

# **CERTIFICATE OF LEGAL NOTIFICATION**

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**

111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605

Phone: 208-454-7458



**CASE NAME: Freedom Acres Subdivision**

**CASE NO: SD2023-0015**

I, Amber Lewter, as the representative of Canyon County Development Services, hereby certify that on this 2<sup>nd</sup> day of October 2024, I mailed by regular first-class mail, or emailed, a true and correct copy of the notice attached hereto as Exhibit A referencing what is in Exhibit B in accordance with the requirements of the Canyon County Zoning Ordinance § 07-05-01.

- ☐ Agencies – Initial Notice for Comment
- ☐ JEPA / (City of Nampa)
- ☐ Agencies – 30 Day Notice of Hearing Date
- ☐ Full Political
- ☒ Property Owner – Final Notice

Signed: Amber Lewter  
(Signature of DSD staff who mailed/e-mailed notice)

Date Completed: 10/2/24

**SCANNED**



# Development Services Department

**Canyon County, 111 North 11<sup>th</sup> Avenue, Suite 330, Caldwell, ID 83605**

(208) 454 7458 ▪ [ZoningInfo@canyoncounty.id.gov](mailto:ZoningInfo@canyoncounty.id.gov) ▪ <https://www.canyoncounty.id.gov>

## FINAL NOTICE

**Date:** October 1, 2024

**To:** Zachary Erlebach/Pitts Holdings LLC  
4244 N. Croft Pl.  
Eagle, ID 83646

**Re:** Freedom Acres Subdivision – SD2023-0015

Mr. Erlebach/Pitts Holdings LLC,

In February of this year, you purchased parcel R37627102, 24082 Blessinger Road, Star which was deeded to Pitts Holdings LLC in September. In 2022, the subject parcel was conditionally rezoned to “CR-R-R” (Conditional Rezone – Rural Residential; Case No. RZ2022-0005). In 2023, a preliminary plat was submitted for Freedom Acres Subdivision (Case No. SD2023-0015). On January 10, 2024, revisions and corrections were required by DSD (attached). The case has been inactive since then. The last correspondence received was from KM Engineering stating that the parcel was sold and they are no longer contracted to complete the application. On June 3, 2024, a courtesy notice was mailed to you requesting action (attached).

The following options are available:

- 1) Withdraw the application. Submit an e-mail or letter requesting the case be withdrawn; or
  - a. If you plan to submit a different subdivision application, please withdraw this application and submit a new subdivision application.
- 2) Submit the required corrections/revisions. Please submit the missing information and corrections to Freedom Acres Subdivision (attached). This must include an updated application listing the new ownership and who will be the applicant for the case.

Please respond to this letter by October 16, 2024. If not, the Director of DSD may (1) schedule the case for the next available hearing for denial; or (2) close the case due to inactivity and substantial change to the application that warrants a brand new application to be submitted.

Please contact me if you have any questions or concerns.

Sincerely,

**Dan Lister, Principal Planner**

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

[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

# **CERTIFICATE OF LEGAL NOTIFICATION**

**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**

111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605

Phone: 208-454-7458



**CASE NAME: Zachary Erlebach**

**CASE NO: SD2023-0015**

I, Amber Lewter, as the representative of Canyon County Development Services, hereby certify that on this 4<sup>th</sup> day of June 2024, I mailed by regular first-class mail, or emailed, a true and correct copy of the notice attached hereto as Exhibit A to the case referenced in Exhibit B in accordance with the requirements of the Canyon County Zoning Ordinance § 07-05-01.

- ☐ Agencies – Initial Notice for Comment
- ☐ JEPA / (City of Nampa)
- ☐ Agencies – 30 Day Notice of Hearing Date
- ☐ Full Political
- ☒ Property Owners

Signed: \_\_\_\_\_

(Signature of DSD staff who mailed/e-mailed notice)

Date Completed: \_\_\_\_\_

6/4/24



# Development Services Department

**Canyon County, 111 North 11<sup>th</sup> Avenue, Suite 330, Caldwell, ID 83605**

(208) 454 7458 • [ZoningInfo@canyoncounty.id.gov](mailto:ZoningInfo@canyoncounty.id.gov) • <https://www.canyoncounty.id.gov>

**Date:** June 3, 2024

**To:** Zachary Erlebach  
4244 N. Croft Pl.  
Meridian, ID 83646

**Re:** Freedom Acres Subdivision SD2023-0015

Mr. Erlebach,

In February of this year, you purchased parcel R37627102, 24082 Blessinger Road, Star. In 2022, the subject parcel was conditionally rezoned to "CR-R-R" (Conditional Rezone - Rural Residential; Case No. RZ2022-0005). In 2023, a preliminary plat was submitted for Freedom Acres Subdivision (Case No. SD2023-0015). On January 10, 2024, revisions and corrections were required by DSD (attached). The case has been inactive since then. The last correspondence received was from KM Engineering stating that the parcel was sold and they are no longer contracted to complete the application.

The following options are available:

- 1) Withdraw the application. Submit an e-mail or letter requesting the case be withdrawn; or
  - a. If you plan to submit a different subdivision application, please withdraw this application and submit a new subdivision application.
- 2) Submit the required corrections revisions. Please submit the missing information and corrections to Freedom Acres Subdivision (attached).

Please respond to this letter by June 18, 2024. If more time is required to submit additional information, please provide a conservative timeframe as to when additional information will be submitted. If not, the Director of DSD may (1) schedule the case for the next available hearing for denial; or (2) close the case due to inactivity and substantial change to the application that warrants a brand new application to be submitted.

Please contact me if you have any questions or concerns.

Sincerely,

**Dan Lister, Principal Planner**

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

[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)







Canyon County, 111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605  
 ■ Engineering Division ■

### Preliminary Plat Check-List

|  |                                 |
|--|---------------------------------|
| <b>Applicant:</b> KM Engineering/Freedom Acres LLC | <b>Case Number:</b> SD2023-0015 |
| <b>Subdivision Name:</b> Freedom Acres Sub.        | <b>Plat Date:</b> 5/11/2023     |

#### CANYON COUNTY CODE OF ORDINANCES 07-17-09

The information hereinafter required as part of the preliminary plat submitted shall be shown graphically or by note on plans, and may comprise several sheets showing various elements or required data. *Italicized items are supplemental to CCZO 07-17-09.*

| GENERAL REVIEW ITEMS  | Meets Code / Comments   |  |
|---|---|--|
| 1. Complete the initial review of <b>all</b> information given graphically and by note on the plat.             | Appears to be complete.   | No additional comments   |
| 2. Check for compliance with FCOs and/or Development Agreement from the entitlement process if applicable.      | RZ2022-0005/DA#22-088<br>(Limited to six lots, <i>pressurized irrigation with WUMA, WUI (Middleton Fire), maintenance agreement with CHD4. Golf courses &amp; secondary dwellings prohibited, perimeter fence required</i> ). | No additional comments   |
| 3. Check for compliance with CCCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived. | City of Star (09-19-09/0919-12) – Engineering/Planning review required unless waived. The applicant is requesting a waiver of subdivision improvements.   | City of Star supports waivers. Mid-Star Fire District will need to sign off on street width standards. |
| 4. Check for applicable agency comments. These comments could have been made at the entitlement stage or after. | Has Farmers Union Ditch Co. provided comments or feedback regarding the preliminary plat?   |  |



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|--|--|---|
| 5. Make note of agencies that should be noticed if not typically included on the notice list and pass the information along to the planner.  | Meets  |   |
| <i>Items A through E below are directly from CCZO 07-17-09. Italicized items are checklist items related to requirements found in the ordinance and may not be strictly required.</i>  |  |   |
| A. FORM OF PRESENTATION  | <u>Meets Code / Comments</u>   |   |
| 1. Scale of Drawing (No more than 1" =100' unless approved by DSD prior to submission).  | Meets  |   |
| 2. Size of Drawing (No larger than 24' x 36").<br>• Obtain an electronic version of all submittals.  | Meets  |   |
| B. IDENTIFICATION AND DESCRIPTIVE DATA   | <u>Meets Code / Comments</u>   |   |
| 1. Proposed name of subdivision and its location by section, township, and range.<br>• Name of sub needs to be reserved through DSD GIS  | Meets (Name available and saved by GIS)                                      |   |
| 2. Reference by dimension and bearing to a section corner or quarter section corner.   | Section corner referenced  | Meets   |
| 3. Name, address, and phone number of the developer.   | Meets  |   |
| 4. Name address and phone number of the person preparing the plat.   | Meets  |   |
| 5. North arrow.  | Meets  |   |
| 6. Date of preparation.  | Meets  |   |
| 7. Revision block showing dates if any revisions subsequent to the original preparation date. The revision block shall be part of the title block which shall be placed along the right edge of the drawing sheet.                 | Meets  |   |
| 8. Vicinity map drawn to scale, clearly showing proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc.<br>• Check for consistency between pre-plat and vicinity map | Missing scale and adjacent subdivisions.                                     | No additional comments  |
| C. EXISTING CONDITIONS DATA  | <u>Meets Code / Comments</u>   |   |
| 1. Two (2) Foot Contours shown unless otherwise approved; show all areas in excess of 15% slope.   | 5-foot contours; does not clearly identify slopes greater than 15%.          | Provide shading on sheet 3 for slopes greater than 15%. We need to see where the road aligns in the hillside. |
| 2. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation.                            | If the canal easement is new, provide metes and bounds description. If it is |   |

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|---|---|---|
|   | existing, please provide instrument number on plat.   |   |
| 3. Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, and permanent structures to remain including water wells and municipal corporation lines within or adjacent to the tract <ul style="list-style-type: none"> <li><i>Future use of remaining wells, if applicable</i></li> </ul>  | Meets   |   |
| 4. Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract   | Missing   |   |
| 5. Existing zoning classification, by note <ul style="list-style-type: none"> <li><i>Proposed zoning, by note, if new zoning is being proposed concurrently with pre-plat application</i></li> </ul>  | Meets (PP1.0, Project Summary)  |   |
| 6. Approximate acreage of the tract, by note  | Meets (PP1.0, Project Summary)  |   |
| 7. Boundary dimensions of the tract   | Meets   |   |
| 8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract   | Meets   |   |
| <b>D. PROPOSED CONDITIONS DATA</b>  | <b><u>Meets Code / Comments</u></b>   |   |
| 1. Road layout, including location, width and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract <ul style="list-style-type: none"> <li><i>Confirmation that highway district will allow proposed access if new access is on an arterial</i></li> <li><i>Check ownership of access location if separate lot</i></li> <li><i>Check alignment of stub streets with adjacent developments, if applicable</i></li> <li>Private roads shall not have direct access to arterials or local roads within a platted subdivision (ACCHD 2020.040)</li> <li>Private road names need to be reserved through DSD GIS. Private roads require a separate application.</li> <li>Public road names must be checked for availability with DSD GIS</li> <li><i>If typical sections are shown make sure they are consistent with what will be required</i></li> </ul> | 60' wide easement, Private road name application for Freedom Acres Lane submitted (RD2023-0021, Name available and saved by GIS). Construction is required as a condition of approval. <b>The road will be built on a hillside. The radius of the cul-de-sac easement is inconsistent with County Code CCZO 07-10-03(3)D.</b> | Provide necessary documents for hillside application set forth in County Code 07-17-33. |
| 2. Typical lot dimensions including curvilinear data to scale; each lot numbered individually; the total number of lots by type and grand total. A private road must be a lot. <ul style="list-style-type: none"> <li><i>Curve table is present and matches data shown graphically</i></li> <li><i>Minimum lot size</i></li> <li><i>Average lot size (calculated as total residential area divided by the number of residential lots)</i></li> </ul>  | <b>Curvilinear data not provided.</b> Lot numbers and average lot sizes are provided.   | Private road shall be a platted lot.  |

|  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>• Check block numbering</li> <li>• Consider any phasing shown</li> </ul>  |   |   |
| 3. Location, width, and use of easements <ul style="list-style-type: none"> <li>• Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat.</li> <li>• Show easements for all shared infrastructure</li> </ul>  | Meets. Easement widths provided   | Meets   |
| 4. Designation of all land to be dedicated or reserved for public use with use indicated   | N/A   |   |
| 5. If the plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any  | Extra lot provided for existing wireless facility. Need to check if that violates the CUP for the wireless facility. <b>May need to be an easement, not a lot.</b>      |   |
| 6. If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area shall be provided   | N/A   | N/A   |
| 7. Appropriate information that sufficiently details the proposed development within any special development area such as hillside, PUD, flood plain, cemetery, manufactured home, large scale development, hazardous and unique areas of development <ul style="list-style-type: none"> <li>• Check mapping layers for the above special development items. Include wetland and natural drainage ways.</li> <li>• Consider recommended conditions related to special development areas and related reports</li> </ul>                         | Hillside development Application submitted with geotechnical report. <b>Code requires soils, geology, and hydrology reports. No drainage or grading plans included.</b> | Provide necessary documents for hillside application set forth in County Code 07-17-33. |
| 8. All roads must be labeled as either "private" or "public" behind or beneath the road name   | <b>Willis Road needs to be labeled "public". It's an unmaintained open right-of-way.</b>  |   |
| <b>E. PROPOSED UTILITY METHODS</b>   | <b><u>Meets Code / Comments</u></b>   |   |
| 1. <b>Sewage:</b> A statement as to the type of proposed sanitary sewage facilities <ul style="list-style-type: none"> <li>• Preliminary location/layout of proposed sewage facilities</li> <li>• Nutrient-Pathogen study if required by SWDH</li> <li>• If sewage facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include preliminary sewer plan. DSD should complete high level feasibility review of shared utilities</li> </ul> | Meets   |   |
| 2. <b>Water Supply:</b> A statement as to the type of proposed water supply facilities <ul style="list-style-type: none"> <li>• Preliminary location/layout of proposed potable water facilities</li> </ul>  | Meets   |   |

|  |  |              |
|--|--|--------------|
| <ul style="list-style-type: none"><li>If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include a preliminary potable water plan. DSD should complete high-level feasibility review of shared utilities</li></ul>  |  |              |
| <p><b>3. Storm Water Disposal:</b> A statement as to the type of stormwater disposal facilities which may include evidence as may be required relative to the design and operation of the proposed storm water system</p> <ul style="list-style-type: none"><li>Include a statement that all stormwater shall be retained on site, if appropriate</li><li>Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, etc.</li><li>Maintenance easements for storm drain facilities treating drainage from public roads should be in place</li></ul>  | <ul style="list-style-type: none"><li>The storm water basin located between lots 2 &amp; 3 shall be fully encompassed within the utility easement.</li><li>Provide a layer of ASTM-33 sand on the bottoms of the borrow ditches showing 3' separation from seasonal high groundwater.</li><li>It does not appear that soil infiltration rates were established at the time of the Geotech report. Has Atlas provided additional percolation testing now that the basin locations have been identified? If so, please provide addendum.</li></ul> |              |
| <p><b>4. Irrigation System:</b> A statement as to the proposed irrigation system, which may include evidence as may be required relative to the design and operation of any proposed irrigation system</p> <ul style="list-style-type: none"><li>Irrigation Supply and Distribution Systems: The developer shall disclose, pursuant to Idaho Code section 31-3805, and file as part of the preliminary plat with DSD, evidence that an adequate irrigation supply and distribution system to serve the land within the plat to be recorded will be provided and must include consideration of using existing water rights that go with the land being platted. Such evidence shall include, but not be limited to, the following:<ul style="list-style-type: none"><li>Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and</li><li>Copies of the community association's or similar organization's documents which may be required precedent to the establishment of an irrigation distribution system within the proposed development.</li></ul></li></ul> | <p>Per the DA, a pressurized irrigation (PI) system shall be provided. Okay to provide on construction drawings but preliminary plat should include information regarding PI system.</p>   |              |
| <p><b>5. Utility Easement:</b> The utility easement width shall be a minimum of ten (10) feet from the exterior boundaries and five (5) feet from the interior boundaries. Utility easements shall be shown graphically on the plat.</p>   | <p><b>Meets:</b> Note 5, PPI.0</p>   | <p>Meets</p> |
| <p><b>Planning Review Notes</b></p>  |  |              |
| <ul style="list-style-type: none"><li>An unidentified drainage with an easement is shown between lots 2 and 3.</li><li>Remove May from the date on the plat title.</li></ul>   |  |              |



- Remove setback data from the Project Summary (PP1.0).
- Label Willis Road as "public" since is an unmaintained public ROW.
- Slopes greater than 15% not highlighted/shaded. Geology, soils, and hydrology reports were not submitted (CCZO Section 07-17-33(1)B), only a geotechnical report. The engineer must review to see if that is enough.
- If no structures will be located on slopes greater than 15%, show highlights of the areas over 15% and label them "no-build zones". Include a plat note prohibiting development in the no-build zones.
- The existing wireless facility needs to be in an easement not within a new lot.
- Project adjacent subdivision information on the plat and on the vicinity map.
- The vicinity map should be scaled.
- Provide curvilinear data.
- Cul-de-sac easement must be 70' radius (CCZO Section 07-10-03(3)D).
- Provide a basis of bearing.
- DA #22-088: Pressurized irrigation is required with the water user's agreement in CC&Rs. During the rezone (RZ2022-0005), the owner identified water rights that can be utilized by 4 of the 6 lots. Excerpt from the signed FCOs:

Existing irrigation is served by domestic well and surface water rights from an existing wastewater pond in the jurisdiction of Farmer Union Ditch Company (approx. 3.5-acre surface area). Future platting will use water rights for four lots near the front of the property and domestic well (up to 0.5-acres) for irrigation purposes for the property located near the north boundary of the subject property. As a condition of the development agreement, pressurized irrigation shall serve the development.

**The applicant must provide evidence of lack of water rights and evidence of consistency with Idaho Codes 31-3805 (delivery of water) and 67-6537 (Surface water shall be used if reasonably available).**

- A plat note must be added prohibiting golf courses and secondary dwellings per DA #22-088.
- Include a landscaping plan showing a landscaped entry with an archway monument sign (DA #22-088).
- Provide a letter from the City of Star approving or denying the waiver of subdivision improvements.
- The US Postal Service requested one mailbox unit placed in an easement or common area be provided unless they waive the request. Revise the plat note regarding mailboxes based on USPS approval.
- Will the required perimeter fencing (DA #22-088) be part of a CC&R or a final plat note?

#### **GENERAL RECOMMENDED CONDITIONS**

1. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
2. Development shall comply with the requirements of the local highway district. Evidence shall include written correspondence from the highway district prior to the first public hearing held for the preliminary plat and the highway district signature on the final plat.
3. Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the irrigation district prior to the first public hearing held for the preliminary plat and prior to the Board of County Commissioner's signature on the final plat.
4. Development shall comply with Southwest District Health requirements. Evidence shall include written correspondence from Southwest District Health prior to the first public hearing held for the preliminary plat and Southwest District Health's signature on the final plat.
5. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District prior to the first public hearing held for the preliminary plat and prior to the Board of County Commissioner's signature on the final plat.
6. After preliminary plat approval applicant shall provide GIS data containing georeferenced lot line and roadway linework to be included in Development Services GIS mapping. (Solo pre-plats only)

7. The private road shall be constructed in accordance with CCZO Section 07-17-29 & 31. Evidence of construction shall be certification from a licensed engineer demonstrating consistent with CCZO Section 07-10-03(2) and (3).
8. The final plat shall include a certification line for execution by the city of Star engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signing the plat.
9. Prior to final plat signature, USPS approval of mailbox unit size and location is required unless waived by USPS.
10. Required perimeter fencing shall be a plat note or requirements of CC&Rs prior to final plat signature.

### FOR DEVELOPMENT SERVICES INTERNAL USE ONLY

**Date Reviewed**

**Reviewer**

COMPLIANCE WITH CONDITIONS OF APPROVAL:

|           |                   |
|-----------|-------------------|
| 10/4/2023 | Dan Lister        |
| 1/10/2024 | Mike H. Justin W. |
|           |                   |
|           |                   |
|           |                   |
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|       |             |
|-------|-------------|
| Pink  | Planning    |
| Green | Engineering |



## CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

1115 Albany Street • Caldwell, Idaho • 83605 • Phone (208) 454-7458

Fax: (208) 454-6633 • [www.canyoncounty.org/dsd](http://www.canyoncounty.org/dsd)

### DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: 22-088

**THIS AGREEMENT**, made and entered into this 17<sup>th</sup> day of August, 2022, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Freedom Acres, LLC, hereinafter referred to as "Applicant."

#### RECITALS

**WHEREAS**, The Applicant has applied to the County for a conditional rezone from the "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone – Rural Residential) Zone (RZ2022-0005), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

**WHEREAS**, Parcel R37627102, approximately 18.56 acres, is owned by the Applicant; and

**WHEREAS**, on the 17<sup>th</sup> day of August, 2022, the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R-R" Zone, which was done with Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B"; and

**WHEREAS**, the parties desire to enter into an agreement to comply with Canyon County Code of Ordinances §07-06-07(2) & 07-06-07(7), Canyon County Zoning Ordinance No. 16-007 or as amended and to ensure the Applicants will implement and be bound by the conditions of the rezone order issued by the Canyon County Board of Commissioners; and

**NOW THEREFORE**, the parties hereto do hereby agree to the following terms:

## **SECTION 1. AUTHORIZATION.**

This Agreement is authorized and required by Idaho Code §67-6511A; Canyon County Code of Ordinances 07-06-07 (Conditional Rezoning).

## **SECTION 2. PROPERTY OWNER.**

Applicants are the owner(s) of Subject Properties which is located in the unincorporated area of Canyon County, Idaho, more particularly described in EXHIBIT "A", attached hereto and incorporated herein, which real property is the subject matter of this Agreement. Applicants represent that they currently hold complete legal or equitable interest in the Subject Properties and that all persons holding legal or equitable interests in the Subject Properties or the operation of the business are to be bound by this Agreement.

## **SECTION 3. RECORDATION.**

Pursuant to Idaho Code §67-6511A and Canyon County Code of Ordinances, this Agreement shall be recorded by the Clerk in the Canyon County Recorder's Office and will take effect upon the adoption, by the Board of County Commissioners, of the amendment to the zoning ordinance as set forth herein.

## **SECTION 4. TERM.**

The parties agree that this Agreement shall run with the land and bind the Subject Property in perpetuity and shall inure to the benefit of and be enforceable by the parties, and any of their respective legal representatives, heirs, successors, and assignees. Provided, however, this Agreement shall terminate if the Board of County Commissioners subsequently rezones the property to allow for a higher density use or if annexation of the Subject Property by a city occurs. In this event, however, the Agreement shall only terminate in regards to the portion of the Property that is actually rezoned or annexed, while the remainder of the Property shall remain subject to the Agreement.

If any of the privileges or rights created by this Agreement would otherwise be unlawful or void for violation of (1) the rule against perpetuities or some analogous statutory provision, (2) the rule restricting restraints on alienation, or (3) any other statutory or common law rules imposing time limits, then such provision shall continue until twenty-one (21) years after the death of the last survivor of the now living lawful descendants of George Herbert Walker Bush, former President of the United States or for such shorter period as may be required to sustain the validity of such provision.

## **SECTION 5. MODIFICATION.**

This Agreement may be modified only in writing signed by the parties, or their successors in interest, after complying with the notice and hearing procedures of Idaho Code §67-6509 and the requirements of Canyon County Code of Ordinances. The modification proposal must be in the form of a revised Development Agreement and must be accompanied by a statement demonstrating the necessity for the requested modification.

## **SECTION 6. APPLICATION OF OTHER LAWS TO THE SUBJECT PROPERTIES.**

This Agreement shall not prevent the County in subsequent actions applicable to the Subject Properties from applying new rules, regulations, or policies that do not conflict with this Agreement.

## **SECTION 7. COMMITMENTS.**

Applicants will fully and completely comply with the conditions of the approved conditional rezone of the Subject Properties from "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone – Rural Residential) Zone which conditions are attached hereto as EXHIBIT "B".

## **SECTION 8. USES, DENSITY, AND HEIGHT AND SIZE OF BUILDINGS**

The density or intensity of use of the Subject Properties is specified in the commitments of Section 7 unless conditioned otherwise (see Exhibit "B"). The uses and maximum height and size of the buildings on the Subject Properties shall be those set pursuant to law, including those contained in the Canyon County Code of Ordinances, that are applicable to an "CR-R-R" (Conditional Rezone – Rural Residential) zone and those provisions of law that are otherwise applicable to the Subject Property.

