



Planning and Zoning Commission
Hearing Date: November 21, 2024
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMER: SD2022-0047

APPLICANT/REPRESENTATIVE: KM Engineering

PROPERTY OWNER: Tradition Capital Partners, LLC

APPLICATION: Preliminary Plat - Falcon Rim Subdivision: 26 residential lots and two (2) common lots.

LOCATION: 25683 Duff Lane, Middleton; Parcel R37527011; referenced as the SE¼ of the NE¼ of Section 29, Township 5 North, Range 2 West. Boise-Meridian, Canyon County, Idaho.

ANALYST: Dan Lister, Principal Planner

REVIEWED BY: Carl Anderson, Planning Supervisor

REQUEST:

The applicant, KM Engineering, representing Tradition Capital Partners, requests approval of the preliminary plat for Falcon Rim Subdivision consisting of 26 buildable lots and two (2) common lots on Parcel R37527011, approximately 37.4 acres.

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	N/A
Neighbor notification within 600 feet was mailed on:	October 18, 2024
Newspaper notice published on:	October 22, 2024
Notice posted on-site on:	October 21, 2024

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1. BACKGROUND:

The subject parcel, R37527011, was created as a 37.8-acre parcel via an administrative land division in 1991. In 2022, a property boundary adjustment was approved between the subject parcel and Parcel R37527 (Rowe property), reducing the subject parcel's size from approximately 37.8 acres to 37.4 acres (*Exhibit B.4c*).

In 2021, the subject parcel was rezoned from an "A" Zone to a "CR-R-1" zone (RZ2021-0018, *Exhibit B.4a*). The approval included a development agreement (#21-127, *Exhibit B.4b*) subject to the following 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, Parcel R37527011 containing approximately 37.8 acres, shall be platted in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions:*
 - a. *Future development shall not exceed 26 residential lots as shown in the conceptual site plan (Exhibit "C").*
 - b. *An ag-disclosure shall be provided to all future homeowners.*
 - c. *Landscaping shall be commensurate with Thoroughbred Estates Subdivision located east of the subject property (Exhibit "C").*
3. *A pressurized irrigation system is required to serve the subdivision. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected. Modification including any crossings shall be approved in writing by applicable governing agencies.*
4. *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."*

2. HEARING BODY ACTION:

Pursuant to Canyon County Ordinance Article 07-17-09(4) Commission Review:

- A. *The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:*
 1. *The ordinance and standards used in evaluating the application;*
 2. *Recommendations for conditions of approval that would minimize adverse conditions, if any;*
 3. *The reasons for recommending the approval, conditional approval, modification, or denial; and*
 4. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.*
- B. *Upon recommendation by the commission, the preliminary plat, together with the commission's recommendation, shall be transmitted to the board.*

OPTIONAL MOTIONS:

The commission should consider the aforementioned procedures outlined per Canyon County Zoning Ordinance §07-17-09(4).

Approval of the Application: "I move to recommend approval of the preliminary plat for Falcon Rim Subdivision, Case #SD2022-0047, finding the application **does** meet the criteria for approval under Article 07-17-09 of Canyon County Zoning Ordinance **subject to the conditions listed in the staff report.**"

Denial of the Application: “I move to recommend denial of the preliminary plat for Falcon Rim Subdivision, Case #SD2022-0047, finding the application **does not** meet the criteria for approval under Article 07-17-09 of Canyon County Zoning Ordinance **finding that** *[cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))]*.

Table the Application: “I move to continue the hearing of Falcon Rim Subdivision, Case #SD2022-0047 to a *[date certain or to a date uncertain]*.”

3. Preliminary Plat

Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(1)	Application: The applicant shall file with DSD a copy of the completed subdivision application form as prescribed by the director and a copy of the preliminary plat with data as required in this section including, but not limited to, preliminary irrigation plans, the availability of irrigation water to the property, and a preliminary drainage plan. All applicable fees shall be paid at this time.
			Staff Analysis	<p>On August 17, 2022, the applicant submitted a preliminary plat application (Exhibit A). Preliminary plat summary and consistency review per CCZO Section 07-17-09(1)A through F, are summarized as follows (See Exhibit B.2 for details):</p> <p>A. <u>Form of Presentation</u></p> <ul style="list-style-type: none"> The preliminary plat is compliant with the required scale and drawing size (Exhibit A.5). <p>B. <u>Identification and Descriptive Data</u></p> <ol style="list-style-type: none"> The proposed name, Falcon Rim Subdivision, with location, section township, and range is shown on the plat (Exhibit A.5). The name complies with Idaho Code Section 50-1307. Reference by dimension and bearing to a quarter section corner is stated on page PP1.0 of the plat (Exhibit A.5). The name, address, and phone number of the developer, Tradition Capital Partner, is located on page PP1.0 of the plat (Exhibit A.5). The person preparing the plat, Joe Pachner P.E. at KM Engineering, is shown on page PP1.0 of the plat (Exhibit A.5). A north arrow is provided on page PP1.0 of the plat (Exhibit A.5). The date of preparation is stated within the surveyor’s stamp on page PP1.0 of the plat (Exhibit A.5). A revision block with revision dates is provided on page PP1.0 of the plat (Exhibit A.5). A vicinity map drawn to scale is provided on the first page of the plat showing the adjacent subdivision, Thoroughbred Estates, and adjacent arterial and/or collector streets, Duff Lane (Exhibit A.5). <p>C. <u>Existing Conditions Data</u></p>

				<ol style="list-style-type: none"> 1. Two-foot contours and slopes greater than 15% are shown on page PP1.2 of the plat in red (Exhibit A.5). The areas with slopes greater than 15% are no-build areas. 2. An existing water well with proposed lot 27 is to be decommissioned (Keynote #4 on page PP1.2). The parcel is vacant of structures (Survey Notes #2 on page PP1.0). Gravity irrigation runs along the north and south boundary of the parcel (Survey Note #6, Page PP1.0). The direction of flow is shown on page PP1.2. See Exhibit A.5. 3. Locations of existing streets, utilities, and wells are located on pages PP1.0 & 1.2 of the plat. Keynote #4 shows the location of the existing well to be decommissioned. Survey Note #1 provides existing utilities information. The parcel is vacant of structures (Survey Notes #2 on page PP1.0). See Exhibit A.5. 4. The name, book, and page number of all adjacent subdivisions are shown on page PP1.0 of the plat (Exhibit A.5). 5. Existing zoning classification is found on page PP1.0 of the plat under Preliminary Plat Data (Exhibit A.5). 6. The approximate acreage of the tract is found on page PP1.0 of the plat under Preliminary Plat Data (Exhibit A.5). 7. The boundary dimension of the tract is shown on page PP1.0 of the plat (Exhibit A.5). 8. Names and addresses of adjoining property owners within 300' of the exterior boundary are shown on page PP1.0 of the plat (Exhibit A.5). <p>D. <u>Proposed Conditions Data</u></p> <ol style="list-style-type: none"> 1. A 56' wide public road system is proposed (Page PP1.1 of the plat; Exhibit A.5). A 30' wide gravel access road is proposed to provide access to the irrigation pump system between Lots 10 and 11. The public street names were accepted and reserved for the subject parcel on April 18, 2022 (Exhibit C.2). 2. Lot dimensions including curvilinear data to scale provided on page PP1.1 of the plat (Exhibit A.5). All lots are numbered individually. The total number of lots by type and the total is located under Preliminary Plat data on page PP1.0 of the plat. No private roads are proposed. 3. Location, width, and use of easement are shown on PP1.1 of the plat and described in notes on page PP1.0 of the plat (Exhibit A.5). 4. A 40' wide public right-of-way shown on page PP1.1 of the plat will be dedicated to Highway District #4 (Exhibits A.5 & C.5). 5. The plat does not include multifamily, commercial, or industrial uses (Exhibit A). 6. The subdivision is not part of a larger area intended for development. Therefore, a development master plan is not required (Exhibit A). 7. The request does not include special development. See <i>Section F – Special Development (below)</i> for more information.
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				<p>8. All public roads are labeled “public” (Exhibit A.5).</p> <p>E. <u>Proposed Utility Methods</u></p> <ol style="list-style-type: none"> 1. <u>Sewage</u>: Individual septic systems (Preliminary Engineering Note #2 & 3, Page PP1.0; Exhibit A.5). 2. <u>Water Supply</u>: Individual wells (Preliminary Engineering Note #1 & 3, Page PP1.0; Exhibit A.5). <ul style="list-style-type: none"> • Upon review, DSD Engineering recommends the developer consider a centralized potable water system instead of individual wells and a centralized sewer system instead of individual septic systems unless the developer can demonstrate how individual systems can prevent contamination of groundwater to the maximum extent practical (Exhibit B.2a through B.2e). • Per an email from Dan M. Smith at DEQ, individual wells and septic systems are okay since the department cannot make the development go to a community system. It would be up to the County if a community system is required or not. The e-mail states the benefits being better groundwater protection (Exhibit B.2c). • The conditional rezone approval and development agreement conditions in 2021 did not require community systems but were based on individual well and septic systems (Exhibit B.4a & B.4b). The proposed water supply and sewage to each lot meet the minimum requirement. Canyon County Code currently does not have any requirements for community systems. Therefore, community systems are under the jurisdiction of DEQ and SWDH. <ul style="list-style-type: none"> ○ CCZO Section 07-17-31(2) – Subdivision Improvements states: <i>The commission or hearing examiner may recommend and the Board may require improvements in the subdivision, for example, curbs, gutters, sidewalks, streetlights, ribbon curbing, swales, and stormwater retention and disposal.</i> 3. <u>Storm Water Disposal</u>: Storm drainage from the roadways and lots shall be collected in roadside swales that meet the Idaho Department of Environmental Quality and Canyon Highway District No. 4’s requirements. The storm detention facilities will be determined during the final design (Preliminary Engineering Note #4, Page PP1.0; Exhibit A.5). Storm drainage infiltration basin locations are shown on Page PP1.2 (Keynote #1). The retention basins will be located within easements or in the common lots (Page PP1.1 and 1.2, Note #9 on Page PP1.0). <ul style="list-style-type: none"> ○ <u>Preliminary Plat Note #7 on Page PP1.0</u>: <i>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.</i> ○ <u>Preliminary Plat Note #10 on Page PP1.0</u>: <i>Finished grades at subdivision boundaries shall match existing finish grades. Runoff</i>
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				<p><i>shall be maintained on subdivision property unless otherwise approved.</i></p> <p>4. <u>Irrigation System</u>: <i>Irrigation will be delivered by Black Canyon Irrigation District. Irrigation will be delivered to individual lots via the proposed pressure irrigation system (Preliminary Engineering Note #7, Page PP1.0; Exhibit A.5). Page PP1.2 shows the point of diversion (Keynote #3), the location of the proposed pump station (Keynote #2), and the proposed pressure irrigation line (PI) to each lot. A gravel access road to the proposed pump station is proposed within a 30' easement (Page PP1.1 & 1.2; Exhibit A.5).</i></p> <ul style="list-style-type: none"> ○ <u>Preliminary Plat Note #8 on Page PP1.0</u>: <i>The Homeowners Association or underlying 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.</i> <p>5. <u>Utility Easement</u>: <i>Utility easements are shown and noted on the plat per Preliminary Plat Note #4 & 5, Page PP1.0; Exhibit A.5.</i></p> <p>F. <u>Special Developments</u></p> <ul style="list-style-type: none"> • <i>Special development is not proposed. The request does not include hillside development (See Preliminary Engineering Note #6 on page PP1.0; Exhibit A.5), condominiums, planned unit developments, subdivision for a cometary, or areas of critical concern such as floodplain.</i> • <i>See Preliminary Engineering Notes #7 – Floodplain (Page PP1.0; Exhibit A.5). FEMA approved a Letter of Map Revision in 2023 (effective January 12, 2024) demonstrating all but a small portion of the property (approximately 770 square feet at Duff Lane, Exhibit C.4) is outside of the floodplain (Case No. 22-10-0980P, Exhibit B.5).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(2)	Acknowledgment: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.
			Staff Analysis	On August 17, 2022, the application and plat were accepted by DSD (Exhibit A).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(3)	Agency Review: A: The DSD shall transmit one copy of the preliminary plat to county departments and any such other agencies that may have jurisdiction or an interest in the proposed subdivision for their review and recommendation. B. If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, <u>approval of the preliminary plat by such department or agency will be considered to be granted.</u>
			Staff Analysis	<p>A. Affected agencies were notified on August 27, 2024. <u>See Section 4 of this report for the list of agencies notified.</u></p> <p>B. The following agency comments were received within 30 days of notification:</p> <ol style="list-style-type: none"> 1. DSD Engineering Department (Exhibit C.4)

				<ul style="list-style-type: none"> Approximately 770 square feet of the property (the southeast corner adjacent to Duff Lane) is located in the floodplain. Any development within the requires a floodplain development permit at the time of the final plat submittal. <p>2. Idaho Transportation Department - ITD (Exhibit C.3)</p> <ul style="list-style-type: none"> No concerns. The development is over 2.5 miles from SH-44 and has access to Purple Sage Road (a minor arterial) and other major collectors that will adequately disperse traffic. <p>3. DSD GIS (Exhibit C.2)</p> <ul style="list-style-type: none"> The subdivision and public street names were accepted per Idaho Code Section 50-1307 and reserved for the subject parcel on April 18, 2022. The directional prefix shown for Falconrim Rand Place (Exhibit A.5) must be removed per CCCO Section 06-05-13. The applicant corrected the issue (Exhibits A.5 & B.2g). <p>4. Black Canyon Irrigation District - BCID (Exhibit C.1); and</p> <ul style="list-style-type: none"> A revised preliminary plat was not submitted and all comments in their October 23, 2023 still apply. The October 23rd comment letter provides general comments/notes, and recommends approval subject to the following conditions: <ul style="list-style-type: none"> The developer demonstrates diverted flows at Tap 4 feeding C.E. 18.1-1.0 pipeline to the north of the property. Ensure the 12" GI line is located outside of the District's right-of-way. Water rights review is required including the determination of where water will be placed within the parcel(s). Final plat conditions including the recording of a standalone easement for Lateral 18.1-1.3, parcel division fees, and final as-constructed drawings. The applicant met with the District and responded (Exhibit C.1a): <ul style="list-style-type: none"> Revised design review by the District on October 16, 2024. The revision places a new 4'x4' irrigation box to direct flow to a second weir to serve the Rowe property (R37527) and to the Falcon Rim pressure irrigation pump station. BCID lateral and 25' easement added to plan (Exhibit A.5). Relocated overflow pipe outside of easement. Water rights confirmed by BCID to be 32.7 inches. The applicant understands the final plat condition request. The applicant addressed all comments and notes (Exhibit A.5). <p>5. Highway District #4 – HD4 (Exhibit C.5)</p> <ul style="list-style-type: none"> The comment letter requests revisions and notes. The letter states the review has not been approved by the HD4 Board of Commissioners. The applicant responded by addressing all revisions and notes (Exhibit C.5.a & A.5). <p>6. Idaho Dept. of Water Resources (IDWR) – NFIP Coordinator (Exhibit C.6)</p>
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				<ul style="list-style-type: none"> The letter identifies the property mostly outside of the floodplain. The small portion that is located on the property is an "A" Zone (floodplain without base flood elevation (BFE) data). Any development in the floodplain requires a floodplain development permit (CCZO Chapter 7, Article 10A) and a BFE study (CCZO Section 07-10A-11(1)O). <p>7. Middleton Rural Fire District (Exhibit C.7)</p> <ul style="list-style-type: none"> The development can be served by the Middleton Fire District. Station 52 is 5.9 miles from the development with a travel time of nine minutes. The development shall meet the applicable road, access, addressing, street signage, and water supply requirements. <p>8. Middleton School District (Exhibit C.8)</p> <ul style="list-style-type: none"> Mill Creek Elementary School is over capacity with middle and high schools nearing capacity. The letter recommends the developer plan for appropriate spacing for bus stops.
07-17-09(4)				Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for the action taken shall specify:
Compliant			Code Section	
Yes	No	N/A	07-17-09(4)A.1	The ordinance and standards used in evaluating the application;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	A. Idaho Code Section 67-6513 (Subdivisions); B. Idaho Code Sections 50-1301 through 50-1329 (Platting); C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #2); D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).
			07-17-09(4)A.2	Recommendations for conditions of approval that would minimize adverse conditions, if any;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	Should the Commission wish to approve the subject application, staff recommends the following conditions be attached: 1) All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat. <ul style="list-style-type: none"> a. Construction plans/drawings shall be submitted per CCZO Section 07-17-11. Construction plans/drawings are to be reviewed and approved by the County Engineer prior to construction beginning. b. Development in the floodplain shall require a floodplain development permit and compliance with Chapter 7, Article 10a of the Canyon County Zoning Ordinance. <ul style="list-style-type: none"> i. See Exhibits C.4 & C.6. 2) Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.

				<ol style="list-style-type: none"> 3) 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. 4) 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. <ol style="list-style-type: none"> a. The review includes compliance with the conditions stated in Attachment B (<i>Exhibit C.1</i>). b. Evidence that water right 63-25948 is properly moved or transferred shall be submitted to Development Services prior to the Board of County Commissioner's signature on the final plat. 5) 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. 6) 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. <ol style="list-style-type: none"> a. The review includes compliance with the conditions stated in Attachment C (<i>Exhibit C.7</i>). 7) After preliminary plat approval applicant shall provide GIS data containing georeferenced lot line and roadway linework to be included in Development Services GIS mapping. 8) A water user's maintenance agreement for the pressurized irrigation system shall be provided with the application for the final plat and recorded concurrently with the final plat. 9) Construction plans to be reviewed and approved by the County Engineer prior to construction beginning. 10) The recorded development agreement #21-127 shall be referenced on the final plat as a plat note. 11) A landscaping plan per Conditions No. 2c of the development agreement (<i>Exhibit B.4b</i> of the staff report) shall be submitted with the final plat. The landscaping plan shall include a maintenance plan to ensure the landscaping is maintained and does not become a nuisance. The landscaping and maintenance plan shall be included in the recorded conditions, covenants, and restrictions to be upheld by the homeowner's association. 12) An ag-disclosure per Conditions No. 2b of the development agreement (<i>Exhibit B.4b</i> of the staff report) shall be submitted with the final plat. The disclosure shall be included in the recorded conditions, covenants, and
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				<p>restrictions to be upheld by the homeowner's association or property owners.</p> <p>13) All development on slopes 15% or greater is prohibited. Any changes that require hillside development will be reviewed per CCZO Section 07-17-33(1) through the preliminary plat and final plat application process.</p> <p>14) Prior to the Board signing the final plat, a location on the common lot shall be provided for a United States Postal Service community mailbox unless waived by the United States Postal Service.</p> <p>15) The final plan shall include a common area to be used to provide a safe bus stop spacing for school pickup/drop-off (Exhibit C.8).</p> <p><u>If the commission requires community systems:</u></p> <p>16) Potable water shall be provided by a community water system.</p> <p>17) The development shall be served by a centralized sewer system meeting all applicable regulations unless the applicant can demonstrate how individual septic systems prevent contamination of groundwater to the maximum extent practical.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(4)A.3	The reasons for recommending the approval, conditional approval, modification, or denial; and
			Staff Analysis	<i>See Sections 2, 3 & 6 of this report</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	07-17-09(4)A.4	If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.
			Staff Analysis	<i>See Section 2 of this report</i>

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Middleton Fire Protection District, State Fire Marshall, Black Canyon Irrigation District, Highway District No. 4, Middleton School District, Idaho Transportation Department, Caldwell Transportation, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Emergency Management Coordinator, US Postal Service, Idaho Department of Water Resources NFIP Floodplain Coordinator, Canyon County Assessor's Office, Canyon County Building Department, Canyon County Code Enforcement Department, Canyon County Engineering Department; Canyon County GIS Department; Idaho Department of Environmental Quality, Idaho Department of Water Resources (Water Rights), Southwest District Health, and the City of Middleton were notified of the subject application.

Pursuant to Canyon County Ordinance §01-17-07B Materials Deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

Staff received agency comments from the Idaho Transportation Department, Highway District #4, Black Canyon Irrigation District, DSD GIS Department, and DSD Engineering Department. All agency comments received by the materials deadline are located in **Exhibit C**.

5. PUBLIC COMMENTS:

Staff received one (1) written public comment by the materials deadline of November 11, 2024. The comment received was in favor subject to the development having landscaping similar to Thoroughbred Estates Subdivision (**Exhibit D.1**). Per the development agreement (**Exhibit B.4b**) and proposed Condition No. 10, landscaping will match Thoroughbred Estates Subdivision.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed preliminary plat is **compliant** with Canyon County Ordinance 07-17-09. A full analysis is detailed within the staff report. Draft Findings of fact, Conclusions of law and Order (FCOs) are included for the Planning and Zoning Commissioners' consideration. Should the Commission wish to approve the preliminary plat, staff-recommended conditions may be found in section 5 of this report, criteria 07-17-09(4)A.2.

7. EXHIBITS:

A. Application Packet & Supporting Materials:

1. Master Application
2. Preliminary Plat Application Narrative
3. Subdivision Worksheet
4. Irrigation Plan
5. Preliminary Plat
6. Agency Acknowledgment
7. Applicant's PowerPoint Presentation

B. Supplemental Documents:

1. Property Tool Report – R7527011
2. DSD Preliminary Plat Review
 - a. Preliminary Plat Checklist DSD Review – October 5, 2022
 - b. DSD Engineering Water Review/DSD Water Report
 - c. Idaho Dept. of Environmental Quality, emailed April 12, 2023
 - d. Preliminary Plat Checklist DSD Review (Centurion Engineers & DSD) – June 10, 2023 & August 2, 2023
 - e. Email and Response between DSD Engineering and KM Engineering
 - f. KM Engineering Comments – August 7, 2023
 - g. KM Engineering Comments – October 11, 2024
 - h. E-mail response from applicant to DSD - October 17, 2024
3. Case Maps
 - a. Aerial
 - b. Vicinity
4. Previous Approvals
 - a. Conditional Rezone - RZ2022-0018 – Findings of Fact, Conclusions of Law and Order, signed by the Board of County Commissioners on December 7, 2021.
 - b. Development Agreement #21-127 recorded on December 8, 2021 (Inst. No. 2021-083721)
 - c. Property Boundary Adjustment – AD2022-0045 recorded on April 22, 2022 (Inst. No. 2022-021840)

5. FEMA LOMR Approval (Case 22-10-0980P)

C. Agency Comments:

1. Black Canyon Irrigation District (BCID), received September 11, 2024
 - a. KM Engineering Comments – 10/11/2024
2. DSD GIS Department, received September 30, 2024
3. Idaho Transportation Department (ITD), received September 25, 2024
4. DSD Engineering Department, received September 27, 2024
5. Highway District #4 (HD4), received September 12, 2014
 - a. KM Engineering Comments – 9/16/2024
6. Idaho Dept. of Water Resources (IDWR) – NFIP Coordinator, received October 22, 2024
7. Middleton Rural Fire District, dated August 27, 2023
8. Middleton School District, dated November 11, 2024.

D. Public Comments:

1. Joel Neves, received October 24, 2024

E. Draft FCOs

EXHIBIT A

Application Packet & Supporting Materials

1. Master Application
2. Preliminary Plat Application Narrative
3. Subdivision Worksheet
4. Irrigation Plan
5. Preliminary Plat
6. Agency Acknowledgment
7. Applicant's PowerPoint Presentation

MASTER APPLICATION**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

PROPERTY OWNER	OWNER NAME: <u>Kelley Family Revocable Living Trust</u>		
	MAILING ADDRESS: <u>957 Meadowcrest Street, Newbury Park, CA 91320</u>		
	PHONE:	EMAIL: [REDACTED]	
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If owner(s) are a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign. Signature: <u>[Signature]</u> Date: <u>4/20/2022</u>			
(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: <u>Stephanie Hopkins</u>		
	COMPANY NAME: <u>KM Engineering, LLP</u>		
	MAILING ADDRESS: <u>5725 N Discovery Way, Boise ID 83713</u>		
	PHONE: <u>208.639.6939</u>	EMAIL: <u>shopkins@kmengllp.com; joe@kmengllp.com</u>	
SITE INFO	STREET ADDRESS: <u>25683 Duff LN, Middleton, Idaho 83644</u>		
	PARCEL #: <u>R3752701100</u>	LOT SIZE/AREA: <u>+/- 37.82 acres</u>	
	LOT: _____	BLOCK: _____	SUBDIVISION: _____
	QUARTER: <u>SE 1/4 of the NE 1/4</u>	SECTION: <u>29</u>	TOWNSHIP: <u>5N</u> RANGE: <u>2W</u>
	ZONING DISTRICT: <u>R1</u>	FLOODZONE (YES/NO): <u>X & A: ~ 1/4 acre</u>	
HEARING LEVEL APPS	<input type="checkbox"/> CONDITIONAL USE <input type="checkbox"/> COMP PLAN AMENDMENT <input type="checkbox"/> CONDITIONAL REZONE <input type="checkbox"/> ZONING AMENDMENT (REZONE) <input type="checkbox"/> DEV. AGREEMENT MODIFICATION <input type="checkbox"/> VARIANCE > 33% <input type="checkbox"/> MINOR REPLAT <input type="checkbox"/> VACATION <input type="checkbox"/> APPEAL <input type="checkbox"/> SHORT PLAT SUBDIVISION <input checked="" type="checkbox"/> PRELIMINARY PLAT SUBDIVISION <input type="checkbox"/> FINAL PLAT SUBDIVISION		
	DIRECTORS DECISION APPS <input type="checkbox"/> ADMINISTRATIVE LAND DIVISION <input type="checkbox"/> EASEMENT REDUCTION <input type="checkbox"/> SIGN PERMIT <input type="checkbox"/> PROPERTY BOUNDARY ADJUSTMENT <input type="checkbox"/> HOME BUSINESS <input type="checkbox"/> VARIANCE 33% > <input type="checkbox"/> PRIVATE ROAD NAME <input type="checkbox"/> TEMPORARY USE <input type="checkbox"/> DAY CARE <input type="checkbox"/> OTHER _____		
	CASE NUMBER: <u>SD2022-0047</u> DATE RECEIVED: <u>8/17/22</u> <u>Per Stephanie H.</u>		
	RECEIVED BY: <u>J. A. for Stephanie H.</u> APPLICATION FEE: <u>\$1820.00</u> <u>CK</u> MO <input checked="" type="radio"/> CASH <u>See email.</u>		

Revised 1/3/21



July 8, 2022
Project No.: 22-011

Mr. Dan Lister
Canyon County Development Services
111 North 11th Avenue
Caldwell, ID 83605

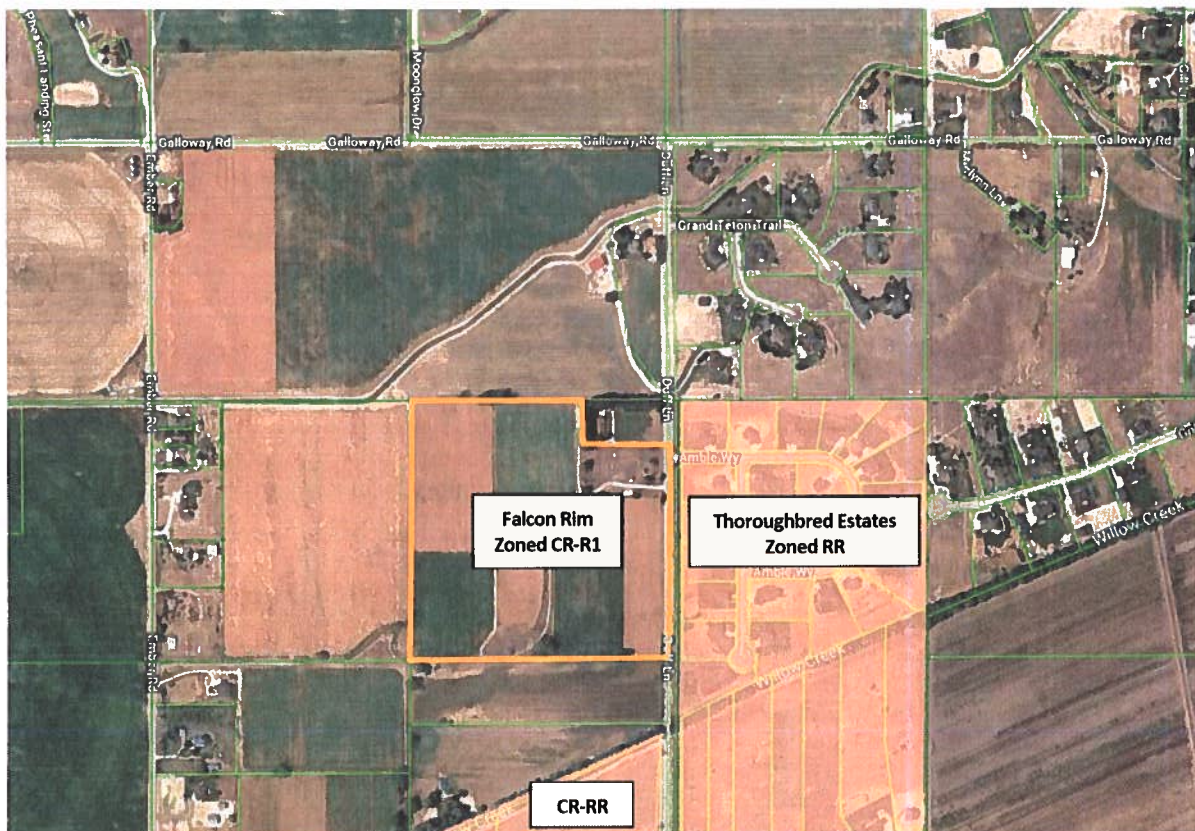
**RE: Falcon Rim Subdivision – Canyon County, ID
Preliminary Plat Application**

Dear Mr. Lister:

On behalf of Kelley Family Revocable Living Trust, we are pleased to submit the attached applications and required supplements for a preliminary plat application for Falcon Rim Subdivision.

