON EACH SIDE OF INTERIOR LOT LINES, AND 5 FEET FROM THE CURVES HAVE NOT BEEN REVEALED WITHIN THE EXISTING METERS.
 5. ANY RE-DEVELOPMENT OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-DEVELOPMENT.
 6. ALL STREETS OTHER THAN THE AGE AND ROAD ZONES AND STRUCTURES SHALL BE MAINTAINED BY THE AGE AND ROAD ZONES AND STRUCTURES.
 7. THE SUBDIVISION BOUNDARIES SHALL MATCH EXISTING CRASH COURSE BOUNDARIES UNLESS A SHOWN OTHERWISE.
 8. ANY CHANGES TO SUBDIVISION BOUNDARIES SHALL MATCH EXISTING CRASH COURSE BOUNDARIES UNLESS A SHOWN OTHERWISE.
 9. THE SUBDIVISION BOUNDARIES SHALL MATCH EXISTING CRASH COURSE BOUNDARIES UNLESS A SHOWN OTHERWISE.
 10. MOST DEVELOPMENT SHALL BE BY INDIVIDUAL SERVICE SYSTEMS. SANITARY SERVICES SHALL BE PROVIDED TO EACH LOT BY INDIVIDUAL SERVICE SYSTEMS.
 11. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROVISION OF PUBLIC UTILITY SERVICES TO THE SUBDIVISION.
 12. SERVICE DITCHES SHALL BE BY INDIVIDUAL SERVICE SYSTEMS. SANITARY SERVICES SHALL BE PROVIDED TO EACH LOT BY INDIVIDUAL SERVICE SYSTEMS.
 13. THE HOMEOWNER'S ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF THE DITCHES, TRENCHES, SEWERLINES, LANDSCAPING, ETC. PROVIDED BY THE DISTRICT TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
 14. THE HOMEOWNER'S ASSOCIATION, LANSING PROPERTY OWNER OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE AND MAINTENANCE OF THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL FUTURE AND HEAVY MAINTENANCE.

OWNER/DEVELOPER:
 2777 EERRY LUTHER RD
 CAMDEN, ID 83607

BOOK _____ **PAGE** _____

BOYLE LAND SURVEYING, LLC.
 100 N. MAIN ST., SUITE 100, BOYDA, IDAHO 83607
 (208) 325-1234
 BOYLE@BOYLELANDSURVEYING.COM



DATE	BY	REVISION	DESCRIPTION
2023-03-20	SB	1	INITIAL PLAT
2023-03-20	SB	2	REVISION
2023-03-20	SB	3	REVISION

SEC. 18, T. 5 N., R. 3 W., B.M.



February 2, 2023

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

Re: Kimber Ridge No. 3 Preliminary Plat Application

Dear Ms. Hailey,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Kimber Ridge No. 3 dated February 01, 2023. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17.

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. Plat shall comply with irrigation district requirements.
3. 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

ATTACHMENT C



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

November 8, 2023

Canyon County Development Services Department

Attn: Dan Lister

Daniel.Lister@canyoncounty.id.gov

111 North 11th Ave., Ste. 140

Caldwell, ID 83605

RE: **CASE NO. SD2022-0057**

To whom it may concern:

On behalf of the Notus Parma Highway District No. 2 (NPHD), I have reviewed the short plat submittal for SD2022-0057 dated October 12, 2023. The subject property is Lot 14, Block 1 of Kimber Ridge Subdivision #2, also referenced as Parcel R37886216, in Canyon County, Idaho, applicant is Jerry Uptmor, submitted to NPHD on October 12, 2023. Grey Sage Road is classified as a Low Volume Local Road.

At this time and based upon said information provided within the short plat application, the following conditions of approval apply:

1. Final Plat Sheet 1 of 3, dated 7-25-2022:
 1. ACCHD Section 3061 Intersection and Approach Policy. Minimum Driveway Spacing for a Low Volume Local Road is 75-ft.
 2. Proposed driveway spacing for Lot 1 and Lot 2 does not meet minimum ACCHD Standards. A dedicated shared access approach for Lot 1 & Lot 2 will need to be provided along with a described Ingress-Egress Access Easement that includes a legal description and exhibit.

NPHD reserves the right to provide amended comments/conditions of approval in the event of application revision or when additional information becomes available.

NPHD requests Canyon County Development Services incorporate these comments into proposed Conditions of Approval for consideration/approval by the Planning & Zoning Commission and the Canyon County Commissioners in the event the CUP is approved.

Respectfully,

J-U-B ENGINEERS, Inc.

Timothy Blair, PE

Program Manager

CC:

- Lynn Troxel, NPHD#2 Director of Highways
- Jay Kiiha, White Peterson

ATTACHMENT D



November 30th, 2023

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

RE: Short Plat. Parcel R37886213 - **UPDATES**
Case No. SD2022-0057
Applicant: Jerry Uptmor
Planner: Daniel Lister

The parcel is located at approximately 27751 Gray Sage Road, Caldwell, Idaho. The parcel is lot 14, block 1 in the Kimber Ridge No. 2 subdivision.

According to the Black Canyon Irrigation District's (District) records, this lot is within the District, but does not receive irrigation water from the District. However, the property is adjacent to significant irrigation facilities that require action from the property owner.

The Black Canyon Irrigation District (District) has the following initial comments regarding this short plat application. **Please see the revisions made to this letter below in red text as of November 30th, 2023:**

Prior to Pre-Plat Concurrence Approval:

1. Please fill out and submit a Development Intake Sheet form found on our website (<https://blackcanyonirrigation.com/development>). It is required that the proponent apply to the District using this form for their proposed project to assist in identifying any additional project requirements. The proponent has not contacted the District with this application to date.

District's Comment: The developer has submitted an intake sheet and payment to the District. There is no further action required prior to Preliminary Plat approval concurrence.

Prior to Final Plat Concurrence Approval:

1. A standalone, recorded easement(s) will be required for any irrigation lateral that is located within (including adjacent to) the property boundary. This parcel is directly adjacent to Conway Gulch 1.1 lateral. The District's lateral along this parcel has a historical easement on the proponent's property which needs to be recorded. The Developer will be required to provide the easement description and an exhibit signed by a professional surveyor licensed in the state of Idaho. The District will provide easement language once the description and the exhibit have been provided for applicant signature.
2. A driveway approach (access) is currently paved onto the property through the District's easement on the southside of the Conway Gulch lateral that appears to be used as access to this lot. This entrance is not an approved entrance for these proposed lots. Separate access will be required outside the District's easement (similar to what is shown on the proposed application) for both properties.
3. Fencing will be required along the lateral per District's standards.

District's Comment: Fencing will be recommended along the lateral per District's standards.

General Comments:

1. It is assumed from this application that no changes are being proposed within the existing easements, however if changes are made the District and Reclamation will require a signed agreement be in place prior to any changes being made to the sections of the Conway Gulch 1.1, and any appurtenant irrigation facilities that are affected by the short plat not listed in this letter.
2. Construction runoff and drainage from the proposed land should be addressed as it shall not enter the lateral or District's right of way.
3. No outside utilities or other structures are allowed within BOR/District's right-of-way.
4. 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).
5. Please ensure that separation distances between any proposed wells, septic drain fields, and the District's irrigation canal meet minimum IDAPA requirements.

Please let us know if you have any questions.

Thank You,

Donald Popoff

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