## **SECTION 9. LIABILITY AND INDEMNITY OF COUNTY.**

### **A. COUNTY REVIEW.**

Applicants acknowledge and agree that the County is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates or acceptances, relating to the use and development of the property described in EXHIBIT "A," and that the County's review and approval of any such plans and the improvements or the issuance of any such approvals, permits, certificates, or acceptances does not, and shall not, in any way, be deemed to insure or ensure Applicants or any of Applicants' heirs, successors, assigns, tenants, and licensees, against damage or injury of any kind and/or at any time.

### **B. COUNTY PROCEDURES.**

Applicants acknowledge that notices, meetings, and hearings have been lawfully and properly given and held by the County with respect to Applicant's conditional rezone application in Development Services Department Case Number RZ2022-0005 and any related or resulting development agreements, ordinances, rules and regulations, resolutions or orders of the Board of County Commissioners. Applicants agree not to challenge the lawfulness, procedures, proceedings, correctness or validity of any of such notices, meetings, hearings, development agreements, ordinances, rules, regulations, resolutions or orders.

### **C. INDEMNITY.**

Applicants agree to, and do hereby, defend, hold harmless and indemnify the County, the Board of County Commissioners, all County elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any such parties in connection with (i) the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates, or acceptances relating to the use and/or development of the Subject Properties; (ii) any actions taken by the County pursuant to Subsection 9(B) of this Agreement; (iii) the development, construction, and maintenance of the property; and (iv) the performance by County of its obligations under this Agreement and all related ordinances, resolutions or other agreements.

### **D. DEFENSE EXPENSES**

Applicants shall, and do hereby agree to pay, without protest, all expenses incurred by the County in defending itself with regard to any and all of the claims identified in Subsection 9 of this Agreement. These expenses shall include all out-of-pocket expenses, including but not limited



to, attorneys' and experts' fees, and shall also include the reasonable value of any services rendered by any employees of the County.

#### **SECTION 10. PERIODIC REVIEW.**

The County's Development Services Department will administer the Agreement after it becomes effective and will conduct a review of compliance with the terms of this Agreement on a periodic basis, including, but not limited to, each time a development of the Property is platted. Applicants shall have the duty to demonstrate Applicants' compliance with the terms of this Agreement during such review.

#### **SECTION 11. REQUIRED PERFORMANCE.**

Applicants shall timely carry out all steps required to be performed and maintain all commitments set forth in this Agreement and as set forth in County laws, ordinances, rules and regulations as they pertain to the Subject Property including, but not limited to, those concerning the commencement of development, completion of development, preliminary platting and final platting.

#### **SECTION 12. DEFAULT AND REMEDIES.**

In the event of a default or breach of this Agreement or of any of its terms or conditions, the party alleging default shall give the breaching party not less than thirty (30) days, Notice of Default, in writing, unless an emergency exists threatening the health and safety of the public. If such an emergency exists, written notice shall be given in a reasonable time and manner in light of the circumstances of the breach. The time of the giving of the notice shall be measured from the date of the written Notice of Default. The Notice of Default shall specify the nature of the alleged default and, where appropriate, the manner and period of time during which said default may be satisfactorily cured. During any period of curing, the party charged shall not be considered in default for the purposes of termination or zoning reversion, or the institution of legal proceedings. If the default is cured, then no default shall exist and the charging party shall take no further action.

#### **SECTION 13. ZONING REVERSION CONSENT.**

The execution of this Agreement shall be deemed written consent by Applicants to change the zoning of the Subject Properties to its prior designation upon failure to comply with the terms and conditions imposed by the approved conditional rezoning and this Agreement. No reversion shall take place until after a hearing on this matter pursuant to Idaho Code §67-6511A. Upon notice and hearing, as provided in this Agreement and in Idaho Code §67-6509, if the properties described in attached EXHIBIT "A" are not used as approved, or if the approved use ends or is abandoned, the Board of County Commissioners may order that the property will revert to the zoning designation (and land uses allowed by that zoning designation) existing immediately prior to the rezoning action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-R" (Conditional Rezone – Rural Residential) Zone designation shall revert back to the "A" (Agricultural) Zone designation.

#### **SECTION 14. COMPLIANCE WITH LAWS.**

Applicants agree that they will comply with all federal, state, county and local laws, rules and regulations, which appertain to the Subject Property.

#### **SECTION 15. RELATIONSHIP OF PARTIES.**

It is understood that this Agreement between Applicants and the County is such that Applicants are an independent party and are not an agent of the County.

## **SECTION 16. CHANGES IN LAW.**

Any reference to laws, ordinances, rules, regulations, or resolutions shall include such laws, ordinances, rules, regulations, or resolutions as they have been, or as they may hereafter be amended.

## **SECTION 17. NOTICES.**

Except as otherwise provided in this Agreement and/or by law, all notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof, (1) when delivered in person on a business day at the address set forth below, or (2) in the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage paid, certified or registered mail, return receipt requested, at the addresses set forth below.

Notices and communications required to be given to County shall be addressed to, and delivered at, the following address:

Director  
Development Services Department  
Canyon County Administration  
111 North 11<sup>th</sup> Avenue, #140  
Caldwell, Idaho 83605

Notices and communications required to be given to the Applicant shall be addressed to, and delivered at, the following addresses:

Name: Freedom Acres, LLC  
Street Address: 13963 Purple Sage Road  
City, State, Zip: Caldwell, ID 83607

A party may change its address by giving notice, in writing, to the other party, in the manner provided for in this section. Thereafter, notices, demands, and other pertinent correspondence shall be addressed and transmitted to the new address.

## **SECTION 18. TERMINATION.**

This Agreement may be terminated in accordance with the notice and hearing procedures of Idaho Code §67-6509, and the zoning designation upon which the use is based reversed, upon failure of Applicant(s), a subsequent owner, or other person acquiring an interest in the property described in attached EXHIBIT "A" to comply with the terms of this Agreement. Applicants shall comply with all commitments in this Agreement prior to establishing the approved land use.

## **SECTION 19. EFFECTIVE DATE.**

The commitments contained in this Agreement shall take effect in the manner described in this Agreement upon the County's adoption of the amendment to the zoning ordinance as set forth herein.

**SECTION 20.**

**TIME OF ESSENCE.**

Time is of the essence in the performance of all terms and provisions of this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seals the day and year first above written.

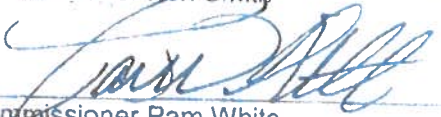
**BOARD OF COUNTY COMMISSIONERS  
CANYON COUNTY, IDAHO**

**APPLICANT**

  
\_\_\_\_\_  
Commissioner, Leslie Van Beek

  
\_\_\_\_\_  
Curtis Bodenbender, Freedom Acres LLC

  
\_\_\_\_\_  
Commissioner Keri Smith

  
\_\_\_\_\_  
Commissioner Pam White

ATTEST: Chris Yamamoto, Clerk

BY:   
\_\_\_\_\_  
Deputy

DATE: 08.17.22

(All Applicants must sign and their signatures must be notarized)

STATE OF IDAHO )

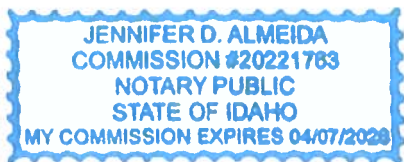
) ss.  
County of Canyon )

On this 17<sup>th</sup> day of August, 2022, before me, a notary public, personally appeared Curtis Bodenbender, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he/she executed the same on behalf of the Applicant.

Jennifer D. Almeida  
Notary Public for Idaho

Residing at: Canyon Co.

My Commission Expires: 4/7/28



#### EXHIBIT "A"

#### LEGAL DESCRIPTION – Parcel R37627102

Lot 3 in Block 1 of Rustic Acres Subdivision, according to the official plat thereof, filed in Book 37 of Plats at Page(s) 37, official records of Canyon County, Idaho.

**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The subject property, totaling approximately 18.56 acres, shall be divided into no more than six lots in compliance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions required at the time of preliminary plat:
  - a. Pressurized irrigation shall be provided and a water users agreement shall be included in the CC&Rs for the subdivision.
    - The use of irrigation water rights shall comply with Idaho Code Section 31-3805 and 67-6537. Evidence of compliance shall be provided prior to preliminary plat approval.
  - b. The applicant developer shall work with Middleton Fire District to provide a wildfire interface plan and appropriate fire access. An agreement between the applicant/developer and Middleton Fire District shall be included as CC&Rs for the subdivision or recorded as part of an agreement.
  - c. The applicant developer shall meet all required access and improvement requirements of Canyon Highway District #4 including the requirement of a maintenance agreement.
3. The developer shall comply with CCZO §07-06-07 (4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
4. Golf courses and secondary dwellings are prohibited in the "R-R" Zone.
5. At preliminary plat submittal, a landscape plan shall be provided demonstrating a landscape entry with archway monument sign.
6. At the time of building permit, fencing shall be required along the perimeter of each lot and completed prior to certificate of occupancy.



**Board of County Commissioners**  
**Freedom Acres – RZ2022-0005**

Development Services Department



**Findings of Fact, Conclusions of Law, and Order**  
Conditional Rezone RZ2022-0005

**Findings of Fact**

1. The applicant, Freedom Acres LLC, is requesting a conditional rezone of Parcel R37627102 from "A" (Agricultural) to "CR-R-R" (Conditional Rezone -- Rural Residential). The request includes a development agreement to limit development to six residential lots. The property is located at 24082 Blessinger Road, Star (Lot 3, Block 1 of Rustic Acres Subdivision); also referenced as a portion of the SW<sup>1</sup>/<sub>4</sub> of Section 36, T5N, R2W, Canyon County, Idaho.
2. The 2020 Canyon County Comprehensive Plan designates the future land use of the parcel as "residential".
3. The property is located in the Middleton area of city impact. Middleton's future land use plan designates the area as "residential".
4. On February 13, 2022, a neighborhood meeting was held in accordance with CCZO §07-01-15.
5. On May 5, 2022, the Planning and Zoning Commission recommended approval of the request subject to development agreement conditions (Attachment A).
6. Notice of the public hearing was provided as per CCZO §07-05-01. Affect agencies and the City of Middleton were notified on June 10, 2022. A full political notice was sent March 9, 2022. Property owners within 600 ft. were notified by mail on July 18, 2022. Newspaper notice was published on July 15, 2022. The property was posted on July 25, 2022.
7. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing on August 17, 2022 and all information contained in DSD case file RZ2022-0005.
  - a. On August 3, 2022, the hearing of this item was tabled to August 17, 2022 to allow the applicant to provide information regarding the maintenance of Willis Road.

**Conclusions of Law**

For this request, the Board of County Commissioners find and conclude the following regarding the Standards of Review for a Zoning Amendment (CCZO §07-06-07(6)).

**A. Is the proposed conditional rezone generally consistent with the comprehensive plan?**

**Conclusion:** The request is generally consistent with the 2020 Canyon County Comprehensive Plan.

**Finding:** The proposed rezone is consistent with the future land use map within the 2020 Canyon County Comprehensive Plan which designates the property as "residential". The City of Middleton also designated the property as residential on their future land use map within the City's Comprehensive Plan.

The request is generally consistent with the following goals and policies of the comprehensive plan.

Property Rights Policy No. 1: "No person shall be deprived of private property without due process of law."

Economic Development 5: "Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County."

Land Use Policy No. 1: "Review all residential, commercial and industrial development proposals to determine the land use compatibility and impact to surrounding areas."

- Land Use Goal No. 2: "To provide for the orderly growth and accompanying development of the resources within the County that is compatible with their surrounding area."
- Land Use Policy No. 2: "Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate."
- Land Use Goal No. 6: "Designate areas where rural type residential development will likely occur and recognize areas where agricultural development will likely occur."
- Housing Policy 1: "Encourage a variety of housing choices that meet the needs of families, various age groups and incomes."
- Community Design Policy 2: "Encourage development of self-sustaining communities that maintain the rural lifestyle and good quality of life in the county."

**B. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**

**Conclusion:** The proposed request is more appropriate as the current zoning designation.

**Finding:** The property is currently zoned "A" (Agricultural). The subject parcel contains the following class of soils:

- Class 2 – Best-suited soils: 5.55 acres (approx. 31%),
- Class 4 – Moderately suited soils: 7.91 acres (approx. 44%)
- Class 6 & 8 – Least-suited soils: 4.75 acres (approx. 25%)

Approximately five (5) acres is considered prime farmland if irrigated and approximately eight (8) acres is considered farmland of statewide importance, if irrigated. The property does not have surface water rights. The property consists of rolling hills with some slopes greater than 15%.

The 2020 Canyon County Comprehensive Plan designates the future land use of the parcel as "residential". The City of Middleton also designated the property as residential on their future land use map within the City's Comprehensive Plan.

The applicant is requesting a conditional rezone to "R-R" (Rural Residential). Pursuant to CCZO §07-10-25(2), the purpose of the R-R Zone is to "encourage and guide growth in areas where a rural lifestyle may be determined to be suitable." The nearest residential zones are as follows:

- RZ2019-0009 – Soggs (2019): Conditional rezone of Parcel R37627100 (7.5 acres) from "A" to "CR-R-1". The development agreement restricts development to five lots (1.5-acre average lot size) with access from Rustic Ct.
- CR2019-0009/SD2019-0006 – MAMLS Monument Place Sub. (2019): Conditional rezone of Parcel R37620011 (54.92 acres) from "A" to "CR-R-R". The development agreement restricts development to 37 lots (1.43-acre average lot size) with buffers, public road improvements, and fire access and suppression conditions.
- CR2019-0016/SD2019-0046 – Skyline Homes/Thunder Ridge Sub. (2019): Conditional rezone of Parcels R37629, R37629012, R37629013 and R37629013A from "A" to "CR-R-R". The development agreement restricts development to 45 lots (2.52-acre average lot size) subject to public road improvements, wildfire interface plan, fire suppression and dust mitigation plan.

Within a one-mile radius of the subject property are 21 approved subdivisions with a 2.71-acre average lot size.

The request includes a development agreement (Attachment A) which restricts development to six (6) residential lots (3.08-acre average lot size). The request is commensurate with lot sizes and uses recently approved within general vicinity.

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

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

**Finding:** The following are recent land use decisions within the vicinity of the request:

- RZ2019-0009 – Soggs (2019): Conditional rezone of Parcel R37627100 (7.5 acres) from “A” to “CR-R-1”. The development agreement restricts development to five lots (1.5-acre average lot size) with access from Rustic Ct.
- CR2019-0009/SD2019-0006 – MAMLS/Monument Place Sub. (2019): Conditional rezone of Parcel R37620011 (54.92 acres) from “A” to “CR-R-R”. The development agreement restricts development to 37 lots (1.48-acre average lot size) with buffers, public road improvements, and fire access and suppression conditions.
- CR2019-0016/SD2019-0046 – Skyline Homes/Thunder Ridge Sub. (2019): Conditional rezone of Parcels R37629, R37629012, R37629013 and R37629013A from “A” to “CR-R-R”. The development agreement restricts development to 45 lots (2.52-acre average lot size) subject to public road improvements, wildfire interface plan, fire suppression and dust mitigation plan.

The subject property is located within an approved subdivision, Rustic Acres Subdivision, consisting of three (3) lots with an average lot size of 11.6 acres. There are 21 approved subdivisions within a one-mile radius with a 2.71-acre average lot size. The following are approved subdivisions within the vicinity of the request:

|   | Subdivision     | # of Lots | Average Lot Size | Year Approved |
|---|-----------------|-----------|------------------|---------------|
| 2 | Quail View Sub. | 6         | 5.91             | 2002          |
| 3 | Schmidt Sub.    | 4         | 3.12             | 1996          |
| 4 | Schmidt Sub. #2 | 4         | 11.11            | 2001          |

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

**Conclusion:** As conditioned by the development agreement (Attachment A), the proposed use will not negatively affect the character of the area.

**Finding:** The request includes a development agreement (Attachment A) which restricts development to six (6) residential lots (3.08-acre average lot size). The request is commensurate with lots sizes and uses recently approved within general vicinity.

Based on recent land use approvals in the area, the development agreement also includes conditions which requires pressurized irrigation, a wildfire interface plan including adequate fire access and fire suppression requirements and access and improvement review and approval by Canyon Highway District #4.

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

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

**Finding:** Adequate facilities will and can be provided to the subject property. The property will be served by individual wells and septic systems. City services are not located within the area. The property is not located within a nitrate priority area. Wells drilled on the property and within the immediate vicinity demonstrate water was encountered between 155-165 feet with well depth between 253-305 feet. Wells in the area were far below nitrate and arsenic thresholds established by Idaho Department of Environmental Quality. Adequate facilities/services can be accommodated subject to meeting state and local agency requirements at the time of platting and building permits.

Existing irrigation is served by domestic well and surface water rights from an existing wastewater pond in the jurisdiction of Farmer Union Ditch Company (approx. 3.5-acre surface area). Future development may use water rights or domestic water (up to 0.5-acre feet) for

irrigation purposes. As a condition of the development agreement, pressurized irrigation shall serve the development.

**F. Does the proposed conditional rezone require public street improvements in order to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?**

**Conclusion:** The request does not generate new traffic to significantly impact the existing or planned transportation network.

**Finding:** The proposed six (6) lots (one with an existing dwelling) is not anticipated to exceed 500 trips per day threshold nor generate new traffic to significantly impact the existing or planned transportation network. Therefore, a traffic impact study is not required.

Canyon Highway District #4 identifies Willis Road as part of their Capital Improvement Plan. Therefore, the development will pay impact fees. At the time of platting, Canyon Highway District #4 will require a maintenance agreement. As conditioned, road maintenance impacts will be addressed and mitigated at the time of platting.

**G. Does legal access to the subject property for the conditional rezone exist or will it exist at time of development?**

**Conclusion:** The property has frontage along Willis Road, an open public right-of-way under CHD4 jurisdiction, via a private road, Rustic Ct.

**Finding:** The property has frontage along Willis Road, an open public right-of-way under Canyon Highway District #4 (CHD4) jurisdiction. The property takes access from Willis Road via Rustic Court, a private road. CHD4 does not maintain Willis Road and has never been improved to public standards or accepted for maintenance by CHD4. Therefore, Willis Road is privately maintained.

Based on review of the conceptual site plan, the new approaches will not meet spacing standards for an urban collector roadway. The following access limitation may be applied to meet urban collector roadway spacing standards:

- Abandon (remove) existing residential access serving 24082 Willis Road approx. 100-feet east of Rustic Ct.

New private road to Willis Rd. approx. 280-feet east of Rustic Ct.

New driveway to Willis Rd. approx. 635-feet east of Rustic Ct. to serve proposed lot at southeast corner of subject property. Driveway located at east side of existing pond.

As a condition of the development agreement (Attachment A) the applicant development must meet all applicable access and road improvement requirements by Canyon Highway District #4 at the time of platting.

**H. Will the proposed conditional rezone 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. Mitigation is proposed as part of the development agreement to be applied at the time of platting.

**Finding:** Essential services will be provided to accommodate the use. The nearest Middleton Fire station is located approximately 6.4 southwest of the subject property on HWY 44 in the City of Middleton. No comments were received. However, all land use approvals in the area included conditions requiring a wildfire interface plan, adequate fire access and fire suppression requirements due to the location and area containing rolling hills with dry grasses. Therefore, a condition has been included in the development agreement (Attachment A) consistent with other land use approval in the area regarding the same issues.

The property is served by Purple Sage Elementary and Middleton High School. Middleton School District did not comment.

**Conclusions of Law - Area of City Impact**

The property is located within the Middleton Area of City Impact. Middleton's future land use plan also designates the area as "residential". The City of Middleton was notified per the agreement (Canyon County Code Sections 09-09-15 & 09-09-11(3)) on March 9, 2022 and June 10, 2022. No comments were received. Therefore, the county may proceed without the recommendation of the city.

**Order**

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approve** Case # RZ2022-0005, a request for a conditional rezone of Parcel R37627102 from an "A" (Agricultural) zone to an "CR-R-R" (Conditional Rezone - Rural Residential) zone subject to conditions of the development agreement (Attachment A).

APPROVED this 17<sup>th</sup> day of August, 2022.

|   | Yes                                 | No                       | Did Not<br>Vote          |
|---|-------------------------------------|--------------------------|--------------------------|
| <br>Commissioner Leslie Van Beek | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>Commissioner Keri Smith      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <br>Commissioner Pamela White    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Attest: Chris Yamamoto, Clerk

By: Jenna Rees  
Deputy

Date: 08.17.22



**ATTACHMENT A**  
**DEVELOPMENT AGREEMENT CONDITIONS**

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.
2. The subject property, totaling approximately 18.56 acres, shall be divided into no more than six lots in compliance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions required at the time of preliminary plat:
  - a. Pressurized irrigation shall be provided and a water users agreement shall be included in the CC&Rs for the subdivision.
    - i. The use of irrigation water rights shall comply with Idaho Code Section 31-3805 and 67-6537. Evidence of compliance shall be provided prior to preliminary plat approval.
  - b. The applicant developer shall work with Middleton Fire District to provide a wildfire interface plan and appropriate fire access. An agreement between the applicant/developer and Middleton Fire District shall be included as CC&Rs for the subdivision or recorded as part of an agreement.
  - c. The applicant developer shall meet all required access and improvement requirements of Canyon Highway District #4 including the requirement of a maintenance agreement.
3. The developer shall comply with CCZO §07-06-07 (4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."
4. Golf courses and secondary dwellings are prohibited in the "R-R" Zone.
5. At preliminary plat submittal, a landscape plan shall be provided demonstrating a landscape entry with archway monument sign.
6. At the time of building permit, fencing shall be required along the perimeter of each lot and completed prior to certificate of occupancy.

### 07-10-03: PRIVATE ROAD AND DRIVEWAY REQUIREMENTS:

- (1) Frontage, Easement, Or Road Lot Required: For the purpose of providing adequate access for equipment, emergency vehicles and other services to inhabited buildings, each parcel must demonstrate access by one of the following prior to the issuance of a certificate of zoning compliance:
  - A. Frontage: A minimum property frontage of sixty feet (60') is required along the right-of-way of a public road for the purpose of ingress/egress. The frontage width requirement may be reduced to a width not less than fifty feet (50') in accordance with subsection (1)D of this section.
  - B. Driveway Or Private Road Application, Easement And Maintenance Agreement:
    1. Applications for driveways serving two (2) properties and all private roads shall be filed with DSD.
      - (A) An application on a form provided by the Director and the fees shall be submitted. Additional fees shall be charged for any requested alternative standards which require review by the County Engineer.
      - (B) When the application is filed, the Director shall review the application to determine if: 1) the proposed driveway serving two (2) properties or private road is in accord with the standards in this section and chapter 6, article 5 of this Code and 2) will not disrupt regional or local long range transportation plans. Conditions may be placed on the approval to ensure continued compliance with the requirements of this section.
    2. Driveways serving two (2) properties and all private roads shall be located within a recorded permanent, perpetual easement, having a minimum width of sixty feet (60') from the right-of-way of a public street to the property for the purpose of ingress/egress. The easement width requirement may be reduced to a width not less than twenty eight feet (28') in accordance with subsection (1)D of this section.
    3. Driveways serving two (2) properties and all private roads shall have a recorded road users maintenance agreement that describes the responsible parties for construction and maintenance, including repairs, and necessary improvements to accommodate additional accesses in the future. The agreement shall also list any construction warranties applicable to the specific driveway or private road. Failure to maintain a previously approved driveway or private road shall be a violation of this article subject to the enforcement procedures in [article 19 of this chapter](#).
    4. All properties taking access to a private road shall be in compliance with the addressing standards in chapter 6, article 5 of this Code.
    5. Driveways serving two (2) residences and all private roads shall be located to minimize disruption of existing agricultural practices.

C. Private Road On Subdivision Plat: A private road shall be shown as a separate, nonbuildable lot in accordance with the requirements of section [07-17-31](#) of this chapter.