Site & Background Information

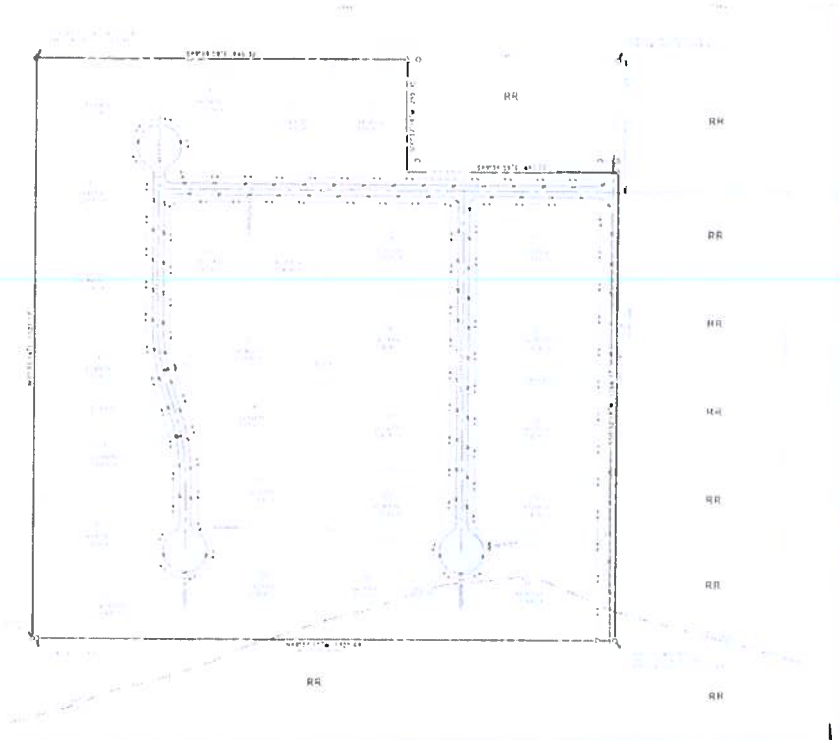
The subject property is a +/- 37.4-acre parcel identified as Parcel No. R3752701100, located approximately 1,300' south of Galloway Road and directly west of Duff Lane in Canyon County. The property was recently rezoned to the R-1 district to allow for single-family homes per case no. RZ2021-0018. Thoroughbred Estates is located directly to the east and is zoned RR (Rural Residential). Adjacent properties to the north, south and west are currently zoned agricultural but are indicated as "residential" on the future land use map.



Preliminary Plat

The attached preliminary plat for Falcon Rim includes a total of 26 buildable lots and one common lot on approximately 37.40 acres. The proposed layout reflects a gross density of 0.70 units per acre with an average lot size of 1.24 acres, both of which exceed the standards and purpose of the R-1 zoning district. Buildable lots range in size from approximately 1-acre to 1.7 acres, providing large lots with favorable configurations. The lots have been designed to exceed the minimum requirements to enhance the availability of low-density single-family living options, as is an objective of the R-1 district.

Building lots have been configured to accommodate the existing topography of the area; all buildable areas will be located outside of slopes exceeding 15%. As such, no hillside development applications will be needed for the proposed lots. Existing slopes exceeding 25% have been indicated on the preliminary plat with red highlighting over contour lines. The developer will coordinate with the County on any requirements related to hillside development as applicable.



A small portion of the southeasterly corner of the site is located within the FEMA Zone A floodplain. A flood study of the area is currently being conducted. We will coordinate with the County and FEMA to complete any requirements associated with development within this area.

Falcon Rim will develop in one phase. Anticipated construction will depend on market conditions as well as coordination and approval timelines with reviewing agencies.

Access

Falcon Rim proposes one primary access point to be aligned with the Thoroughbred Estates Subdivision entrance to the east. Homes within Falcon Rim will take access from internal local roadways proposed, all of which will be improved to CHD4's standards. Three cul-de-sacs are proposed to provide adequate turnaround space for the fire department and to serve homes. All internal roads will include 56' of right-of-way with a 24' pavement section per Canyon Highway District No. 4 requirements. No direct lot access is proposed to Duff Lane as is noted on the preliminary plat.

A traffic impact analysis has not been completed, however, traffic resulting from the 26 residential lots proposed is expected to be minimal.

Services

Falcon Rim will utilize private domestic wells and septic systems for water and sewer service. We have coordinated with the Southwest District Health Department (SWDH), regarding individual septic system and drain field requirements. As necessary, we will continue to work with SWDH and will coordinate with the Department of Environmental Quality and Idaho Department of Water Resources regarding individual lot development as the project progresses.

Pressurized irrigation will be provided by the Black Canyon Irrigation District via a pump station located within Lot 3, Block 1 in the northerly part of the subdivision. The headgate/pump will be connected to a wet well which will be connected to the pump to deliver pressurized irrigation to each of the lots. Roadside swales will convey stormwater and excess water to retention basins. All stormwater facilities are proposed to be built to Canyon Highway District No. 4's standards.

Conclusion

Falcon Rim Subdivision complements surrounding residential uses, is consistent with existing development and will provide additional housing opportunities for this beautiful area of Canyon County. The subdivision is consistent with the concept plan contemplated with the rezoning of the property and supports several of the County's comprehensive plan goals.

Should you have questions or require further information in order to process these applications, please feel free to contact me.

Sincerely,
KM Engineering, LLP

A handwritten signature in blue ink that reads "Stephanie Hopkins". The signature is fluid and cursive, with the first name being more prominent.

Stephanie Hopkins
Land Planning Manager

cc: Kelley Family Revocable Living Trust

SUBDIVISION WORKSHEET**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633**GENERAL**

1. **HOW MANY LOTS ARE YOU PROPOSING?**
 Residential 26 Non-buildable 1 Common 1
2. **AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS**
1.24 ACRES

IRRIGATION

1. **IRRIGATION WATER IS PROVIDED VIA:**
☐ Irrigation Well ☒ Surface Water
2. **WHAT PERCENTAGE OF THE PROPERTY HAS WATER?** 86.5 %
3. **HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY?** 32.7
4. **HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?**
Roadside swales will convey stormwater and excess water to detention basins.
5. **HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?**
Stormwater and excess irrigation water will be detained in basins and will not be traveling back into the drainage ditch

ROADS

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

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

HILLSIDE DEVELOPMENT

1. **OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?**
 Residential 0 Non-Buildable 0 Common 0
2. **WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?**
☐ YES ☒ NO

*If YES, a grading plan is required.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

Not applicable

1. **WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?**
☐ YES ☒ NO
2. **IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?**
☐ CURBS ☐ GUTTERS ☐ SIDEWALKS ☐ STREETLIGHTS ☐ LANDSCAPING



IRRIGATION PLAN APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605

www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

Applicant(s) Kelley Family Revocable Living Trust

Name	Daytime Telephone Number	
<u>957 Meadowcrest Street</u>	<u>Newbury Park, California</u>	<u>91320</u>
Street Address	City, State	Zip

Representative Name KM Engineering, LLP. - Joe Pachner, P.E. 208.639.6939 / joe@kmengllp.com

Daytime Telephone Number / E-mail Address	
<u>5725 North Discovery Way</u>	<u>Boise, Idaho</u> <u>83713</u>
Street Address	City, State Zip

Location of Subject Property: 25683 Duff Lane Middleton, ID 83644

Two Nearest Cross Streets or Property Address	City
---	------

Assessor's Account Number(s): R 375270110 Section 29 Township 5N Range 2W

This land:

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

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

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

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

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

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

2. What is the name of the irrigation and drainage entities servicing the property?

Irrigation: Black Canyon Irrigation District

Drainage: n/a

3. How many acres is the property being subdivided? +/- 37.8 acres

4. What percentage of this property has water? 86.5%

5. How many inches of water are available to the property? 32.7

6. How is the land currently irrigated? ☒ Surface ☐ Irrigation Well
☐ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe
7. How is the land to be irrigated after it is subdivided? ☐ Surface ☐ Irrigation Well
☒ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe

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

The headgate/pump will be connected to a wet well. We will install a pressure irrigation pump station to deliver pressurized irrigation to each of the lots.

9. Are there irrigation easement(s) on the property? ☒ Yes ☐ No

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

Roadside swales will convey stormwater and excess water to retention basins.

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

Stormwater and excess irrigation water will be retained in basins and will not be traveling back into the drainage ditch.

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

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

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

Signed: [Signature] Date: 4 / 20 / 2022
Property Owner (Application Submitted)

Signed: [Signature] Date: / /
Applicant/Representative (if not property owner) (Application Submitted)

Accepted By: J. Almeida Date: 9 / 19 / 22
Director / Staff

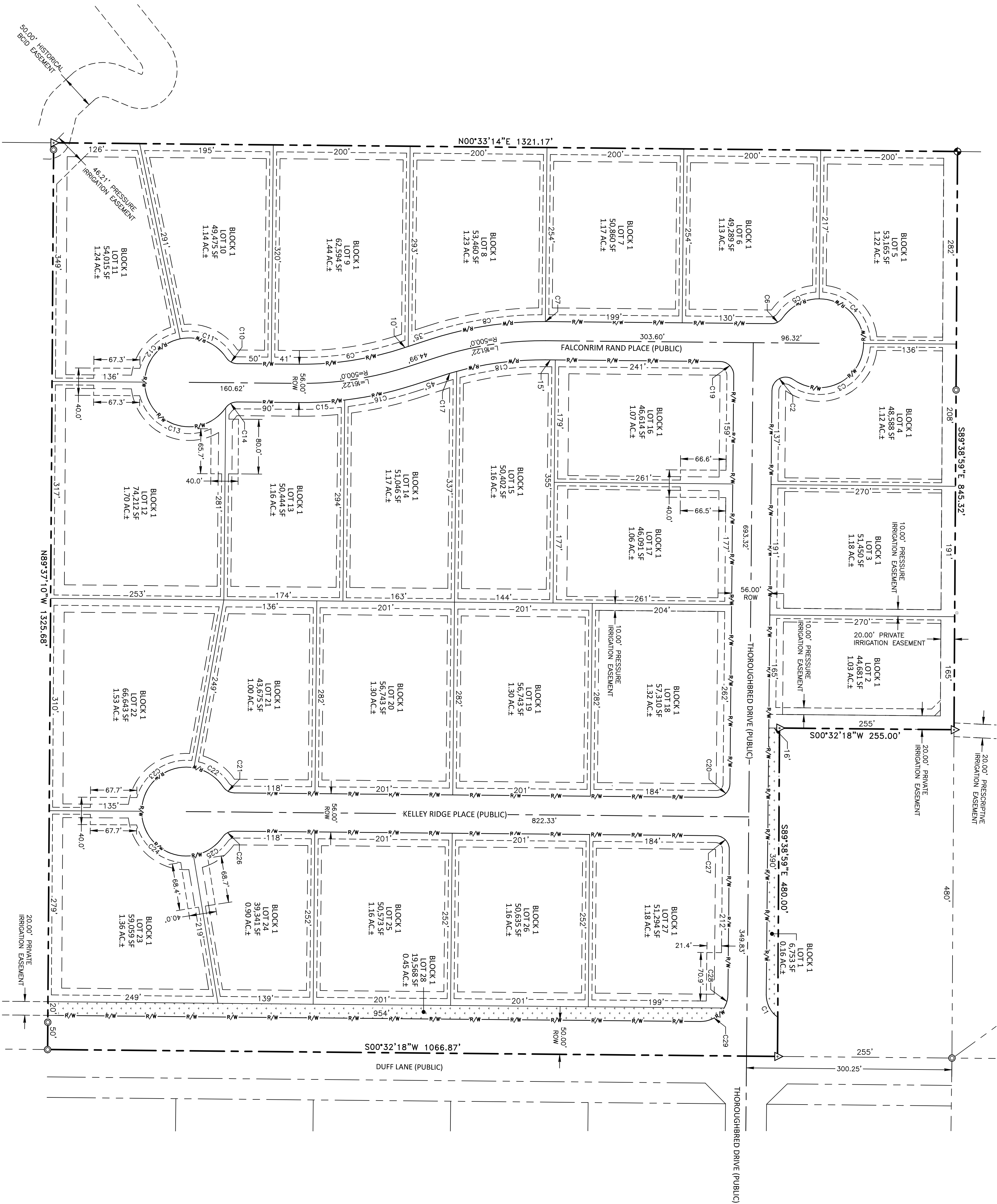
Irrigation Plan Map Requirements

The irrigation plan **must be on a scalable map** and show all of the irrigation system including all supply and drainage structures and easements. Please include the following information on you map:

- 1 ☒ All canals, ditches, and laterals with their respective names.
- 2 ☒ Head gate location and/or point of delivery of water to the property by the irrigation entity.
- 3 ☒ Rise locations and types, if any.
- 4 ☒ Easements of all private ditches that supply adjacent properties (i.e. supply ditches and drainage ways).
- 5 ☒ Slope of the property in various locations.
- 6 ☒ Direction of water flow (use short arrows → on your map to indicate water flow direction).
- 7 ☒ Direction of wastewater flow (use long arrows -----→ on you map to indicate wastewater direction).
- 8 ☒ Location of drainage ponds or swales, anywhere wastewater will be retained on the property.
- 9 ☐ Other information: _____

Also, provide the following documentation:

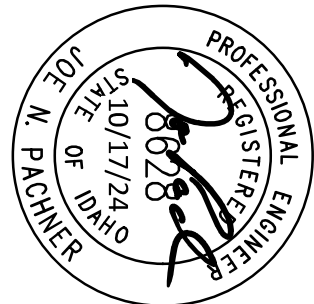
- ☐ Copy of any water users' association / agreement (s) that are currently in effect, which outlines water schedules and maintenance responsibilities.



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEG	CHORD
C1	40.00'	38.40'	55°00.31"	S65°02.03'W	36.95'
C2	20.00'	43.51'	124°39.36"	N27°08.24'W	35.42'
C3	65.00'	141.62'	124°48.54"	N27°14.02'W	115.22'
C4	65.00'	102.31'	90°11.03"	S45°15.30'W	92.07'
C5	65.00'	62.67'	55°14.45"	S27°22.24'E	60.27'
C6	20.00'	19.41'	55°37.05"	S27°16.14'E	18.66'
C7	528.00'	0.51'	0°03.18"	S00°30.35'W	0.51'
C8	528.00'	169.74'	18°25.10"	S08°43.34'E	169.01'
C9	472.00'	152.19'	18°28.28"	S08°41.55'E	151.53'
C10	20.00'	19.41'	55°37.05"	S00°40.20'E	18.66'
C11	65.00'	77.01'	67°52.54"	S22°12.57'W	72.58'
C12	65.00'	88.37'	77°53.40"	S60°40.20'E	81.72'
C13	65.00'	165.02'	145°27.36"	N17°39.01'E	124.14'
C14	20.00'	19.41'	55°37.05"	N27°16.14'W	18.66'
C15	528.00'	67.16'	7°17.15"	N03°06.19'W	67.11'
C16	528.00'	103.09'	11°11.13"	N12°20.33'W	102.93'
C17	472.00'	21.12'	2°33.49"	N16°39.15'W	21.12'
C18	472.00'	131.07'	15°54.38"	N07°25.01'W	130.65'
C19	20.00'	31.42'	90°00.00"	N45°32.18'E	28.28'
C20	20.00'	31.42'	90°00.00"	S44°27.42'E	28.28'
C21	20.00'	19.41'	55°37.05"	S28°20.51'W	18.66'
C22	65.00'	52.25'	46°03.12"	S33°07.48'W	50.85'
C23	65.00'	113.13'	99°43.22"	S39°45.30'E	99.38'
C24	65.00'	113.21'	99°47.14"	N40°29.13'E	99.43'
C25	65.00'	51.81'	45°40.22"	N32°14.35'W	50.45'
C26	20.00'	19.41'	55°37.05"	N27°16.14'W	18.66'
C27	20.00'	31.42'	90°00.00"	N45°32.18'E	28.28'
C28	40.00'	20.94'	28°59.50"	S74°27.47'E	20.70'
C29	40.00'	41.89'	60°00.10"	S59°27.46'E	40.00'

SHEET NOTES

A. SEE SHEET PP.1.0 FOR LEGEND AND PRE PLAT NOTES.



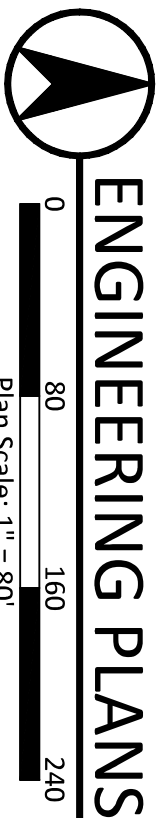
REVISIONS		
NO.	ITEM	DATE
1	CANYON COUNTY COMMENTS	4/20/2023
2	CANYON COUNTY COMMENTS	6/23/23
3	CLIENT COMMENTS	3/8/24
4	HD4 COMMENTS	8/30/24
5	AGENCY COMMENTS	10/17/24

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO

PRELIMINARY PLAT
LOT DIMENSIONS



DESIGN BY:	JNP
DRAWN BY:	BJP
CHECKED BY:	JNP
DATE:	10/7/2022
PROJECT:	22-011



ENGINEERING PLANS

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



SHEET NOTES

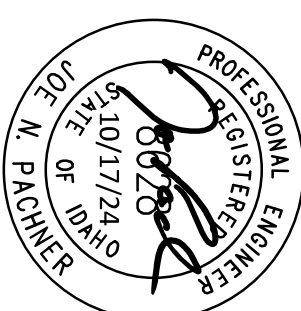
- SEE SHEET PP.10 FOR LEGEND AND PRE PLAT NOTES.
- ALL OBSTRUCTIONS WITHIN THE DEDICATED RIGHT-OF-WAY SHALL BE REMOVED. OBSTRUCTIONS INCLUDE TREES, FENCES, BUILDINGS, AND EXISTING APPROACHES.

KEYNOTES

- PROPOSED STORM DRAINAGE INFILTRATION BASIN.
- PROPOSED IRRIGATION PUMP STATION.
- APPROXIMATE POINT OF EXISTING IRRIGATION DELIVERY TO SITE.
- EXISTING WELL TO BE DECOMMISSIONED PER DWR STANDARDS. WATER RIGHT ASSOCIATED WITH EXISTING WELL TO BE TRANSFERRED TO LOT 27, BLOCK 1.
- PROPOSED GRAVEL ACCESS ROAD.
- EXISTING FENCE TO BE REMOVED.
- EXISTING POWER POLE AND ANCHOR TO BE RELOCATED OUTSIDE OF R.O.W. NEW LOCATION TO BE COORDINATED WITH IDAHO POWER.
- EXISTING STEEL I-BEAM TO BE REMOVED.
- PROPOSED IRRIGATION OVERFLOW.
- PROPOSED 4'X4' IRRIGATION BOX.
- PROPOSED HD4 COMMENTS.
- PROPOSED 8'X4' FILTER BOX.

IRRIGATION NOTES

- OVERALL WATER RIGHT: 32.7 INCHES = 294 GPM
FULL BUILDOUT
• RESIDENTIAL LOTS (26 @ 10.5 GPM) = 273 GPM
• COMMON LOTS (2 @ 10.5 GPM) = 21 GPM
PUMP STATION DESIGN
DESIGN FLOW RATE: 294 GPM AT 80 PSI



REVISIONS

NO.	ITEM	DATE
1	CANYON COUNTY COMMENTS	4/20/2023
2	CANYON COUNTY COMMENTS	6/23/23
3	CLIENT COMMENTS	3/8/24
4	HD4 COMMENTS	8/30/24
5	AGENCY COMMENTS	10/17/24

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO

PRELIMINARY PLAT
ENGINEERING PLANS



5725 NORTH HOSKINS WAY
BOISE, IDAHO 83703
PHONE (208) 699-6939
kme@kmp.com

DESIGN BY: JNP
DRAWN BY: BJF
CHECKED BY: JNP
DATE: 10/17/2024
PROJECT: 22-011

PP.1.2



AGENCY ACKNOWLEDGMENT

Date: 7.7.2023

Applicant: KM Engineering, LLP

Parcel Number: R3752701100

Site Address: 25683 Duff Ln, Middleton, ID 83644

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 07/07/2023 Signed: _____

Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: SWDH

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: 7.7.2023

Applicant: KM Engineering, LLP

Parcel Number: R3752701100

Site Address: 25683 Duff Ln, Middleton, ID 83644

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 07/07/2023 Signed: _____

Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

☒ Applicant submitted/met for official review.

Date: 7/11/23 Signed: _____

District: SWDH
[Signature]
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

District: Middleton RFD

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

District: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

City: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: 7.7.2023

Applicant: KM Engineering, LLP

Parcel Number: R3752701100

Site Address: 25683 Duff Ln, Middleton, ID 83644

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☒ Applicant submitted/met for official review.

Date: 07/07/2023 Signed: _____

Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: SWDH

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: 7/12/2023 Signed: _____

Roberta Stewart
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



AGENCY ACKNOWLEDGMENT

Date: 7/25/2023

Applicant: Lacey Clark

Parcel Number: R3752701100

Site Address: 25683 DUFF LN MIDDLETON, ID 83644

OFFICIAL USE ONLY BELOW THIS LINE – ACKNOWLEDGMENT ACTION:

Southwest District Health:

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Black Canyon Irrigation District

☒ Applicant submitted/met for official review.

Date: 7/24/2023 Signed: _____

Donald S. Poynt District Engineer

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact:

City: _____

☐ Applicant submitted/met for official review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

Received by Canyon County Development Services:

Date: _____ Signed: _____

Canyon County Development Services Staff

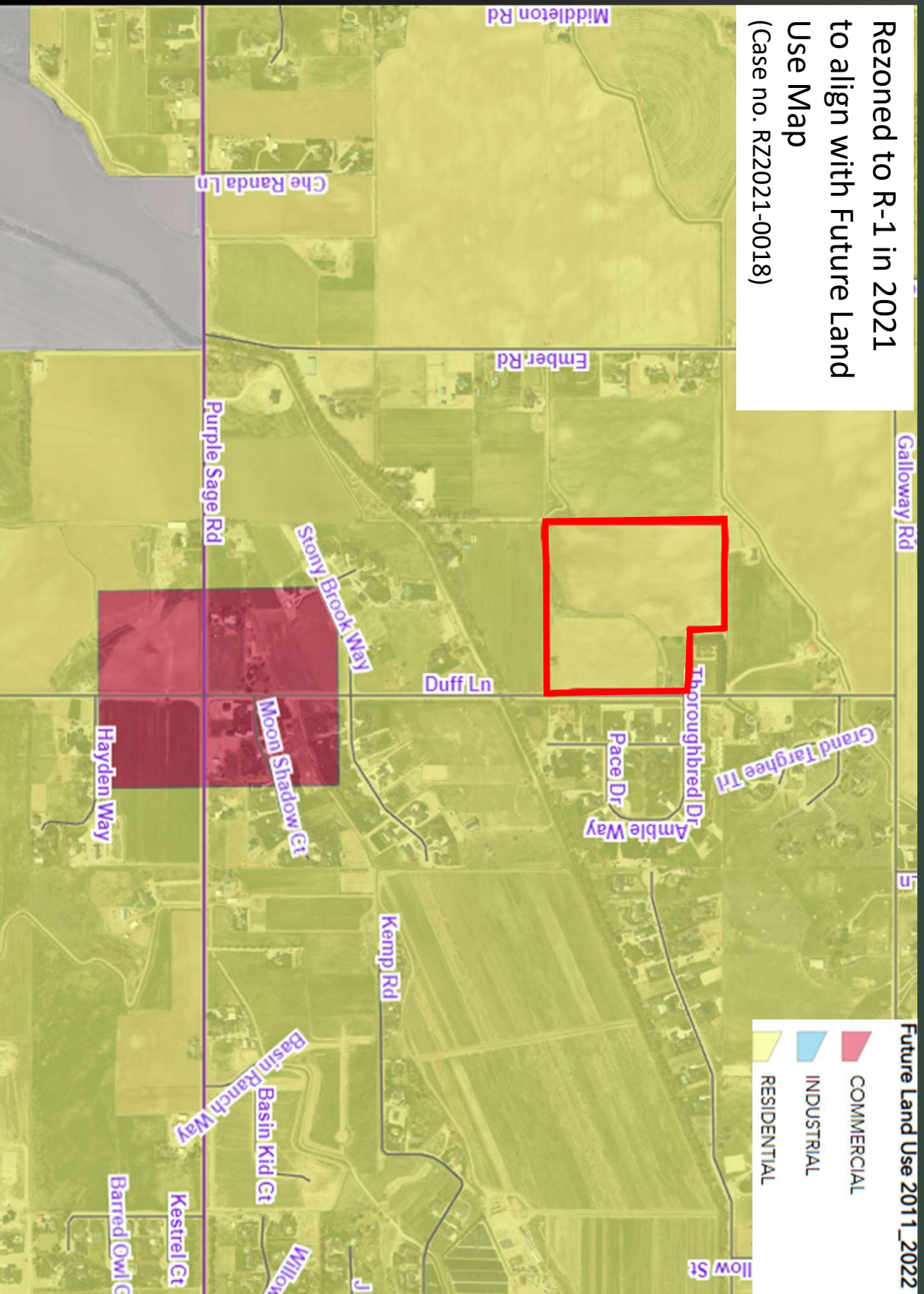
DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED



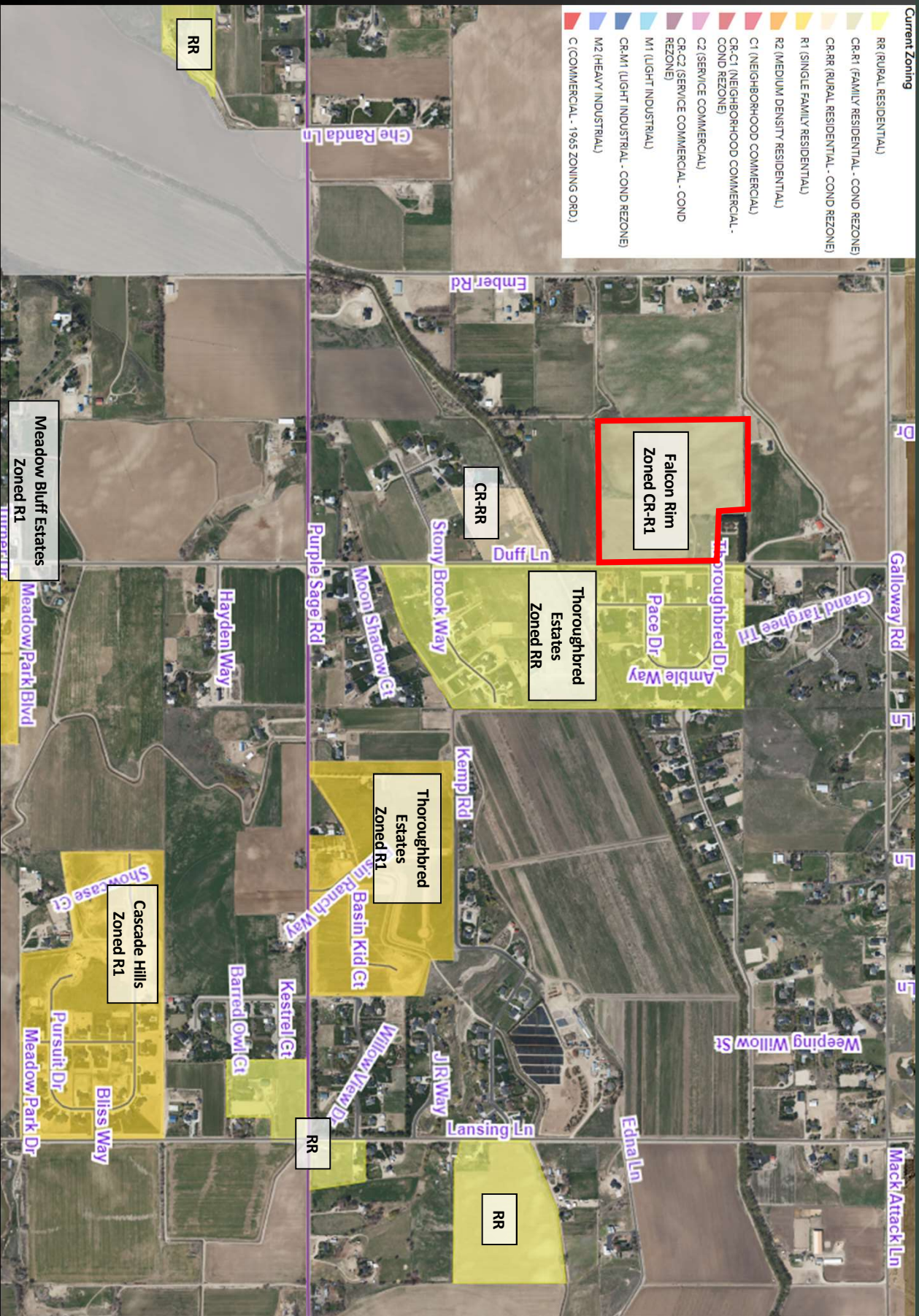
Falcon Rim Subdivision- SD2022-0047

Future Land Use Map 2011-2022

Rezoned to R-1 in 2021
to align with Future Land
Use Map
(Case no. RZ2021-0018)

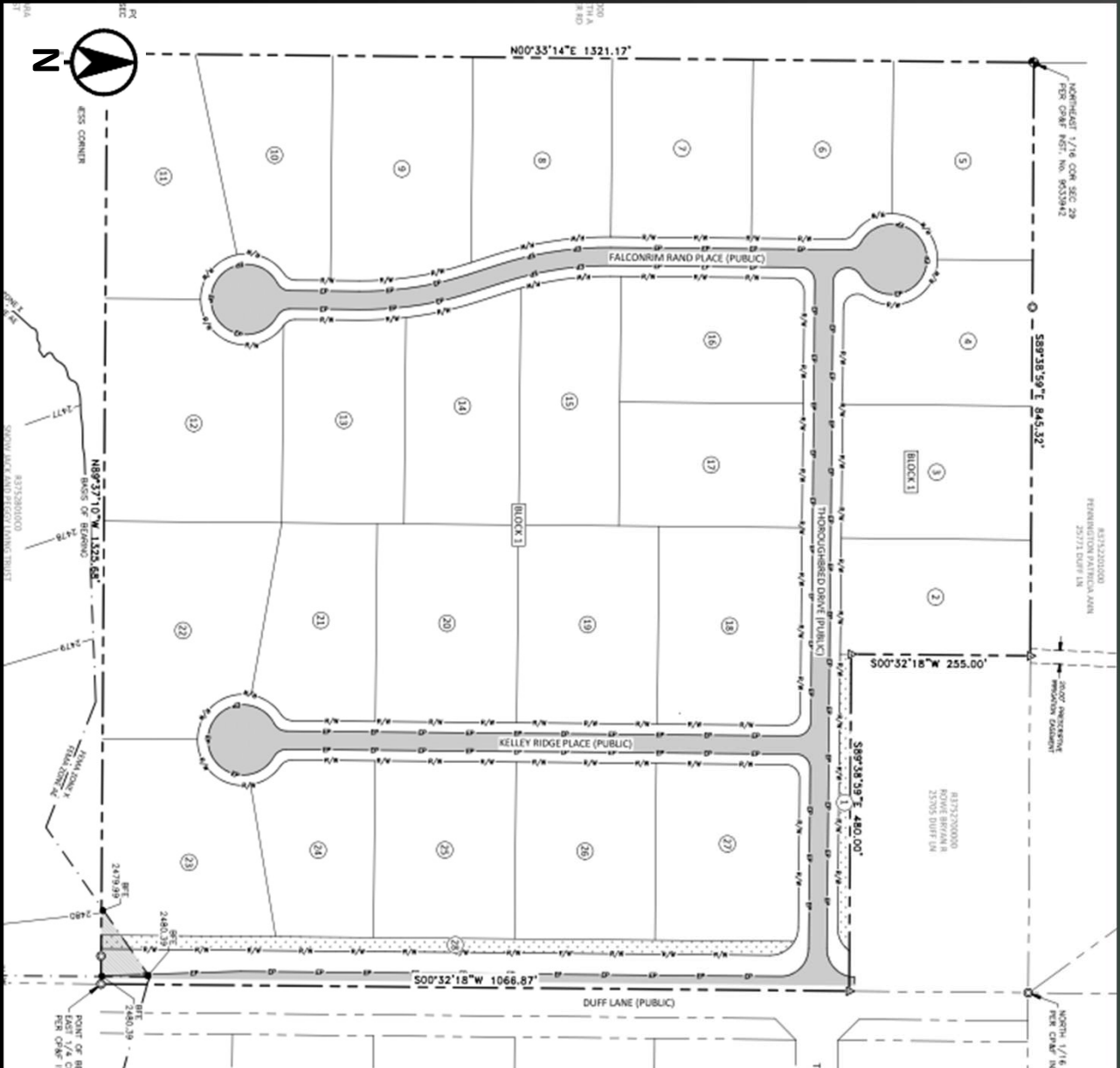


Nearby Residential Developments & Zoning



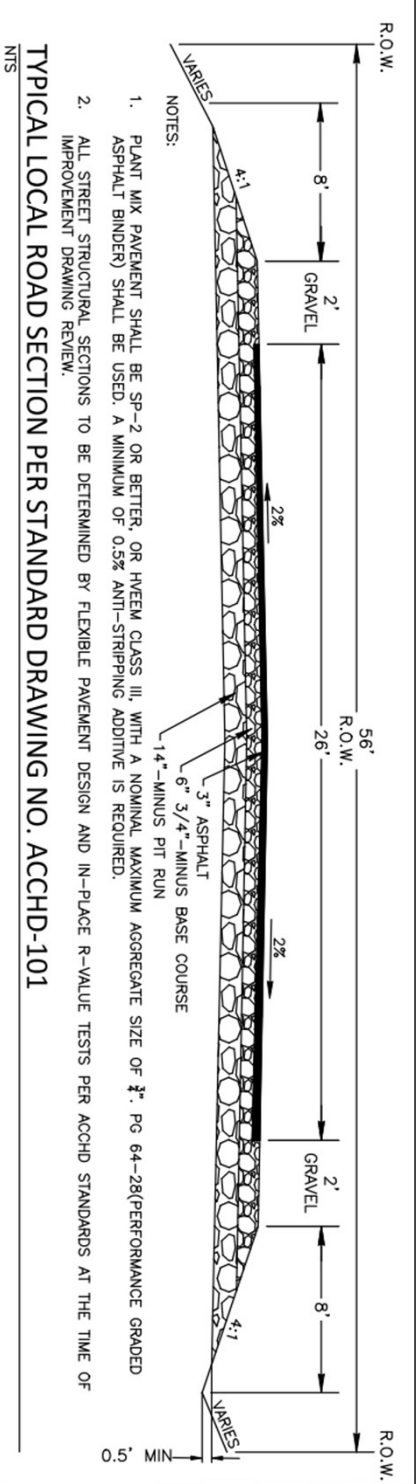
Preliminary Plat

- 37.40 acres
- 26 buildable lots, one common lot
- Average lot size of 1.21 acres
- Gross Density 0.70 units/acre
- Net Density 0.81 units/acre



Roadway Improvements

Public Roads Proposed Through Subdivision



Duff Lane Widening

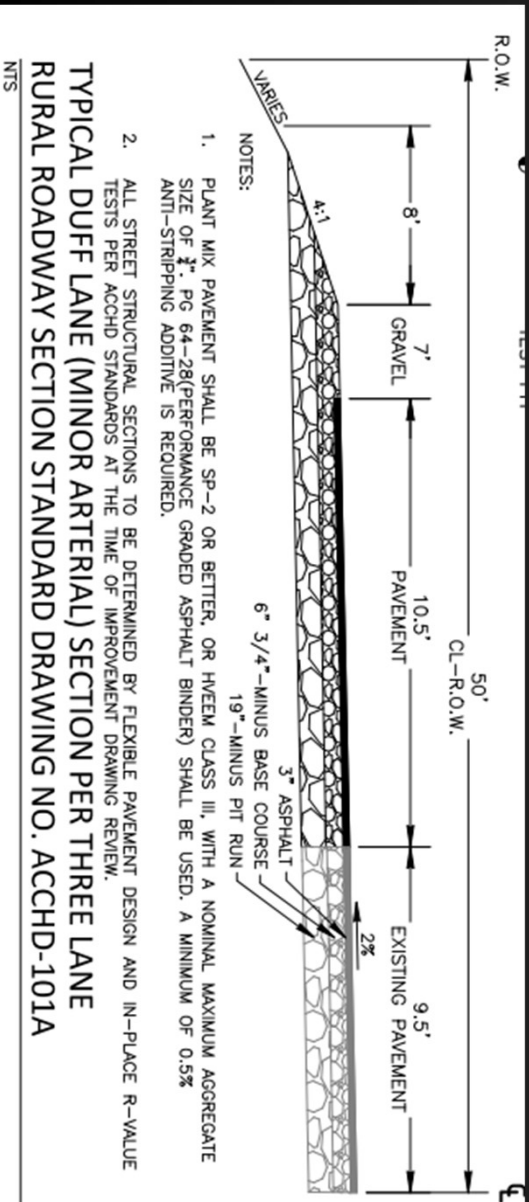




Exhibit B

Supplemental Documents

1. Property Tool Report – R7527011
2. DSD Preliminary Plat Review
 - a. Preliminary Plat Checklist DSD Review – October 5, 2022
 - b. DSD Engineering Water Review/DSD Water Report
 - c. Idaho Dept. of Environmental Quality, emailed April 12, 2023
 - d. Preliminary Plat Checklist DSD Review (Centurion Engineers & DSD) – June 10, 2023 & August 2, 2023
 - e. Email and Response between DSD Engineering and KM Engineering
 - f. KM Engineering Comments – August 7, 2023
 - g. KM Engineering Comments – October 11, 2024
 - h. E-mail response from applicant to DSD - October 17, 2024
3. Case Maps
 - a. Aerial
 - b. Vicinity
4. Previous Approvals
 - a. Conditional Rezone - RZ2022-0018 – Findings of Fact, Conclusions of Law and Order, signed by the Board of County Commissioners on December 7, 2021.
 - b. Development Agreement #21-127 recorded on December 8, 2021 (Inst. No. 2021-083721)
 - c. Property Boundary Adjustment – AD2022-0045 recorded on April 22, 2022 (Inst. No. 2022-021840)
5. FEMA LOMR Approval (Case 22-10-0980P)

R37527011 PARCEL INFORMATION REPORT

10/28/2024 2:31:02 PM

PARCEL NUMBER: R37527011**OWNER NAME: TRADITION CAPITAL PARTNERS****CO-OWNER:****MAILING ADDRESS: 8454 BROOKHAVEN PL MIDDLETON ID 83644****SITE ADDRESS: 25683 DUFF LN****TAX CODE: 0310000****TWP: 5N RNG: 2W SEC: 29 QUARTER: NE****ACRES: 37.40****HOME OWNERS EXEMPTION: No****AG-EXEMPT: No****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: CR-R1 / CONDITIONAL REZONE - SINGLE FAMILY
RESIDENTIAL****HIGHWAY DISTRICT: HIGHWAY DISTRICT #4****FIRE DISTRICT: MIDDLETON FIRE****SCHOOL DISTRICT: MIDDLETON SCHOOL DIST #134****IMPACT AREA: NOT In Impact Area****FUTURE LAND USE 2011-2022 : Res****FLU Overlay Zone Desc 2030:****FLU RR Zone Desc 2030: RURAL RESIDENTIAL****FUTURE LAND USE 2030: RURAL RESIDENTIAL \ AG****IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST****FEMA FLOOD ZONE: X \ AE \ A FLOODWAY: NOT In FLOODWAY FIRM PANEL:
16027C0275F****WETLAND: Freshwater Pond \ Riverine****NITRATE PRIORITY: NE CANYON CO.****FUNCTIONAL Classification: Major Collector****INSTRUMENT NO. : 2023037630****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 29-5N-2W NE TX 23579 IN SENE****PLATTED SUBDIVISION:****SMALL CITY ZONING:****SMALL CITY ZONING TYPE:****DISCLAIMER:**

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

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



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

▪ Engineering Division ▪

Preliminary Plat Check-List

Applicant: Kelley Family Revocable Living Trust	Case Number: SD2022-0047
Subdivision Name: Falcon Rim	Plat Date (Review #): 10/5/2022 (1)

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 initial review of all information given graphically and by note on the plat	OK
2. Check for compliance with FCOs and/or Development Agreement from entitlement process if applicable	<p>RZ2021-0018 resulted in DA21-127</p> <p>Will need to comply with condition 2b. Can likely be a document submitted with final plat application to record with or before final plat which will show up on a title search and be presented to future homeowners for them to sign.</p> <p>Please provide statement or evidence of intent to comply with condition 2c related to landscaping of the Duff Ln frontage. It's worth noting or showing on the pre-plat and it may require a common lot to match Thoroughbred Estates. Please update pre-plat as necessary.</p>
3. Check for compliance with CCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived.	N/A
4. Check for applicable agency comment. These comments could have been made at the entitlement stage or after.	As of 3/29 we have not received agency comments related specifically to the pre-

	plat. Comments for RZ2021-0018 were reviewed.
5. Make note of agencies that should be noticed if not typically included on the notice list and pass information along to planner	N/A
Items A through E below are directly from CCZO 07-17-09. Italicized items are checklist items related to requirements found in ordinance and may not be strictly required.	
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 Code
2. Size of Drawing (No larger than 24' x 36") <ul style="list-style-type: none"> <i>Obtain electronic version of all submittals</i> 	Meets Code
B. IDENTIFICATION AND DESCRIPTIVE DATA	<u>Meets Code / Comments</u>
1. Proposed name of subdivision and its location by section, township, and range <ul style="list-style-type: none"> <i>Name of sub needs to be reserved through DSD GIS</i> 	Meets Code
2. Reference by dimension and bearing to a section corner or quarter section corner	Meets Code
3. Name, address and phone number of developer	Meets Code
4. Name address and phone number of the person preparing the plat	Meets Code
5. North arrow	Meets Code
6. Date of preparation	Meets Code
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 Code
8. Vicinity map drawn to scale, clearly showing proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc. <ul style="list-style-type: none"> <i>Check for consistency between pre-plat and vicinity map</i> 	Please label Thoroughbred Estates and Willow Creek

C. EXISTING CONDITIONS DATA	<u>Meets Code / Comments</u>
1. 2 Foot Contours shown unless otherwise approved; show all areas in excess of 15% slope	Please show slopes > 15%
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.	What's the plan with the existing monitoring well and domestic well? What

	<p>will happen with existing groundwater right No. 63-25948?</p> <p>Please show direction of flow on the existing GI lines</p>
<p>3. Location, widths and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain including water wells and municipal corporation lines within or adjacent to the tract</p> <ul style="list-style-type: none"> <i>Future use of remaining wells, if applicable</i> 	<p>Please correct Amble Way to Thoroughbred Drive</p> <p>Dimension the width of Amble Way and Duff Ln</p>
<p>4. Name, book and page numbers of any recorded adjacent subdivisions having a common boundary with the tract</p>	<p>Please add name, book, and page for Thoroughbred Estates</p>
<p>5. Existing zoning classification, by note</p> <ul style="list-style-type: none"> <i>Proposed zoning, by note, if new zoning is being proposed concurrently with pre-plat application</i> 	<p>Meets Code</p> <p>For clarity in the Site Data section you might eliminate the Proposed Zoning line and add "2020" to the Comprehensive Plan Designation line</p>
<p>6. Approximate acreage of the tract, by note</p>	<p>Meets Code</p>
<p>7. Boundary dimensions of the tract</p>	<p>Meets Code</p>
<p>8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract</p>	<p>Please make the few updates shown on the attached pre-plat</p>
D. PROPOSED CONDITIONS DATA	<u>Meets Code / Comments</u>
<p>1. Road layout, including location, width and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract</p> <ul style="list-style-type: none"> <i>Confirmation that highway district will allow proposed access if new access is on an arterial</i> <i>Check alignment of stub streets with adjacent developments, if applicable</i> Private roads shall not have direct access to arterials or local roads within a platted subdivision (ACCHD 2020.040) Private road names need to be reserved through DSD GIS. Private roads require a separate application. Public road names must be checked for availability with DSD GIS <i>If typical sections are shown make sure they are consistent with what will be required</i> 	<p>Meets Code</p> <p>Looks like CHD4 listed aligning the new access with an extension of Thoroughbred Dr. as a viable option during the rezone. Do we have confirmation of the proposed access being okay with CHD4?</p> <p>Just a note for now but the latest <u>draft</u> of the Canyon County Long-Range Planning Functional Classification map shows a proposed collector along the southern edge of this parcel.</p>
<p>2. Typical lot dimensions including curvilinear data to scale; each lot numbered individually; total number of lots by type and grand total. A private road must be a lot.</p> <ul style="list-style-type: none"> <i>Curve table is present and matches data shown graphically</i> <i>Minimum lot size</i> 	<p>Meets Code</p>

<ul style="list-style-type: none"> • <i>Average lot size (calculated as total residential area divided by the number of residential lots)</i> • <i>Check block numbering</i> • <i>Consider any phasing shown</i> 	
<p>3. Location, width and use of easements</p> <ul style="list-style-type: none"> • <i>Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat.</i> • <i>Show easements for all shared infrastructure</i> 	<p>Please update linework for and dimension the pond easements. It's hard to differentiate between them and the lot lines.</p> <p>Shared infrastructure should be contained in an easement. Please show an easement for the irrigation pump station.</p> <p>Please add note or callout describing blanket easement for Lot 1. Same with new common lot along Duff frontage.</p> <p>See related comment on item E5</p>
<p>4. Designation of all land to be dedicated or reserved for public use with use indicated</p>	<p>Meets Code</p>
<p>5. If 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</p>	<p>Meets Code</p>
<p>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</p>	<p>Meets Code</p>
<p>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</p> <ul style="list-style-type: none"> • <i>Check mapping layers for above special development items. Include wetland and natural drainage ways.</i> • <i>Consider recommended conditions related to special development areas and related reports</i> 	<p>Please either update the proposal to have no earth moving activities on slopes greater than 15% and add note restricting activities in those areas or comply with CCZO 07-17-33. Currently our ordinances are very strict with the definition of hillside development. So if any construction or development is going to take place on the slopes (mainly in the south-central area of the parcel and up the center) we need to have the submittals and justification described in CCZO 07-17-33.</p> <p>How's the review process going with the LOMR? Please add to Preliminary Engineering Note #5 to be clear the flood hazard data shown is pending approval by FEMA and list the case</p>

	number. See related recommended condition of approval.
8. All roads must be labeled as either "private" or "public" behind or beneath the road name	Please label roads as public or private
E. PROPOSED UTILITY METHODS	<u>Meets Code / Comments</u>
<p>1. Sewage: A statement as to the type of proposed sanitary sewage facilities</p> <ul style="list-style-type: none"> <i>Preliminary location/layout of proposed sewage facilities</i> <i>Nutrient-Pathogen study if required by SWDH</i> <i>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</i> 	<p>Meets Code</p> <p>Has there been a pre-development meeting with SWDH? Will extended treatment systems be required? Please provide any preliminary results or approvals of an NP study.</p> <p>Community wastewater systems are recommended by DEQ when 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. Please include us in those discussions or provide the results of those discussions to DSD.</p>
<p>2. Water Supply: A statement as to the type of proposed water supply facilities</p> <ul style="list-style-type: none"> <i>Preliminary location/layout of proposed potable water facilities</i> <i>If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include preliminary potable water plan. DSD should complete high level feasibility review of shared utilities</i> 	<p>Meets Code</p> <p>Community water systems are recommended by DEQ when possible. 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. Please include us in those discussions or provide the results of those discussions to DSD.</p> <p>Unless DEQ discourages it, we will be recommending a community drinking water system.</p>
<p>3. Storm Water Disposal: A statement as to the type of storm water disposal facilities which may include evidence as may be required relative to the design and operation of proposed storm water system</p> <ul style="list-style-type: none"> <i>Include statement that all storm water shall be retained on site, if appropriate</i> 	<p>Is there or does there need to be (per CHD4) space outside of the R/W for treatment/disposal of the Duff Ln runoff?</p> <p>Please connect easements for drainage ponds to the R/W.</p>

<ul style="list-style-type: none"> • Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, ect • Maintenance easements for storm drain facilities treating drainage from public roads should be in place 	
<p>4. Irrigation System: 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"> • 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"> - Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and - 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. 	<p>Please add note indicating lots will be provided irrigation water via PI system and shares in BCID</p> <p>Please show irrigation service to common areas that will need water</p>
<p>5. Utility Easement: 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>These utility easements are mentioned by note but please also add them graphically</p>
<p style="text-align: center;">RECOMMENDED CONDITIONS</p>	
<ol style="list-style-type: none"> 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 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 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 Board of County Commissioner's (BOCC) signature on the final plat. <ol style="list-style-type: none"> a. Prior to final plat approval, evidence shall be provided showing the applicant worked with Black Canyon Irrigation District to set up water appropriations for each lot. 4. Development shall comply with Southwest District Health requirements. Evidence shall include written correspondence from the Southwest District Health prior to the first public hearing held for the preliminary plat and Southwest District Health 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 BOCC 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.
7. LOMR to be approved by FEMA prior to BOCC signature on final plat. All development within Special Flood Hazard Areas to comply with CCZO 07-10A.
8. Community water or community water and community wastewater systems shall be installed. This condition may be updated based on further recommendation from DEQ.
9. A water user's maintenance agreement for the pressurized irrigation system shall be provided with application for final plat and recorded concurrently with the final plat.

FOR DEVELOPMENT SERVICES INTERNAL USE ONLY

Date Reviewed

Reviewer

12/27/2022	Stephanie Hailey
3/28-3/31 2023	Devin Krasowski

COMPLIANCE WITH CONDITIONS OF APPROVAL:

RZ2021-0018
Conditional Rezone

Pink	Planning
Blue	Planning & Engineering
Green	Engineering

Groundwater Data Portal:

05N02W 20DAC1 – approx. 3000 ft North. screened from 205 to 215,

- Arsenic below 3
- Uranium below 19
- Nitrate low
- Good water quality (pretty hard though)

Ground Water Quality Monitoring and Protection

Site 2117 – 1800 ft West. 166 ft deep

- Nitrate around 8 or 9
- Arsenic below 4.2
- Uranium above MCL at 35

Site 2765 – 2000 ft NE. 204 ft deep

- Low nitrate
- Other wells in this area seem to have good water quality!

Site 2748 – <1000 ft east. Drilled to 185

- Low nitrate

EDMS

05N02W29ACB – same as 2117 above (2013 sample run)

05N02W29CDB – 3500 ft SW.

- Arsenic at 4.1
- Uranium above MCL @37
- Nitrate between 7 and 9

Summary

Water quality data is sparse. There are some wells with seemingly great water quality based on test results but there are also wells to the west and southwest with nitrate near the MCL and uranium above the MCL.

No known issues with **water levels**. Wells seem to be decent producer.



IDAHO DEPARTMENT OF WATER RESOURCES

[Water Rights](#) [Wells](#) [Streams/Dams/Floods](#) [Forms](#) [Water Data](#) [Maps/Spatial Data](#) [Legal](#) [Board](#) [About IDWR](#)

Water Rights

WATER RIGHT REPORT

8/27/2024

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 63-25948

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLYN A PROSHEK 25683 N DUFF LN MIDDLETON, ID 83644 2085852586

Priority Date: 01/01/1950

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SENE|Sec. 29|Township 05N|Range 02W|CANYON County

Place(s) of use:

Place of Use Legal Description: DOMESTIC CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
05N	02W	29		SENE										

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- PARCEL NO. 1R37527-000-0

Dates:

Licensed Date:

Decreed Date: 04/14/2000

/o=Canyon County Courthouse/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Re

From: Dan M. Smith <Dan.M.Smith@deq.idaho.gov>
Sent: Wednesday, April 12, 2023 10:05 AM
To: BJ Johnson
Cc: Nick Bruyn; Joe Pachner
Subject: RE: 22-011 Falcon Rim Subdivision

Hi BJ, I would restate a couple of those things:

We're OK with individual septic systems only from the standpoint that we can't *make* anyone go to a community system. That's the County's call to make whether they want to allow it. A community system is generally more protective of the groundwater (which the development and their neighbors are drinking) and often better-designed which is always a bonus. But for a development of this size, we certainly understand that the required area for the treatment and drainfield may take up more space than you're willing to give. If the County decides they aren't OK with individual septic systems, then you'll have to go this route which would likely be an LSAS.

As for public water systems, again we can't *make* anyone do anything, but there are plenty of community systems out there for similarly sized subdivisions. A single well (or two) is far more protective of the groundwater, and helps ensure that the residents are getting safe water to drink. If a system has 25 or fewer connections, then it is only required to have a single well (so long as that well and related infrastructure can meet the system demands and provide required fire protection, etc.) but 26 lots would require 2 wells. The well(s) would need to be on a dedicated lot either owned outright or leased by the water system for the useful life of the well (at least 50 years generally) and they must protect an area of at least 50 feet in all directions. (generally the smallest a well lot can be is about 110x110 to meet this requirement). You can put multiple wells on the same lot, if they can be shown not to interfere with each other and both meet the 50 foot setback requirement.