D. Width Reduction: The width of a parcel's road frontage, easement or private road may be reduced by the Director if the reduction demonstrates all of the following:

1. Will the proposed reduction provide adequate access;
2. Do physical characteristics of the site require a width reduction; and
3. Would approval of the request cause injury, damage, or a safety hazard?

(2) Fire District Road Requirements: The construction of driveways or private roads longer than one hundred fifty feet (150') from the public street right-of-way line to the most distant portion of an inhabited building must be approved in writing from the applicable fire district.

(3) Driveway And Private Road Requirements:

A. Minimum Standards: Driveways and private roads shall be built to the following minimum standards in table 1 of this subsection: TABLE 1

|  | Subbase Or<br>Ballast  | Base Course  | Plant Mix<br>Pavement<br>(ISPWC<br>Class III<br>Mix) | Surface<br>Width                     |
|--|------------------------|--|--|--------------------------------------|
| Driveways (serving a maximum of 2 inhabited buildings per definition in section <a href="#">07-02-03</a> of this chapter): |                        |  |  |                                      |
| Existing driveways that add a second residence   | n/a                    | 4" thick $\frac{3}{4}$ minus gravel base or equivalent recycled asphalt paving (RAP), graded and compacted | n/a  | 12' wide all weather driving surface |
| New driveways built after January 19, 2005   | If less than 150': n/a | 4" thick $\frac{3}{4}$ minus gravel base or equivalent   | n/a  | 12' wide all weather                 |

|  | Subbase Or<br>Ballast  | Base Course   | Plant Mix<br>Pavement<br>(ISPWC<br>Class III<br>Mix) | Surface<br>Width   |
|--|--|---|--|--|
|  | If 150' or<br>longer: 9" of<br>uncrushed<br>aggregate<br>(pit run) | recycled asphalt<br>paving (RAP),<br>graded and<br>compacted            |  | driving<br>surface   |
| Private roads<br>(serving more than 2<br>permanent dwellings<br>or inhabited<br>buildings as defined<br>in section 07-02-03<br>of this chapter): |  |   |  |  |
| Private roads that<br>are estimated to<br>serve 100 ADT or<br>less   | n/a  | 4" thick $\frac{3}{4}$ minus<br>gravel base,<br>graded and<br>compacted | n/a  | 20' wide<br>all weather<br>driving<br>surface                            |
| Private roads that<br>are estimated to<br>serve more than<br>100 ADT   | 9" of minus<br>6" uncrushed<br>aggregate<br>(pit run)              | 6" of $\frac{3}{4}$ " crushed<br>aggregate<br>(gravel)                  | 2.5" thick   | 24' for<br>local roads<br>and 26' for<br>collector<br>roads <sup>1</sup> |

## Note:

1. Alternative pavement section designs that include geotextile fabrics, geogrids, cemented treated base, etc., may be submitted to the county for consideration and approval following review by the county engineer. Subbase thickness shall not be less than twice the maximum sized aggregate and base layer thickness shall not exceed 10 inches. Base is to be replaced in the GE pavement section at a ratio of 2.2:1 for plant mix and 0.9:1 for subbase.

- 1 Base to meet the requirements of ISPWC section 802, Table 1 - Type I Crushed Aggregate Base.
2. Subbase to meet the requirement of ISPWC section 801, Table 1 - 8 Inch, 6 Inch, Or 3 Inch Uncrushed Aggregate.

3. Trip generation per dwelling is 9.52 trips/day per ITE, "Trip Generation 9th Edition", rates for single-family detached housing. Total ADT for a private road is the total daily trips for the total dwellings entitled on properties using any segment of a private road.

4. The structural section of a private road shall be in accordance with the minimum section thickness as indicated in the table. Thinner sections of private roads may be possible based upon a traffic index proposed by the applicant and reviewed by the county engineer, an R-value (ITD method T-8) determined during the geotechnical investigation and the following formula:

$$GE \text{ (inches)} = 0.0384 * (TI) * (100 - R)$$
 where GE equals gravel equivalence or the entire section of ISPWC - 3/4" base (section 802), TI = traffic index and R = R-value test result

R-value is to be determined by soil laboratory on a representative sample(s) from the project subgrade. Maximum subgrade R-value for design to be R-35. Subgrade is to be confirmed at the time of construction to be firm and stable. Soft, wet, or deflecting subgrade is to be addressed by project civil/geotechnical engineer(s).

5. Any private road shall be named and a sign conforming to the applicable highway district standards shall be erected and maintained at the property owners' expense. The road must have a road name approved by the director. The naming of roads shall comply with chapter 6, article 5 of this code. Verification of installation of road signs shall be provided to DSD.

B. Inspection And Certification: A driveway or private road must be constructed prior to final inspection of an inhabited building. The construction of driveways longer than one hundred fifty feet (150') from a public street right of way to the most distant portion of an inhabited building and private roads shall be inspected and certified by the applicant's engineer prior to obtaining a certificate of occupancy. This requirement may be waived by the director if a road construction warranty has been recorded.

C. Bridges: Bridges shall be inspected and certified by an engineer of the developer's choice, to have been constructed in compliance with all applicable federal, state, and local laws.

D. Cul-De-Sacs: Cul-de-sacs shall have a fifty foot (50') radius for a driving surface and a seventy foot (70') radius for right of way or easement. (Ord. 16-007, 6-20-2016)

**07-17-33: SPECIAL DEVELOPMENTS:**

The purpose of this section is to identify various types of special developments that normally pose special concerns to the commission and the Board when reviewing and acting upon subdivision requests. The provisions of this section are in addition to other applicable requirements of these subdivision regulations. Required information shall be submitted to the DSD with the preliminary plat.

**(1) Hillside Development:****A. Hillside Development Evaluation:**

1. All hillside development proposals shall give consideration to desirable land use planning, soil mechanics, engineering geology, hydrology, and civil engineering. The evaluation includes, but is not limited to:

(A) Planning of development to fit the topography, soils, geology, hydrology and other conditions existing on the proposed site;

(B) Orienting development to the site so that grading and other site preparation is kept to a minimum; i.e., use of building or road envelopes, and no build areas;

(C) Shaping of essential grading to complement the natural landforms and to minimize padding and terracing of building sites;

(D) Division of land tracts into smaller workable units on which construction can be completed within one construction season so that large areas are not left bare and exposed during the winter-spring runoff period; and

(E) Completion of paving as rapidly as possible after grading.

2. Areas having soil, geology or hydrology hazards shall not be developed unless it is shown that their limitations can be overcome; that hazard to life or property will not exist; and that the safety, use or stability of a public way or drainage channel is not jeopardized.

**B. Required Data:** The developer shall retain professional expertise to obtain the following information which is required by the commission:

1. **Soil Reports:** For any proposed hillside development, a soils report shall be submitted with the preliminary plat. This report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and opinions and recommendations covering the adequacy of sites to be developed.

2. **Geology Reports:** For any proposed hillside development, a geology report shall be submitted with the preliminary plat. This report shall include an adequate description of site geology and an evaluation of the relationship between the proposed development and the underlying geology and recommendations for remedial actions.

**3. Hydrology Report:**

(A) For any proposed hillside development, a hydrology report shall be submitted with the preliminary plat. This report shall include an adequate description of the hydrology, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development and opinions and recommendations covering the adequacy of sites to be developed.

(B) Flood frequency information shall be provided for the area proposed for the development, if applicable.

**C. Grading And Drainage Plan:**



1. A preliminary grading and drainage plan shall be submitted with each hillside preliminary plat proposal and shall include the following information:

(A) Approximate limiting dimensions, elevations or finish contours to be achieved by the grading, including all cut and fill slopes, proposed drainage channels and related construction;

(B) Preliminary plans and approximate locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed; and

(C) A description of methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.

2. A final grading plan shall be submitted with each final plat and include the following information:

(A) Limiting dimensions, elevations or finish contours to be achieved by the grading, including all proposed cut and fill slopes and proposed drainage channels and related construction;

(B) Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed; and

(C) A schedule showing when each stage of the project will be completed, including the total area of soil surface which is to be disturbed during each stage together with estimated starting and completion dates. In no event shall the existing "natural" vegetative ground cover be destroyed, removed or disturbed more than fifteen (15) calendar days prior to the grading.

D. Development Standards:

1. Soils:

(A) Fill areas shall be prepared by removing organic material, such as vegetation and rubbish and any other material which is determined by the soils engineer to be detrimental to proper compaction or otherwise not conducive to stability.

(B) Cuts and fills shall be designed to provide safety, stability and adequate setback from property lines in accordance with County standards, drawings and specifications.

2. Roadways:

(A) Road alignments shall reasonably follow natural terrain and no unnecessary cuts or fills shall be allowed.

(B) One-way streets, in interior subdivision roads only, shall be permitted and encouraged where appropriate for the terrain and when public safety would not be jeopardized. When approved by the County the one-way street may have a thirty foot (30') right-of-way instead of a sixty foot (60') right-of-way.

(C) The width of the graded section shall extend three feet (3') beyond the curb back or edge of pavement on both the cut and fill sides of the roadway. If sidewalks are to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus one foot (1') beyond the curb back.

(D) Ribbon curbing and swales or concrete curb and gutter shall be installed along both sides of paved roadways, when required by the Board.

(E) A pedestrian walkway plan may be required.

3. Driveways And Parking Areas: Combinations of collective private driveways, cluster parking areas and on street, parallel parking ways may be used to attempt to optimize the objectives of

minimum soil disturbance, minimize impervious cover, and enhance the excellence of design and aesthetic sensitivity.

**E. Vegetation And Revegetation:**

1. The developer shall submit a slope stabilization and revegetation plan which shall include a complete description of the existing vegetation, the vegetation to be removed and the method of disposal, the vegetation to be planted, and slope stabilization measures to be installed. The plan shall include an analysis of the environmental effects of such operations, including the effects it may have on slope stability, soil erosion, water quality and fish and wildlife.

2. Vegetation sufficient to stabilize the soils shall be established on all disturbed areas as each stage of grading is completed. Areas not contained within lot boundaries shall be protected with perennial vegetal cover after all construction is completed. Efforts shall be made to plant those species that tend to recover from fire damage and do not contribute to a rapid rate of fire spread.

3. The developer shall be fully responsible for any destruction of native vegetation proposed and approved for retention. He shall carry the responsibility both for his own employees and for all subcontractors from the first day of construction until the notice of completion is filed. The developer shall be responsible for replacing such destroyed vegetation in kind or its equivalent.

**F. Maintenance:** The owner of any private property on which grading or other work has been performed, pursuant to a grading plan approved or a building permit granted under the provisions of this chapter, shall continuously maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures or means, and other protective devices, plantings and ground cover installed or completed.

**(2) Condominium And Planned Unit Developments:**

**A. Site Development Plan:** The applicant shall provide the commission with a site plan, elevations, perspective drawings and such other illustrated information at a scale to be determined by DSD to show the proposed development that will include at least the following:

1. Site plan;
2. Plat showing lots, including common lots and roads;
3. Architectural styles and building design concepts;
4. Architectural materials and colors;
5. Type of landscaping;
6. Screening, if proposed;
7. Type of solid waste facilities;
8. Parking concept; and
9. Open space areas.

**B. Storage Areas:** Storage areas shall be provided for the anticipated needs of boats, campers and trailers. For typical residential development, one adequate space shall be provided for every three (3) living units. This may be reduced by the commission if there is a showing that the needs of a particular development are less.

**C. Parking Space:** One additional parking space beyond that which is required by the zoning regulations may be required for every three (3) dwelling units to accommodate visitor parking.

D. **Control During Development:** Single ownership or control during development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned.

(3) **Subdivision For A Cemetery:**

A. **Function:** The developer shall provide the County with written documentation that will sufficiently explain if the proposed cemetery will be used for either human or animal remains and the functions that are anticipated on the property.

B. **Compliance With Idaho Code Required:** The developer shall submit a written statement that has been prepared by an attorney that adequately assures the compliance of the proposed cemetery with the procedural platting requirements and management requirements that are outlined in Idaho Code, title 27.

(4) **Areas Of Critical Concern:**

A. **General:** The development of any hazardous or unique areas that have previously been designated as areas of critical concern by the Board, as provided by Idaho Code, may need special consideration by the applicant, as determined by the Board, to assure that the development is necessary and desirable in the public interest in view of the existing unique conditions. Areas that may be designated by the Board, through due process, as hazardous or unique may be as follows:

1. Unstable soils;
2. Scenic areas;
3. Historical significance areas;
4. Floodplains; and
5. Other areas of critical concern.

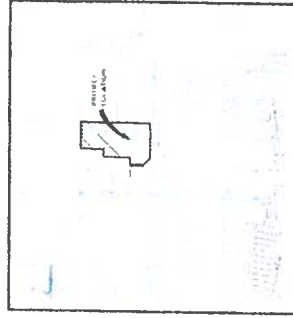
B. **Plan Submission:** The applicant, if required, shall prepare and submit an environmental assessment statement for those areas as above noted and designated by the Board along with the preliminary plat application.

C. **Content Of Environmental Assessment Statement:** The content of the environmental assessment statement, if required, shall usually be prepared by professional(s) that will provide answers to the following questions:

1. What detrimental environmental effect may occur as a result of the proposed development?
2. What corrective action or alternative plans could be developed so as not to significantly cause detrimental environmental effects?
3. What adverse effects of the proposed development cannot be mitigated? (Ord. 19-038, 8-30-2019)

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO

May 2023



VICINITY MAP

PRELIMINARY PLAY NOTES

ABSTRACT 1,241(1)Bd

REMOVE

PROF. T. TAM

PROF. T. TAM

## ENVIRONMENTAL CONTROL

CONCLUSIONS

## INDEX OF DRAWINGS

11X7-5R1E94CH

QUAL VIEW SUB (Book &amp; Page)

SCHMIDT SUB #2 (Book &amp; Paper)

TYPICAL FREEDOM ACTS LANE (PRIVATE) (PRIVATE) SECTION

**FREEDOM ACRES SUBDIVISION  
CANYON COUNTY**



01dd

## Dan Lister

---

**From:** Lenny Riccio <LRiccio@canyonhd4.org>  
**Sent:** Tuesday, November 7, 2023 8:38 AM  
**To:** Dan Lister  
**Subject:** [External] RE: Blessinger, Willis Freedom Acres

Dan,

Please know the plans were conditionally approved by the Board on 10/12/23 and the conditions were satisfactorily addressed in the 10/17/23 plans. As a result, the preliminary plat is acceptable.

Regards,

Lenny Riccio, P.E.  
Transportation Planner  
Assistant District Engineer



Highway District No. 4  
canyonhd4.org  
15435 Hwy 44  
Caldwell, ID 83607  
Phone: (208) 454-8135  
Fax: (208) 454-2008

**From:** Lenny Riccio  
**Sent:** Wednesday, October 25, 2023 9:33 AM  
**To:** 'Dan Lister' <Daniel.Lister@canyoncounty.id.gov>; 'Joe Pachner' <Joe@kmengllp.com>  
**Subject:** RE: Blessinger, Willis-Freedom Acres

Dan,

Plans dated 10/17/23 are acceptable.

Regards,

Lenny Riccio, P.E.  
Transportation Planner  
Assistant District Engineer



Highway District No. 4  
canyonhd4.org  
15435 Hwy 44  
Caldwell, ID 83607  
Phone: (208) 454-8135  
Fax: (208) 454-2008

**From:** Lenny Riccio  
**Sent:** Tuesday, October 3, 2023 8:31 AM  
**To:** 'Dan Lister' <[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)>; Joe Pachner <[Joe@kmengllp.com](mailto:Joe@kmengllp.com)>  
**Subject:** Blessinger. Willis-Freedom Acres

Dan and Joe,

Please see attached staff's comments on the proposed preliminary plat.

Regards,

Lenny Riccio, P.E.  
Transportation Planner  
Assistant District Engineer  
Highway District No. 4  
canyonhd4.org  
15435 Hwy 44  
Caldwell, ID 83607  
Phone: (208) 454-8135  
Fax: (208) 454-2008



City of Star

P.O. Box 130  
Star, Idaho 83669  
208-286-7247  
Fax 208-286-7569

[www.staridaho.org](http://www.staridaho.org)



Mayor:  
Trevor A. Chadwick

Council:  
Kevin Nielsen  
Jennifer Salmonsén  
Kevan Wheelock  
David Hershey

October 30, 2023

Canyon County Development Services  
111 North 11<sup>th</sup> Ave Suite 140  
Caldwell, ID 83605

Dear Development Services:

This letter serves as the City of Star's response to the proposed preliminary plat for Freedom Acres Subdivision, located on Willis Road in unincorporated Canyon County. Based on the City's current Comprehensive Plan Future Land Use Map, the proposed subdivision of the property to lots averaging 2.66-acres with a density of .38 dwelling units per acre meets the intent of our plan. This property is located in the Low Density Residential land use designation, where maximum densities of 1 dwelling unit per acre are required.

The request for waivers of City of Star subdivision standards, including waiver of sidewalks, streetlights and private street standards are consistent with the preservation of the rural character in the area. Therefore, the City supports these waivers. Street width standards will need to be approved by the Mid-Star Fire District, as they have final sign-off on street width standards for emergency requirements.

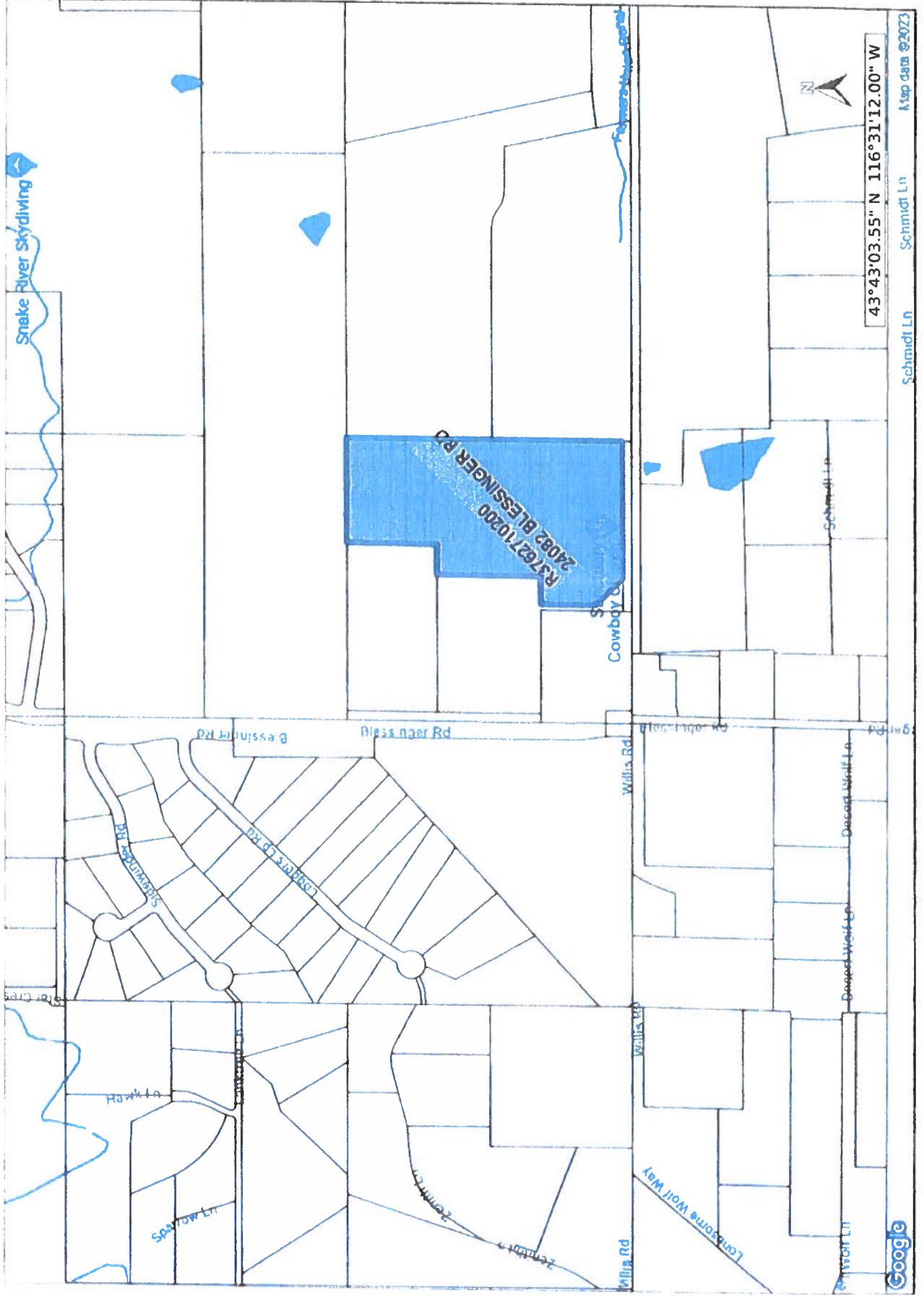
Thank you for the opportunity to respond to this request.

Sincerely,

Shawn L. Nickel  
Planning Director and Zoning Administrator

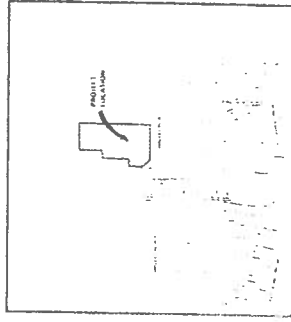
# 22-178

## 24082 Blessinger Rd.



# PRELIMINARY PLAT SHOWING FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023



VICINITY MAP

## PRELIMINARY PLAT NOTES

1. The land shown on this plat is the SW 1/4 of the SW 1/4 of Section 36, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho. The land is owned by the State of Idaho and is being offered for sale by the State of Idaho.

2. The land is being offered for sale in several lots. The lots are shown on this plat and are described in the accompanying list of lots.

3. The land is being offered for sale subject to the following conditions:

- a. The land is being offered for sale as is, without warranty.
- b. The land is being offered for sale subject to all existing liens and encumbrances.
- c. The land is being offered for sale subject to all existing easements and rights of way.
- d. The land is being offered for sale subject to all existing covenants, conditions, and restrictions.

4. The land is being offered for sale subject to the following conditions:

- a. The land is being offered for sale as is, without warranty.
- b. The land is being offered for sale subject to all existing liens and encumbrances.
- c. The land is being offered for sale subject to all existing easements and rights of way.
- d. The land is being offered for sale subject to all existing covenants, conditions, and restrictions.

## PROJECT SUMMARY

PROJECT NAME: FREEDOM ACRES SUBDIVISION  
PROJECT LOCATION: SW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO  
PROJECT OWNER: STATE OF IDAHO  
PROJECT PURPOSE: TO OFFER FOR SALE LAND OWNED BY THE STATE OF IDAHO  
PROJECT STATUS: PRELIMINARY PLAT  
PROJECT DATE: MAY 2023

## PROJECT TEAM

PROJECT MANAGER: [Name]  
PROJECT ENGINEER: [Name]  
PROJECT SURVEYOR: [Name]  
PROJECT DRAFTER: [Name]  
PROJECT REVIEWER: [Name]

## SURVEY CONTROL NOTES

1. The survey was conducted by [Name] on [Date].

2. The survey was conducted using [Equipment].

3. The survey was conducted in accordance with the Idaho Surveying Act.

4. The survey was conducted in accordance with the Idaho Surveying Rules and Regulations.

## INDEX OF DRAWINGS

Sheet 1 of 1  
Sheet 2 of 1  
Sheet 3 of 1  
Sheet 4 of 1  
Sheet 5 of 1  
Sheet 6 of 1  
Sheet 7 of 1  
Sheet 8 of 1  
Sheet 9 of 1  
Sheet 10 of 1



Scale: 1 inch = 100 feet

## FREEDOM ACRES SUBDIVISION CANYON COUNTY PRELIMINARY PLAT COVER

REVISIONS

DATE

BY

REVISIONS

DATE

BY

REVISIONS

DATE

BY

REVISIONS

DATE

BY

REVISIONS

DATE

BY

REVISIONS

DATE

BY



PROJECT NO. PP10

DATE: 2023.10.17

15.953.0000

TYPICAL FREEDOM ACRES LANE (PRIVATE/PRIVATE) SECTION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO  
MAY 2023

MAY 2023



### LEGEND



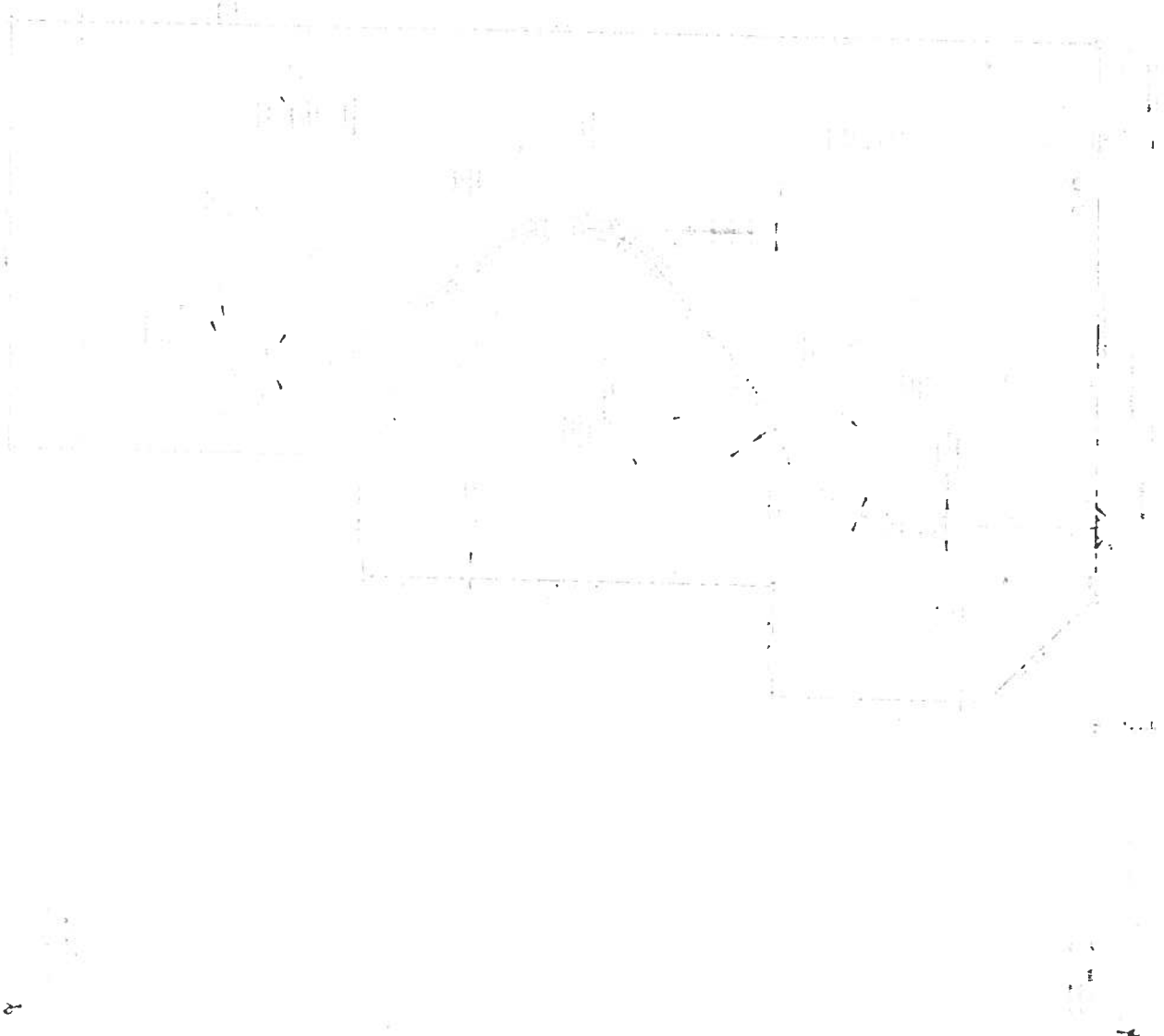
FREEDOM ACRFS SUBDIVISION  
CANYON COUNTY  
PRELIMINARY PLAT EXISTING CONDITIONS



PP20

9

PRELIMINARY PLAT SHOWING  
FREEDOM ACRES SUBDIVISION  
A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023




LEGEND

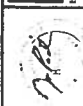
|                         |                          |                      |                        |
|-------------------------|--------------------------|----------------------|------------------------|
| 1. Subdivision Boundary | 2. Easement              | 3. Right of Way      | 4. Other               |
| 5. Survey Line          | 6. Survey Point          | 7. Survey Station    | 8. Survey Monument     |
| 9. Survey Instrument    | 10. Survey Date          | 11. Surveyor         | 12. Surveyor's License |
| 13. Surveyor's Seal     | 14. Surveyor's Signature | 15. Surveyor's Title | 16. Surveyor's Address |
| 17. Surveyor's Phone    | 18. Surveyor's Fax       | 19. Surveyor's Email | 20. Surveyor's Website |



FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
IDaho



km  
ENGINEERS



Surveyor's Seal

Surveyor's Name

Surveyor's License

Surveyor's Title

Surveyor's Address

Surveyor's Phone

Surveyor's Fax

Surveyor's Email

Surveyor's Website

9

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023

### LEGEND

FIRE FROM ACRES IN (PRIVATE) TYP. ROAD SECTION

# THE NEW YORK PUBLIC LIBRARY

### MINIMUM SEPARATIONS

KARNATI AND FUNDAMENTAL NO. 11

REFUGIO ACRES SUBDIVISION  
CANYON COUNTY  
FIELD LIBRARY PLAT - PUBLIC UTIL. & DRAINAGE  
AT WILSON



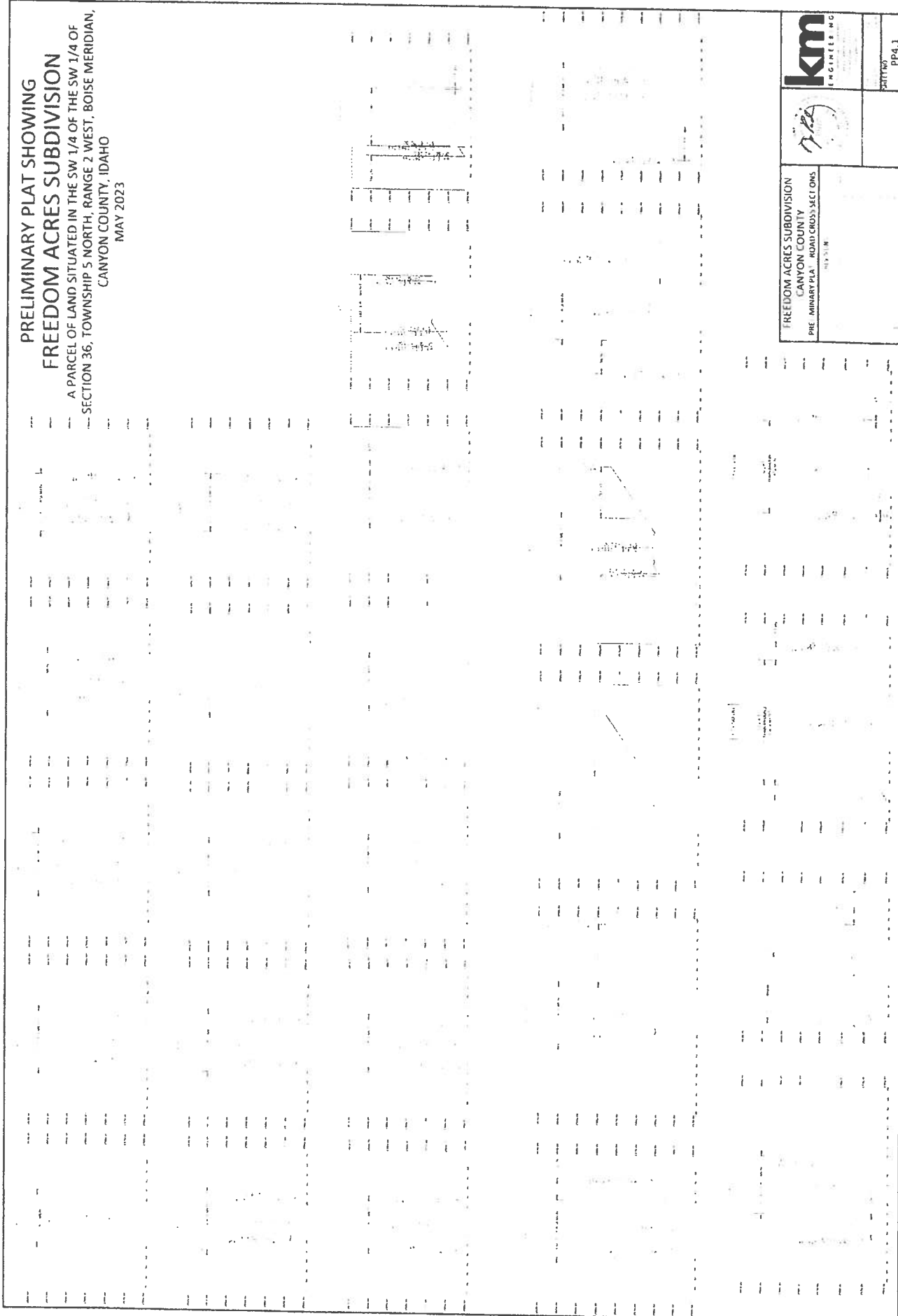
PP40





PRELIMINARY PLAT SHOWING

FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023



|   |   |  |  |
|---|---|--|--|
|  |  | FREEDOM ACRES SUBDIVISION<br>CANYON COUNTY<br>PRELIMINARY PLAT ROAD CROSS SECTIONS |  |
|   |   | SHEET 1 OF 1<br>PP4.1  |  |

## Dan Lister

---

**From:** Tony Almeida  
**Sent:** Wednesday, October 4, 2023 4:33 PM  
**To:** Dan Lister  
**Subject:** RE: Sub Name: Freedom Acres Subdivision

Yes, both are available. I will save them for SD2023-0015/Rd2023-0021.

Tony

**From:** Dan Lister  
**Sent:** Wednesday, October 4, 2023 3:44 PM  
**To:** Tony Almeida <tony.almeida@canyoncounty.id.gov>  
**Subject:** Sub Name: Freedom Acres Subdivision

Tony,

Is the name Freedom Acres Subdivision available? Is the private toad name "Freedom Acres Lane" available? If yes, please confirm and save for SD2023-0015/RD2023-0021.

Sincerely,

**Dan Lister, Principal Planner**

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

[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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

## Dan Lister

---

**From:** Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>  
**Sent:** Tuesday, October 17, 2023 2:26 PM  
**To:** Dan Lister  
**Subject:** [External] FW: Agency Notification SD2023-0015 Freedom Acres  
**Attachments:** Agency Response Requested Notification\_FREEDOMACRES.pdf

Hello Dan –

After careful review of the transmittal submitted to ITD on October 13, 2023 regarding SD2023-0015 Freedom Acres, the Department has no comments or concerns to make at this time. This application is proposing on six buildable units and is greater than 1.5 miles N of SH-44 which is anticipated to create 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](mailto:niki.benyakhlef@itd.idaho.gov)  
Website: [itd.idaho.gov](http://itd.idaho.gov)

**From:** Pam Dilbeck <Pam.Dilbeck@canyoncounty.id.gov>  
**Sent:** Friday, October 13, 2023 2:25 PM  
**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; CHOPPER@CANYONHD4.ORG; Canyon Highway District Land Division <Irricio@canyonhd4.org>; brandy.walker@centurylink.com; Idaho Power <easements@idahopower.com>; Megan Kelly <mkelly@idahopower.com>; MONICA.TAYLOR@INTGAS.COM; JESSICA.MANSELL@INTGAS.COM; shayne.watterud@ziply.com; farmers.union.ditch@gmail.com; brentc@brownbuscompany.com; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; 'mstowell@ccparamedics.com' <mstowell@ccparamedics.com>; 'Chad.M.Franklin@usps.gov' <Chad.M.Franklin@usps.gov>; melvin.b.norton@usps.gov; Assessor Website <2cAsr@canyoncounty.id.gov>; Devin Krasowski <Devin.Krasowski@canyoncounty.id.gov>; BRO.Admin@deq.idaho.gov; westerninfo@idwr.idaho.gov; Rick Britton <Rickey.Britton@canyoncounty.id.gov>  
**Subject:** Agency Notification SD2023-0015 Freedom Acres

**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.

Good afternoon:

Please see the attached agency notice. You are invited to provide written testimony or comments by **November 15, 2023**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case.

The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

Please direct your comments or questions to Planner **Dan Lister** at [Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Thank you,



**Pam Dilbeck**

Sr. Administrative Specialist  
Canyon County Development Services Department  
111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605

Direct Line: 208-455-5964

Fax: 208-454-6633

Email: [Pam.Dilbeck@canyoncounty.id.gov](mailto:Pam.Dilbeck@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

**NEW** public office hours

**Effective Jan. 3, 2023**

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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



October 26, 2023

Daniel Lister, Assistant Planning Manager  
111 North 11<sup>th</sup> Ave.  
Ste. 310  
Caldwell, Idaho, 83605  
[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Subject: SD2023-0015 / Freedom Acres

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

## Dan Lister

---

**From:** Dalia Alnajjar  
**Sent:** Friday, May 31, 2024 4:34 PM  
**To:** Dan Lister  
**Subject:** FW: [External] RE: Freedom Acres PP/SD2023-0015

FYI.

---

**From:** Stephanie Hopkins <shopkins@kmengllp.com>  
**Sent:** Friday, May 31, 2024 4:24 PM  
**To:** Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Lacey Clark <lclark@kmengllp.com>  
**Subject:** [External] RE: Freedom Acres PP/SD2023-0015

Good Afternoon, Dalia,

Our client ended up selling this property so we're no longer working with them on the development. We had been working on the revisions, but stopped when they asked us to stop working on things. I would say to probably put the application on hold and maybe the new property owner will reach out.

Thanks,

Stephanie Hopkins, MCRP, AICP  
Land Planning Manager

**KM ENGINEERING**

[5725 North Discovery Way | Boise, ID 83713](#)

208.639.6939

---

**From:** Dalia Alnajjar <[Dalia.Alnajjar@canyoncounty.id.gov](mailto:Dalia.Alnajjar@canyoncounty.id.gov)>  
**Sent:** Friday, May 31, 2024 4:03 PM  
**To:** Lacey Clark <[lclark@kmengllp.com](mailto:lclark@kmengllp.com)>  
**Subject:** Freedom Acres PP/SD2023-0015

You don't often get email from [dalia.alnajjar@canyoncounty.id.gov](mailto:dalia.alnajjar@canyoncounty.id.gov). [Learn why this is important](#)

Good afternoon,

I am following up on the PP revision. Is there any update?

Thanks,



**Dalia Alnajjar**

Engineering Supervisor  
Canyon County Development Services Department  
111 N. 11<sup>th</sup> Ave., #310, Caldwell, ID 83605  
Direct Line: 208-454-7459  
Cell: 208-718-8944

Fax: 208-454-6633

Email: [dalia.alnajjar@canyoncounty.id.gov](mailto:dalia.alnajjar@canyoncounty.id.gov)

Website: [www.canyoncounty.id.gov](http://www.canyoncounty.id.gov)

Development Services Department (DSD)

## Dan Lister

---

**From:** Dan Lister  
**Sent:** Wednesday, January 10, 2024 4:29 PM  
**To:** 'Lacey Clark'; 'jprocraftconstruction.llc@gmail.com'  
**Cc:** Stephanie Hailey  
**Subject:** Freedom Acre Sub SD2023-0015/Keller Review Comments  
**Attachments:** 2024.01.10 Keller Preliminary Plat Checklist.pdf; CHD4\_Approval.pdf; City of Star Review Letter for 24082 Blessinger Road.pdf; Addressing.pdf; ITD.pdf; 23 10.25 - SD2023-0015 Freedom Acres - Letter.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Lacey,

Attached are the County Engineer and Planner's comments regarding Freedom Acres Subdivision (SD2023-0015). Included are all comments received from affected agencies.

All revisions, corrections, or questions should be submitted to Stephanie Hailey, Engineer Coordinator, at [stephanie.hailey@canyoncounty.id.gov](mailto:stephanie.hailey@canyoncounty.id.gov).

Sincerely,

**Dan Lister, Principal Planner**

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

[Daniel.Lister@canyoncounty.id.gov](mailto:Daniel.Lister@canyoncounty.id.gov)

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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

Best regards,



Stephanie Hailey, CFM

Engineering Coordinator

Floodplain Manager

Canyon County Development Services

P(208) 454-7254

[stephanie.hailey@canyoncounty.id.gov](mailto:stephanie.hailey@canyoncounty.id.gov)





Canyon County, 111 North 11<sup>th</sup> Avenue, #310, Caldwell, ID 83605  
 ■ Engineering Division ■

### Preliminary Plat Check-List

|  |                                 |
|--|---------------------------------|
| <b>Applicant:</b> KM Engineering/Freedom Acres LLC | <b>Case Number:</b> SD2023-0015 |
| <b>Subdivision Name:</b> Freedom Acres Sub.        | <b>Plat Date:</b> 5/11/2023     |

#### CANYON COUNTY CODE OF ORDINANCES 07-17-09

The information hereinafter required as part of the preliminary plat submitted shall be shown graphically or by note on plans, and may comprise several sheets showing various elements or required data. *Italicized items are supplemental to CCZO 07-17-09.*

| GENERAL REVIEW ITEMS  | <u>Meets Code / Comments</u>  |  |
|---|---|--|
| 1. Complete the initial review of <b>all</b> information given graphically and by note on the plat.             | Appears to be complete.   | No additional comments   |
| 2. Check for compliance with FCOs and/or Development Agreement from the entitlement process if applicable.      | RZ2022-0005/DA#22-088<br>(Limited to six lots, <i>pressurized irrigation with WUMA, WUI (Middleton Fire), maintenance agreement with CHD4. Golf courses &amp; secondary dwellings prohibited, perimeter fence required</i> ). | No additional comments   |
| 3. Check for compliance with CCCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived. | City of Star (09-19-09/0919-12) – Engineering/Planning review required unless waived. The applicant is requesting a waiver of subdivision improvements.   | City of Star supports waivers. Mid-Star Fire District will need to sign off on street width standards. |
| 4. Check for applicable agency comments. These comments could have been made at the entitlement stage or after. | Has Farmers Union Ditch Co. provided comments or feedback regarding the preliminary plat?   |  |



|   |  |   |
|---|--|---|
| 5. Make note of agencies that should be noticed if not typically included on the notice list and pass the information along to the planner.   | Meets  |   |
| <i>Items A through E below are directly from CCZO 07-17-09. Italicized items are checklist items related to requirements found in the ordinance and may not be strictly required.</i>   |  |   |
| <b>A. FORM OF PRESENTATION</b>  | <b><u>Meets Code / Comments</u></b>  |   |
| 1. Scale of Drawing (No more than 1" =100' unless approved by DSD prior to submission).   | Meets  |   |
| 2. Size of Drawing (No larger than 24' x 36").<br>• <i>Obtain an electronic version of all submittals.</i>  | Meets  |   |
| <b>B. IDENTIFICATION AND DESCRIPTIVE DATA</b>   | <b><u>Meets Code / Comments</u></b>  |   |
| 1. Proposed name of subdivision and its location by section, township, and range.<br>• <i>Name of sub needs to be reserved through DSD GIS</i>  | Meets (Name available and saved by GIS)                                      |   |
| 2. Reference by dimension and bearing to a section corner or quarter section corner.  | Section corner referenced  | Meets   |
| 3. Name, address, and phone number of the developer.  | Meets  |   |
| 4. Name address and phone number of the person preparing the plat.  | Meets  |   |
| 5. North arrow.   | Meets  |   |
| 6. Date of preparation.   | Meets  |   |
| 7. Revision block showing dates if any revisions subsequent to the original preparation date. The revision block shall be part of the title block which shall be placed along the right edge of the drawing sheet.                        | Meets  |   |
| 8. Vicinity map drawn to scale, clearly showing proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc.<br>• <i>Check for consistency between pre-plat and vicinity map</i> | Missing scale and adjacent subdivisions.                                     | No additional comments  |
| <b>C. EXISTING CONDITIONS DATA</b>  | <b><u>Meets Code / Comments</u></b>  |   |
| 1. Two (2) Foot Contours shown unless otherwise approved; show all areas in excess of 15% slope.  | 5-foot contours; does not clearly identify slopes greater than 15%.          | Provide shading on sheet 3 for slopes greater than 15%. We need to see where the road aligns in the hillside. |
| 2. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation.                                   | If the canal easement is new, provide metes and bounds description. If it is |   |

|   |   |   |
|---|---|---|
|   | existing, please provide instrument number on plat.   |   |
| 3. Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, and permanent structures to remain including water wells and municipal corporation lines within or adjacent to the tract <ul style="list-style-type: none"> <li><i>Future use of remaining wells, if applicable</i></li> </ul>  | Meets   |   |
| 4. Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract   | Missing   |   |
| 5. Existing zoning classification, by note <ul style="list-style-type: none"> <li><i>Proposed zoning, by note, if new zoning is being proposed concurrently with pre-plat application</i></li> </ul>  | Meets (PP1.0, Project Summary)  |   |
| 6. Approximate acreage of the tract, by note  | Meets (PP1.0, Project Summary)  |   |
| 7. Boundary dimensions of the tract   | Meets   |   |
| 8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract   | Meets   |   |
| <b>D. PROPOSED CONDITIONS DATA</b>  | <b><u>Meets Code / Comments</u></b>   |   |
| 1. Road layout, including location, width and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract <ul style="list-style-type: none"> <li><i>Confirmation that highway district will allow proposed access if new access is on an arterial</i></li> <li><i>Check ownership of access location if separate lot</i></li> <li><i>Check alignment of stub streets with adjacent developments, if applicable</i></li> <li>Private roads shall not have direct access to arterials or local roads within a platted subdivision (ACCHD 2020.040)</li> <li>Private road names need to be reserved through DSD GIS. Private roads require a separate application.</li> <li>Public road names must be checked for availability with DSD GIS</li> <li><i>If typical sections are shown make sure they are consistent with what will be required</i></li> </ul> | 60' wide easement, Private road name application for Freedom Acres Lane submitted (RD2023-0021, Name available and saved by GIS). Construction is required as a condition of approval. <b>The road will be built on a hillside. The radius of the cul-de-sac easement is inconsistent with County Code CCZO 07-10-03(3)D.</b> | Provide necessary documents for hillside application set forth in County Code 07-17-33. |
| 2. Typical lot dimensions including curvilinear data to scale; each lot numbered individually; the total number of lots by type and grand total. A private road must be a lot. <ul style="list-style-type: none"> <li><i>Curve table is present and matches data shown graphically</i></li> <li><i>Minimum lot size</i></li> <li><i>Average lot size (calculated as total residential area divided by the number of residential lots)</i></li> </ul>  | <b>Curvilinear data not provided.</b> Lot numbers and average lot sizes are provided.   | Private road shall be a platted lot.  |

|  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>• Check block numbering</li> <li>• Consider any phasing shown</li> </ul>  |   |   |
| 3. Location, width, and use of easements <ul style="list-style-type: none"> <li>• Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat.</li> <li>• Show easements for all shared infrastructure</li> </ul>  | <b>Meets.</b> Easement widths provided  | Meets   |
| 4. Designation of all land to be dedicated or reserved for public use with use indicated   | N/A   |   |
| 5. If the plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any  | Extra lot provided for existing wireless facility. Need to check if that violates the CUP for the wireless facility. <b>May need to be an easement, not a lot.</b>      |   |
| 6. If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area shall be provided   | N/A   | N/A   |
| 7. Appropriate information that sufficiently details the proposed development within any special development area such as hillside, PUD, flood plain, cemetery, manufactured home, large scale development, hazardous and unique areas of development <ul style="list-style-type: none"> <li>• Check mapping layers for the above special development items. Include wetland and natural drainage ways.</li> <li>• Consider recommended conditions related to special development areas and related reports</li> </ul>                         | Hillside development Application submitted with geotechnical report. <b>Code requires soils, geology, and hydrology reports. No drainage or grading plans included.</b> | Provide necessary documents for hillside application set forth in County Code 07-17-33. |
| 8. All roads must be labeled as either “private” or “public” behind or beneath the road name   | <b>Willis Road needs to be labeled “public”. It's an unmaintained open right-of-way.</b>  |   |
| <b>E. PROPOSED UTILITY METHODS</b>   | <b><u>Meets Code / Comments</u></b>   |   |
| 1. <b>Sewage:</b> A statement as to the type of proposed sanitary sewage facilities <ul style="list-style-type: none"> <li>• Preliminary location/layout of proposed sewage facilities</li> <li>• Nutrient-Pathogen study if required by SWDH</li> <li>• If sewage facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include preliminary sewer plan. DSD should complete high level feasibility review of shared utilities</li> </ul> | Meets   |   |
| 2. <b>Water Supply:</b> A statement as to the type of proposed water supply facilities <ul style="list-style-type: none"> <li>• Preliminary location/layout of proposed potable water facilities</li> </ul>  | Meets   |   |

|   |  |                             |       |
|---|--|-----------------------------|-------|
| <ul style="list-style-type: none"> <li><i>If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include a preliminary potable water plan. DSD should complete high-level feasibility review of shared utilities</i></li> </ul>  |  |                             |       |
| <p><b>3. Storm Water Disposal:</b> A statement as to the type of stormwater disposal facilities which may include evidence as may be required relative to the design and operation of the proposed storm water system</p> <ul style="list-style-type: none"> <li><i>Include a statement that all stormwater shall be retained on site, if appropriate</i></li> <li><i>Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, etc.</i></li> <li><i>Maintenance easements for storm drain facilities treating drainage from public roads should be in place</i></li> </ul>  | <ul style="list-style-type: none"> <li>The storm water basin located between lots 2 &amp; 3 shall be fully encompassed within the utility easement.</li> <li>Provide a layer of ASTM-33 sand on the bottoms of the borrow ditches showing 3' separation from seasonal high groundwater.</li> <li>It does not appear that soil infiltration rates were established at the time of the Geotech report. Has Atlas provided additional percolation testing now that the basin locations have been identified? If so, please provide addendum.</li> </ul> |                             |       |
| <p><b>4. Irrigation System:</b> A statement as to the proposed irrigation system, which may include evidence as may be required relative to the design and operation of any proposed irrigation system</p> <ul style="list-style-type: none"> <li>Irrigation Supply and Distribution Systems: The developer shall disclose, pursuant to Idaho Code section 31-3805, and file as part of the preliminary plat with DSD, evidence that an adequate irrigation supply and distribution system to serve the land within the plat to be recorded will be provided and must include consideration of using existing water rights that go with the land being platted. Such evidence shall include, but not be limited to, the following: <ul style="list-style-type: none"> <li>Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and</li> <li>Copies of the community association's or similar organization's documents which may be required precedent to the establishment of an irrigation distribution system within the proposed development.</li> </ul> </li> </ul> | <p>Per the DA, a pressurized irrigation (PI) system shall be provided. Okay to provide on construction drawings but preliminary plat should include information regarding PI system.</p>   |                             |       |
| <p><b>5. Utility Easement:</b> The utility easement width shall be a minimum of ten (10) feet from the exterior boundaries and five (5) feet from the interior boundaries. Utility easements shall be shown graphically on the plat.</p>  | <table> <tr> <td data-bbox="989 1671 1292 1839"><b>Meets:</b> Note 5, PP1.0</td><td data-bbox="1292 1671 1583 1839">Meets</td></tr> </table>   | <b>Meets:</b> Note 5, PP1.0 | Meets |
| <b>Meets:</b> Note 5, PP1.0   | Meets  |                             |       |
| <p align="center"><b>Planning Review Notes</b></p>  |  |                             |       |
| <ul style="list-style-type: none"> <li><b>An unidentified drainage with an easement is shown between lots 2 and 3.</b></li> <li><b>Remove May from the date on the plat title.</b></li> </ul>   |  |                             |       |