I would add that utilizing community water and sewer can allow the subdivision to have smaller (and more) lots, which helps spread out the cost amongst homeowners, and helps developers recoup some of their upfront investment.

DEQ has standard engineering approval processes for both community water and sewer systems. Feel free to reach out to discuss if you end up deciding to go either route.

Let me know if you have any additional questions.

Dan

Dan Smith, PE | Senior Water Quality Engineer
 Idaho Department of Environmental Quality
 Boise Regional Office

From: BJ Johnson <bjohnson@kmengllp.com>
Sent: Wednesday, April 12, 2023 9:46 AM
To: Dan M. Smith <Dan.M.Smith@deq.idaho.gov>
Cc: Nick Bruyn <nbruyn@kmengllp.com>; Joe Pachner <Joe@kmengllp.com>
Subject: 22-011 Falcon Rim Subdivision

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 morning, Dan,

I am just following up on the conversation we had this morning. I wanted to confirm that DEQ is okay with individual septic systems for the Falcon Rim subdivision and that DEQ recommends two (2) community wells to serve the 26 buildable lots. I also wanted to ask regarding the community wells, does DEQ prefer those on separate lots or will an easement be sufficient for the well?

Thank you,

B.J. Johnson

Project Engineer

[KM ENGINEERING](#)

5725 North Discovery Way | Boise, ID 83713

208.639.6939

Canyon County Development Services		
Engineering Division		
Preliminary Plat Check-List		
Project Name:	Falcon Rim	
Case Number:	SD2022-0047	
Centurion Engineers, Inc. - 208.343.3381		
Date:	June 10, 2023	
By:	J. Canning, PE/PLS	
Review By:	Planning & Engineering	
	Planning	
	Engineering	
	Open Comments	
Specific County Engineer Comments - Review #1		
1	What is "P" Linetype on P-Plat?	Resolved
2	Only Thoroughbred Estates Zoned RR	Resolved
3	Correct 25474 Ember Address	Resolved
4	Correct 25673 Dapple Address	Resolved
5	Confusion on Language	To be Addressed on Final Plat
6	"L" Shaped Parcel Along Perimeter of North Outparcel - To be Owned by 25705 Duff Lane?	Already Deeded to 25705 Duff Lane? The response letter notes the "24705", but should be "25705"? It appears to already be deeded, does this create an illegal land division? The outparcel now appears to match the subdivision boundary.
General Review Items		
	Item	Comment
1	Initial Review Complete?	Complete

2	Compliance w/ FCOs /Development Agreement	Appears to now be compliant
3	City Area of Impact	Previously Noted as N/A
4	Agency Comments	No Comments Received as of 3/29/2023
5	Extraordinary Review Agencies	Previously Noted as N/A
A. Form of Presentation		
1	Drawing Scale - 1" = 100' or less	Complies
2	Drawing Size - Maximum 24" by 36"	Complies
B. Identification and Descriptive Data		
1	Name of Subdivision and Situate Statement	Complies
2	GLO Corner Ties	Complies
3	Developer - Name, Address, Phone Number	Complies
4	Firm Contact Info and Person at Firm	Complies
5	North Arrow	Complies
6	Preparation Date	Complies
7	Revision Block, if Revised	Complies
8	Vicinity Map	Complies
C. Existing Conditions Data		
1	2 Foot Contours and Areas Exceeding 15%	Complies
2	Location of all Surface/Subsurface Water Facilities	The response letter indicates existing wells will be abandoned and existing groundwater right will be transferred to a surface water right (63-25948) for the irrigation system. More detail is requested to assure IDWR will allow the limited domestic right to be transferred.
3	Depicts all Streets, Railroads, Utilities, Public Areas	Complies
3a	Structures to Remain	No Existing Structures are Noted
3b	City Limits	We presume this is N/A
4	Name, Book, Page of Adjoining Subdivisions	Complies
5	Existing Zoning	Complies
5a	Proposed Zoning, if Changing by Note	N/A

6	Project Acreage by Note	Complies
7	Survey Boundary of Project	Complies
8	Adjoining Owner Names, Addresses within 300 Feet	Complies
D. Proposed Conditions Data		
1	Roads, Alleys, Pathways, Easements, Roadway Connections	Response letter indicates a response from CHD4 has been requested
2	Lot Dimensions and Curves	Complies
2a	Lot Numbers	Please add Lot Numbers for the missing lots 7 and 21
2b	Block Numbers	Complies
2c	Private Roads Must be a Lot	N/A
2d	Summary of Lot Use by Number and Grand Total	Complies
2e	Note Minimum Lot Size	Complies
2f	Note Average Lot Size	Complies
2g	Project Phasing Shown?	N/A
3	Easements - Use, Location, Width/Size	Proposed easements are shown, but non-standard dimension easements need to be further dimensioned (PI station lot and storm drainage easements.
4	Lands to be Dedicated/Reserved for Public Use	Complies - Public Roads
5	Mixed-Use Projects to Include Areas Shown for Each Use - Status of Zoning	N/A
6	Development Master Plan?	N/A
7	Hillside, PUD, Floodplain, Cemetery, Manufactured Homes, Large Scale Development, Hazardous, Unique Areas	Areas in excess of 15% have been noted as "no earthmoving" to occur (see preliminary engineering note 6). See preliminary engineering note 5 and applicant response letter for floodplain information.
8	Roads Labeled as "Public" or "Private"	Complies
E. Proposed Utility Methods		

1	Sewage - Method of Disposal	Preliminary Engineering Note 2 covers the method - individual systems with nitrate reduction. DEQ has no requirement for a community system. The comment response letter notes an NP study will be conducted. We suggest the level of nitrate treatment match the level suggested in the NP study. The referenced note states treatment to "less than 16 mg/L, however the "best" ordinarily available individual systems treat to a level of 16 mg/L as noted by DEQ. Even the 16 mg/L is aggressive and more options are available if treatment to only 27 mg/L is necessary.
2	Water - Method of Supply	Preliminary Engineering Note 1 covers the method - individual wells. DEQ has no requirement for a community system.
3	Storm Water Conveyance and Disposal	Preliminary Engineering Note 4 covers the method.
4	Irrigation System - Gravity/Pressure	Preliminary Engineering Note 7 addresses pressure irrigation. We note Survey Note 6 that references an existing gravity irrigation lateral along the project's south boundary. We note the proposed pump station for the PI system is shown on the north boundary in Lot 3 and a gravity irrigation line is shown along a portion of the northerly boundary. Please edit Survey Note 6 to include the north lateral.
5	Utility Easements - 10 Foot on Exterior Boundary and 5 Feet Each Side of Interior Lot Lines	Complies, however please see comment D.3 above as more dimensions are needed.
Recommended Conditions		
1	Perimeter Finish Grades to Match Existing Ground	Complies - see Preliminary Plat Note 10.
2	Comply with Pertinent Highway District Requirements	Response letter notes a review is in process. Please provide when available.
3	Comply with Pertinent Irrigation Entity Requirements	Response letter notes a review is in process. Please provide when available.
4	Comply with Requirements of Southwest District Health	Response letter notes a review is in process. Please provide when available.
5	Comply with Fire District/Entity	Response letter notes a review is in process. Please provide when available.

6	After P-Plat Approval, Provide Georeferenced GIS Data for Lots and Roadways	Acknowledged in response letter.
7	Floodplain Compliance - LOMR Approved Prior to BOCC Signature	Acknowledged in response letter. A minor comment - The "E" is missing on "FEMA Zone A" on the preliminary plat sheet PP1.0 near the south side of 25656 Dapple Lane.
8	Community Water System Required?	As DEQ has not required a community water system, please advise on the condition to install one. See e-mail from Dan Smith of DEQ dated 12 April 2023.
8a	Community Wastewater System Required?	As DEQ has not required a community sewer system, please advise on the condition to install one. See e-mail from Dan Smith of DEQ dated 12 April 2023.
9	Pressurized Irrigation Operation and Maintenance Agreement Provided with Final Plat Application	Acknowledged in response letter.
10	Construction plans to be reviewed and approved by the county prior to beginning construction.	Provide when available

Dan Lister

From: Devin Krasowski
Sent: Monday, July 3, 2023 11:38 AM
To: 'Stephanie Hopkins'
Cc: 'swk8398@outlook.com'; 'Joseph Canning'; Debbie Root; Stephanie Hailey
Subject: RE: Falcon Rim / SD2022-0047 / Preliminary Plat 2nd Review Comments
Attachments: 2023.04.12 Email from DEQ about Community Water Systems Falcon Rim Subdivision.msg

Stephanie,

Given the comments from DEQ, the potential benefits to the future and existing public, and IC39-102 3a which encourages us to "prevent contamination of ground water from any source to the maximum extent practical", I believe centralized systems are most appropriate at the proposed densities. If approved, we will recommend conditions requiring

- 1) the development to have a centralized potable water system and
- 2) the development to have a centralized sewer system unless the applicant can demonstrate how individual septic systems "prevent contamination of ground water...to the maximum extent practical."

Please let us know if you or the team have any questions.

Have a great 4th,

--



Devin T. Krasowski, PE

County Engineer

Canyon County Development Services

Office: (208) 455-5958

Mobile: (208) 407-5757

devin.krasowski@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 ****

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From: Stephanie Hailey

Sent: Monday, June 12, 2023 3:31 PM

To: 'swk8398@outlook.com' <swk8398@outlook.com>

Cc: 'Stephanie Hopkins' <shopkins@kmengllp.com>; Jenna Petroll <Jenna.Petroll@canyoncounty.id.gov>; Devin

Krasowski <Devin.Krasowski@canyoncounty.id.gov>

Subject: Falcon Rim / SD2022-0047 / Preliminary Plat 2nd Review Comments

Hi Stephanie,

Attached are comments from the 2nd review of the preliminary plat of Falcon Rim. Devin is going to review Dan Smith's letter (DEQ) and consider altering the recommended conditions soon. Once revisions are made, you can email them back to me.

Best regards,



Stephanie Hailey, CFM

Engineering Coordinator

Floodplain Manager

Canyon County Development Services

P(208) 454-7254

F(208) 454-6633

stephanie.hailey@canyoncounty.id.gov

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REVIEW COMMENT AND RESPONSE LOG

Date: 7/25/2023	Project Manager: Joe Pachner, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Subdivision		Type of Review: County Engineer – Rev. 2

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: J. Canning, P.E./P.L.S, Centurion Engineers, Inc. Received 6.10.23</i>			
1	Specific County Engineer Comments – Review #1	5. <i>Confusion on Language</i> <ul style="list-style-type: none"> To be Addressed on Final Plat 	Understood.
2		6. <i>“L” Shaped Parcel Along Perimeter of North Outparcel – To be Owned by 25705 Duff Lane?</i> <ul style="list-style-type: none"> Already Deeded to 25705 Duff Lane? The response letter notes the "24705", but should be "25705"? It appears to already be deeded, does this create an illegal land division? The outparcel now appears to match the subdivision boundary. 	The county records indicated a 25' strip of land adjacent to the subject property, being owned by 25705 Duff Lane. At the time of this preliminary plat, the subject property was in the configuration shown on said preliminary plat. Per the current county assessor mapping, the 25' strip parcel and the 25705 parcel appear to have been consolidated. This preliminary plat has been revised to reflect current county assessor mapping.
3	General Review Items	3. <i>City Area of Impact.</i> <ul style="list-style-type: none"> Previously Noted as N/A 	Reached out to city of Middleton on 7/12/2023, they had no comments but signed the attached signature form.
4		4. <i>Agency Comments.</i> <ul style="list-style-type: none"> No Comments Received as of 3/29/23 	Applications have been submitted and proof of application forms have been obtained from Star Fire, Southwest District Health, BCID, City of Star. A resubmittal to CHD4 was submitted in April 2023 and we still have not heard back.
5		5. <i>Extraordinary Review Agencies.</i> <ul style="list-style-type: none"> Previously Noted as N/A 	Understood.
6	Existing Conditions Data	2. <i>Location of all Surface/Subsurface Water Facilities.</i> <ul style="list-style-type: none"> The response letter indicates existing wells will be abandoned and existing groundwater right will be transferred to a surface water right (63-25948) for the irrigation system. More detail is requested to assure IDWR will allow the limited domestic right to be transferred. 	After communication with IDWR, we will be decommissioning and abandoning the existing well located on proposed lot 27. The current location of the well does not provide the necessary separations from the proposed septic drainfield. The water right associated with the existing well will be transferred to the owner lot 27. Please see attached email from Michele Edl at IDWR.
7		3a. <i>Structures to Remain</i> <ul style="list-style-type: none"> No Existing Structures are Noted 	Understood.
8		3b. <i>City Limits</i> <ul style="list-style-type: none"> We presume this is N/A 	Correct.
9	Proposed	1. <i>Roads, Alleys, Pathways, Easements, Roadway,</i>	We are still waiting for a response from CHD4.

	Conditions Data	<p><i>Connections.</i></p> <ul style="list-style-type: none"> Response letter indicates a response from CHD4 has been requested 	
10		<p><i>2a. Lot Numbers</i></p> <ul style="list-style-type: none"> Please add Lot Numbers for the missing Lots 7 and 21 	The lot numbers and missing information for lots 7 and 21 have been re-added to the plat.
11		<p><i>3. Easements – Use, Location, Width/Size</i></p> <ul style="list-style-type: none"> Proposed easements are shown, but non-standard dimension easements need to be further dimensioned (PI station lot and storm drainage easements.) 	The proposed non-standard easements are now further dimensioned as requested.
12		<p><i>7. Hillside, PUD, Floodplain, Cemetery, Manufactured Homes, Large Scale Development, Hazardous, Unique Areas.</i></p> <ul style="list-style-type: none"> Areas in excess of 15% have been noted as "no earthmoving" to occur (see preliminary engineering note 6). See preliminary engineering note 5 and applicant response letter for floodplain information. 	Understood.
13	Proposed Utility Methods	<p><i>1. Sewage – Method of Disposal</i></p> <ul style="list-style-type: none"> Preliminary Engineering Note 2 covers the method - individual systems with nitrate reduction. DEQ has no requirement for a community system. The comment response letter notes an NP study will be conducted. We suggest the level of nitrate treatment match the level suggested in the NP study. The referenced note states treatment to "less than 16 mg/L, however the "best" ordinarily available individual systems treat to a level of 16 mg/L as noted by DEQ. Even the 16 mg/L is aggressive and more options are available if treatment to only 27 mg/L is necessary. 	Preliminary Engineering Note 2 now reads "Sanitary sewer service will be provided for each lot by individual septic systems. Subdivision is within a nitrate priority zone. Advanced treatment units will be required to be installed on all septic systems to reduce nitrates to levels suggested in the np study."
14		<p><i>2. Water – Method of Supply</i></p> <ul style="list-style-type: none"> Preliminary Engineering Note 1 covers the method - individual wells. DEQ has no requirement for a community system. 	Understood.
15		<p><i>3. Storm Water Conveyance and Disposal</i></p> <ul style="list-style-type: none"> Preliminary Engineering Note 4 covers the method. 	Understood.
16		<p><i>4. Irrigation System – Gravity/Pressure</i></p> <ul style="list-style-type: none"> Preliminary Engineering Note 7 addresses pressure irrigation. We note Survey Note 6 that references an existing gravity irrigation lateral along the project's south boundary. We note the proposed pump station for the PI system is shown on the north boundary in Lot 3 and a gravity 	Survey Note 6 now references both the north and south gravity irrigation laterals.

		irrigation line is shown along a portion of the northerly boundary. Please edit Survey Note 6 to include the north lateral.	
17		<p><i>5. Utility Easements – 10 Foot on Exterior Boundary and 5 Feet Each Side of Interior Lot Lines</i></p> <ul style="list-style-type: none"> Complies, however please see comment D.3 above as more dimensions are needed. 	The additional dimensions on the non-standard easements are now shown.
18	Recommended Conditions	<p><i>2. Comply with Pertinent Highway District Requirements</i></p> <ul style="list-style-type: none"> Response letter notes a review is in process. Please provide when available. 	We have not heard back from CHD4 and will continue to coordinate with them once we receive comments.
19		<p><i>3. Comply with Pertinent Irrigation Entity Requirements</i></p> <ul style="list-style-type: none"> Response letter notes a review is in process. Please provide when available. 	Held a meeting with BCID on 7/24/2023, waiting on DIQ letter, will be provided within a couple weeks.
20		<p><i>4. Comply with Requirements of Southwest District Health</i></p> <ul style="list-style-type: none"> Response letter notes a review is in process. Please provide when available. 	We held a meeting and submitted application on 7/7/2023.
21		<p><i>5. Comply with Fire District/Entity</i></p> <ul style="list-style-type: none"> Response letter notes a review is in process. Please provide when available. 	We submitted an application on 7/11/2023 with Middleton Fire District and have yet to hear back. Signature included herein.
22		<p><i>7. Floodplain Compliance - LOMR Approved Prior to BOCC Signature</i></p> <ul style="list-style-type: none"> Acknowledged in response letter. A minor comment - The "E" is missing on "FEMA Zone A" on the preliminary plat sheet PP1.0 near the south side of 25656 Dapple Lane. 	The missing "E" on "FEMA Zone A" near the south side of 25656 Dapple Lane has been added.
23		<p><i>8. Community Water System Required?</i></p> <ul style="list-style-type: none"> As DEQ has not required a community water system, please advise on the condition to install one. See e-mail from Dan Smith of DEQ dated 12 April 2023. 	There is not sufficient room for a community water system. Additionally, there are not enough lots to justify a community water system. See e-mail from Dan Smith of DEQ dated 12 April 2023.
24		<p><i>9. Community Wastewater System Required?</i></p> <ul style="list-style-type: none"> As DEQ has not required a community sewer system, please advise on the condition to install one. See e-mail from Dan Smith of DEQ dated 12 April 2023. 	There is not sufficient room for a community wastewater system. Additionally, there are not enough lots to justify a community wastewater system. See e-mail from Dan Smith of DEQ dated 12 April 2023.
25		<p><i>10. Construction plans to be reviewed and approved by the county prior to beginning construction.</i></p> <ul style="list-style-type: none"> Provide when available 	Construction plans will be provided after approval of the preliminary plat.

Dan Lister

From: Devin Krasowski
Sent: Friday, August 4, 2023 3:54 PM
To: Debbie Root
Cc: Stephanie Hailey; 'Joseph Canning'
Subject: FW: [External] RE: Falcon Rim / SD2022-0047
Attachments: Falcon.Rim.SD2022-0047.Pre.Plat.Check.List.Review.3.pdf;
Falcon.Rim.SD2022-0047.Pre.Plat.Check.List.Review.3.xlsx

I think Stephanie forwarded this already but I wanted to go ahead and summarize the recommended conditions of approval from Engineering for you to consider as you do your review and prepare this case for hearing. I completed the first review, then Joe Canning finished it up. His recommended conditions are in the attachments (column D) and also detailed out below. After talking with Joe, I have expanded the latest review comments on water/sewer to match language in our comprehensive plan (P5.01.05, encouraging community water) and Idaho code ([IC39-102 \(3\)a](#)).

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 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 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 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 the Southwest District Health prior to the first public hearing held for the preliminary plat and Southwest District Health 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 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.
7. Evidence that water right 63-25948 is properly moved or transferred shall be submitted to Development Services prior to Board of County Commissioner's signature on the final plat.
8. LOMR to be approved by FEMA prior to BOCC signature on final plat. All development within Special Flood Hazard Areas to comply with CCZO 07-10A.
9. Potable water shall be provided by a community water system.
10. The development shall be served by a centralized sewer system meeting all applicable regulations unless the applicant can demonstrate how individual septic systems prevent contamination of ground water to the maximum extent practical.
11. A water user's maintenance agreement for the pressurized irrigation system shall be provided with application for final plat and recorded concurrently with the final plat.
12. Construction plans to be reviewed and approved by the County Engineer prior to construction beginning.

We are done with our review for now. Sounds like the applicant will work on getting you an updated pre plat adding the PI pumping station back in. The June 23rd pre plat seems to meet county minimum requirements as long as the pumping system is shown. If the applicant decides to propose central water or sewer, consistent with my recommendation, it will require updates to the preliminary plat. Please let us know if/how we can support as the case goes forward.

Joe, with the exception of the water/sewer conditions I just took the initial recommended conditions and added some compliance details back in. Please let me know if I misrepresented anything from your review in doing that.

Thanks,

--



Devin T. Krasowski, PE

County Engineer

Canyon County Development Services

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From: Joseph Canning <jdcanning@centengr.com>

Sent: Wednesday, August 2, 2023 5:38 PM

To: Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>

Cc: Devin Krasowski <Devin.Krasowski@canyoncounty.id.gov>

Subject: [External] RE: Falcon Rim / SD2022-0047

Stephanie,

Attached is our follow-up review. This is our second review, but the third review for the project. I have provided this in a PDF and the Excel spreadsheet.

The cost for this review is \$375.00.

Salud,

Joe Canning, PE/PLS

Senior Engineer

Centurion Engineers, Inc.

208.343.3381





REVIEW COMMENT AND RESPONSE LOG

Date: 08/07/2023	Project Manager: Joe Pachner, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Subdivision		Type of Review: County Engineer – Rev. 3

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: J. Canning, P.E./P.L.S, Centurion Engineers, Inc. Received 7.31.23</i>			
1	Existing Conditions Data	<p>2. Location of all Surface/Subsurface Water Facilities.</p> <ul style="list-style-type: none"> Addressed, verify that the water right has been transferred to Lot 27 prior to final plan signature by the BOCC. 	Understood.
2	Proposed Conditions Data	<p>1. Roads, Alleys, Pathways, Easements, Roadway, Connections.</p> <ul style="list-style-type: none"> We note that applicant has not heard back from CHD4. We recommend the preliminary plat approval be conditioned with the applicant obtaining approval from CHD4. 	Understood.
3		<p>3. Easements – Use, Location, Width/Size</p> <ul style="list-style-type: none"> Addressed, but was the PI station removed from Lot 3? Please add the location to the preliminary plat. 	Please see page PP1.2 of the preliminary plat for the location of the irrigation pump station. Pump station was relocated to the boundary of lot 10 and lot 11 in the southwest corner of the property.
4	Proposed Utility Methods	<p>5. Utility Easements – 10 Foot on Exterior Boundary and 5 Feet Each Side of Interior Lot Lines.</p> <ul style="list-style-type: none"> Addressed, but was the PI station removed from Lot 3? Please add the location to the preliminary plat. 	Please see page PP1.2 of the preliminary plat for the location of the irrigation pump station. Pump station was relocated to the boundary of lot 10 and lot 11 in the southwest corner of the property.
5	Recommended Conditions	<p>2. Comply with Pertinent Highway District Requirements</p> <ul style="list-style-type: none"> We note that applicant has not heard back from CHD4. We recommend the preliminary plat approval be conditioned with the applicant obtaining approval from CHD4. 	Understood.
6		<p>3. Comply with Pertinent Irrigation Entity Requirements</p> <ul style="list-style-type: none"> Applicant notes a letter will be provided. Please provide. 	An agency approval form was signed and submitted with the last comment response log. A Development Intake Quotation letter was received from BCID on 8/2/2023 outlining fees required to move forward with the review and is attached.

7		<p><i>4. Comply with Requirements of Southwest District Health</i></p> <ul style="list-style-type: none"> Applicant notes an application was submitted, but no information on a response. We recommend the preliminary plat approval be conditioned with the applicant obtaining approval from SWDH and how final disposition of a community water/sewer system is determined. 	We met with SWDH on 7/7/23, see signed approval form.
8		<p><i>5. Comply with Fire District/Entity</i></p> <ul style="list-style-type: none"> The Agency Acknowledgement form has been signed. We recommend the preliminary plat approval be conditioned with the applicant obtaining approval from the Middleton Fire District. 	Understood.
9		<p><i>7. Floodplain Compliance – LOMR Approved Prior to BOCC Signature</i></p> <p><i>8. Community Water System Required?</i></p> <p><i>9. Community Wastewater System Required?</i></p> <ul style="list-style-type: none"> The response was insufficient room for a community water system. This issue should be addressed during the public hearing process for the project. 	Understood, we will address this during public hearing.
10		<p><i>10. Construction plans to be reviewed and approved by the county prior to beginning construction.</i></p> <ul style="list-style-type: none"> Addressed - to be provided after approval of the preliminary plat. We recommend the preliminary plat approval be conditioned with the applicant obtaining approval from the county for the construction plans. 	Understood.



RH2 ENGINEERING
Nampa

16150 N High Desert Street, Suite 201
Nampa, ID 83687
1.800.720.8052 / rh2.com

August 2, 2023

Mr. Carl Hayes
District Manager
Black Canyon Irrigation District
PO Box 226
Notus, ID 83656

Sent via: Email

Subject: Development Intake Quotation (DIQ) for SUB23-022 Falcon Rim Estates

Dear Mr. Hayes:

RH2 Engineering, Inc., (RH2) has received the Black Canyon Irrigation District's (District's) request to review engineering design documents prepared by Km Engineering, for the Falcon Rim Estates project.

RH2 has received the following initial documents:

- Project Application Form dated July 11, 2023.
- Initial pre-plat documents reviewed during meeting on July 24, 2023.

The above documents provided by the Developer have been preliminarily reviewed by Black Canyon Irrigation District staff and RH2. In order to move forward with additional review, the Developer will need to provide funding in advance for this effort. An estimate has been created for the assumed review items for this Development and is attached to this letter. District policy does not allow District funds (including staff time) to be utilized for developments. All review fees will need to be paid in advance.

RH2 strives to provide an initial review of development packages within 4 weeks of a complete submittal; however, it should be understood by the Developer that the District nor RH2 can make a guarantee to meet a specific deadline, due to the nature and size of the development and current workload.

Review fees are estimated based on the size of the proposed development, existence of plans for future development phases, completeness and clarity of plans, responsiveness in plan document revisions to review comments, etc. Plan reviews are broken down into systems, namely: Easements, Utility Conflicts, Ownership, Irrigation Design and Legal if applicable. Additional fees may be required for larger or more complex designs.



The initial plan intake fee reflects the costs for one pre-plan meeting, a site review, document intake and review, review cost estimate and letter, and includes effort to determine whether the submittal is complete and in accordance with the District Standards.

Per Black Canyon Irrigation District Policy, there will be a separate fee allocated for each individual parcel created within a new subdivision. This fee covers the District's administrative processing costs for reviewing historical water rights and creating new accounts associated with parcel splits and new lot creations. It is understood that the parcel lot lines and/or parcel count may change during the design process. Thus, a separate invoice will be provided to the Developer nearing development review completion for this lot creation fee.

Supporting documents will be reviewed separately and cross referenced with design elements to ensure cohesiveness of the design.

- Easements will need to be provided at locations where subdivision boundaries cross existing Bureau of Reclamation easements e.g. in the lower Southwest corner of the property.

The attached breakdown of costs has been used to develop the Fee Estimate for review of the proposed development project. RH2 will only review up to the amount deposited with the District as estimated in the Fee Estimate. The Developer will be notified when funds have been expended.

Please note this is an estimate. The submittal of incomplete packages, changes in design, unknown or unforeseen infrastructure issues may cause the Developer to incur additional review fees.

If you have any questions regarding this review proposal, please call me at (208) 807-0015 or via email at dpopoff@rh2.com. Thank you for the opportunity to assist you with this project.

Sincerely,

RH2 ENGINEERING, INC.

A handwritten signature in black ink, appearing to read "Don Popoff", written over a light blue horizontal line.