- Remove setback data from the Project Summary (PP1.0).
- Label Willis Road as “public” since is an unmaintained public ROW.
- Slopes greater than 15% not highlighted/shaded. Geology, soils, and hydrology reports were not submitted (CCZO Section 07-17-33(1)B), only a geotechnical report. The engineer must review to see if that is enough.
- If no structures will be located on slopes greater than 15%, show highlights of the areas over 15% and label them “no-build zones”. Include a plat note prohibiting development in the no-build zones.
- The existing wireless facility needs to be in an easement not within a new lot.
- Project adjacent subdivision information on the plat and on the vicinity map.
- The vicinity map should be scaled.
- Provide curvilinear data.
- Cul-de-sac easement must be 70’ radius (CCZO Section 07-10-03(3)D).
- Provide a basis of bearing.
- DA #22-088: Pressurized irrigation is required with the water user’s agreement in CC&Rs. During the rezone (RZ2022-0005), the owner identified water rights that can be utilized by 4 of the 6 lots. Excerpt from the signed FCOs:

Existing irrigation is served by domestic well and surface water rights from an existing wastewater pond in the jurisdiction of Farmer Union Ditch Company (approx. 3.5-acre surface area). Future platting will use water rights for four lots near the front of the property and domestic well (up to 0.5-acres) for irrigation purposes for the property located near the north boundary of the subject property. As a condition of the development agreement, pressurized irrigation shall serve the development.

**The applicant must provide evidence of lack of water rights and evidence of consistency with Idaho Codes 31-3805 (delivery of water) and 67-6537 (Surface water shall be used if reasonably available).**

- A plat note must be added prohibiting golf courses and secondary dwellings per DA #22-088.
- Include a landscaping plan showing a landscaped entry with an archway monument sign (DA #22-088).
- Provide a letter from the City of Star approving or denying the waiver of subdivision improvements.
- The US Postal Service requested one mailbox unit placed in an easement or common area be provided unless they waive the request. Revise the plat note regarding mailboxes based on USPS approval.
- Will the required perimeter fencing (DA #22-088) be part of a CC&R or a final plat note?

#### GENERAL RECOMMENDED CONDITIONS

1. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
2. Development shall comply with the requirements of the local highway district. Evidence shall include written correspondence from the highway district prior to the first public hearing held for the preliminary plat and the highway district signature on the final plat.
3. Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the irrigation district prior to the first public hearing held for the preliminary plat and prior to the Board of County Commissioner’s signature on the final plat.
4. Development shall comply with Southwest District Health requirements. Evidence shall include written correspondence from Southwest District Health prior to the first public hearing held for the preliminary plat and Southwest District Health's signature on the final plat.
5. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District prior to the first public hearing held for the preliminary plat and prior to the Board of County Commissioner’s signature on the final plat.
6. After preliminary plat approval applicant shall provide GIS data containing georeferenced lot line and roadway linework to be included in Development Services GIS mapping. (Solo pre-plats only)

7. The private road shall be constructed in accordance with CCZO Section 07-17-29 & 31. Evidence of construction shall be certification from a licensed engineer demonstrating consistent with CCZO Section 07-10-03(2) and (3).

8. The final plat shall include a certification line for execution by the city of Star engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign a final plat, or authorize the plat to be recorded, prior to the city engineer's signing the plat.

9. Prior to final plat signature, USPS approval of mailbox unit size and location is required unless waived by USPS.

10. Required perimeter fencing shall be a plat note or requirements of CC&Rs prior to final plat signature.

FOR DEVELOPMENT SERVICES INTERNAL USE ONLY

Date Reviewed

Reviewer

COMPLIANCE WITH CONDITIONS OF APPROVAL:

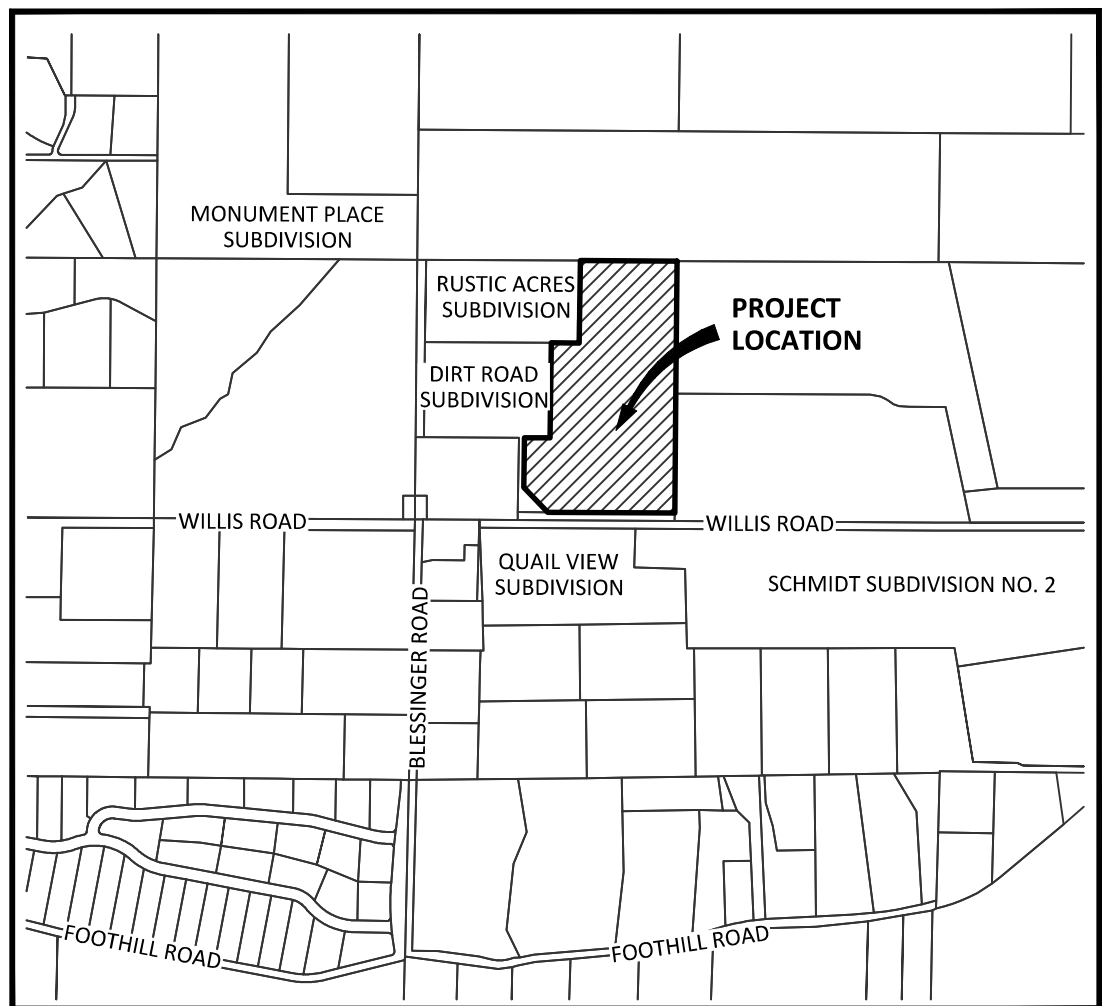
|           |                   |
|-----------|-------------------|
| 10/4/2023 | Dan Lister        |
| 1/10/2024 | Mike H./Justin W. |
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|       |             |
|-------|-------------|
| Pink  | Planning    |
| Green | Engineering |



# PRELIMINARY PLAT SHOWING FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
2023



VICINITY MAP

1" = 1000'

## PRELIMINARY PLAT NOTES

- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
- MINIMUM BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT OR AS SPECIFICALLY APPROVED AND/OR REQUIRED.
- THE SUBDIVISION PROPERTY IS DRY LAND NOT CONNECTED TO A MUNICIPAL OR OTHER DOMESTIC POTABLE WATER SUPPLY OR ANY APPURTENANT SURFACE OR SUBSURFACE IRRIGATION WATER RIGHTS. PURSUANT TO IDAHO CODE SECTION 42-111(1)(a) DOMESTIC WELL MAY BE USED TO IRRIGATE UP TO ONE-HALF ACRES OF LAND, AND MORE LAND IF A WATER RIGHT IS OBTAINED FROM THE IDAHO DEPARTMENT OF WATER RESOURCES. OWNERS MAY IRRIGATE ADDITIONAL LAND AFTER ACQUIRING SUBSURFACE WATER RIGHT FOR IRRIGATION AND OBTAINING A PERMIT FROM THE STATE AGENCY HAVING JURISDICTION. PRESSURIZED IRRIGATION IS REQUIRED FOR THE IRRIGATION OF THE LANDSCAPING INSTALLED ON EACH LOT AND THE COST AND DESIGN OF EACH IRRIGATION SYSTEM IS THE RESPONSIBILITY OF EACH LOT OWNER.
- THIS DEVELOPMENT RECOGNIZES 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, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREON."
- UNLESS OTHERWISE DIMENSIONED, ALL LOT LINES COMMON TO STREET RIGHTS-OF-WAY AND THE SUBDIVISION BOUNDARY CONTAIN A 10.00 FOOT WIDE EASEMENT FOR PUBLIC AND PRIVATE UTILITIES, LOT DRAINAGE AND IRRIGATION FACILITIES.
- UNLESS OTHERWISE DIMENSIONED, ALL INTERIOR LOT LINES CONTAIN A 5.00 FOOT WIDE EASEMENT, EACH SIDE, FOR PUBLIC AND PRIVATE UTILITIES, LOT DRAINAGE AND IRRIGATION FACILITIES.
- THE HOMEOWNERS 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.
- EACH RESIDENTIAL LOT WILL HAVE AN INDIVIDUAL MAILBOX.
- THE HOMEOWNERS ASSOCIATION, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL AMENITIES (LAWN, SPRINKLERS, SIDEWALKS, PATHWAYS, LANDSCAPING, ETC.) APPROVED BY THE DISTRICT TO BE WITHIN THE PUBLIC RIGHT-OF-WAY.
- NO PERMANENT STRUCTURES SHALL BE LOCATED CLOSER THAN SEVENTY (70) FEET TO ANY SECTION LINE OR QUARTER SECTION LINE UNLESS THE HIGHWAY DISTRICT SPECIFICALLY WAIVES THE SEVENTY (70) FEET SETBACK REQUIREMENT.
- FINISH GRADES AT SUBDIVISION BOUNDARIES SHALL MATCH EXISTING FINISH GRADES. RUNOFF SHALL BE MAINTAINED ON SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED.
- SECONDARY DWELLINGS ARE PROHIBITED ON LOTS WITHIN THE FREEDOM ACRES SUBDIVISION.
- GOLF COURSES ARE PROHIBITED FROM BEING DEVELOPED WITHIN ANY AND ALL LOTS WITHIN THE FREEDOM ACRES SUBDIVISION.

## INDEX OF DRAWINGS

| SHEET NO. | SHEET TITLE                     |
|-----------|---------------------------------|
| PP1.0     | COVER SHEET                     |
| PP2.0     | EXISTING CONDITIONS             |
| PP3.0     | LOT DIMENSIONS                  |
| PP4.0     | PRELIMINARY ENGINEERING         |
| PP4.1     | PRELIMINARY ROAD CROSS SECTIONS |
| PPL1.0    | PRELIMINARY LANDSCAPE PLAN      |

## PROJECT SUMMARY

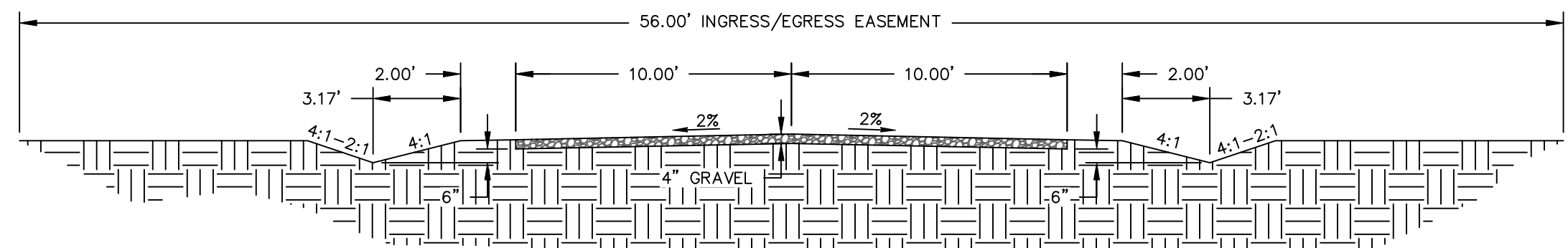
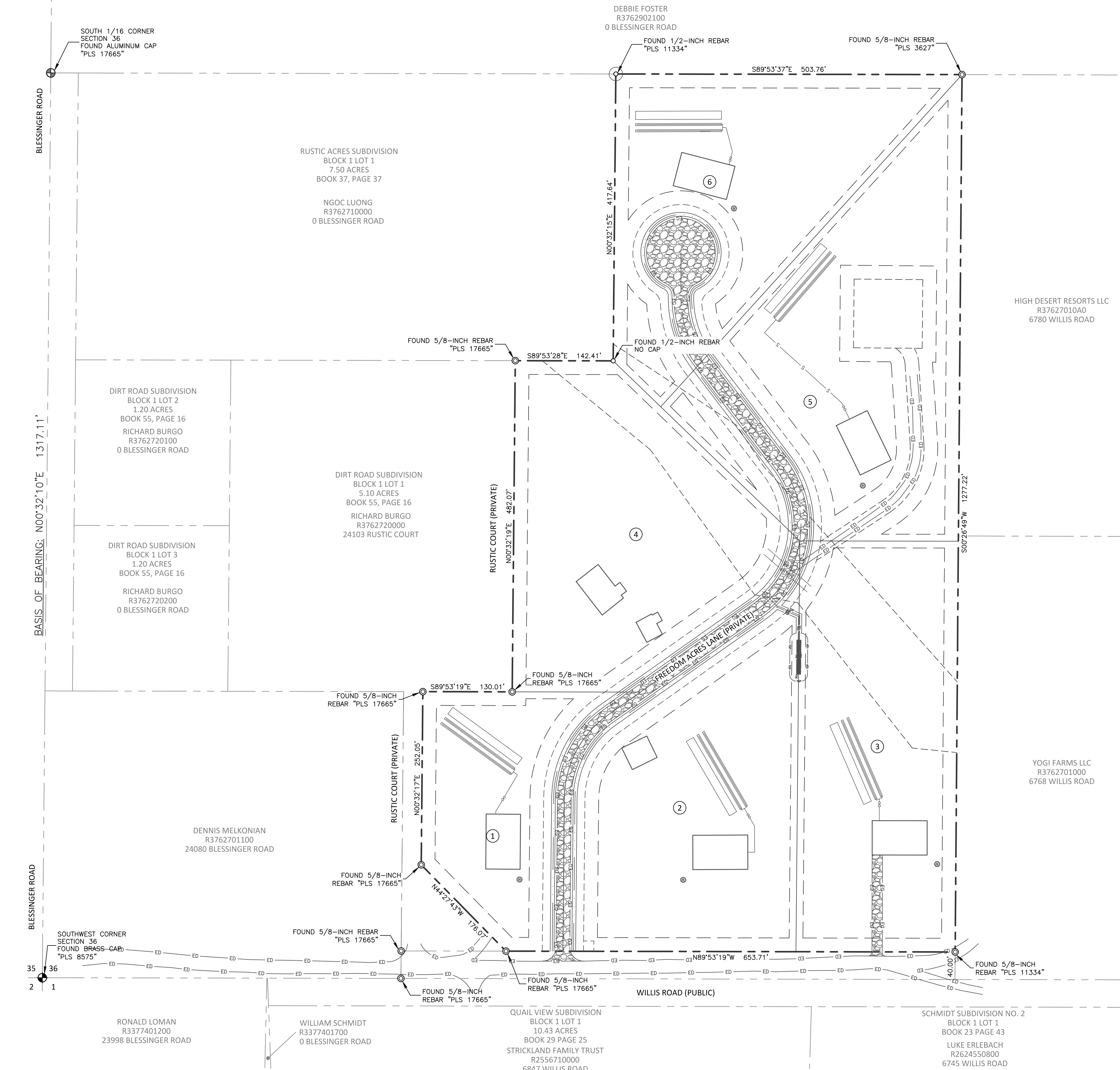
| SITE DATA                   |   |
|-----------------------------|---|
| PARCEL NUMBER(S):           | R3762710200   |
| PROPERTY ADDRESS:           | 24082 BLESSINGER ROAD                               |
| CITY/STATE/ZIP:             | STAR, IDAHO 83669                                   |
| PROJECT AREA:               | ±18.56 ACRES  |
| NUMBER OF EXISTING LOTS:    | 1   |
| NUMBER OF PROPOSED LOTS:    | 7   |
| AVERAGE LOT SIZE:           | ±2.66 ACRES   |
| DENSITY:                    | 0.38 UNITS PER ACRE                                 |
| CURRENT ZONING DESIGNATION: | CR-RR<br>(CONDITIONAL REZONE<br>-RURAL RESIDENTIAL) |
| PROPOSED ZONING:            | SAME AS ABOVE                                       |
| UTILITIES                   |   |
| WATER:                      | PRIVATE WELL  |
| SEWER:                      | PRIVATE SEPTIC                                      |
| ELECTRICAL:                 | IDAHO POWER   |
| NATURAL GAS:                | INTERMOUNTAIN GAS CO.                               |
| TELEPHONE:                  | CENTURYLINK   |
| IRRIGATION:                 | FARMERS UNION DITCH CO LTD                          |

## PROJECT TEAM

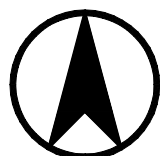
| PROPERTY OWNER / DEVELOPER |                                    |
|----------------------------|------------------------------------|
| NAME:                      | FREEDOM ACRES LLC                  |
| CONTACT:                   | JENNIFER BODENBENDER               |
| ADDRESS:                   | 466 BILL BETH ROAD                 |
| CITY/STATE/ZIP:            | CASCADE, IDAHO 83611               |
| PHONE:                     | (208)629-9670                      |
| EMAIL:                     | procraftconstruction.llc@gmail.com |
| ENGINEER/SURVEYOR          |                                    |
| NAME:                      | KM ENGINEERING, LLP.               |
| CONTACT:                   | JOE PACHNER, P.E.                  |
| ADDRESS:                   | 5725 N. DISCOVERY WAY              |
| CITY/STATE/ZIP:            | BOISE, IDAHO 83713                 |
| PHONE:                     | 208.639.6939                       |
| EMAIL:                     | joe@kmengllp.com                   |

## SURVEY CONTROL NOTES

- ALL SURVEY DATA IS BASED ON THE NAD83 STATE PLANE COORDINATE SYSTEM (IDAHO WEST 1103) AND NAVD 88 VERTICAL DATUM.