Don Popoff, PE

Nampa Office Manager

cc: Ms. Lacey Clark – KM Engineering

Attachments: Development Review Fee Schedule

**Development Review Fee Schedule**

Base fee is:

Item	Base Fee	Complexity Adder	Total Review Cost	Notes
<i>Initial Intake & Preliminary Review of Plan Documents</i>	<i>\$1,000</i>	<i>N/A</i>	<i>\$1,000</i>	<i>Paid to District (not included in total below)</i>
Irrigation Layout Review	\$1,000	N/A	\$1,000	Verify flow is not disturbed / sizing / verify each lot has Irrigation / verify road crossings are per District standards.
Irrigation Delivery, and Pump Station Design	\$1,500	N/A	\$1,500	Verify system does not affect District Facilities.
Access / Easements	\$1,000	N/A	\$1,000	Review that all easements are shown / no encroachments.
Legal	N/A	N/A	N/A	No legal assumed by District.
Mapping	\$1,000	N/A	\$1,000	Update District mapping with final location / easements
Subtotal	\$4,500	N/A	\$4,500	
<u>District Administration Fee 10%</u>			<u>\$450</u>	
<u>Development Review Total Fee Estimate</u>			<u>\$4,950</u>	
<u>Parcel Division Fee</u> (\$106 per newly created parcel)			<u>To be finalized and invoiced at time of final plat</u>	
<u>Construction Inspection – Total Fee Estimate</u>			<u>TBD</u> <u>Typically</u> <u>5% of</u> <u>Construction</u>	

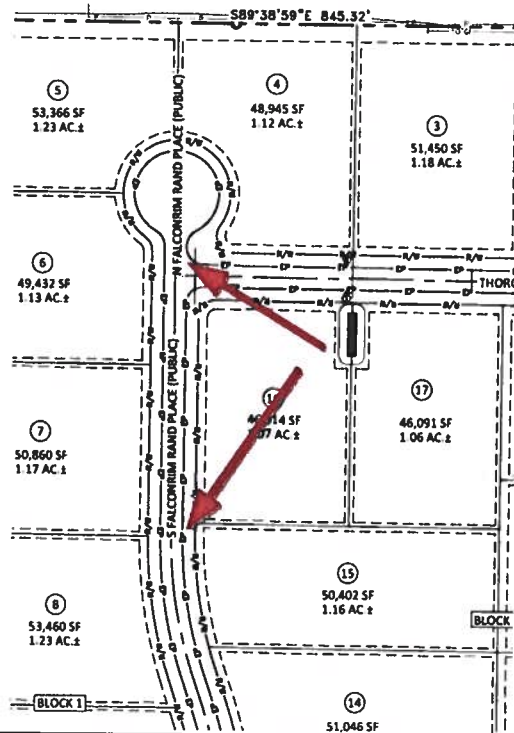
Note: Rates shown are not indicative of actual costs.

- All payments to be made to Black Canyon Irrigation District.
- Please note your development number in all correspondence.

	STEP	DEVELOPER ACTIVITY	START	BCID ACTIVITY	NOTES
P & Z	0	Developer provides Planning and Zoning Notice: <input type="checkbox"/> Investigation <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Hearing <input type="checkbox"/> Final Development Agreement	Date Received:	RH2 to respond with letter outlining initial comments.	
	1A	Initial inquiry for District review of: <input checked="" type="checkbox"/> New Development - Parcel Change (Subdivision / Short Plat / Other) <input type="checkbox"/> Irrigation Water Attachment Transfer <input type="checkbox"/> Irrigation Water Extension <input type="checkbox"/> Crossing of Facilities <input type="checkbox"/> Building Permit Review / Single Lot Split <input type="checkbox"/> Utility Service Crossing <input type="checkbox"/> New Turfgrass Request <input type="checkbox"/> Other Work	Inquiry Date: 7/11/23	Direct Developer to visit BCID website to fill out Intake Sheet Form .	BCID Developer Intake Sheet Form
APPLICATION PROCESS	1B	Developer submits Intake Sheet + Fee: <input checked="" type="checkbox"/> Fee Paid <input checked="" type="checkbox"/> BCID assigns project number and opens billing account	Date Submitted: 7/11/23	RH2/BCID reviews intake sheet; BCID Accepts fee; BCID Assigns project number to the application.	BCID Opens Billing Account for Development.
	2A	RH2 to contact Developer to set up pre-DIQ meeting (Meetings are currently Monday afternoons):	Meeting Date: 7/24/23	DIQ Letter Due: 8/7/23	Goal to provide letter within 2 weeks after meeting.
	2B	Meeting / Site Visit / Review		Identify any issues/impacts on BCID System. Provide likely permitting processes required. Review steps for approval.	
	3	RH2 to provide Development Intake Quotation (DIQ) to developer.	Date Sent: 8/2/23	Provide letter with brief description of identified issues, estimate of expected review costs, and link to most recent revision of Standard Details and Developer agreement.	BCID to provide Plans Checklist / Standard Developer Agreement (see separate document) to Developer.
	4	Developer submits full Development Review Estimate Amount	Date Fee Received:	BCID Provides NTP to RH2.	RH2 Initiates Billing Task with BCID Billing Number.
DESIGN REVIEW	5A	Developer submits Pre-plot for District review and comment.	Date Provided:	Comments Due:	Goal to provide comments within 4 weeks of receiving preplat.
	5B	Initial review comments on preplat are provided to Developer.	Date Sent:	RH2 Response to District/Developer required.	
	6R1	Developer submits stamped/signed engineering plans electronically or engineering report/study detailing proposal.	Date Received:		
	6R2	Developer re-submits documentation with revisions based on District's comments (if needed)	Date Received:		
	7	Developer submits easement documents if necessary for review. - Warranty Deeds - Legal Description(s) (stamped by a licensed surveyor in The State of Idaho) - Exhibit(s) (stamped by a licensed surveyor in The State of Idaho) - Shapefiles or CAD files for easements are provided to BCID electronically	Date Received:		
	8	RH2 to provide letter to BCID stating that drawings are acceptable and all District documents have been received.	Date provided:	RH2 to provide letter approving construction plans - to be sent to BOR: 1.) Verify BCID is satisfied with Developer's revisions. 2.) All easements are provided. 3.) All shapefiles are provided for easements. 4.) Plans are approved.	If additional items remain outstanding, provide 2nd iteration of review comments to developer.
	9	Developer to submit application for License Agreement to Bureau of Reclamation with approval letter and approved plans (with stamp).	Date Submitted:		Date of letter submitted to BOR must match date of signed plans. Don't submit early it won't save time.
	10	BOR license agreement is provided to the developer for signature from BOR. Developer executes and returns to Bureau.	Date Received:		
	11	BCID receives license agreement from BOR. Executes License agreement / returns to BOR.	Date Received:		
	12	County/City is provided notice that plans are approved and license agreement is in place from BCID.	Date Received:		
CONSTRUCTION	13	Construction observation fee estimate paid by Developer.	Date Paid:	BCID provides confirmation of check receipt to RH2.	
	14	Pre-Construction Meeting - necessary documents: <input type="checkbox"/> Schedule	Meeting Date:	Pre-Construction Meeting.	
	15	Developer (Contractor) to provide material submittals for Review by the District or RH2.	Initial Submittal:	RH2/BCID to provide review of submittals in accordance with project plans, contract requirements, and standard plans.	
	16	Developer to ensure construction of development in accordance with approved plans, contract documents, and standard details.	Begin Construction:	RH2/BCID to provide inspection of irrigation component installation. Maintain tracking spreadsheet to verify items identified during plan and submittal review are adhered to. Inspection of pressure testing and verification of other operational measures.	
	17	Developer requests review for completion of project to District.	Request Submitted:	District reviews and creates punch list for completion.	
	18	Punch list.	Date Provided:	District sends letter to Developer with final items for closeout.	
	19	Final walk through.	Scheduled Date:	District to provide any last comments.	
PROJECT CLOSE OUT	20	Developer to provide Parcels/Lots/Easements in CAD or GIS format.	Date Received:		Needed to begin water accounting.
	21	Developer submits final plat for review and approval.	Plat Submitted:	RH2/BCID to provide review of plat.	
	22	Initial water accounting is performed.	Date:	RH2 creates water accounting map.	
	23	Water accounting invoice (Parcel Split Fee).	Date Sent:		
	24	Property ownership/legal right to move water is provided by developer (Warranty Deed).	Date Paid:	RH2/BCID communication with Developer on use for excess water.	
	25	District to prepare accounts for new plat parcels.	Date Received:		
	26	Developer provides as-builts to District (CAD, hard copy, pdf, models, etc.): <input type="checkbox"/> Electronic As-Built 24" x 36" - PDF <input type="checkbox"/> Electronic Pipe Network <input type="checkbox"/> Electronic CAD Plan and Profile	Date:	BCID creates water accounts; BCID updates water record mapping; RH2/BCID updates Tap Book.	
	27	RH2 Updates GIS mapping files (preps for bi-annual revisions)	Date Received:	RH2 files As-builts / AutoCAD Pipe Network; RH2 updates mapping (Developer billed).	
	28	Verify Developer paid all fees.	Date Completed:		
	29	District / RH2 provides letter to County and developer for plat approval. RH2 to provide Completion Letter to the BCID.	Date Confirmed: Date Sent:	Verify all bills have been paid prior to District Manager providing final plat approval.	

REVIEW COMMENT AND RESPONSE LOG

Date: 10.11.24	Project Manager: David Zubizaretta, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Sub		Type of Review: GIS

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: Tony Almeida 9.30.24</i>			
1	Tony Almeida	<p>I reviewed the plat name and street names and noticed that they include directionals, which are prohibited per ordinance.</p> <p>S Falconrim Rand Pl & N Falconrim Rand Pl.</p> 	Removed N and S from road names.
2			

REVIEW COMMENT AND RESPONSE LOG

Date: 10.11.24	Project Manager: David Zubizareta, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Sub		Type of Review: Canyon County DSD

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: Dan Lister 10.10.24 via email</i>			
1	Email	Please address the preliminary plat conditions and notes in Black Canyon Irrigation District's letter (attached).	BCID comments addressed.
2		Please address HD4's comments in their latest letter. Their review is not approved until the HD4 Board approves the preliminary plat. Please let me know when you can get that approval from HD4.	Addressed HD4 comments.
3		Update the slope map. PP1.3 shows it slopes 15% or greater in pink. The legend does not. Please have the slopes shown on PP1.2 match the legend. Also, update the legend to say "Existing slopes exceeding 15% (No Build Area)." Update preliminary engineering notes #6 to state: "There shall be no earth moving activities or structures in areas where existing slopes are greater than 15%."	Revised legend to show color and added (no build area). Revised note #6.
4		Revise Falconrim Rand Road by removing the north and south prefixes. See DSD GIS comments.	Removed N and S from road names.
5		Revised site data under preliminary plat data as follows: Existing zoning: CR-R-1 (Dev. Agreement #21-127, Inst. #2021-083721)	Revised preliminary plat data.

Dan Lister

From: Cheryl Heath <cheath@kmengllp.com>
Sent: Thursday, October 17, 2024 2:31 PM
To: Dan Lister
Cc: Joe Pachner; Kevin McCarthy; Spencer Kofoed; Tyler Hess; Nick Bruyn; David Zubizareta; Connor Lindstrom; Stephanie Hopkins
Subject: RE: [External] Falcon Rim
Attachments: 241011 BCID Comment Response.pdf; 241011 Canyon County Comment Response.pdf; 241011 Canyon County GIS Comments.pdf; 22-011 Falcon Rim PrePlat 241017 Signed Copy.pdf; 240916 HD4 Comment Response.pdf

Dan,

Please use the link below for our submittal of the revised preliminary plat for the Falcon Rim Subdivision and associated comment response logs. I have also attached them individually should you have any problems with the link. As requested, these have been provided by 10/17 to remain on the 11/21 P&Z hearing schedule. Please confirm receipt.

 [241017 Canyon County](#)

- Revised Preliminary Plat
- HD4 Comment Response
- BCID Comment Response
- Canyon County Comment Response
- Canyon County GIS Comment Response

(2) full size hard copies and comment responses logs will be delivered to County tomorrow. I am filling in for Nick while he is out of the office. If you need any additional information or have any questions. Please let me know.

Thank you,

Cheryl Heath

Development Coordinator

KM ENGINEERING

5725 N. Discovery Way | Boise, ID 83713

208.639.6939 x 152

From: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Sent: Thursday, October 10, 2024 3:59 PM
To: 'Connor Lindstrom' <clindstrom@kmengllp.com>
Cc: Spencer Kofoed <Spencer@tcpidaho.com>
Subject: RE: [External] Falcon Rim

Connor/Spencer,

I'm working on the staff report for Falcon Rim Subdivision in hopes of scheduling it for the November 21st public hearing (P&Z Commission). Please address the following so I can complete my staff report:

- Please address the preliminary plat conditions and notes in Black Canyon Irrigation District's letter (attached).

- Please address HD4's comments in their latest letter. Their review is not approved until the HD4 Board approves the preliminary plat. Please let me know when you can get that approval from HD4.
- Update the slope map. PP1.3 shows it slopes 15% or greater in pink. The legend does not. Please have the slopes shown on PP1.2 match the legend. Also, update the legend to say "Existing slopes exceeding 15% (No Build Area).\" Update preliminary engineering notes #6 to state: "There shall be no earth moving activities or structures in areas where existing slopes are greater than 15%."
- Revise Falconrim Rand Road by removing the north and south prefixes. See DSD GIS comments.
- Revised site data under preliminary plat data as follows: Existing zoning: CR-R-1 (Dev. Agreement #21-127, Inst. #2021-083721)

If the above items cannot be provided by 10/17 (scheduling deadline); then they need to be to me by 11/10 (material deadline). If not, the preliminary plat will go to the P&Z with the above comments not adequately addressed which could lead to the case being tabled or denied.

If you want me to hold off from scheduling the case until the above items are submitted, then the next hearing is December 5th. Items will need to be submitted to me by 10/31 (scheduling deadline) or 11/25 (material deadline).

Additionally, do you have a preliminary landscaping plan and a draft ag disclosure? These are items required by the development agreement (Conditions 2b &c). If not, I can make them conditions of approval that are required at the time of final plat submittal.

After review of this e-mail, let me know what hearing date you want me to schedule, 11/21 or 12/5.

Sincerely,

Dan Lister, Principal Planner

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

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

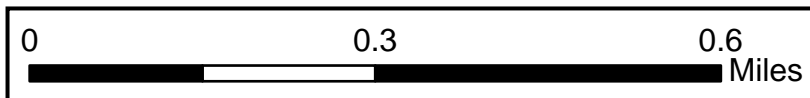
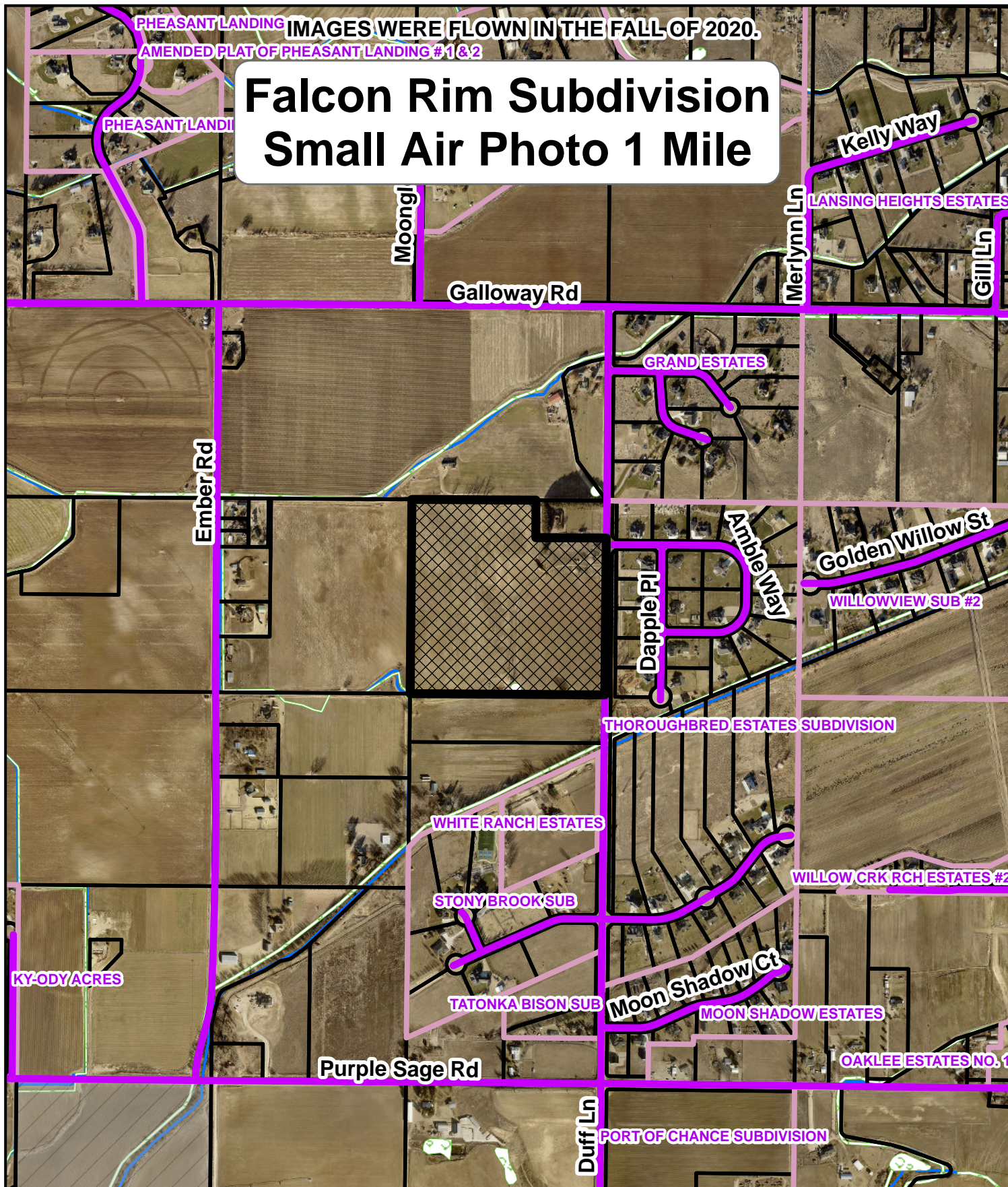
8 am – 5 pm

Wednesday

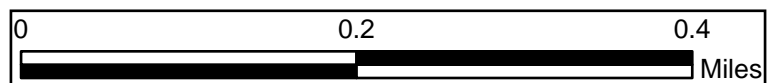
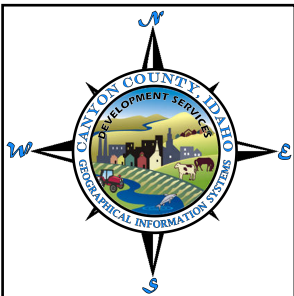
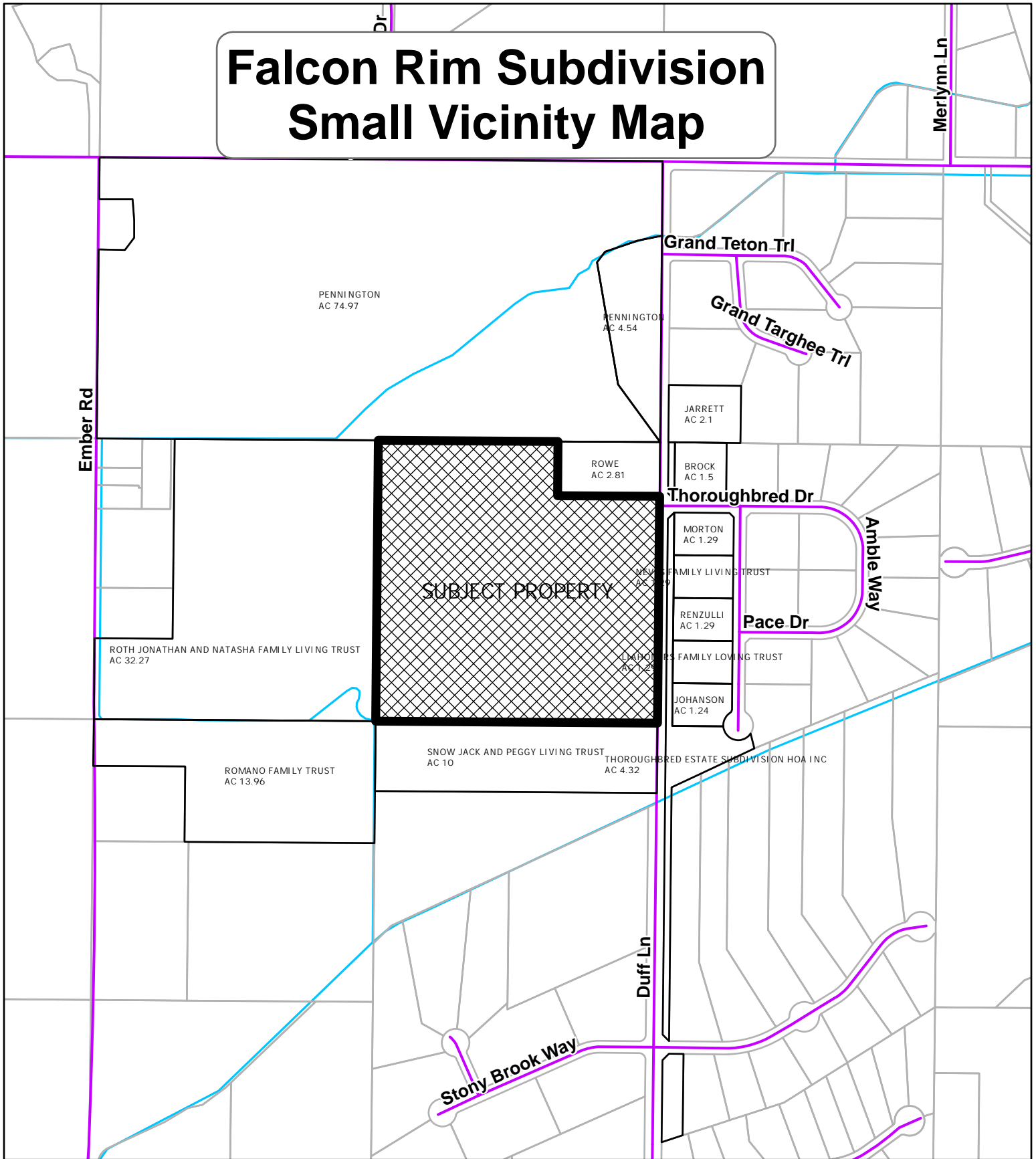
1 pm – 5 pm

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

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.



Falcon Rim Subdivision Small Vicinity Map



Board of County Commissioners
Kelley Family Trust – RZ2021-0018
 Development Services Department



Findings of Fact, Conclusions of Law, and Order
 Zoning Map Amendment (Rezone) – RZ2021-0018

Findings of Fact

1. The applicant, Matt Wilke representing Kelley Family Revocable Living Trust, is requesting a conditional rezone of parcel R37527011 from an "A" (Agricultural) zone to a "CR-R-1" (Conditional Rezone - Single Family Residential). The request includes a development agreement limiting future development to no more than 26 lots that will be irrigated by a pressurized system and include landscaping requirements. The property is located 25683 Duff Lane, Middleton; also referenced as a portion of the NE ¼, Section 29, T5N, R2W; Canyon County, Idaho.
2. The subject property is zoned "A" (Agricultural).
3. The subject property is designated "residential" on Future Land Use plan within the 2020 Canyon County Comprehensive Plan.
4. The subject property is not located within an area of city impact. Middleton's area of city impact is approximately 2,600 feet south of the subject property where it is designated "residential".
5. The subject property is located within the Canyon Highway District #4, Middleton Fire District, Middleton School District and Black Canyon Irrigation District.
6. On August 5, 2021, the Planning and Zoning Commission recommended approval of the request.
7. A neighborhood meeting was conducted on April 21, 2021 in accordance with CCZO Section 07-01-15.
8. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Affected agencies were noticed on October 28, 2021. Newspaper notice was published on November 17, 2021. Property owners within 600' were notified by mail on November 15, 2021. Full political notice was provided on July 20, 2021. The property was posted on November 29, 2021.
9. The record includes all testimony, the staff report, exhibits, and documents in Case File #RZ2021-0018.

Conclusions of Law

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

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

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

Finding: The Canyon County Future Land Use Map designates the subject property as "residential". The request is not located within the Middleton area of city impact. The impact area boundary is approximately 2,600 feet south of the subject property along Purple Sage Road. The area south of Purple Sage Road is designated as "residential" on Middleton's future land use map.

- Property Rights Policy No. 1: "No person shall be deprived of private property without due process of law."
- Land Use Policy No. 2: "Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate."
 - The request includes a development agreement with conditions that limits development to 26 lots with a 1.15 average acre lot size. Development will be served by a pressurized irrigation system. Landscaping will be commensurate with Thoroughbred Estates Subdivision which is located east of the subject property. An ag. disclosure document will be provided to all future homeowners.

- Land Use Goal No. 5: “Achieve a land use balance which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.”
- Public Services, Facilities and Utilities Policy No. 3: “Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.”
- Residential Land Use Categories (Page 37 of the Comprehensive Plan): “Residential development should be encouraged in or near Areas of City Impact or within areas that demonstrate a development pattern of residential land uses.”
- Housing Policy #1: Encourage a variety of housing choices that meet the needs of families, various age groups and incomes.

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

Conclusion: As conditioned, the proposed conditional rezone is more appropriate than the current zone.

Finding: The applicant is requesting that the 37.81-acre property be rezoned to an “R-1” Zone (Single Family Residential, one-acre average lot size). The purpose of the “R-1” Zone, according to CCZO Section 07-10-25(3), is to “*promote and enhance predominantly single-family living areas at a low-density standard.*” The result of the request would allow 26 residential lots to be development on the subject property.

The Canyon County Future Land Use Map designates the subject property as “residential”. The request is not located within the Middleton area of city impact. The impact area boundary is approximately 2,600 feet south of the subject property along Purple Sage Road. The area south of Purple Sage Road is designated as “residential” on Middleton’s future land use map.

The request is near similar residential development. The request is located within a one-mile radius from 24 subdivisions. The following subdivisions are located within the immediate vicinity of the request:

- Thoroughbred Estates Subdivision (2014), a 40-lot subdivision;
- Grand Estates Subdivision (2000), a 14-lot subdivision; and
- Stony Brook Subdivision (2009), a nine-lot subdivision.

The request includes a development agreement with conditions that limits development to 26 lots with a 1.15 average acre lot size (Attachment A). Development will be served by a pressurized irrigation system. Landscaping will be commensurate with Thoroughbred Estates Subdivision which is located east of the subject property. An ag. disclosure document will be provided to all future homeowners.

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

Conclusion: As conditioned, the proposed use is compatible with the surrounding land uses.

Finding: The request is commensurate with existing residential development in the vicinity. The request is located within a one-mile radius from 24 subdivisions. The following subdivisions are located within the immediate vicinity of the request:

- Thoroughbred Estates Subdivision (2014), a 40-lot subdivision;
- Grand Estates Subdivision (2000), a 14-lot subdivision; and
- Stony Brook Subdivision (2009), a nine-lot subdivision.

The request includes a development agreement with conditions that limits development to 26 lots with a 1.15 average acre lot size. Development will be served by a pressurized irrigation system. Landscaping will be commensurate with Thoroughbred Estates Subdivision which is located east of the subject property. An ag. disclosure document will be provided to all future homeowners (Attachment A).

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

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

Finding: The request includes a development agreement with conditions that limits development to 26 lots with a 1.15 average acre lot size. Development will be served by a pressurized irrigation system. Landscaping will be commensurate with Thoroughbred Estates Subdivision which is located east of the subject property. An ag. disclosure document will be provided to all future homeowners (Attachment A).

5. 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. Platting as a residential subdivision will be required for the proposed development.