TYPICAL FREEDOM ACRES LANE (PRIVATE) SECTION

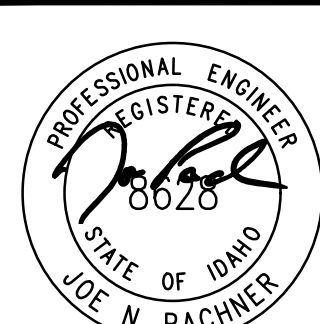


0 80 160 240  
Plan Scale: 1" = 80'

## FREEDOM ACRES SUBDIVISION CANYON COUNTY PRELIMINARY PLAT - COVER

### REVISIONS

| NO. | ITEM | DATE |
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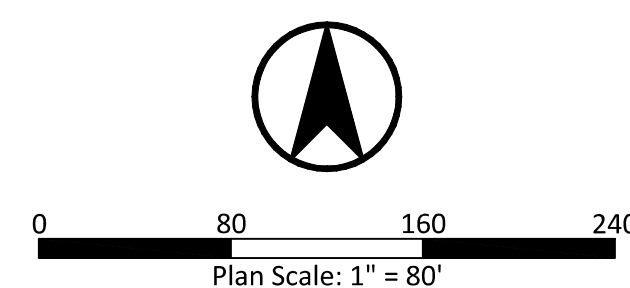
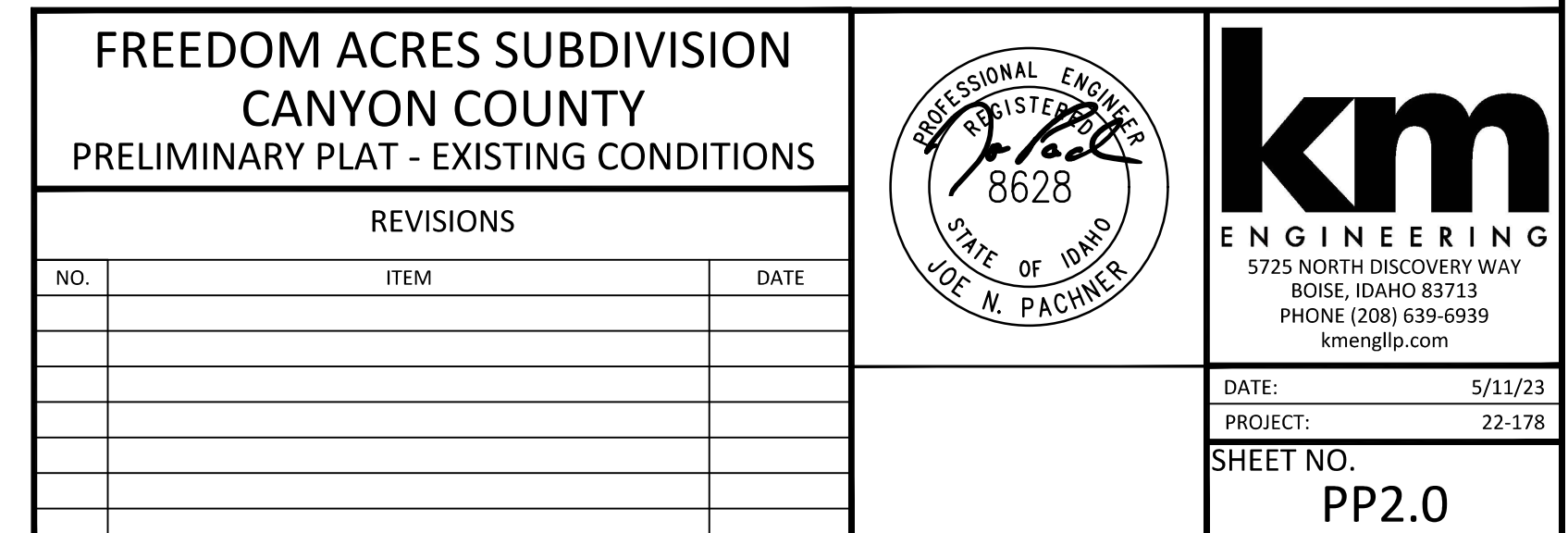
Digitally signed by  
Joe Pachner, P.E.  
Date: 2023.12.08  
14:27:20 -07'00'



DATE: 5/11/23  
PROJECT: 22-178  
SHEET NO.  
PP1.0



A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023





PRELIMINARY PLAT SHOWING  
FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023

LEGEND

PROPOSED IMPROVEMENTS

Flow Line

Grade Break

Limits of Grading

Edge of Pavement

Building Setback

Drainage Arrows

Building Pad

Replacement Area

Septic Tank

Well

Drainfield

SECTION LINE

BOUNDARY LINE

OFFSITE BOUNDARY LINE

PROPOSED EASEMENT

PROPOSED LOT LINE

PROPOSED RIGHT-OF-WAY LINE

5/8 INCH REBAR

ALUMINUM CAP

CALCULATED POINT

EXISTING FEATURES

Contour Line

Overhead Power Line

Existing Fence

Power Line

Water Well

Water Valve

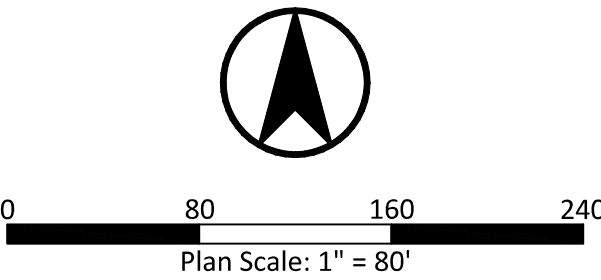
Power Pole

Irrigation Control Box

Mailbox

Telephone Pedestal

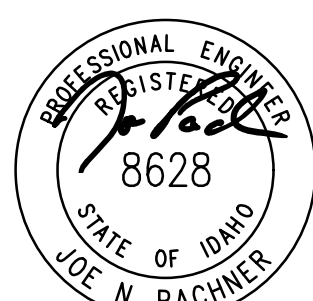
Telephone Line



| CURVE TABLE |         |         |           |             |         |
|-------------|---------|---------|-----------|-------------|---------|
| CURVE       | RADIUS  | LENGTH  | DELTA     | CHORD BRG   | CHORD   |
| C1          | 150.00' | 141.96' | 54°13'26" | S27°39'00"W | 136.72' |
| C2          | 150.00' | 241.24' | 92°08'49" | S08°41'19"W | 216.07' |
| C3          | 150.00' | 120.62' | 46°04'25" | N31°43'31"E | 117.40' |
| C4          | 150.00' | 120.62' | 46°04'25" | N14°20'54"W | 117.40' |
| C5          | 150.00' | 97.87'  | 37°23'06" | S18°41'33"E | 96.15'  |

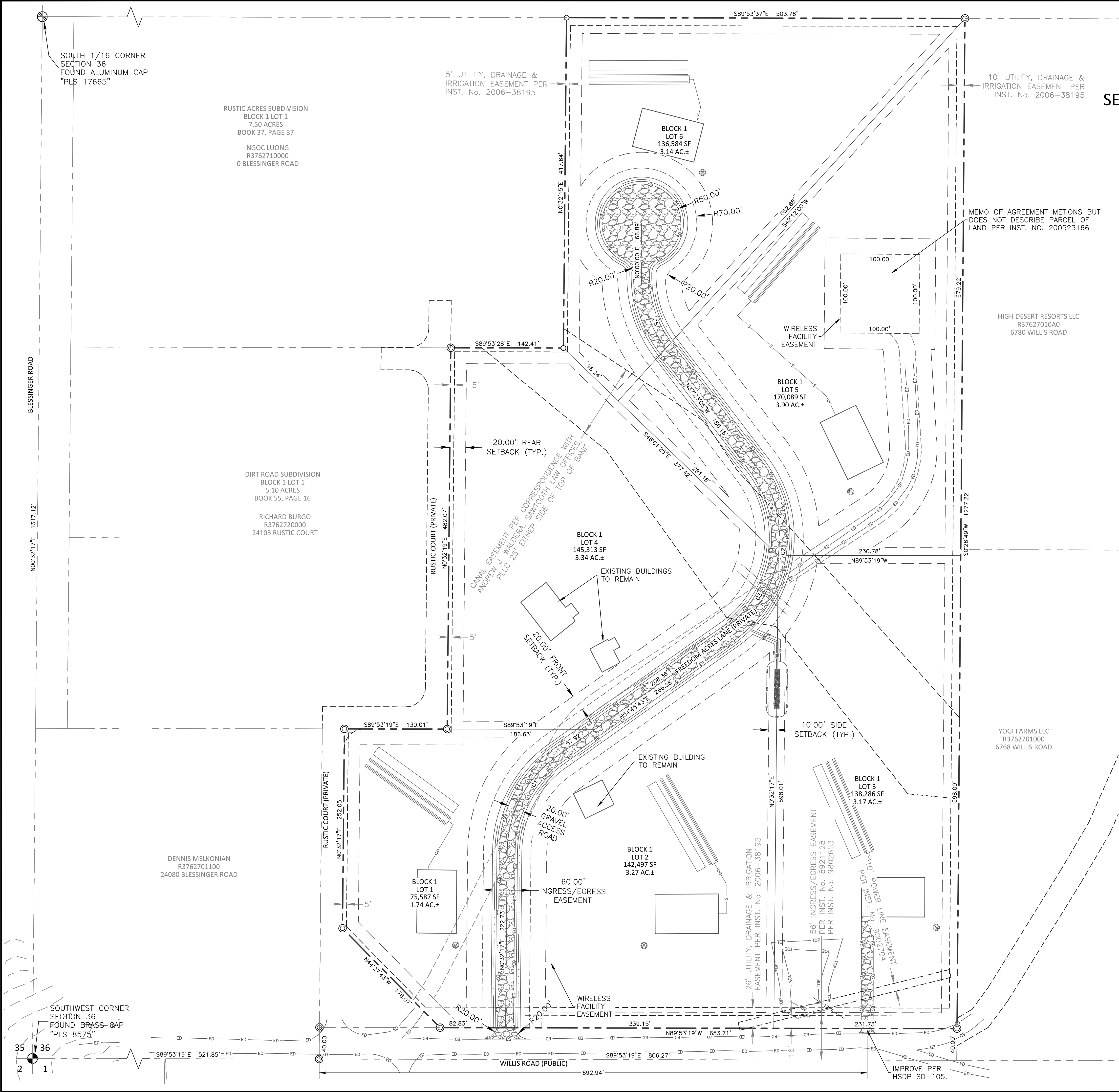
FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
PRELIMINARY PLAT - LOT DIMENSIONS

| REVISIONS |      |      |
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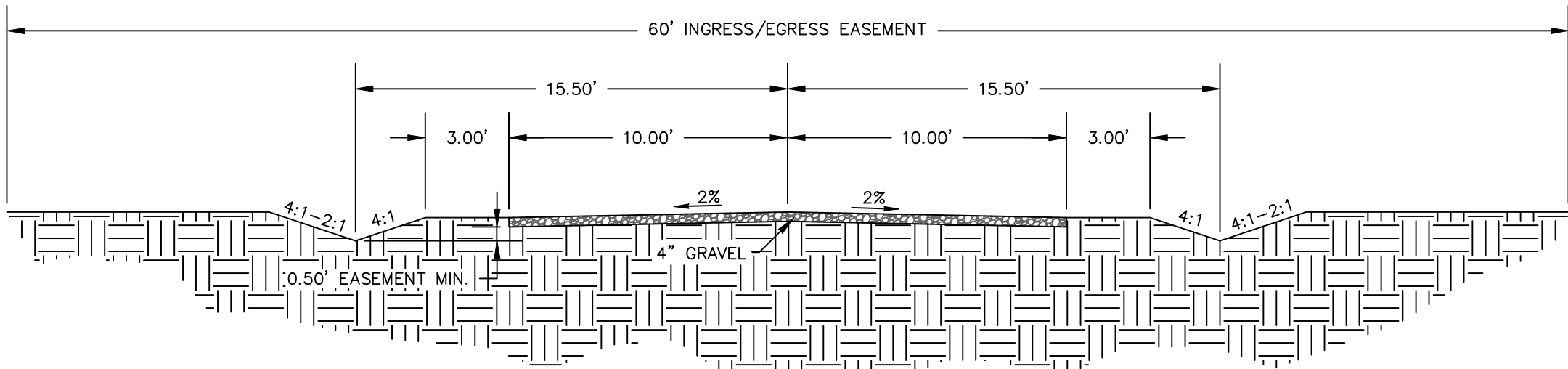
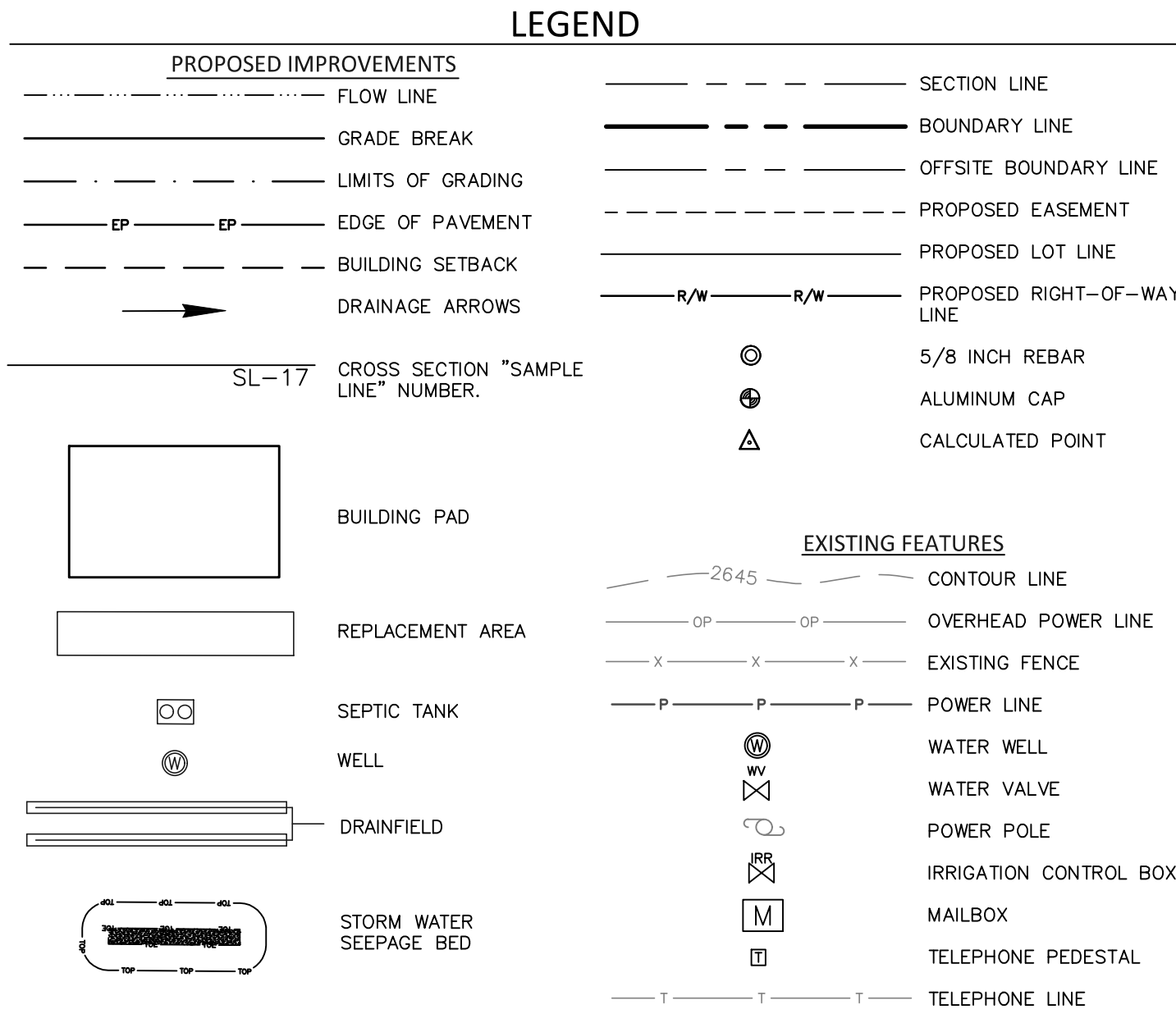
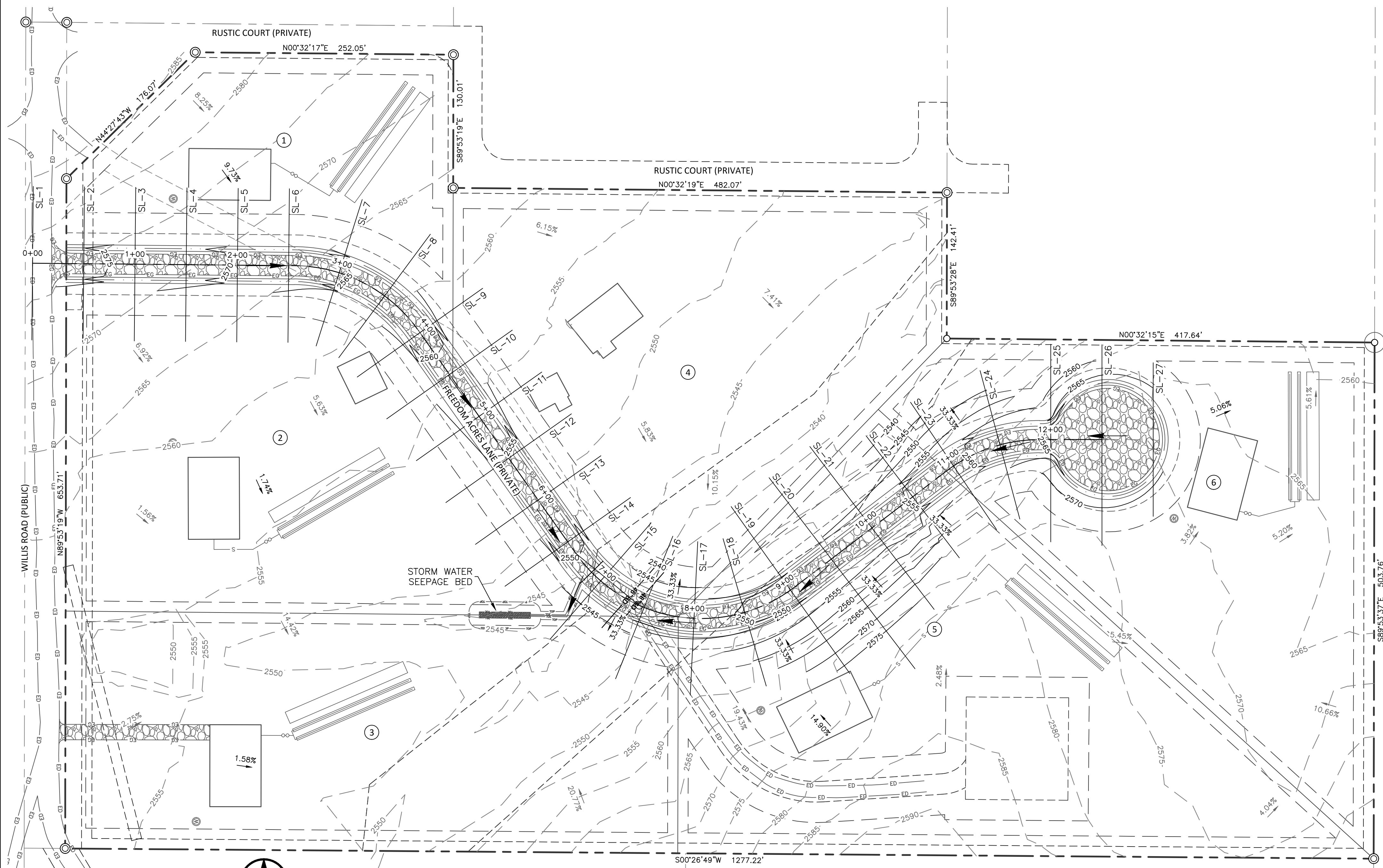
DATE: 5/11/23  
PROJECT: 22-178  
SHEET NO.  
PP3.0





PRELIMINARY PLAT SHOWING  
FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023



FREEDOM ACRES LN. (PRIVATE) TYP. ROAD SECTION

PRELIMINARY ENGINEERING NOTES

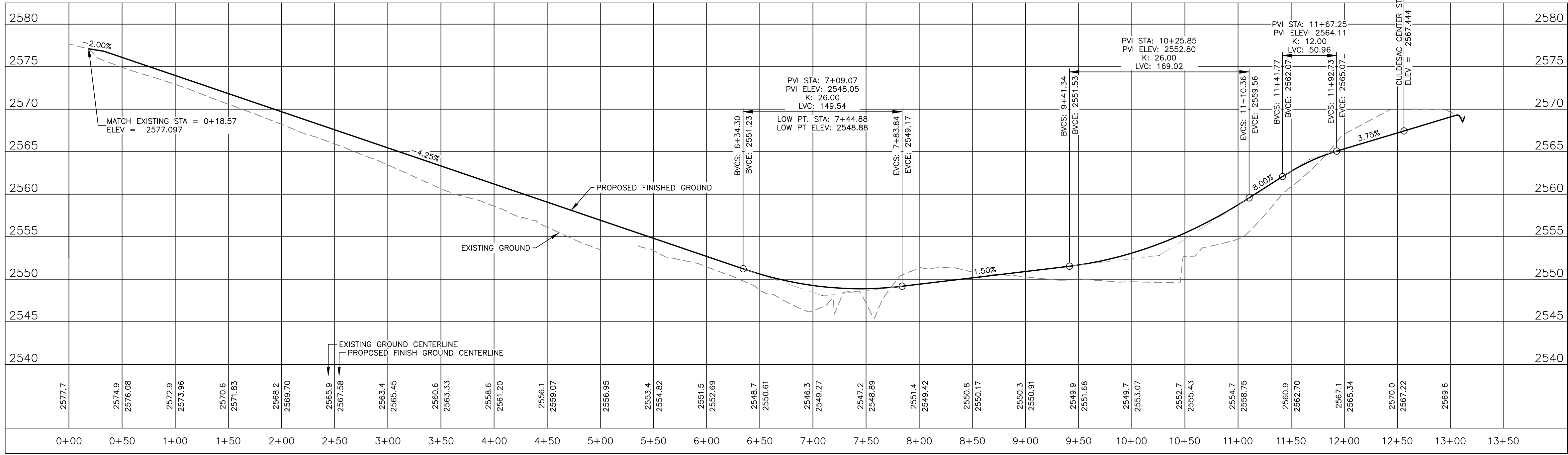
- DOMESTIC WATER SERVICE FOR EACH LOT WILL BE PROVIDED BY INDIVIDUAL WELLS.
- WATER AND SEWER LINE SIZES AND LOCATIONS ARE PRELIMINARY AND WILL BE REFINED DURING FINAL DESIGN.
- SEE SHEET PP4.1 FOR ROAD CROSS SECTIONS WHERE THE PROFILE GRADE EXCEEDS 6% AND WHERE GRADING LIMITS EXTEND OUTSIDE THE PROPOSED RIGHT-OF-WAY.
- STORM DRAINAGE AND GRADING SHOWN ARE PRELIMINARY AND WILL BE REFINED DURING FINAL DESIGN.

DRAINAGE AND ENGINEERING NOTES

- STORM DRAINAGE FROM THE ROADWAYS AND LOTS SHALL BE COLLECTED IN ROADSIDE SWALES AND RETAINED WITHIN THE PROPOSED STORMWATER INFILTRATION PONDS SHOWN ON THE PLANS. THE STORMWATER INFILTRATION PONDS WILL BE SIZED TO ACCOMMODATE THESE RATES.
- BUILDING FOOTPRINTS AND SEWER LAYOUTS ARE SHOWN FOR TYPICAL LAYOUT TO COMPLY WITH SEPARATION REQUIREMENTS. ACTUAL BUILDING PADS AND SEPTIC LAYOUT MAY BE REVISED UPON APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT.
- ALL DOMESTIC WATER WELLS AND SANITARY SEWER SEPTIC SYSTEMS WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND SOUTHWEST DISTRICT HEALTH REQUIREMENTS.
- THE OWNERS OF EACH LOT SHALL BE REQUIRED TO RETAIN ALL EXCESS IRRIGATION AND DRAINAGE ON THEIR LOTS. INDIVIDUAL LANDSCAPE PLANS WILL DEMONSTRATE THAT ANY EXCESS IRRIGATION WILL BE RETAINED ON THEIR LOTS.

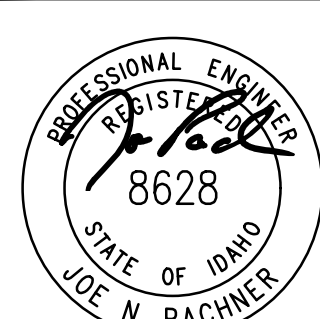
MINIMUM SEPARATIONS

|  |      |
|--|------|
| WELL TO DRAINFIELD                             | 100' |
| WELL TO DWELLING                               | 10'  |
| SEPTIC TANK TO DWELLING                        | 5'   |
| SEPTIC TANK TO PRIVATE WELL                    | 50'  |
| SEPTIC TANK TO PROPERTY LINE                   | 5'   |
| SEPTIC TANK TO IRRIGATION CANAL                | 25'  |
| SEPTIC TANK TO JUNCTION BOX                    | 6'   |
| SEPTIC TANK TO WATER LINE ELBOW                | 10'  |
| DRAINFIELD TO DWELLING 10' SLAB/CRAWL BASEMENT | 20'  |
| DRAINFIELD TO PROPERTY LINE                    | 5'   |
| DRAINFIELD TRENCH TO REPLACEMENT AREA          | 6'   |
| DRAINFIELD TRENCH TO DRAINFIELD TRENCH         | 6'   |



FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
PRELIMINARY PLAT - ENGINEERING & DRAINAGE

| REVISIONS |      |      |
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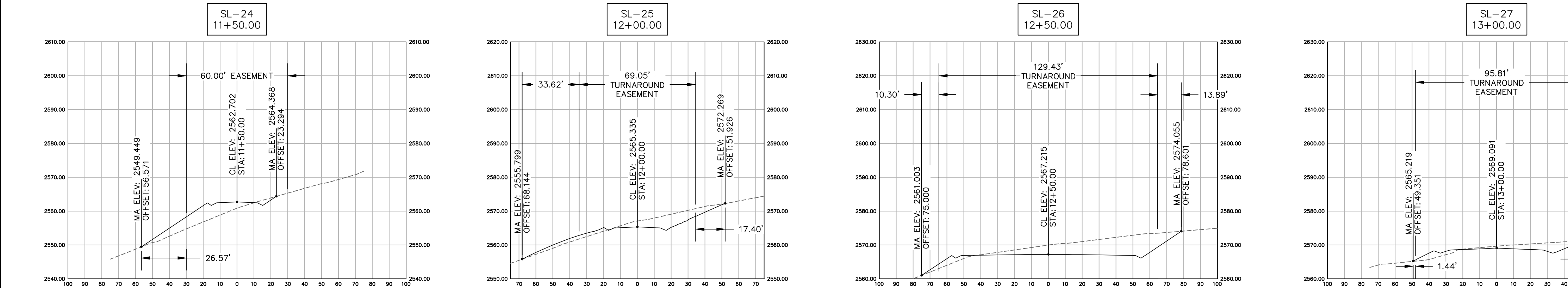
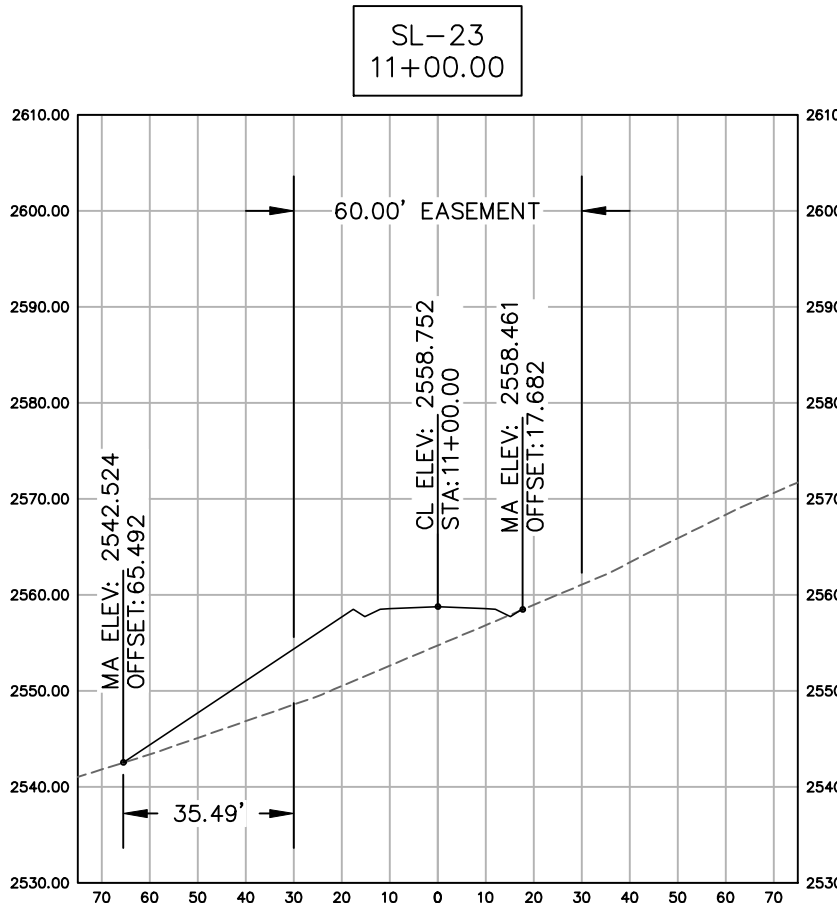
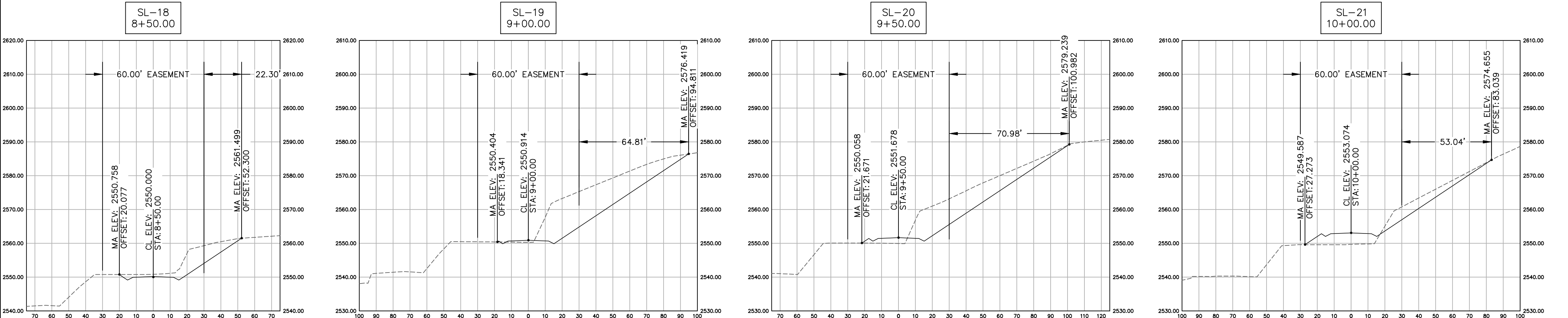
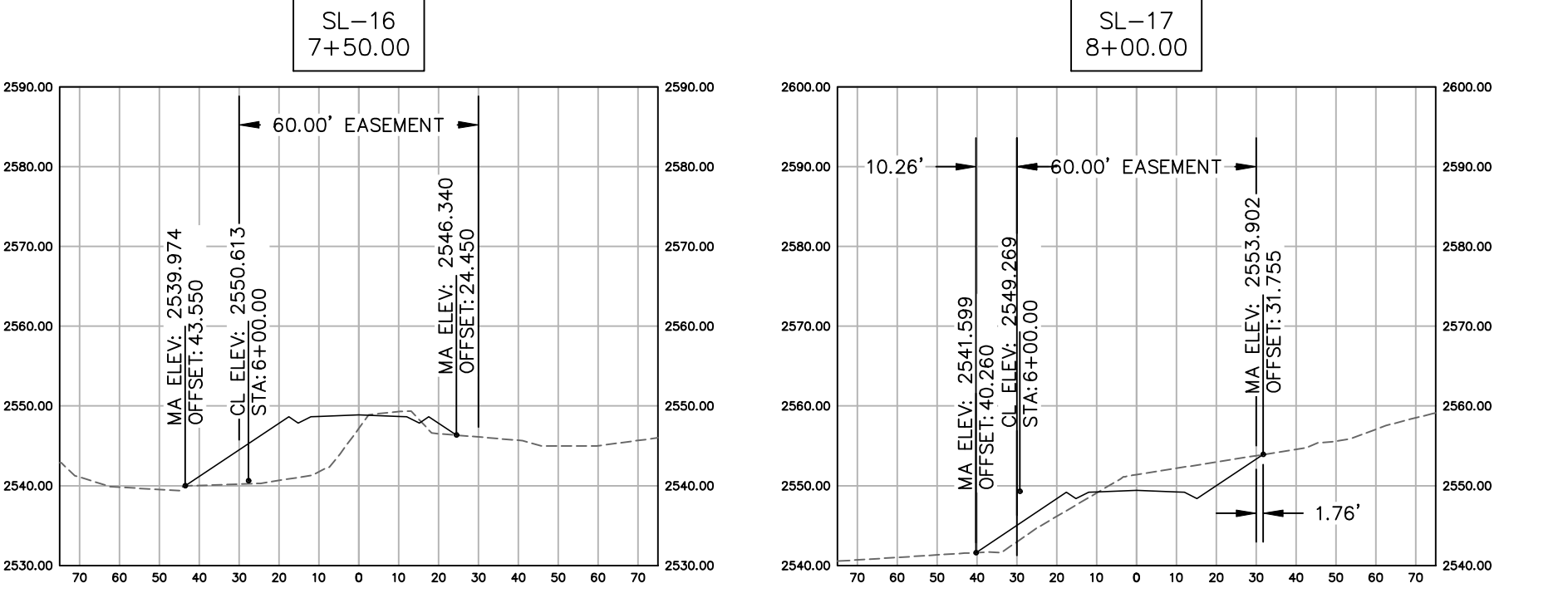
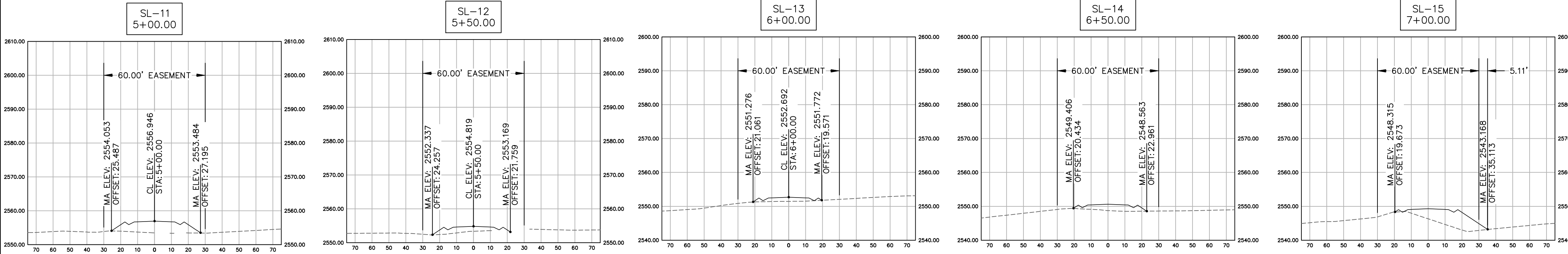
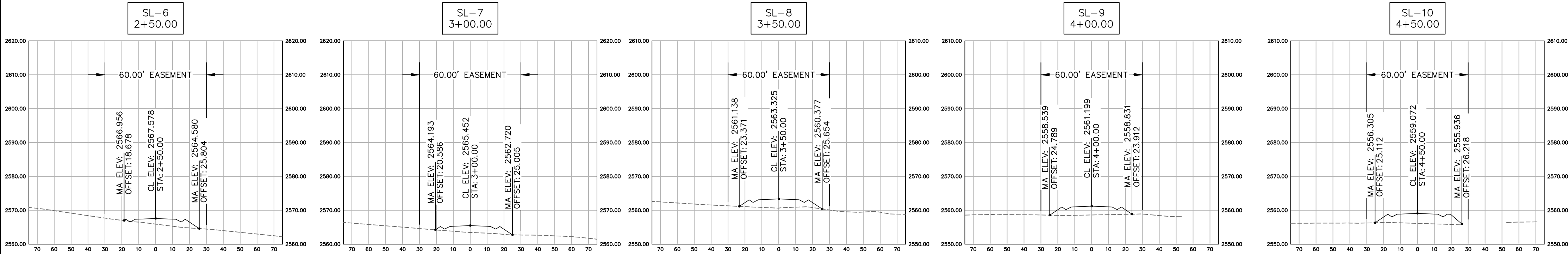
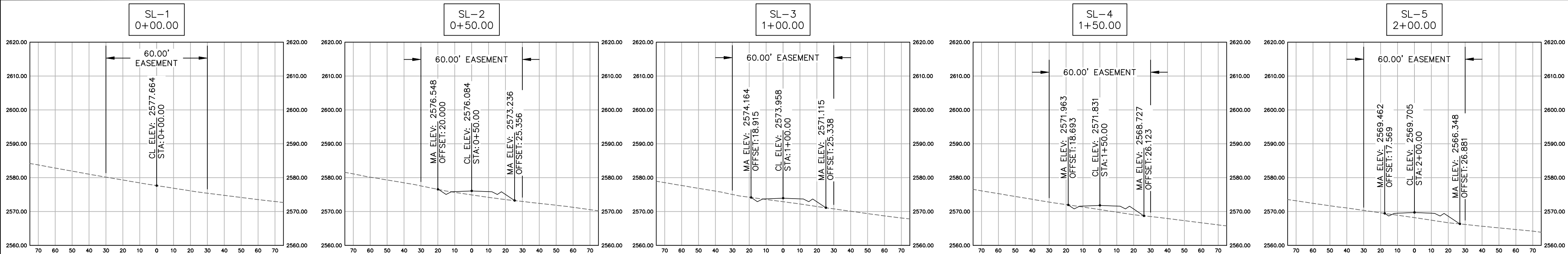
**km**  
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5725 NORTH DISCOVERY WAY  
BOISE, IDAHO 83713  
PHONE (208) 639-6939  
kmen@ip.com

DATE: 5/11/23  
PROJECT: 22-178  
SHEET NO.  
PP4.0



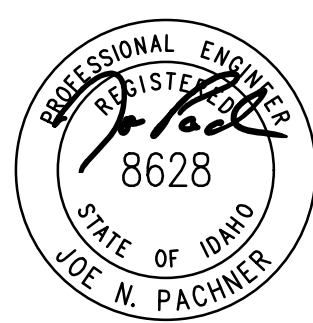
PRELIMINARY PLAT SHOWING  
FREEDOM ACRES SUBDIVISION

A PARCEL OF LAND SITUATED IN THE SW 1/4 OF THE SW 1/4 OF  
SECTION 36, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
MAY 2023



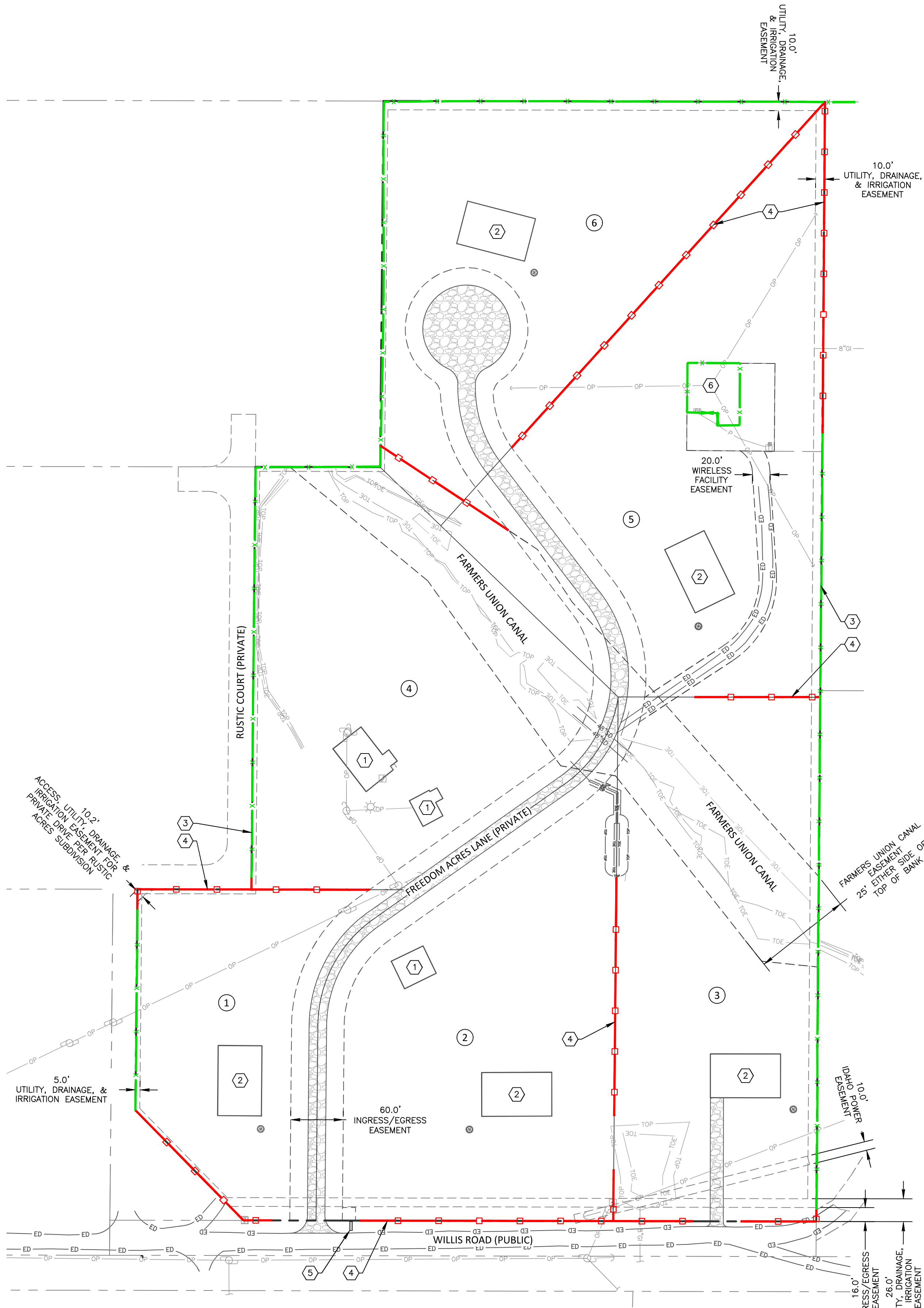
FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
PRELIMINARY PLAT - ROAD CROSS SECTIONS

| REVISIONS |      |      |
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DATE: 3/15/23  
PROJECT: 22-178  
SHEET NO.  
PP4.1





**PRELIMINARY PLAT LANDSCAPE PLAN**

**CONTACT INFORMATION**

**OWNER**  
FREEDOM ACRES LLC,  
466 BILL BETH ROAD  
CASCADE, IDAHO 83611  
PHONE: (208) 629-9670  
CONTACT: JENNIFER BODENBENDER  
EMAIL: procadconstruction.llc@gmail.com

**LANDSCAPE CONSULTANT**  
KM ENGINEERING, LLP  
5725 NORTH DISCOVERY WAY  
BOISE, IDAHO 83713  
PHONE: (208) 639-6939  
FAX: (208) 639-6930  
CONTACT: ALYSSA YENSEN, PLA  
EMAIL: ayensen@kmengllp.com

**GENERAL LANDSCAPE NOTES**

- CONTRACTOR SHALL LOCATE AND IDENTIFY EXISTING UNDERGROUND AND OVERHEAD UTILITIES WITHIN CONTRACT WORK AREAS PRIOR TO CONSTRUCTION. CONTACT DIG LINE, INC. @ 1.800.342.1585. PROVIDE ADEQUATE MEANS OF PROTECTION OF UTILITIES AND SERVICES DESIGNATED TO REMAIN. REPAIR UTILITIES DAMAGED DURING SITE WORK OPERATIONS AT CONTRACTOR'S EXPENSE.
- FENCING WITHIN SUBDIVISION, ALONG SIDE AND REAR LOT LINES SHALL BE INSTALLED BY BUILDER/HOMEOWNER IN CONJUNCTION WITH INDIVIDUAL LOT DEVELOPMENT AND SHALL COMPLY WITH THE STANDARDS ESTABLISHED IN THE SUBDIVISION'S CC&RS.

**KEY NOTES (TYPICAL)**

- EXISTING BUILDING. PRESERVE AND PROTECT.
- PROPOSED BUILDING LOCATIONS. SEE CIVIL PLANS.
- EXISTING FENCE TO REMAIN. PRESERVE AND PROTECT.
- 4' SPLIT RAIL FENCE. FENCING FOR EACH LOT SHALL BE INSTALLED WITH EACH INDIVIDUAL LOT DEVELOPMENT BY HOMEOWNER. FENCE SHALL BE INSTALLED PER PLAN SEE PPL1.0-1 FOR REFERENCE PHOTOS.
- SCHEMATIC MONUMENT SIGN. FINAL DESIGN TO BE APPROVED AS A PART OF A SEPARATE SUBMITTAL. SEE PPL1.0-2 FOR REFERENCE PHOTOS.
- EXISTING CELL TOWER TO REMAIN. PRESERVE AND PROTECT.

**FENCE SCHEDULE**

| SYMBOLS | DESCRIPTION   |
|---------|---|
|         | EXISTING FENCE TO REMAIN. PRESERVE AND PROTECT.                               |
|         | 4' HEIGHT SPLIT RAIL FENCE. SEE KEY NOTE #3 AND PPL1.0-1 FOR REFERENCE IMAGE. |



**1 SPLIT RAIL FENCE REFERENCE PHOTOS**  
NTS



**2 MONUMENT SIGN REFERENCE PHOTOS**  
NTS

**FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
PRELIMINARY PLAT LANDSCAPE PLAN**

| REVISIONS |      |      |
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BOISE, IDAHO 83713  
PHONE (208) 639-6939  
kmengllp.com

DATE: 5/11/23  
PROJECT: 22-178  
SHEET NO.  
**PPL1.0**



July 6, 2023  
Project No.: 22-178

**Title: Wildland-Urban Interface Fire Safety Plan  
Freedom Acres Subdivision in Canyon County, Idaho**

### **1. Introduction**

The Wildland-Urban Interface (WUI) Fire Safety Plan outlines proactive measures and strategies to mitigate the risk of wildfire incidents in the Freedom Acres Subdivision located in Canyon County, Idaho. This plan aligns with the ICC 2012 International Wildland-Urban Interface Code (IWUIC) and incorporates resources from *idahowifreewise.org*. The report's objective is to enhance the safety of residents, properties, and the surrounding environment through fire prevention, preparedness, and response.

### **2. Project Overview**

Located in Canyon County east of Blessinger Road and north of Willis Road, the subdivision is a parcel of land situated in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 36, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho. The subdivision is made up of 7 lots, 1 lot for an existing cell tower and 6 residential lots. An existing house and two accessory buildings are to remain. The lots average 2.66 acres making up the 18.56 acres Freedom Acres Subdivision.

The existing topography is typical of being in proximity to the Boise Foothills: rolling hills with a grade increase towards the northeast corner of the site. There is a canal running west to east through the middle of the site with deciduous trees, scrub, and typical vegetation found along non-maintained bodies of water. The site's vegetation south of the canal is a mixture of landscape beds, lawn, and mature deciduous and coniferous trees typical of a residential property, and pasture grasses that are typical of an arid to semi-arid environment and farmland. The site's vegetation north of the canal is a mixture of native sagebrush and bitterbrush with a range of grasses and forbs typically found on or near the Boise Foothills. The property is surrounded by Rural Residential with similar vegetation types as found on the site. It is recommended that the site vegetation is updated, installed, and maintained as directed below and in conjunction with the provided wildfire defensible space plan.

### **3. Fire Prevention Measures and Strategies**

To achieve the objectives of the Wildland-Urban Interface Fire Safety Plan, the following fire prevention measures and strategies will be implemented:

#### **3.1 Fire Access Roads**

Access to Freedom Acres Subdivision will be provided through a 23-foot wide gravel access road called Freedom Acres Lane. This road meets the requirements set by the IWUIC, including a minimum width of 20 feet, turnaround radii, and signage for road identification. Upon completion of each individual lot, an address sign visible from the access road must be installed.

#### **3.2 Building Standards**

In addition to fire access roads, building materials also play a key role in fire prevention. All structures within the subdivision must comply with county and IWUIC code requirements. Key building standards include:

- A. Use of ignition resistant material for roofs, eaves, soffits, and exposed underside materials.

- B. Gutters and downspouts should be noncombustible and free from debris.
- C. Prompt replacement and repair of damaged roofing and windows are essential.
- D. Installation of attic and chimney vents with 1/8-inch metal mesh screening.
- E. Exterior walls of buildings and structures shall comply with the applicable class rating in the IWUIC code.
- F. Patio and decks shall have a screen or boxed-in areas with wire mesh to prevent debris accumulation.
- G. Outdoor fires such as permanent barbecue, portable barbecue, outdoor fireplace, or grill within inhabited premises must be a minimum of 30' from any combustible material or non-fire-resistive vegetation.

### **3.3 Fuel Management**

Defensible space around the home ignition zone is a key component in enhancing the safety of residents, properties, and the surrounding environment. The home ignition zone, which ranges from zero to 200 feet around each structure, is broken into several defensible space zones. Each zone has specific requirements for vegetation, clearances, irrigation, tree spacing, pruning, and debris removal. In addition to the outlined requirements below, homeowners shall refer to the Wildfire Defensible Space Plan created specific to this subdivision. The plan shall serve as a guide on subdivision defensible space implementation.