Finding: The following adequate facilities can be provided and demonstrated at the time of platting:

- Wells/Septic Systems: The property is not located within Middleton's area of city impact. City services are not available to the subject parcel. Therefore, future development will require individual wells and septic systems. The property is located within a nitrate priority area with wells in the area exhibiting low levels of nitrates. Future development will be required to go through the subdivision engineering process and NP study at the time of platting through Southwest District Health.
- Irrigation: The property is located within Black Canyon Irrigation District (BCID). Future development will be required to provide irrigation water to all future lots and retain stormwater on-site. As conditioned by the development agreement (attachment A), surface water rights will be used to provide pressurized irrigation system to serve each residential lot.
- Floodplain: A portion of the southeast corner of the property is located within an A Zone (No Base Flood Elevation information; FIRM 16027C0275F). IDWR State NFIP Coordinator requires that base flood elevation data be provided in accordance with Title 44 of the Code of Federal Regulations Section 60.3. The County Floodplain Administrator does not require a base flood elevation study until time of platting or development.

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

Conclusion: Legal access will be granted via a single point access onto Duff Lane.

Finding: The property has access and frontage along Duff Lane, a principal arterial. Pursuant to Canyon Highway District #4, future development will only be allowed a single point of access onto Duff Lane.

7. 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: As conditioned, the rezone of the subject property will not cause undue interference with existing or future traffic patterns as proposed. Future impacts can be addressed at the time of platting.

Finding: As conditioned (Attachment A), the request is proposing 26 residential lots which creates approximately 247.5 average daily trips (495 average daily trips if each lot had a secondary dwelling (CCZO Section 07-14-25) which does not trigger the threshold for requiring a traffic impact study. Therefore, traffic impact will be mitigated by dedication of public right-of-way and frontage improvements by Canyon Highway District #4.

8. Will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?


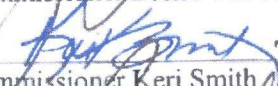
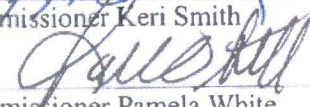
Conclusion: Essential services will be provided to accommodate the use. No mitigation is proposed at this time.

Finding: All affected essential services were notified. Comment received did not oppose the request or find the request would create a significant impact to essential services.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approve** Case #RZ2021-0018, a zoning map amendment (rezone) from an "A" zone (Agricultural) to an "R-1" zone (Single Family Residential) for Parcel R37527011 subject to the conditions of the development agreement (Attachment A)

APPROVED this 7 day of Dec, 2021.

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

Attest: Chris Yamamoto, Clerk

By: 
Deputy

Date: 12-7-21

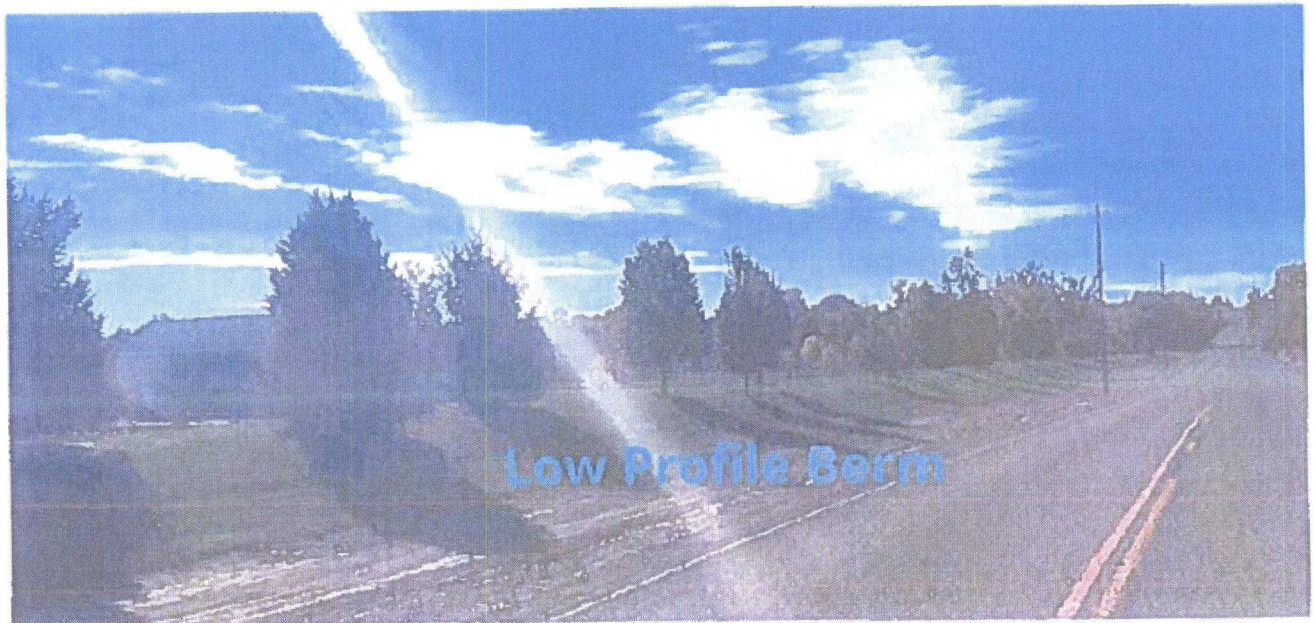
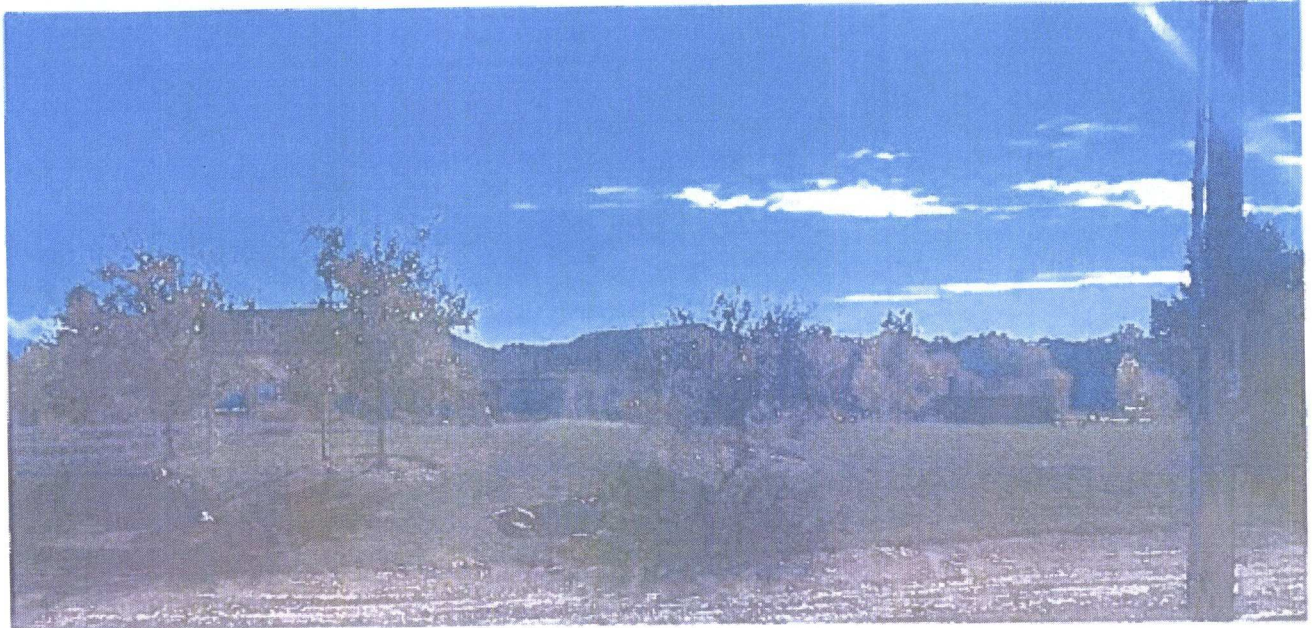
ATTACHMENT A

DEVELOPMENT AGREEMENT - 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, Parcel R37527011 containing approximately 37.8 acres, shall be platted in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions:
 - a. Future development shall not exceed 26 residential lots as shown in the conceptual site plan (below).
 - b. An ag-disclosure shall be provided to all future homeowners.
 - c. Landscaping shall be commensurate with Thoroughbred Estates Subdivision located east of the subject property (below).
3. A pressurized irrigation system is required to serve the subdivision. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification including any crossings shall be approved in writing by applicable governing agencies.
4. 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."



Landscaping Example In Thoroughbred Estates





White Barn Real Estate
Mills & Co. Realty, Inc.

Kelley Family Revocable Living Trust
957 Meadowcrest Street
Newbury Park, CA 91320

Canyon County Development Services Department
1115 Albany Street
Caldwell, ID 83605

10/22/2021

To whom it may concern,

As per requested at the Commissioner Hearing on 9/30/2021, I am submitting this Letter of Intent with Conditions for the Development Agreement.

As a result of this request, we propose a Development Agreement that runs with the land to be drafted to limit the amount of buildable parcels on the 37.81 acre subject property to a maximum of 26 homes as indicated by the Nutrient Pathogen study with a minimum average lot size not to go below 1.45 acres based on gross acreage of the original 37.81 acres.

Irrigation will be provided by a Pressurized Surface Irrigation System and will utilize Surface Water provided by Black Canyon Irrigation as governed by Idaho Statute 31-3805. Domestic water will be provided by individual wells drilled on each proposed lot, and will comply with Idaho Statute 42-111.

Landscaping will include a low profile berm running alongside Duff lane with appropriate trees, and will incorporate a Monument sign and Gated Entryway to the entrance of the Subdivision at the minimum. The Applicant may elect to do more landscaping and would like to be able to do so in the future if such a need or desire arises.

Minimal Landscape plans will have a similar appearance with the current berm and landscaping across Duff Lane in the Thoroughbred Estates subdivision. (See attached Images)

An Ag Disclosure will be required for all future homeowners and will be recorded as part of the Plat Notes.

Thank you,

Matt Wilke
(208)412-9803

Applicant Representative for Kelley Family Revocable Living Trust

2021-083721

RECORDED

12/08/2021 02:55 PM



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CHRIS YAMAMOTO

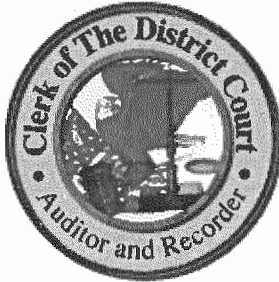
CANYON COUNTY RECORDER

Pgs=14 MBROWN

NO FEE

MISC

CANYON COUNTY



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





CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

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

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: 21-127

THIS AGREEMENT, made and entered into this 7 day of Dec., 2021, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Kelley Family Revocable Living Trust, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, Applicants have applied to County for a conditional rezone from the "A" (Agricultural) Zone to "CR-R-1" (Conditional Rezone – Single Family Residential) Zone (RZ2021-0018), which are legally described in the attached EXHIBIT "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcels R37527011, approximately 37.4 acres, is owned by the Applicant.

WHEREAS, on the 7th day of Dec., 2021 the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R-1" (Conditional Rezone – Single Family Residential) Zone, which was done with Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B".

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-1" (Conditional Rezone – Single Family 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-1" (Conditional Rezone – Single Family 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 RZ2021-0018 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 rezone 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 rezone action, i.e., the Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-1" (Conditional Rezone – Single Family 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 11th Avenue, #140
Caldwell, Idaho 83605

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

Name: Kelley Family Revocable Living Trust
Street Address: 957 Meadowcrest St.
City, State, Zip: Newbury Park, CA 91320-5576

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 Applicants, 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**



Commissioner, Leslie Van Beek

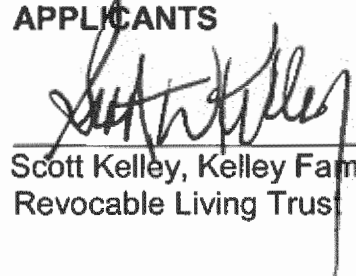


Commissioner Keri Smith



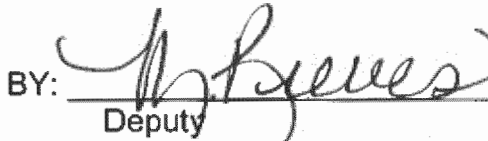
Commissioner Pam White

APPLICANTS



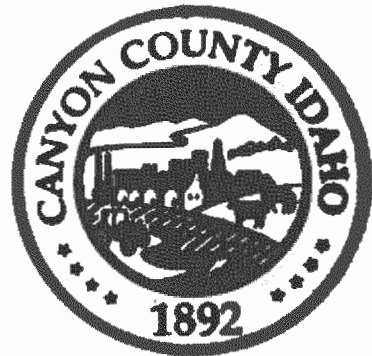
Scott Kelley, Kelley Family
Revocable Living Trust

ATTEST: Chris Yamamoto, Clerk

BY: 

Deputy

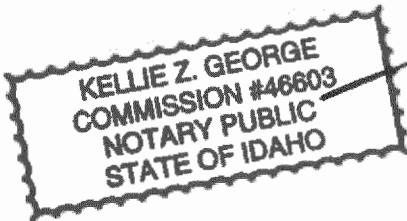
DATE: 12-7-21



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

STATE OF IDAHO)
) ss.
County of Canyon)

On this 7 day of December, 2021, before me, a notary public, personally appeared Scott W Kelley, 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.



[Signature]
Notary Public for Idaho

Residing at: Caldwell

My Commission Expires: 3-14-2024

STATE OF IDAHO)
) ss.
County of Canyon)

On this _____ day of _____, 20____, before me, a notary public, personally appeared _____, 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.

Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

EXHIBIT "A"
LEGAL DESCRIPTION

BOUNDARY DESCRIPTION
FOR
KELLEY FAMILY REVOCABLE LIVING TRUST

Parcel 2

Part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho described as:

Commencing at a found $\frac{5}{8}$ " rebar marking the Southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence S89°47'54"W 1325.65 feet along the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to the Southwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section; thence N00°02'01"W 1321.26 feet along the West line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to a found Brass Cap marking the Northwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section; thence N89°46'05"E 845.47 feet along the North line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to a set $\frac{5}{8}$ " rebar with orange plastic cap labeled "PLS 12220"; thence S00°02'30"E 255.00 feet parallel with the East line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to a set $\frac{5}{8}$ " rebar with orange plastic cap labeled "PLS 12220"; thence N89°46'05"E 480.00 feet parallel to the North line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to a point on the East line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section; thence S00°02'30"E 1066.95 feet along the East line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section to the Point of Beginning.

Parcel contains 1,629,464 square feet or 37.41 acres, more or less.



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, Parcel R37527011 containing approximately 37.8 acres, shall be platted in accordance with Chapter 7, Article 17 of the Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions:
 - a. Future development shall not exceed 26 residential lots as shown in the conceptual site plan (Exhibit "C").
 - b. An ag-disclosure shall be provided to all future homeowners.
 - c. Landscaping shall be commensurate with Thoroughbred Estates Subdivision located east of the subject property (Exhibit "C").
3. A pressurized irrigation system is required to serve the subdivision. Historic irrigation lateral, drain and ditch flow patterns shall be maintained and protected. Modification including any crossings shall be approved in writing by applicable governing agencies.
4. 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."

EXHIBIT "C"
CONCEPTUAL SITE PLAN & LANDSCAPING



Landscaping Example In Thoroughbred Estates





White Barn Real Estate
Mills & Co. Realty, Inc.

Kelley Family Revocable Living Trust
957 Meadowcrest Street
Newbury Park, CA 91320

Canyon County Development Services Department
1115 Albany Street
Caldwell, ID 83605

10/22/2021

To whom It may concern,

As per requested at the Commissioner Hearing on 9/30/2021, I am submitting this Letter of Intent with Conditions for the Development Agreement.

As a result of this request, we propose a Development Agreement that runs with the land to be drafted to limit the amount of buildable parcels on the 37.81 acre subject property to a maximum of 26 homes as indicated by the Nutrient Pathogen study with a minimum average lot size not to go below 1.45 acres based on gross acreage of the original 37.81 acres.

Irrigation will be provided by a Pressurized Surface Irrigation System and will utilize Surface Water provided by Black Canyon Irrigation as governed by Idaho Statute 31-3805. Domestic water will be provided by Individual wells drilled on each proposed lot, and will comply with Idaho Statute 42-111.

Landscaping will include a low profile berm running alongside Duff lane with appropriate trees, and will incorporate a Monument sign at the entrance of the Subdivision at the minimum. The Applicant may elect to do more landscaping and would like to be able to do so in the future if such a need or desire arises.

Minimal Landscape plans will have a similar appearance with the current berm and landscaping across Duff Lane in the Thoroughbred Estates subdivision. (See attached Images)

An Ag Disclosure will be required for all future homeowners and will be recorded as part of the Plat Notes.

Thank you,

Matt Wilke
(208)412-9803

Applicant Representative for Kelley Family Revocable Living Trust



Director Decision
Property Boundary Adjustment

Development Services Department
 Canyon County Code of Ordinances 16-007 - §07-10-17

Exhibit B.4c
 2022-021840
 RECORDED
 04/22/2022 01:08 PM



CHRIS YAMAMOTO
 CANYON COUNTY RECORDER
 Pgs=1 SCARDENAS \$10.00
 MISC
 BRYAN ROWE

Case Number: AD2022-0045
Parcel #(s): R37527 & R37527011
Property Owner (s): Bryan Rowe & Scott and Cindy Kelley

Request: The applicant is requesting a property boundary adjustment affecting the property lines of two contiguous parcels, R37527 (Rowe) & R37527011 (Kelley). The parcel R37527 is zoned "A" (Agricultural). The parcel R37527011 is zoned "CR-R-1" (Conditional Rezone Single Family Residential). The result increases the lot size of Parcel R37527.

Property History: Parcel R37527, the mother parcel, was split by deed (in compliance with Canyon County at the time) in 1991, creating a 37.81-acres parcel (R37527011) and a 2.40-acre parcel (R37527). Later parcel R37527 was relocated from the NW corner to the NE corner in 1992. In 2021, R37527011 went through a conditional rezone (case RZ2021-0018) and rezoned the parcel to CR-R-1. Parcel R37427 has an existing dwelling and accessory structures.

Findings Pursuant of CCZO §07-10-17: This property boundary adjustment request will not create eligibility for building permit nor any additional building permits. It does not result in the relocation of a building permit or provide for an administrative lot split. The affected parcels are not platted. The property line will not be adjusted more than 80-feet. The result increases a buffer for R37527 occupants in case of any further development of R37527011. Therefore, the adjustment will not cause injury, damage or a safety hazard to surrounding parcels. This property boundary adjustment does not create non-conforming parcels. This application with supporting documents is in substantial compliance with the requirements of the effective zoning ordinance §07-10-17.

The subject parcels will be adjusted in accordance with Record of Survey Instrument No. 2022-019615 as the following:

Parcel #:	Existing Acreage	New Acreage
Parcel 37527	2.40 ±	2.81 ± acres, w/ existing residential structural
Parcel 37527011	37.81 ±	37.41 ± acres, w/ residential building permit available

DISCLAIMER: Parcels will not be adjusted by the Assessor's Office until deeds are recorded.

Decision: The application documents, including the metes and bounds description(s), and the record of survey complies with CCZO §07-10-17. Therefore, *the property boundary adjustment is hereby APPROVED.*


 Dan Lister, Planning Director

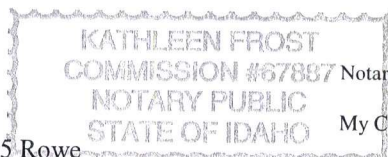
4.15.22
 Date

State of Idaho)

SS

County of Canyon County)

On this 15th day of April, in the year of 2022, before me Kathleen Frost, a notary public, personally appeared Dan Lister, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.




Notary: K Frost
 My Commission Expires: 6-3-2022

AD2022-0045 Rowe

Page 1

Page 1 of 4	Issue Date: September 6, 2023	Effective Date: January 12, 2024	Case No.: 22-10-0980P	LOMR-APP
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Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	Canyon County Idaho (Unincorporated Areas)	NO PROJECT	1D HYDRAULIC ANALYSIS UPDATED TOPOGRAPHIC DATA
	COMMUNITY NO.: 160208		
IDENTIFIER	Willow Creek at Duff Lane	APPROXIMATE LATITUDE & LONGITUDE: 43.739, -116.598 SOURCE: OTHER DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 16027C0275F DATE: May 24, 2011		NO REVISION TO THE FLOOD INSURANCE STUDY REPORT	

Enclosures reflect changes to flooding sources affected by this revision.
* FIRM - Flood Insurance Rate Map

FLOODING SOURCE(S) & REVISED REACH(ES)

Willow Creek - From just upstream of Purple Sage Road to just downstream of Duff Lane


SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Willow Creek	Zone A	Zone A	YES	YES

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.



Patrick "Rick" F. Sacbitt, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-10-0980P
102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbitt, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-10-0980P

102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Kristen Meyers
Director, Mitigation Division
Federal Emergency Management Agency, Region X
Federal Regional Center
130 228th Street, Southwest
Bothell, WA 98021-8627
(425) 487-4543

STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick Sacibit".

Patrick "Rick" F. Sacibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-10-0980P

102-I-A-C



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)**

PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at https://www.floodmaps.fema.gov/fhm/bfe_status/bfe_main.asp

LOCAL NEWSPAPER

Name: *Idaho Press-Tribune*

Dates: September 7, 2023 and September 14, 2023

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick F. Sacibit".

Patrick "Rick" F. Sacibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

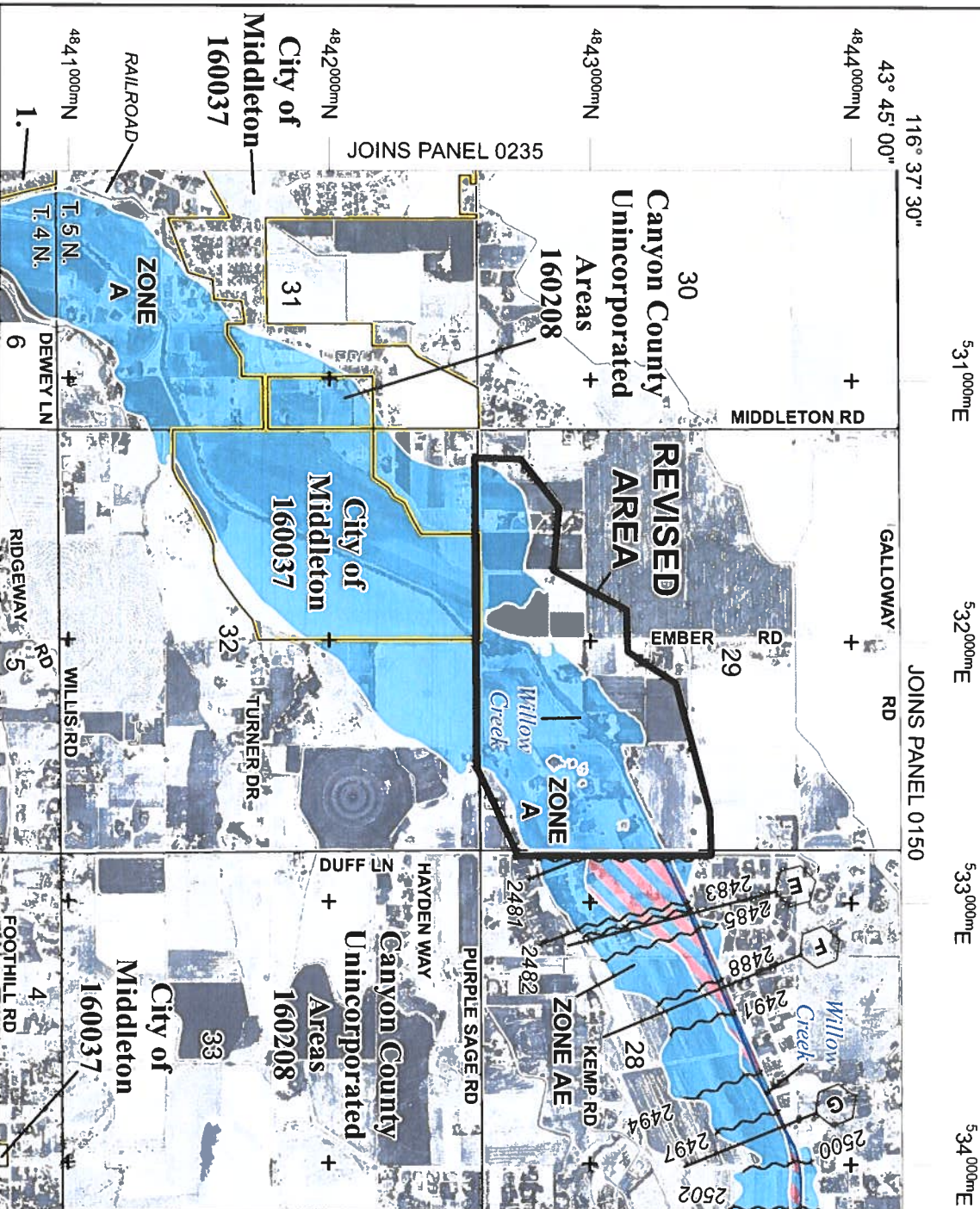
22-10-0980P

102-I-A-C

KEY TO POLITICAL AREAS

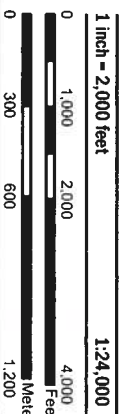
**1. City of
Middleton
160037**

MAP AREA SHOWN ON THIS
PANEL IS LOCATED WITHIN
TOWNSHIP 4 NORTH, RANGE
2 WEST AND TOWNSHIP 5
NORTH, RANGE 2 WEST.



SCALE

Map Projection:
NAD 1983 UTM Zone 11N
Western Hemisphere, Vertical Datum: NAD 88



SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A1, A99
With BFE or Depth Zone AE, AO, AH, VE, AR
Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
Future Conditions 1% Annual Chance Flood Hazard
Area with Reduced Flood Risk due to Levee
See Notes, Zone X



National Flood Insurance Program

275 575

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
CANYON COUNTY, IDAHO
and Incorporated Areas



DATA SOURCE:
COMMUNITY CANYON COUNTY
NUMBER 160208
PANEL 0275
SUFFIX F
MIDDLETON, CITY OF 160037
PANEL 0275
SUFFIX F

**REVISED TO
REFLECT LOMR
EFFECTIVE: January 12, 2024**

VERSION NUMBER 2.1.3.0
MAP NUMBER 16027C0275F
EFFECTIVE DATE MAY 24, 2011

Exhibit C

Agency Comments

1. Black Canyon Irrigation District (BCID), received September 11, 2024
 - a. KM Engineering Comments – 10/11/2024
2. DSD GIS Department, received September 30, 2024
3. Idaho Transportation Department (ITD), received September 25, 2024
4. DSD Engineering Department, received September 27, 2024
5. Highway District #4 (HD4), received September 12, 2014
 - a. KM Engineering Comments – 9/16/2024
6. Idaho Dept. of Water Resources (IDWR) – NFIP Coordinator, received October 22, 2024
7. Middleton Rural Fire District, dated August 27, 2023
8. Middleton School District, dated November 11, 2024

Dan Lister

From: Derick Corell <dcorell@rh2.com>
Sent: Wednesday, September 11, 2024 5:57 PM
To: Dan Lister
Cc: Mike Meyers; tyler@blackcanyonirrigation.com; Don Popoff; Spencer Kofoed; Stephanie Hopkins
Subject: [External] Canyon County Agency Response SD2022-0047 - Falcon Rim
Attachments: Ltr_2023.10.23-CHayes_PP_SUB23_22_FalconRim.pdf

Dan –

The District previously provided conditional pre-plat concurrence for Case No. SD2022-0047 on October 23rd, 2023. See attached.

As of today, no revised preliminary plat has been submitted to the District and all comments still apply.

The applicant has been included in this email for ease of communication.

Thanks,
Derick



Derick Corell EIT

Civil Staff Engineer 3 | RH2 Engineering, Inc.