- A. Zone 1: Immediate Zone, 0-5-Feet
  - a. Within this zone, the habitable structure's exterior features must be maintained. The structure and immediate surrounding areas shall be clear of all dead leaves, debris, pine needles, and mulch. Vents shall have a 1/8-inch metal mesh screening. An immediate outdoor water source must be available and able to reach all parts of the base of the structure. The use of rock mulch within planting beds and non-turf areas is highly critical.
- B. Zone 2: Intermediate Zone, 5 – 30 Feet
  - a. Within this zone, landscape material is restricted to small, clustered plant material. Lawn and native grasses must be well irrigated and maintained at a maximum mowed height of 4 inches tall. Specimen trees shall be a minimum of 10 feet from all structures and tree crowns must maintain a minimum horizontal clearance of 10 feet from structures and chimneys. Tree canopies shall maintain a minimum of 18 feet between crowns and must be pruned a minimum of 6 feet from adjacent grade. See Figure 1 and 2 below. The use of rock mulch within planting beds and non-turf areas is highly critical.
- C. Zone 3: Extended Zone, 30 - 100+ Feet
  - a. Within this zone, dispose of all ground litter and debris from dead plants and trees. Removing any small deciduous and coniferous saplings between mature trees and adjacent to non-habitable structures. Tree canopies at 30-60 feet from habitable structure shall maintain a minimum of 12 feet between crowns with a greater distance on high percentage slopes. Tree canopies at 60-100+ feet from habitable structure shall maintain a minimum of 6 feet between crowns with a greater distance on high percentage slopes. See Figure 1 and 2 below.



Figure 1: Tree Spacing

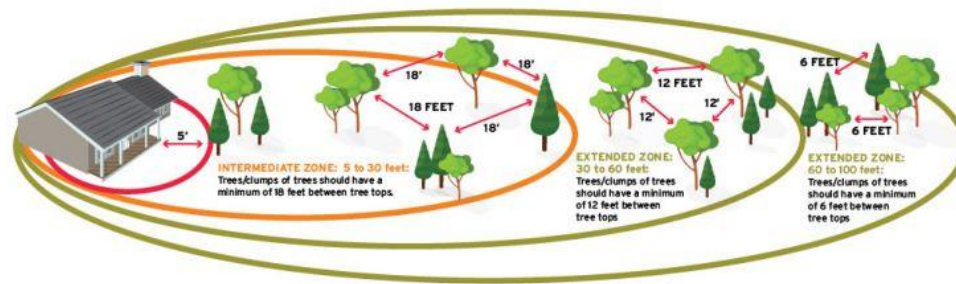


Figure 2: Tree Pruning

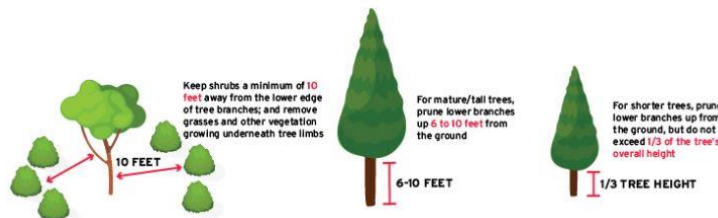


Figure Credit: Idaho Firewise. (2023). *REDUCING WILDFIRE RISKS IN THE HOME IGNITION ZONE*. Idaho Firewise. Retrieved June 26, 2023, from <https://idahofirewise.org/>

In addition to the defensible zones, there are several additional maintenance parameters required to ensure a defensible space:

- A. All non-fire-resistive vegetation shall be removed within 10 feet of the fire access road and driveways.
- B. The use of single specimen trees, ornamental vegetation or groundcover is not allowed within 10 feet of the fire access road and driveways unless specifically listed on the Fire Resistance of Plants Master Database
- C. All vegetation within 30 feet of a combustible item or ignition source, must be removed. This includes, but is not limited to outdoor fire facilities, water storage, pumping facilities, and energized conductors and power lines.
- D. All electrical transmission and distribution lines shall be cleared of brush and vegetative growth per International Wildland-Urban Interface Code (IWUIC) tables A102.3.2.1 and A102.3.2.2.

### 3.4 Water Supply and Fire Protection

Each building lot within Freedom Acres Subdivision is equipped with a water well. To comply with the IWUIC, one- and two-family dwellings must have a minimum usable water volume supply of 1,000 gallons per minute for 30 minutes. Larger dwellings require a higher flow rate, unless an approved automatic sprinkler system is installed. Per <https://idahofirewise.org>, it is also recommended that structures over 5,000 square feet be equipped with fire sprinklers.

## 5. First Response and Emergency Preparedness

While prevention measures are crucial, it is important to be prepared for wildfires. Community members are encouraged to have pre-prepared evacuation plans, participate in fire wise education programs, and stay informed through technology for emergency broadcasts. In the event of a fire, residents should call 911 or the county sheriff and emergency dispatch center immediately. Establishing communication with neighbors and prearranging meeting locations for evacuations is also recommended.

## 6. Conclusion

The Wildland-Urban Interface Fire Safety Plan equips residents of Freedom Acres Subdivision with the necessary tools to prepare for and mitigate the risk of wildfires. It is essential for individual owners to stay up to date on local fire department protocols, county code requirements, and the IWUIC code requirements. Beyond the guidelines set forth in this plan, it is the individual owner's job to verify each structure, new or existing, meets the latest county and IWUIC code requirements.



Alyssa Yensen, P.L.A.  
Landscape Manager  
Idaho Firewise Landscape Professional Certification Course, February 2023

## References

Idaho Firewise. (2022, March 21).

<https://idahofirewise.org/>

Idaho Firewise. (2023). *REDUCING WILDFIRE RISKS IN THE HOME IGNITION ZONE*. Idaho Firewise.

Retrieved June 26, 2023, from

<https://idahofirewise.org/>.

International Code Council, Inc., 2021 *International Wildland-Urban Interface Code* (2021).

Retrieved June 26, 2023, from

<https://codes.iccsafe.org/content/IWUIC2021P2/copyright>.

Rosentreter, R., Van Paepeghem, B., & DeBolt, A. (n.d.). (rep.). *Fire Resistance of Plants Master Database & Placement of Species Within Firewise Landscape Zones for Southern Idaho*. Idaho Firewise, Inc.

Retrieved June 26, 2023, from

<https://idahofirewise.org/wpcontent/uploads/2017/04/FireXResistanceXofXPlantsXMasterXDatabase.pdf>.



PLANT SCHEDULE ZONE 1 AND FIRE ACCESS ROAD DEFENSIBLE SPACE

SHRUBS  
BERBERIS THUNBERGII 'CRIMSON PYGMY' / CRIMSON PYGMY JAPANESE BARBERRY  
PHILADELPHUS SPP. / MOCKORANGE  
YUCCA GLAUCA / GREAT PLAINS YUCCA

PERENNIALS  
AQUILEGIA SPP. / COLUMBINE  
ARMERIA MARITIMA / SEA THRIFT  
ASCLEPIAS TUBEROSA / ORANGE BUTTERFLY MILKWEED  
ASTER LAEVIS / SMOOTH ASTER  
CAREX SPP. / SEDGE  
CENTRANTHUS RUBER / JUPITER'S BEARD  
COREOPSIS SPP. / TICKSEED  
DIANTHUS SPP. / DIANTHUS  
EUONYMUS FORTUNEI / WINTERCREEPER  
GAILLARDIA X 'ARIZONA RED SHADES' / ARIZONA RED SHADES BLANKET FLOWER  
GERANIUM SPP. / GERANIUM  
HEMEROCALLIS X / HYBRID DAYLILY  
HOSTA SPP. / HOSTA  
IRIS X GERMANICA / BEARDED IRIS  
PENSTEMON SPP. / BEARDEDTONGUE

GROUND COVERS  
DELOSPERMA SPP. / ICE PLANT  
GALUM ODORATUM / SWEET WOODRUFF  
LIRIOPE SPP. / LILYTURF  
PACHYSANDRA TERMINALIS 'GREEN SHEEN' / GREEN SHEEN JAPANESE PACHYSANDRA  
PENSTEMON DAVIDSONII / DAVIDSON'S PENSTEMON  
SAPONARIA X LEMPERGII / GIANT FLOWERED SOAPWORT  
THYMUS SERPYLLUM / CREEPING THYME  
VINCA MINOR / COMMON PERIWINKLE

SOD/SEED  
BOULELOUA GRACILIS / BLUE GRAMA GRASS  
BUCHLOE DACTYLOIDES / BUFFALO GRASS  
FESTUCA OVINA / SHEEP FESCUE  
POA PRATENSIS / KENTUCKY BLUEGRASS

SUCCULENTS  
SEDUM X SPP. / STONECROP  
SEMPERVIVUM SPP. / HEN-AND-CHICKS

NOTE: THIS IS A REDUCED FIREWISE PLANT SCHEDULE PER IDAHO FIRE WISE WEBSITE. FOR COMPLETE LIST OF PLANT OPTIONS SEE [HTTPS://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF](https://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF)

PLANT SCHEDULE ZONE 2 DEFENSIBLE SPACE

DECIDUOUS TREES  
ACER SPP. / MAPLE  
CERCIS CANADENSIS / EASTERN REDBUD  
CORNUS FLORIDA / FLOWERING DOGWOOD

SHRUBS  
BERBERIS THUNBERGII 'CRIMSON PYGMY' / CRIMSON PYGMY JAPANESE BARBERRY  
BUDDLEJIA SPP. / BUTTERFLY BUSH  
CORNUS SERICEA 'KELSEY' / KELSEY DOGWOOD  
EUONYMUS ALATUS 'COMPACTA' / COMPACT BURNING BUSH  
PHILADELPHUS SPP. / MOCKORANGE  
PHYSCARPUS OPULIFOLIUS / NINEBARK  
RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC  
ROSA X 'NEARLY WILD' / NEARLY WILD ROSE

PERENNIALS  
ARTEMISIA SPP. / ARTEMISIA  
ECHINACEA SPP. / CONEFLOWER  
GAILLARDIA X 'ARIZONA RED SHADES' / ARIZONA RED SHADES BLANKET FLOWER  
HEUCHERA SPP. / CORAL BELLS  
LIATRIS PUNCTATA / DOTTED BLAZING STAR  
NEPETA SUBSESSILIS / CATMINT  
PENSTEMON SPP. / BEARDEDTONGUE  
RATIBIDA COLUMMIFERA 'MEXICAN HAT' / PRAIRIE CONEFLOWER  
RUDBECKIA FULGIDA SULLIVANTI 'GOLDSTURM' / GOLDSTURM CONEFLOWER  
ZAUSCHNERIA GARRETTII 'PWG081S' / ORANGE CARPET HUMMINGBIRD TRUMPET

GROUND COVERS  
ARCTOSTAPHYLOS UVA-URSI / KINKINNICK  
PHLOX SUBULATA / CREEPING PHLOX  
STACHYS BYZANTINA 'SILVER CARPET' / SILVER CARPET LAMB'S EARS  
THYMUS SERPYLLUM / CREEPING THYME

SOD/SEED  
FESTUCA IDAHOENSIS / IDAHO FESCUE

NOTE: THIS IS A REDUCED FIREWISE PLANT SCHEDULE PER IDAHO FIRE WISE WEBSITE. FOR COMPLETE LIST OF PLANT OPTIONS SEE [HTTPS://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF](https://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF)

PLANT SCHEDULE ZONE 3 DEFENSIBLE SPACE

DECIDUOUS TREES  
GLEDITSIA TRIACANTHOS / THORNLESS HONEYLOCUST  
LIQUIDAMBAR STYRACIFLUA / SWEET GUM  
LIRIODENDRON TULIPIFERA / TULIP TREE  
QUERCUS ALBA / WHITE OAK

EVERGREEN TREES  
LARIX OCCIDENTALIS / WESTERN LARCH  
PINUS PONDEROSA / PONDEROSA PINE  
PSEUDOTSUGA MENZIESII V. GLAUCA / ROCKY MOUNTAIN DOUGLAS FIR

SHRUBS  
CARYOPTERIS X CLANDONENSIS 'BLUE MIST' / BLUE MIST SHRUB  
PHYSCARPUS OPULIFOLIUS / NINEBARK

PERENNIALS  
NEPETA X FAASENII 'JUNIOR WALKER' / JUNIOR WALKER CATMINT

NOTE: THIS IS A REDUCED FIREWISE PLANT SCHEDULE PER IDAHO FIRE WISE WEBSITE. FOR COMPLETE LIST OF PLANT OPTIONS SEE [HTTPS://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF](https://IDAHOFIREWISE.ORG/WP-CONTENT/UPLOADS/2017/04/FIREXRESISTANCEXOFPLANTSMAXTERXDATABASE.PDF)

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 3' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 2' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 12" HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 4" HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 12" HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 28' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 3' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 2' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 12" HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 4" HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 28' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 28' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 3' HEIGHT

REMARKS  
DESIRABLE HIGH MOISTURE CONTENT AND < 2' HEIGHT

LEGEND

- ZONE 1: 0'-5' DEFENSIBLE SPACE
- ZONE 2: 5'-30' DEFENSIBLE SPACE
- ZONE 3: 30'-100'+ DEFENSIBLE SPACE
- FIRE ACCESS ROAD DEFENSIBLE SPACE
- ZONE 3: 100' DELINEATION LINE
- EXISTING TREE TO REMAIN  
RECOMMENDED BASED ON  
DEFENSIBLE SPACE REQUIREMENTS
- EXISTING TREE TO BE REMOVED  
RECOMMENDED BASED ON  
DEFENSIBLE SPACE REQUIREMENTS

WILDFIRE SAFETY DEFENSIBLE SPACE NOTES

- HOME IGNITION ZONES: ALL HABITABLE STRUCTURES SHALL ESTABLISH A MIN. 30' DEFENSIBLE SPACE AROUND THE HABITABLE STRUCTURE, SINGLE SPECIMEN TREES, ORNAMENTAL VEGETATION, CULTIVATED GROUND COVER, AND NATIVE GRASSES MAINTAINED AT 4" OR LESS ARE ALLOWED PROVIDED SUCH PLANTS TO NOT FORM A MEANS OF READILY TRANSMITTING FIRE.
  - ZONE 1: 0 - 5' LANDSCAPE DEFENSIBLE SPACE
    - CLEAN: ROOF, GUTTERS, CHIMNEY OR ATTIC VENTS, EXTERIOR WALLS FROM DEAD LEAVES, DEBRIS, PINE NEEDLES, AND MULCH.
    - PROVIDE 1/8TH INCH METAL MESH SCREENING: ON ALL VENTS AND GUTTERS.
    - PROVIDE SCREEN OR BOX-IN PATIO AND DECK AREAS WITH WIRE MESH.
    - REPLACE OR REPAIR: MISSING SHINGLES, METAL MESH SCREENING ON VENTS, WINDOW SCREENS, PATIO AND DECKS.
    - AN OUTDOOR WATER SOURCE MUST BE AVAILABLE AND EQUIPPED WITH A HOSE AND NOZZLE THAT CAN REACH ALL PARTS OF THE BASE OF THE STRUCTURE.
    - USE ROCK MULCH FOR PLANTING BED OR NON-TURF AREAS. AVOID BARK MULCH.
  - ZONE 2: 5 - 30' LANDSCAPE DEFENSIBLE SPACE
    - MAINTAIN A MIN. OF 10' CLEAR FUEL BREAK WITH VEGETATION AROUND DRIVEWAYS, WALKWAYS, AND PATIOS.
    - LANDSCAPING IS RESTRICTED TO SMALL CLUSTERED PLANT MATERIAL INCLUDING, BUT NOT LIMITED TO: LOW GROWING GRASSES, FORBS, OR SHRUBS THAT HAVE LOW IGNITION THRESHOLD.
    - KEEP LAWN AND NATIVE TURF GRASSES WELL-IRRIGATED AND A MAX. MOWED HEIGHT OF 4" TALL.
    - SINGLE SPECIMEN TREES SHALL MAINTAIN A MIN. 10' DISTANCE FROM ALL STRUCTURES. PRUNE TREE CROWNS TO MAINTAIN A MIN. HORIZONTAL CLEARANCE OF TEN FEET (10') FROM ANY STRUCTURE OR OUTLET OF A CHIMNEY.
    - TREE CANOPIES SHALL MAINTAIN A MIN. OF 18' BETWEEN CROWNS WITH A GREATER DISTANCE WITH INCREASED SLOPE PERCENTAGES.
    - TREES LOCATED WITHIN THE DEFENSIBLE SPACE SHALL BE PRUNED A MIN. OF 6' HEIGHT FROM ADJACENT GRADE.
    - REMOVE VEGETATION UNDER TREES TO ENSURE SURFACE FIRE CANNOT REACH TREE CROWNS.
    - USE ROCK MULCH FOR PLANTING BED OR NON-TURF AREAS. AVOID BARK MULCH.
  - ZONE 3: 30' - 100'+ LANDSCAPE DEFENSIBLE SPACE
    - DISPOSE OF: GROUND LITTER AND DEBRIS, DEAD PLANT AND TREE MATERIAL, SMALL DECIDUOUS AND CONIFER SAPLINGS BETWEEN MATURE TREES, VEGETATION ADJACENT TO NON-HABITABLE STRUCTURES.
    - TREES AT 30'-60' FROM HABITABLE STRUCTURE: TREE CANOPIES SHALL MAINTAIN A MIN. OF 12' BETWEEN CROWNS WITH A GREATER DISTANCE AT AN INCREASE OF SLOPE PERCENTAGE.
    - TREES AT 60'-100'+ FROM HABITABLE STRUCTURE: TREE CANOPIES SHALL MAINTAIN A MIN. OF 6' BETWEEN CROWNS WITH A GREATER DISTANCE WITH INCREASED SLOPE PERCENTAGES.
- ALL FIRE ACCESS ROADS AND DRIVEWAYS SHALL BE CLEARED A MINIMUM OF 10' FROM WITH FIRE-RESISTIVE VEGETATION GROWTH. VEGETATION OR GROUND COVER ALLOWED AS LISTED UNDER PLANT SCHEDULE ZONE 1. SEE CIVIL SIGNAGE SHEET PLAN FOR FIREWISE SIGN LOCATIONS PER IWUIC.
- ALL ELECTRICAL TRANSMISSION AND DISTRIBUTION LINES SHALL BE CLEARED OF BRUSH AND VEGETATIVE GROWTH PER INTERNATIONAL WILDLAND-URBAN INTERFACE CODE (IWUIC) TABLES A102.3.2.1 AND A102.3.2.2.
- VEGETATION AT MATURITY SHALL NOT GROW WITHIN 10' OF ENERGIZED CONDUCTORS AND POWER LINES ARE NOT ALLOWED.
- VEGETATION THAT EXTENDS WITHIN 30' OF IGNITION SOURCES AND COMBUSTIBLE PORTIONS INCLUDED BUT NOT LIMITED TO OUTDOOR FIRE FACILITY, WATER STORAGE, AND PUMPING FACILITIES ARE REQUIRED TO BE EVALUATED WITH A HOME PROTECTION EVALUATION REPORT.
- OUTDOOR FIRES SUCH AS PERMANENT BARBECUE, PORTABLE BARBECUE, OUTDOOR FIREPLACE, OR GRILL WITHIN INHABITED PREMISES MUST BE A MINIMUM OF 30' FROM ANY COMBUSTIBLE MATERIAL OR NONFIRE-RESISTIVE VEGETATION.

CHARACTERISTICS OF FIRE-RESISTIVE VEGETATION PER IWUIC

- GROWTH WITH LITTLE OR NO ACCUMULATION OF DEAD VEGETATION
- NON-RESINOUS PLANTS
- LOW VOLUME OF TOTAL VEGETATION
- PLANTS WITH HIGH LIVE FUEL MOISTURE
- DROUGHT-TOLERANT PLANTS
- STANDS WITHOUT LADDER FUELS
- PLANTS REQUIRING LITTLE MAINTENANCE
- PLANTS WITH WOODY STEMS AND BRANCHES THAT REQUIRE PROLONGED HEATING TO IGNITE

CONTACT INFORMATION

LANDSCAPE CONSULTANT

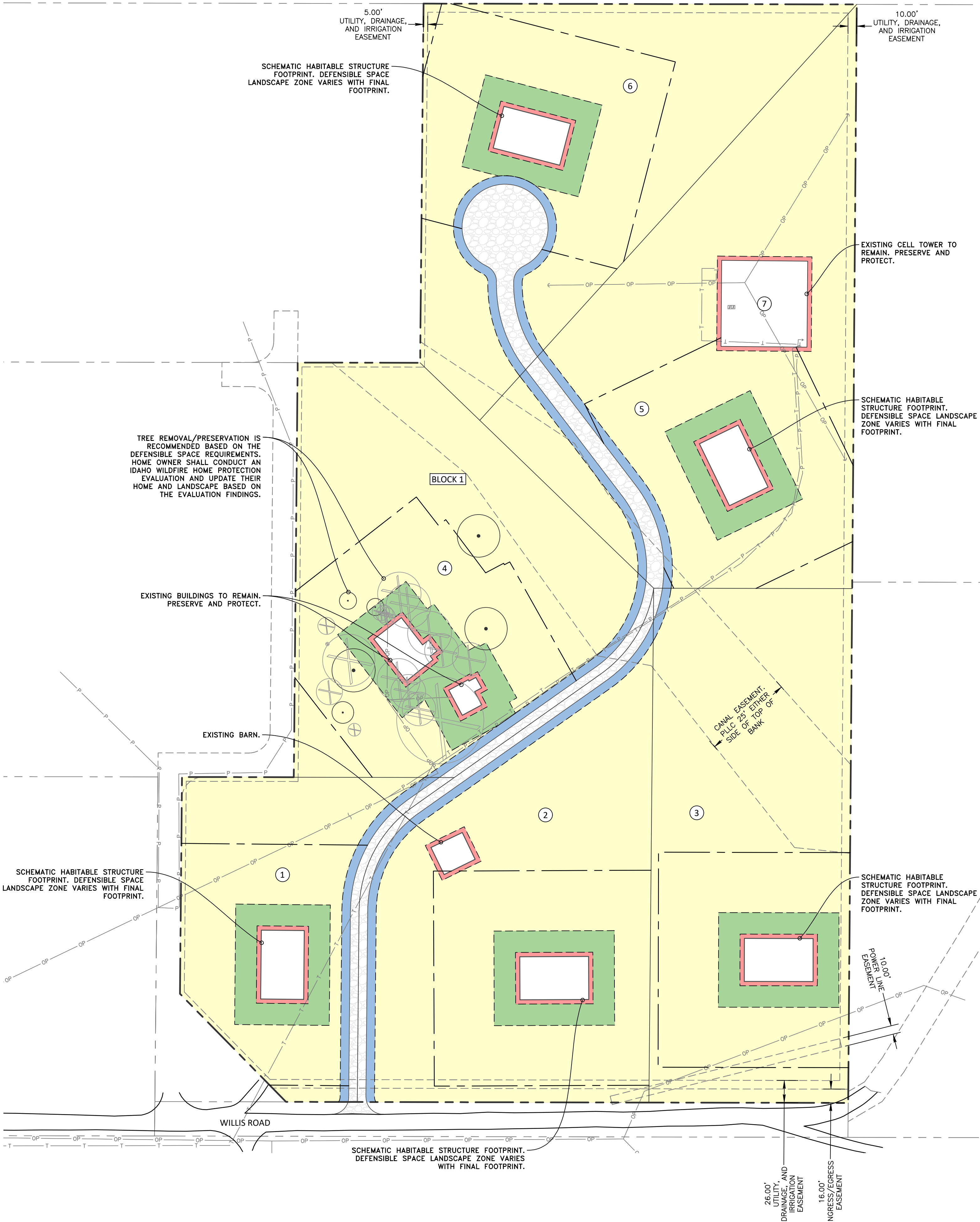
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IDAHO FIREWISE LANDSCAPE  
PROFESSIONAL CERTIFICATION COURSE  
FEBRUARY, 2023

FREEDOM ACRES SUBDIVISION  
CANYON COUNTY  
WILDFIRE DEFENSIBLE SPACE PLAN



DATE: 5/11/23  
PROJECT: 22-178  
SHEET NO. EX. 1.0



WILDFIRE DEFENSIBLE SPACE PLAN