16150 N. High Desert Street, Suite 201

Nampa, Idaho 83687

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

www.rh2.com



RH2 ENGINEERING
Nampa

16150 N High Desert Street, Suite 201
Nampa, ID 83687
1.800.720.8052 / rh2.com

October 23, 2023

Carl Hayes
District Manager
Black Canyon Irrigation District
PO Box 226
Notus, ID 83656

Sent via: Email

**Subject: BCID SUB23-22 – Falcon Rim Subdivision Preliminary Plat
Review – Approval**

Dear Mr. Carl Hayes:

RH2 Engineering, Inc. (RH2) has reviewed the preliminary plat plan sheets (3 plan sheets, PP1.0-PP1.2), stamped and signed on June 23rd, 2023, prepared by Km Engineering for the Falcon Rim Subdivision. We are providing concurrence for approval of the preliminary plat with the following conditions:

Pre-Plat Conditions:

1. The Developer will need to demonstrate how they plan to divert flow at Tap 4 feeding the C.E. 18.1-1.0 pipeline to the north of the property. Typically, when water leaves a weir box the District no longer regulates the routing of the water, thus a private easement will need to be produced not involving BCID or BOR to verify that water can be delivered.
2. District records indicate a 25' historical easement from centerline of Lateral 18.1-1.3 extends into the southwest corner of the proposed subdivision. In particular please review that the 12" GI line is outside the District's right-of-way. District policy prevents any development within their easements.
3. A review of the historical water rights on this parcel will be required, including the determination of where water will be placed within the parcel(s). The District will perform this task. If it is determined that excess water is created from this proposed development (roads and other non-irrigable surfaces), the developer will have the opportunity to relocate this excess water.

**WASHINGTON
LOCATIONS**

Bellingham
Bothell (Corporate)
East Wenatchee
Issaquah
Richland
Tacoma

**OREGON
LOCATIONS**

Medford
Portland

**IDAHO
LOCATIONS**

Nampa



Final Plat Conditions (Prior to Final Plat Approval):

1. Prior to approval of final plat, a standalone easement will need to be recorded for Lateral 18.1-1.3 that extends within the boundary of the Falcon Rim Subdivision Plat. The developer will be required to provide the District with a legal exhibit and legal description. These documents will need to be signed by a licensed professional surveyor within the State of Idaho. Once recorded, the instrument number will need to be included on the final plat.
2. A Parcel Division Fee will be applied for each newly created lot per District policy.
3. All Development fees need to be paid prior to the District approving final plat.
4. A final as-constructed drawing will be required per District Standards.

General Pre-plat Notes and Design Comments:

1. When preparing gravity irrigation design plans for the District's review, please make sure to include all pertinent gravity irrigation design information such as flow rate, connection information, structure details, etc. This will help expedite the development review process.

Sheet PP1.0:

1. Please include Black Canyon Irrigation District (BCID) contact information on this sheet.

Sheet PP1.1:

1. Please change the "40' BCID Easement" callout to a "Private Irrigation Easement" on all plan views. The District easement will stop at the northern edge of the development and a private easement will bring water down the western edge.

Sheet PP1.2:

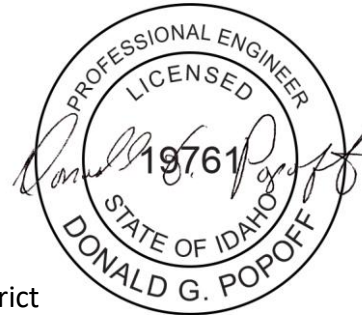
1. Please clarify where irrigation water will enter the property. Unclear what is meant by point of diversion (Keynote 3).
2. The proposed pump station will require an overflow drain. It appears that a drain will carry overflow to the southeast corner of the property via the 12" GI line. Please verify that this is true. Note that District policy does not allow drain water to re-enter BCID irrigation network.



Sincerely,

Don Popoff, PE

Nampa Office Manager



CC: Tyler Chamberlain – Black Canyon Irrigation District
Debbie Root – Canyon County Development Services
Spencer Kofoed – Developer
Lacey Clark– Km Engineering

Attachments: SUB23-03 Falcon Rim – Preliminary Plat 20230623_RH2comments

FALCON RIM SUBDIVISION
PRELIMINARY PLAT

OF LAND SITUATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 29,
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

EXISTING ZONING
2020 COMPREHENSIVE PLAN DESIGNATION

AREA CALCULATIONS	31.46 ACRES
RESIDENTIAL BUILDABLE LOT AREA	0.94 ACRES
COMMON AREA	5.10 ACRES
TOTAL AREA OF SITE	37.40 ACRES
OVERALL LOT DATA	

SINGLE FAMILY RESIDENTIAL LOTS	26
COMMON LOTS	2
TOTAL LOTS	28
MINIMUM PROPERTY SIZE	38,462 SQ. FT.
AVERAGE PROPERTY SIZE	52,712 SQ. FT.
GROSS DENSITY	0.70 UNITS/ACRE
NET DENSITY	0.85 UNITS/ACRE

INDEX OF DRAWINGS	
SHEET NO.	SHEET TITLE
PP1.0	PRELIMINARY PLAT COVER
PP1.1	LOT DIMENSIONS
PP1.2	PRELIMINARY ENGINEERING PLAN

SURVEY CONTROL NOTES

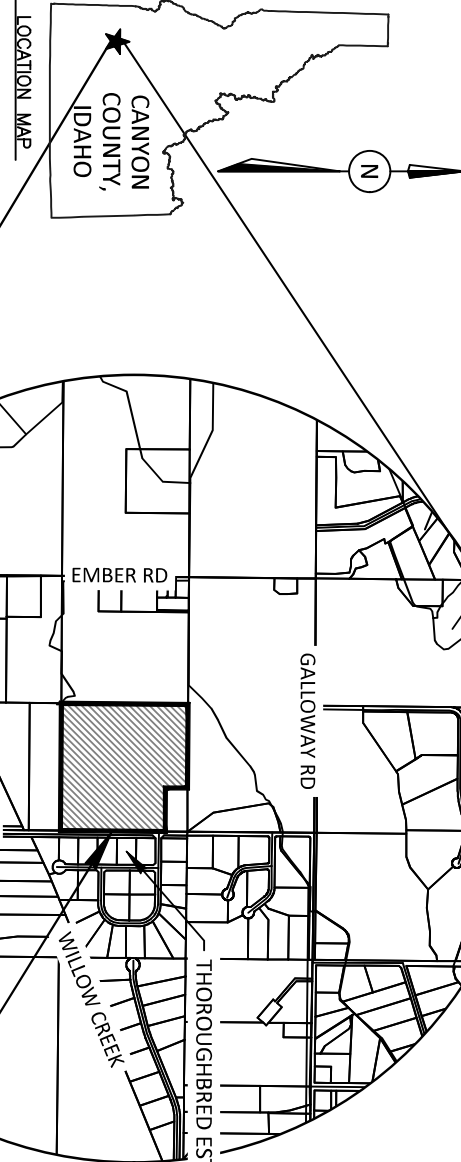
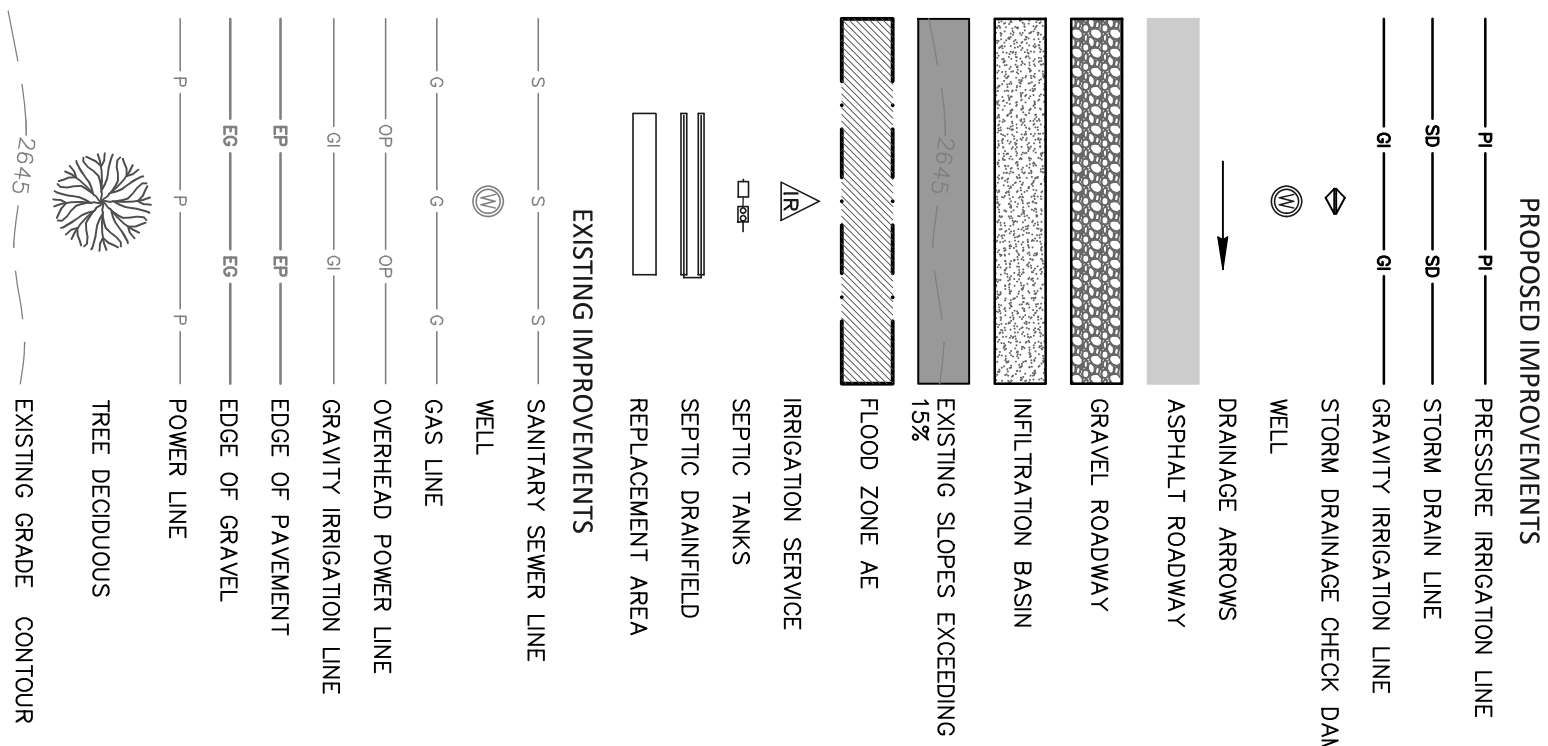
1. ALL SURVEY DATA IS BASED ON THE NAD83 STATE PLANE COORDINATE SYSTEM (IDAHO WEST 1103) AND VERTICAL (NAV88) DATUM.

LEGEND

—————	BOUNDARY LINE
—————	OFFSITE BOUNDARY LINE
—————	SEBARKS
—————	ROAD CENTERLINE
—————	PROPOSED LOT LINE LINE
—— 5' W ——— 5' W ———	FUTURE RIGHT-OF-WAY LINE
-----	EASEMENT
○	FOUND 1/2 INCH REBAR
⊗	FOUND 5/8 INCH REBAR
⊗	FOUND BRASS CAP
⊗	FOUND ALUMINUM CAP
△	CALCULATED POINT
⑩	LOT NUMBER

RR

ADJACENT PROPERTY ZONE



PRELIMINARY PLAT NOTES

1. ANY RESIDUATION OF THIS PLAT SHALL COMPLY WITH THE RESPONSIBILITIES OF THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
2. MINIMUM BUILDING SETBACK DIMENSIONS IN THIS SUPERVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
3. THE DEVELOPER/OWNER RECOGNIZES SECTION 22-2650 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES, "NO AGRICULTURAL OPERATION SHALL BE DEEMED TO BE AN UNDESIRABLE NEIGHBORHOOD USE, OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL AREA." (1) "YEAR, WHEN THE OPERATION, FACILITY OR NUISANCE WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED." THE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
4. ALL LOT LINES COMMON TO STREET RIGHTS-OF-WAY AND THE LOT LINES COMMON TO THE LOT LINES OF THE LOT LINES COMMON TO PUBLIC AND PRIVATE UTILITIES, LOT DRAINAGE AND IRRIGATION FACILITIES.
5. ALL INTERIOR LOT LINES CONTAIN A 5.00 FOOT WIDE EASEMENT, EASE RIGHT, FOR PUBLIC AND PRIVATE UTILITIES, LOT DRAINAGE AND IRRIGATION FACILITIES.
6. DIRECT LOT ACCESS UNDER DUFF LN IS PROHIBITED.
7. THE HOMEOWNERS ASSOCIATION, UNDERLYING PROPERTY OWNER, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE AND IRRIGATION FACILITIES, INCLUDING, BUT NOT LIMITED TO, MAINTAINING AT ROUTINE AND HEAVY MAINTENANCE.
8. THE HOMEOWNERS ASSOCIATION, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL MOUNTAINS (LAWN, SPRINKLERS, SIDEWALKS, PATIWAYS, LANDSCAPING, ETC.) PROPERLY BY THE DESIGN TO BE WITHIN THE LOT RIGHT-OF-WAY.
9. ALL LOT AND BLOCK SUBDIVISION LOTS AND STRAIGHT BLOCK LOTS ARE SUBJECT TO A BLAINE EASEMENT FOR PUBLIC UTILITIES.

SUBDIVISION PROPERTY UNLESS OTHERWISE APPROVED

1. DOMESTIC WATER SERVICE FOR EACH LOT WILL BE PROVIDED BY INDIVIDUAL WELLS.
2. INDIVIDUAL SEWER SERVICE WILL BE PROVIDED FOR EACH LOT BY INDIVIDUAL SEPTIC SYSTEMS. SUBDIVISION IS WITHIN A NITRATE SENSITIVE ZONE. ADVANCED TREATMENT UNITS WILL BE REQUIRED TO PREVENT NITRATE CONTAMINATION. DESIGNER SHALL PROVIDE TO LEVELS SUGGESTED IN THE NP STUDY.
3. ALL DOMESTIC WATER WELLS AND SANITARY SEWER SEPTIC SYSTEMS WILL BE INSTALLED IN ACCORDANCE WITH THE DAHD DEPARTMENT OF ENVIRONMENTAL QUALITY AND SOUTHWEST DISTRICT HEALTH DEPARTMENT'S REQUIREMENTS.
4. STORM DRAINAGE FROM THE ROWLANDS AND LOTS SHALL BE COLLECTED IN ROADSIDE SWALES THAT MEET THE DAHD DEPARTMENT OF ENVIRONMENTAL QUALITY AND SOUTHWEST DISTRICT HEALTH REQUIREMENTS. THE STORM DETENTION FACILITIES WILL BE DETERMINED DURING FINAL DESIGN.
5. THE SITE IS IN FLOOD ZONES X, X1 AND AE PER MAP/PANEL NO. 1602072075F, EFFECTIVE JUNE 24, 2011. BASE FLOOD ELEVATION (BFE) AS NOTED IN LOT 23 FLOOD HAZARD DATA SHOW IS 7.00 FEET. FLOOD APPROVAL BY FLOOD CODE NO. 22-10-00869.
6. THERE SHALL BE NO EARTH WORK ACTIVITIES IN AREAS WHERE EXISTING STONES ARE DEEPER THAN 15%.
7. IRRIGATION WILL BE DELIVERED BY BLACK CANYON IRRIGATION WITH THE PROPOSED REVERSE IRRIGATION SYSTEM. INDIVIDUAL LOTS

SURVEY NOTES

1. UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE LOCATION ONLY, AND ARE BASED ON ABOVE GROUND EVIDENCE AND UTILITY MAPS OBTAINED FROM APPROPRIATED UTILITY COMPANIES.
2. THE VERTICAL DATUM USED HEREON IS THE NAVD 88.
3. NO BUILDINGS EXIST ON THE SUBJECT PROPERTY.
4. THERE IS NO OBSERVED EVIDENCE OF CURRENT FARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJUTS.
5. NO LANDSCAPE FACILITIES AND EQUIPMENT EXIST ON THE PROPERTY.
6. A GAVNLY IRRIGATION LATERAL, CURRENTLY IN RUNS ALONG THE NORTH AND SOUTH BOUNDARY OF THE PROJECT.

ENGINEER/SURVEYOR

KM ENGINEERING, LLC
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE: (208) 639-6939
CONTACT: JOE KACHNER, P.E.
EMAIL: joe@kmemgllp.com

IRADITION CAPITAL PARTNERS, LLC
8454 BROOKHAVEN PL
MIDDLETON, IDAHO 83644
PHONE: (208) 863-5164
CONTACT: SPENCER KOFOED

REVISIONS		
NO.	ITEM	DATE
1	CANYON COUNTY COMMENTS	4/20/2023
2	CANYON COUNTY COMMENTS	6/23/2023

Digitally signed by
Joe Pachner, P.E.
Date: 2023.07.10
10:30:14 -06'00'

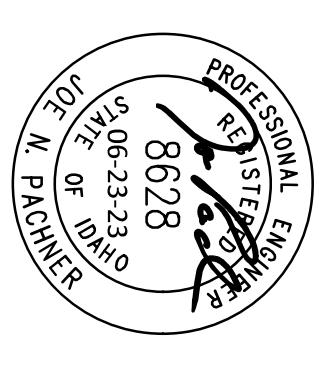


Exhibit C.1 - 5

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO

PRELIMINARY PLAT

COVER SHEET



5725 NORTH DISCOVERY WAY
BOISE IDAHO 83743

PHONE (208) 639-6939
kmengllp.com

kmengllp.com

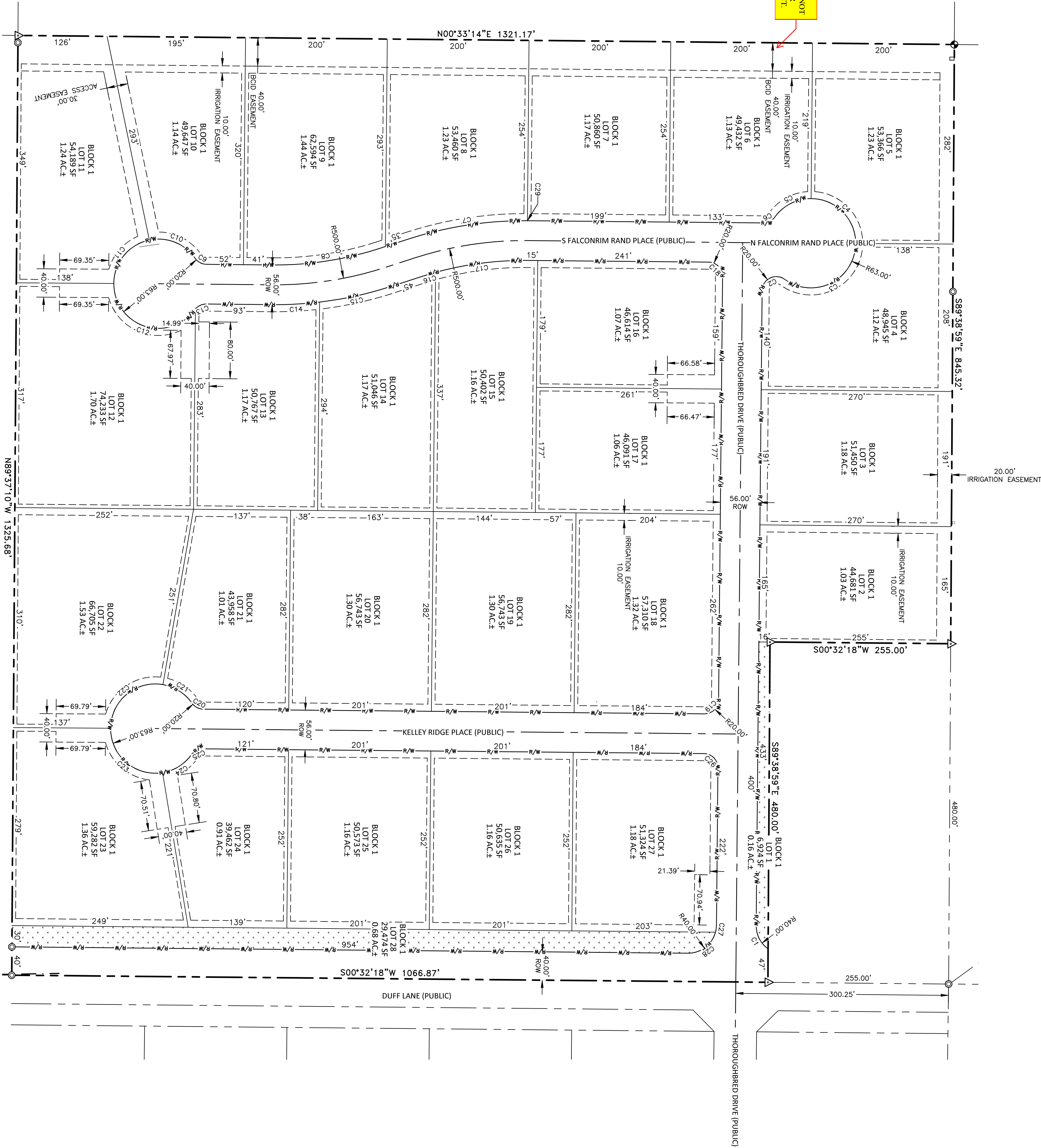
DESIGN BY: JNP

CHECKED BY: JNP

DATE:	10/4/2022
PROJECT:	22-011

SHEET NO.

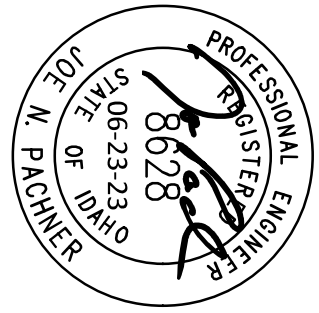
PPT.0



CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD BEG
C1	40.00'	38.44'	55°03'58"	N63°00'19"E
C2	20.00'	43.84'	125°36'11"	S28°39'36"E
C3	63.00'	138.31'	125°47'28"	S28°45'15"E
C4	63.00'	99.18'	90°11'45"	N45°15'08"E
C5	63.00'	59.69'	54°17'02"	N25°59'15"W
C6	20.00'	19.08'	54°40'05"	N25°47'44"W
C7	528.00'	169.74'	18°25'10"	N08°43'34"W
C8	472.00'	152.19'	18°28'28"	N08°41'55"W
C9	20.00'	19.08'	54°40'05"	N27°52'21"E
C10	63.00'	73.60'	66°55'53"	N21°44'27"E
C11	63.00'	85.65'	77°53'40"	N65°40'20"W
C12	63.00'	158.90'	144°30'36"	S18°07'32"W
C13	20.00'	17.19'	49°14'05"	S24°04'44"E
C14	528.00'	67.16'	7°17'15"	S03°06'19"E
C15	528.00'	103.09'	11°11'13"	S12°20'33"E
C16	472.00'	21.12'	2°33'49"	S16°39'15"E
C17	472.00'	131.07'	15°54'38"	S07°25'01"E
C18	20.00'	31.42'	90°00'00"	S45°32'18"W
C19	20.00'	31.42'	90°00'00"	S44°27'42"E
C20	20.00'	19.08'	54°40'04"	S27°52'21"W
C21	63.00'	49.81'	45°17'51"	S32°33'28"W
C22	63.00'	109.44'	99°31'43"	S39°51'19"E
C23	63.00'	109.72'	99°47'14"	N40°29'12"E
C24	63.00'	49.18'	44°43'22"	N31°46'03"W
C25	20.00'	19.08'	54°40'05"	N26°47'44"W
C26	20.00'	31.42'	90°00'00"	S45°32'18"W
C27	40.00'	10.11'	14°28'39"	S82°13'22"E
C28	40.00'	92.72'	75°31'21"	S37°13'22"E
C29	528.00'	0.51'	0°03'18"	N07°30'39"E

SHEET NOTES

A. SEE SHEET PP.1.0 FOR LEGEND AND PRE PLAT NOTES.



REVISIONS

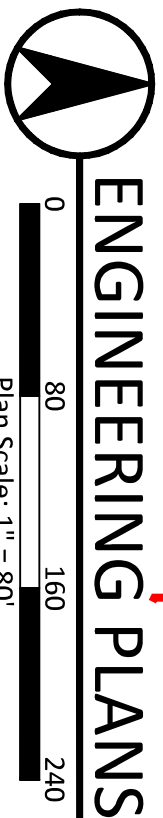
NO.	ITEM	DATE
1	CANYON COUNTY COMMENTS	4/20/2023
2	CANYON COUNTY COMMENTS	6/23/2023

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO

PRELIMINARY PLAT
LOT DIMENSIONS



DESIGN BY:	JNP
DRAWN BY:	BJJ
CHECKED BY:	JNP
DATE:	10/9/2022
PROJECT:	22-011



ENGINEERING PLANS

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

DISTRICT LATERAL
CE 18.1.1 IN THIS
CORNER OF PLAT WITH
HISTORICAL 25'
EASEMENT, SHOW ON
PLANS AND VERIFY NO
INTERFERENCES
WITH DEVELOPMENT.

PLEASE VERIFY THAT THE 12"
GI WHICH CONTIGUES SOUTH
IS FOR OVERFLOW FROM THE
PROPOSED PUMP HOUSE.

PLEASE CLARIFY WHAT IS
MEANT BY POINT OF
DIVERSION FOR KEYNOTE 3.

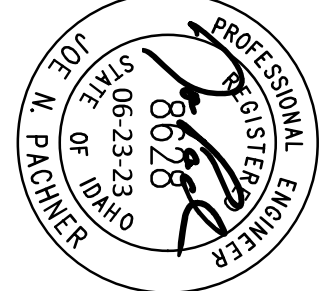


SHEET NOTES

A. SEE SHEET PP.1.0 FOR LEGEND AND PRE PLAT NOTES.

KEYNOTES (A)

1. STORM DRAINAGE INFILTRATION BASIN
2. LOCATION OF PROPOSED IRRIGATION PUMP STATION.
3. APPROXIMATE LOCATION OF POINT OF DIVERSION.
4. EXISTING WELL TO BE DECOMMISSIONED PER IDWR STANDARDS. WATER RIGHT ASSOCIATED WITH EXISTING WELL TO BE TRANSFERRED TO LOT 27, BLOCK1.
5. GRAVEL ACCESS ROAD.



REVISIONS

NO.	ITEM	DATE
1	CANYON COUNTY COMMENTS	4/20/2023
2	CANYON COUNTY COMMENTS	6/23/2023

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO

PRELIMINARY PLAT
ENGINEERING PLANS



5725 NORTH HOSKINS WAY
SPOKANE, IDAHO 83402-1000
PHONE (208) 699-6939
kme@kme.com

DESIGN BY: JNP

DRAWN BY: BJ

CHECKED BY: JNP

DATE: 10/2/2022

PROJECT: 22-011

SHEET NO.

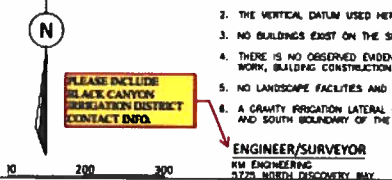



PP.1.2



REVIEW COMMENT AND RESPONSE LOG

Date: 10.11.24	Project Manager: David Zubizareta, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Sub		Type of Review: BCID

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: RH2 on behalf of BCID</i>			
1	Pre-Plat Conditions	The Developer will need to demonstrate how they plan to divert flow at Tap 4 feeding the C.E. 18.1-1.0 pipeline to the north of the property. Typically, when water leaves a weir box the District no longer regulates the routing of the water, thus a private easement will need to be produced not involving BCID or BOR to verify that water can be delivered.	Revised irrigation design per meeting on 10/16/24. New design places a new 4'x4' irrigation box to direct flow to a second weir to serve the Bryan Rowe property and to the Falcon Rim pressure irrigation pump station.
2		District records indicate a 25' historical easement from centerline of Lateral 18.1-1.3 extends into the southwest corner of the proposed subdivision. In particular please review that the 12" GI line is outside the District's right-of-way. District policy prevents any development within their easements.	Added BCID lateral and 25' easement to plan. Relocated overflow pipe outside of the BCID easement.
3		A review of the historical water rights on this parcel will be required, including the determination of where water will be placed within the parcel(s). The District will perform this task. If it is determined that excess water is created from this proposed development (roads and other non-irrigable surfaces), the developer will have the opportunity to relocate this excess water.	Water rights confirmed to be 32.7 inches in email by Derick Corell on 10/15/24.
4	Final Plat Conditions (Prior to Final Plat Approval)	Prior to approval of final plat, a standalone easement will need to be recorded for Lateral 18.1-1.3 that extends within the boundary of the Falcon Rim Subdivision Plat. The developer will be required to provide the District with a legal exhibit and legal description. These documents will need to be signed by a licensed professional surveyor within the State	Understood.

		of Idaho. Once recorded, the instrument number will need to be included on the final plat.	
5		A Parcel Division Fee will be applied for each newly created lot per District policy.	Understood.
6		All Development fees need to be paid prior to the District approving final plat.	Understood.
7		A final as-constructed drawing will be required per District Standards.	Understood.
8	General Pre-plat Notes and Design Comments	When preparing gravity irrigation design plans for the District's review, please make sure to include all pertinent gravity irrigation design information such as flow rate, connection information, structure details, etc. This will help expedite the development review process.	Added more detailed plan for PI pump station and surrounding boxes, as well as irrigation notes to PP1.2 detailing pump station flow rates.
9	Sheet PP1.0	<p>Please include Black Canyon Irrigation District (BCID) contact information on this sheet.</p> 	Added contact information to PP1.0.
10	Sheet PP1.1	<p>Please change the "40' BCID Easement" callout to a "Private Irrigation Easement" on all plan views. The District easement will stop at the northern edge of the development and a private easement will bring water down the western edge.</p> 	Revised easement callout.
11		<p>Please clarify where irrigation water will enter the property. Unclear what is meant by point of diversion (Keynote 3).</p> 	Added more detailed plan for PI pump station and surrounding boxes to PP1.2.
12	Sheet PP1.2	<p>The proposed pump station will require an overflow drain. It appears that a drain will carry overflow to the southeast corner of the property via the 12" GI line. Please verify that this is true. Note that District policy does not allow drain water to re-enter BCID irrigation network.</p> 	Added keynote 9 to PP1.2 to clarify that the 12" leaving the pump station is an overflow which flows to the southwest corner of the site.
13		District Lateral C.E.18.1-1.3 In this corner of plat with historical 25' Easement, show on plans and	Added district lateral and easement. Relocated overflow pipe to not encroach onto BCID easement.

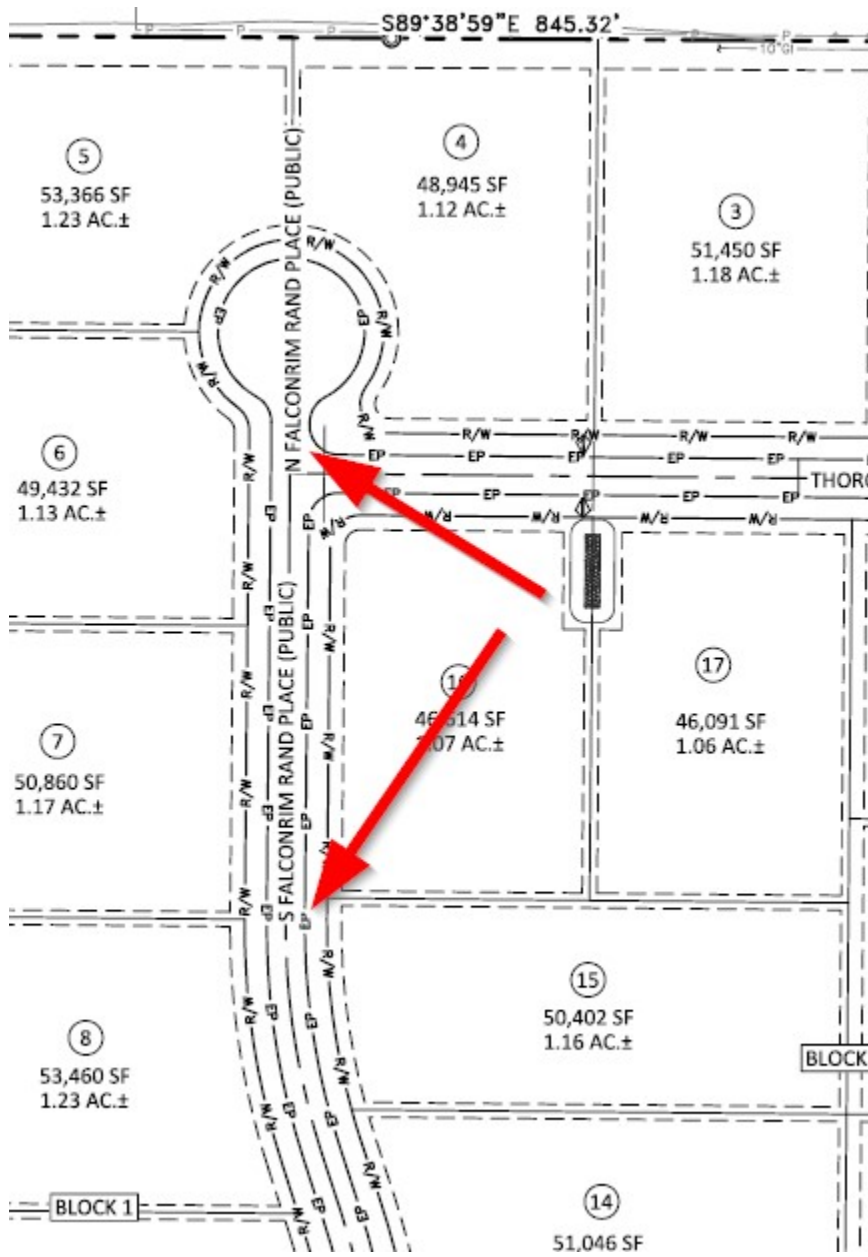
		verify no encroachments with development. <div>DISTRICT LATERAL C.E. 18.1-1.3 IN THIS CORNER OF PLAT WITH HISTORICAL 25' EASEMENT, SHOW ON PLANS AND VERIFY NO ENCROACHMENTS WITH DEVELOPMENT.</div>	
--	--	---	--

Dan Lister

From: Tony Almeida
Sent: Monday, September 30, 2024 9:47 AM
To: Dan Lister
Cc: Carl Anderson
Subject: FW: [External] [You're assigned] SD2022-0047 Falcon Rim

I review the plat name and street names and noticed that they include directionals, which are prohibited per ordinance.

S Falconrim Rand Pl & N Falconrim Rand Pl.



Tony

Dan Lister

From: Sage Huggins
Sent: Friday, August 30, 2024 12:00 PM
To: Dan Lister
Cc: GIS and Addressing Division
Subject: Comment Regarding SD2022-0047

Good Afternoon Dan,

I just looked over the agency notice packet for subdivision Falcon Rim sub (SD2022-0049) and reviewed the subdivision name and road names.

Subdivision name: Falcon Rim Subdivision is **Reserved**.

Public Road Thoroughbred Dr is a continuation of an existing road and is good to use as shown.

Public Road Kelley Ridge Place is **Reserved**.

Public Road Falconrim Rand Place is **Reserved**, the plat shows it as a **N** Falconrim Rand Place and **S** Falconrim Rand Place which does not align with our code.

06-05-13: street names

(9) No streets and/or private roads should begin with the prefix north, south, east or west and shall not be used as a differentiation between new street names.

I would advise that the directional prefix (N,S) is removed from the public road name and that it shows as "FALCONRIM RAND PLACE (PUBLIC)" on the plat.

Thanks!

Sage Huggins
GIS Analyst
Canyon County Development Services
Sage.Huggins@canyoncounty.id.gov
208-455-6036

Dan Lister

From: Sage Huggins
Sent: Tuesday, December 27, 2022 12:06 PM
To: Stephanie Hailey
Cc: Tony Almeida
Subject: RE: Subdivision Name Approval

Yes, "Falcon Rim Sub" was reserved on 4/18/2022 for R37527011.

Sage Huggins
Planning Technician
Canyon County Development Services
Sage.Huggins@canyoncounty.id.gov
208-455-6036

From: Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>
Sent: Tuesday, December 27, 2022 11:50 AM
To: Tony Almeida <tony.almeida@canyoncounty.id.gov>
Cc: Sage Huggins <Sage.Huggins@canyoncounty.id.gov>
Subject: Subdivision Name Approval

Sage,

Can you please confirm the subdivision name of "Falcon Rim" for Case No. SD2022-0047, R3752701100.

Thanks!



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

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Wednesday, September 25, 2024 12:40 PM
To: Dan Lister
Cc: Amber Lewter
Subject: [External] RE: Initial Agency Notification SD2022-0047 Falcon Rim Subdivision

Hello Dan -

After careful review of the transmittal submitted to ITD on August 28, 2024, regarding SD2022-0047 Falcon Rim Subdivision, the Department has no comments or concerns to make at this time. This is greater than 2.5 miles north of SH-44 and has access to Minor Arterial (Purple Sage Rd) and other major collectors to adequately disperse traffic.

Thank you,

Niki

-----Original Message-----

From: Niki Benyakhlef
Sent: Wednesday, September 18, 2024 1:44 PM
To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Cc: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: RE: Initial Agency Notification SD2022-0047 Falcon Rim Subdivision

Hello,

Can I please be given access to this link again?

Thank you!

Niki Benyakhlef
 Development Services Coordinator

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

-----Original Message-----

From: Serv-U - County on behalf of Amber Lewter (Amber.Lewter@canyoncounty.id.gov)
 <NoReplyMFT@canyoncounty.id.gov>
Sent: Wednesday, August 28, 2024 2:23 PM
To: jhutchison@middletoncity.org; jreynolds@middletoncity.org; mhobbs@middletoncity.org;
 rstewart@middletoncity.org; lgrooms@msd134.org; mgee@msd134.org; permits@starfirerescue.org;
 knute.sandahl@doi.idaho.gov; chopper@hwydistrict4.org; lriccio@hwydistrict4.org; brandy.walker@centurylink.com;
 eingram@idahopower.com; easements@idahopower.com; mkelly@idahopower.com; monica.taylor@intgas.com;



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

▪ Engineering Division ▪

9/27/2024

RE: Comments on Falcon Rim Subdivision

Case File #: SD2022-0047

Dan Lister,

Thank you for notifying us of the application for Falcon Rim Subdivision, Case File #: SD2022-0047. The Engineering Department has reviewed the proposal and wishes to highlight the following key requirements, particularly related to the location within Flood Zone A/AE: A portion of the parcel is located within Flood Zones A and AE on the southeast corner. Therefore, a flood development permit will be required for any development in that area. Additionally, any development, including roads, access, and landscaping, must have the appropriate permits.

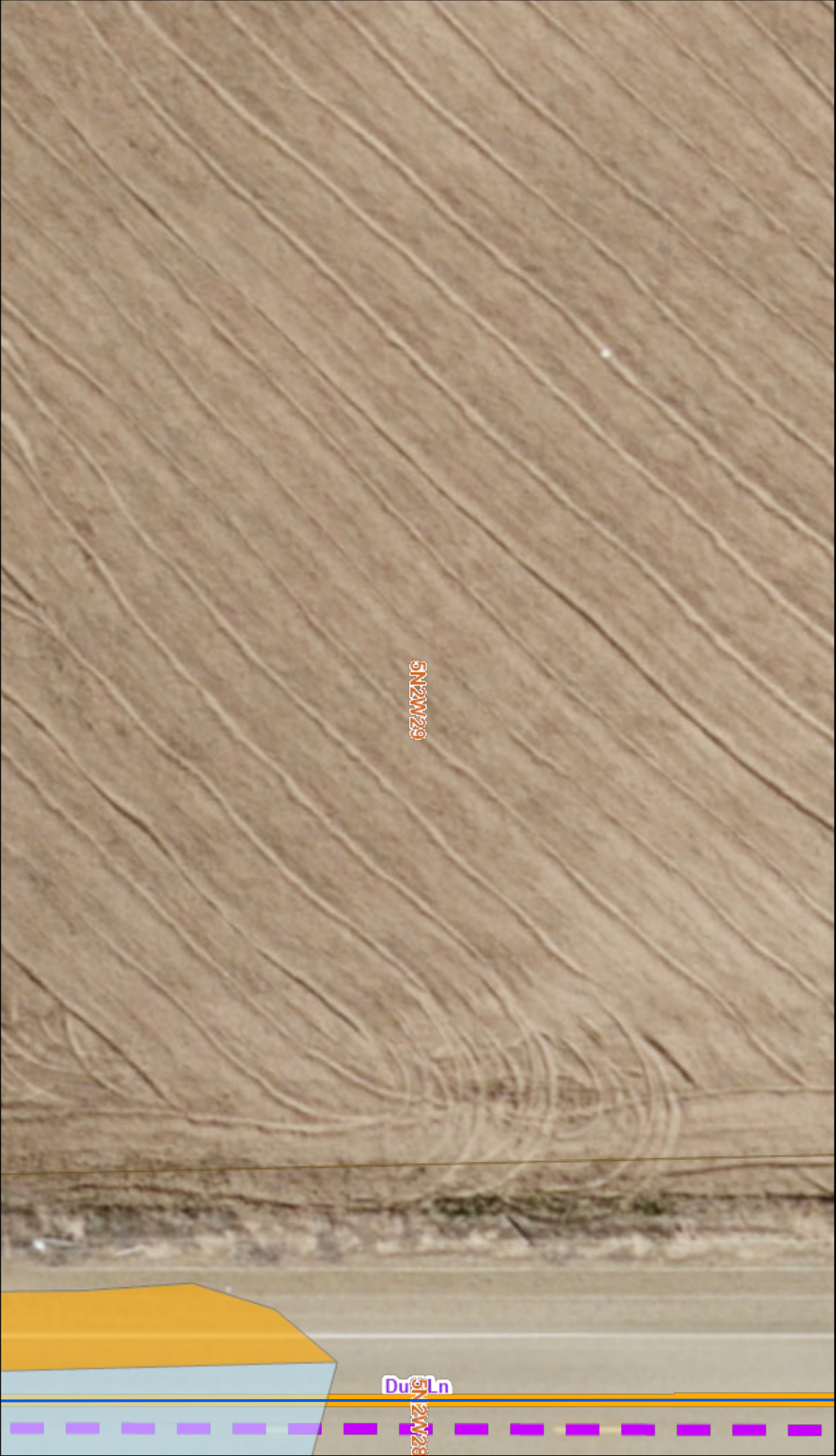
Canyon County, ID Web Map



Sincerely,

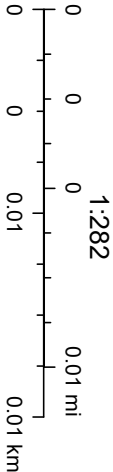
Dalia Alnajjar
Engineering Supervisor
Canyon County Development Services

Canyon County, ID Web Map



10/2/2024, 1:01:06 PM

-  FEMA LOMRs
-  X
-  Current Impact Area
-  ITDFunctionalClassification
-  FEMA FLOOD ZONES
-  BFE Revision CrossSection
-  City Limits
-  Major Collector
-  A
-  Hydro_NHDFlowline
-  Sections
-  Urban_2023
-  Red: Red
-  AE
-  County Boundary
-  Green: Green
-  Blue: Blue
-  Red: Band_1
-  Green: Band_2



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, USDA



Exhibit C.5
HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607
TELEPHONE 208.454.8135
FAX 208.454.2008

September 12, 2024

Canyon County Board of Commissioners
and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Dan Lister, Planner

KM Engineering, Applicant's Representative
5725 N. Discovery Way
Boise, Idaho 83713
Attention: Joe Pachner, PE

RE: **Duff Ln- Falcon Rim**
Preliminary Plat – 3rd Review
Parcel Number: R37527011 Aka 25683 Duff Lane

Dear Commissioners:

Highway District No. 4 (HD4) has received the request for comment on a preliminary plat for Falcon Ridge Subdivision, Parcel R37527011 Aka 25683 Duff Lane. The parcel comprises approximately 37.81 acres, and is located in the SE ¼ NE 1/4, Section 29, T5N, R2W, of Canyon County. The subject property has approximately 1,066 feet of frontage on Duff Lane along the easterly boundary.

HD4 development policy requires preliminary plats be approved by the Board of Commissioners after preparation of a plat meeting the current Highway Standards and Development Procedures adopted by the District. The applicants should submit a complete preliminary plat application to HD4 for review and consideration. Detailed submittal requirements are available on our website at www.hwydistrict4.org/development. Review times for new preliminary plat applications are currently in excess of 60 days due to the number of development applications in progress.

The following comments on the preliminary plat dated 8/30/24 are to be considered preliminary until a complete application and review is conducted. Preliminary plat approval, and any conditions of that approval are solely at the discretion of the HD4 Board.

General

1. Per Idaho Board of Professional Engineers and Land Surveyors, Ethics and Professional Practice Agency Guidance dated 7-30-2020, section 54-1215. Certificates-Seals, "...In the event the final work product is preliminary in nature or contains the word "preliminary," such as a "preliminary engineering report," the final work product shall be sealed, ***signed*** and dated as a final document if the document is intended to be relied upon to make policy decisions important to the life, health, property, or fiscal interest of the public."
 - a. The preliminary plat is the final work product and is intended to be relied upon to make policy decisions, therefore Idaho PE stamp required on plans.
 - b. By submitting without QC for conformity this will result in a 4th submittal and an **additional review fee**.
2. From last review- ***Revise to indicate all obstructions within the dedicated ROW, to be removed, power pole/anchor, steel "I" post, vegetation and any existing approaches.***

3. From last review **ADD NOTE**; *All street structural sections to be determined by flexible pavement design and in-place R-value tests per ACCHD Standards at the time of improvement drawing review.*

HD4 standards require construction of frontage improvements for arterial and collector roadways within or adjacent to proposed development. There currently exists no alternative mechanism to fund these frontage improvements. These requirements may be modified based on comments received from Canyon County.

Frontage Improvements:

1. Revise Duff Lane typical to label CL & ROW line limits.
2. From last review
3. *Revise to callout borrow culvert & dimensions, meeting CHD4 policy, at Thoroughbred access to Duff Lane and internal intersections..*

Additional Review Fee (fourth submittal)

1. Provide **additional plan review fee of \$356**, the next submittal will be the fourth review.

HD4 is charging additional review fees for any submittal after the 3rd review.

Applications that require multiple reviews (4 or more) to meet development standards are subject to reduced review priority to encourage applicants to carefully review previous comments and the published development standards. We recommend you perform complete in-house quality control reviews of plans and plats and supporting reports or documents, prior to submittal to avoid additional delays or additional fees for review of this and any other project submitted.

Responsibility of Design Engineer: The Registered Engineer who **signs** and stamps the plans is responsible for compliance of ACCHD policy.

HD4 review is not intended to be the QA/QC review of the preliminary plat, is solely the responsibility of the Registered Engineer and the firm which they represent.

Preliminary plats are presented to the HD4 Board of Commissioners for approval after review by staff. Please revise the preliminary plat to address the comments above, also, submit a review comment sheet which explains the changes made versus the review comments provided, and submit a single full size hard copy and an electronic copy for subsequent review. Preliminary plats can generally be included on a board agenda for consideration within two weeks of staff approval, subject to available space.

Please feel free to contact me with any questions on these comments.

Respectfully,



Kraig Wartman
Senior Engineering Tech.
Highway District No. 4

File: Duff Lane- Falcon Rim

REVIEW COMMENT AND RESPONSE LOG

Date: 9/16/24	Project Manager: Joe Pachner, P.E.	Client/Owner: Tradition Capital Partners, LLC
Project Title: Falcon Rim Subdivision		Type of Review: HD4 – Pre Plat 3 rd Review

No.	Section/ Item	Review Comment	KM Engineering Response
<i>Review comments from: Review comments from: Kraig Wartman, Senior Engineering Tech, HD4. Received 9.12.24</i>			
1	General	Per Idaho Board of Professional Engineers and Land Surveyors, Ethics and Professional Practice Agency Guidance dated 7-30-2020, section 54-1215. Certificates-Seals, "...In the event the final work product is preliminary in nature or contains the word "preliminary," such as a "preliminary engineering report," the final work product shall be sealed, <i>signed</i> and dated as final <u>document if the document is intended to be relied upon to make policy decisions important to the life, health, property, or fiscal interest of the public.</u> "	Understood. Preplat is signed.
2		The Preliminary plat is the final work product and is intended to be relied upon to make policy decisions, therefore Idaho PE stamp required on plans.	Understood. Preplat is signed.
3		By submitting without QC for conformity this will result in a 4 th submittal and an additional review fee.	Understood.
4		<u>From last review</u> – Revise to indicate all obstructions within the dedicated ROW, to be removed, power pole/anchor, steel "I" post, vegetation and any existing approaches.	Added sheet note B and keynotes 6-8 to sheet PP1.2 for obstruction removal.
5		<u>From last review</u> ADD NOTE; All street structural sections to be determined by flexible pavement design and in-place R-value tests per ACCHD Standards at the time of improvement drawing review.	Added note to both road sections on PP1.0
6	Frontage Improvements	Revise Duff Lane typical to label CL & ROW line limits.	Added CL and R.O.W. markings over existing 50' CL-R.O.W. label.
7		<u>From last review</u>	
8		Revise to callout borrow culvert & dimensions, meeting CHD4 policy, at Thoroughbred access to Duff Lane and internal intersections.	Added culvert dimensions to PP1.2.
9	Additional Review Fee (fourth submittal)	Provide additional plan review fee of \$356 , the next submittal will be the fourth review.	Understood.

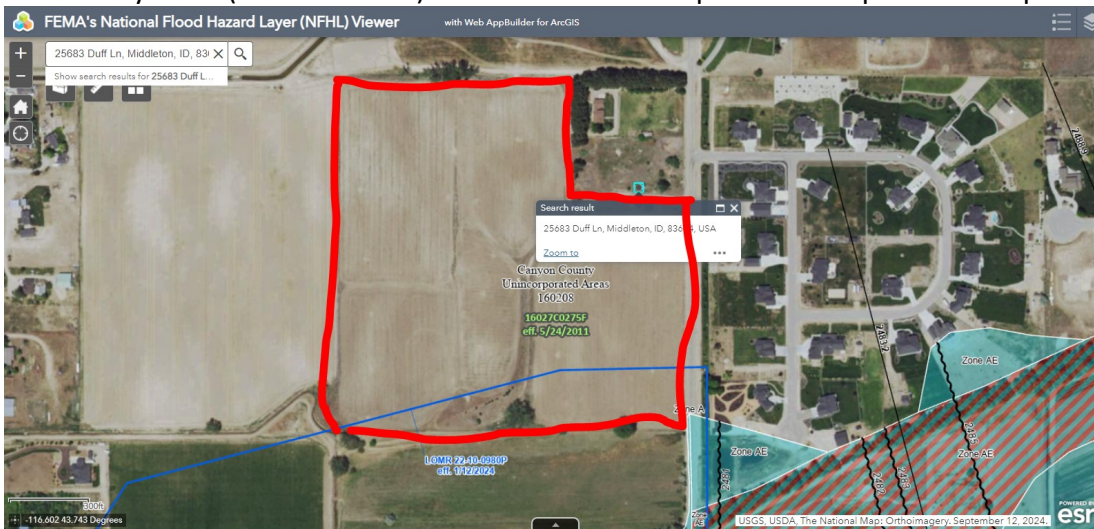
Dan Lister

From: O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>
Sent: Tuesday, October 22, 2024 11:43 AM
To: Dan Lister
Subject: [External] re: Agency Notice SD2022-0047 Falcon Rim Subdivision
Attachments: AGENCY notice PZ hearing.pdf

Dan,

It appears the proposed subdivision is outside the floodplain.

Should any work (infrastructure) be done in the floodplain a Floodplain Development Permit is required.



Should any portion of this project touch the A Zone without BFE the applicant will need to determine the BFE & do a LOMR.



I am working part-time & generally available from 9:00 a.m. to noon Monday through Thursday.

Thank you,
 Maureen O'Shea, CFM

Floodplain Specialist
Idaho Dept. of Water Resources
322 E. Front Street, PO Box 83720,
Boise, ID 83720-0098
Office # 208-287-4928
Cell # 208-830-4174
Maureen.OShea@idwr.idaho.gov
<https://www.idwr.idaho.gov/floods/>

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>

Sent: Friday, October 18, 2024 1:36 PM

To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; Knute Sandahl <Knute.Sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lriccio@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingram@idahopower.com' <eingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'mkelly@idahopower.com' <mkelly@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'contract.administration.bid.box@ziply.com' <contract.administration.bid.box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Cawforth <Brian.Cawforth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Cassie Lamb <Cassie.Lamb@canyoncounty.id.gov>; Eric Arthur <Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; Sage Huggins <Sage.Huggins@canyoncounty.id.gov>; BRO Admin <BRO.Admin@deq.idaho.gov>; Western Info <westerninfo@idwr.idaho.gov>; Jackson, Peter <Peter.Jackson@idwr.idaho.gov>; O'Shea, Maureen <Maureen.OShea@idwr.idaho.gov>; 'chad.m.franklin@usps.gov' <chad.m.franklin@usps.gov>

Subject: Agency Notice SD2022-0047 Falcon Rim Subdivision

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

Dear Agencies,

Please see the attached agency notice regarding the scheduled Planning and Zoning Commission hearing on this project. We had previously requested your agency provide comments for the noticed land use application and if any agency comments were received, they were included in the Staff report. No response is required unless there is an update to your original comments.

This is the notification that a hearing date of **November 21, 2024** at 6:30 pm has been set for this case along with a final deadline of **November 11, 2024** for agency comments. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day.

Please direct your comments or questions to Planner **Dan Lister** at daniel.lister@canyoncounty.id.gov

Thank you,



Amber Lewter

Hearing Specialist

Canyon County Development Services Department

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

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: amber.lewter@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

Development Services Department (DSD)

NEW public office hours

Effective Jan. 3, 2023

Monday, Tuesday, Thursday and Friday

8am – 5pm

Wednesday

1pm – 5pm

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

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



DATE: August 27, 2023

TO: Lacey Clark
KM Engineering

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review (23MS-151)

PROJECT NAME: Falcon Rim Subdivision
25683 Duff Ln., Middleton, ID 83644

Fire District Summary Report:

1. Overview

- a. This development can be serviced by the Middleton Rural Fire District. This development shall comply with the 2018 International Fire Code (IFC), Authority Having Jurisdiction (AHJ) and any codes set forth by the Canyon County, Idaho
- b. Scope: New Development
- c. Construction Type – VB
- d. Purposed Lots = 26 with 2 Common
- e. Zoning – R1 Rural Residential
- f. Any overlooked hazardous condition and/or violation of the International Building and/or Fire Code does not imply approval of such condition or violation.

2. Fire Response Time:

- a. This development will be served by the Middleton Rural Fire District Station 52, located at 22585 Kingsbury Rd., Middleton, Idaho 83644. Station 52 is 5.9 mile with a travel time of 9 minutes under ideal driving conditions to the purposed entrance off Galloway Rd.

3. Accessibility: Roadway Access, Traffic, Radio Coverage

- a. Access roads shall be provided and maintained following Appendix D and Section 503 of the IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.
- b. Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.
- c. All access roads in this development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times.
- d. Purposed access roads meet the intent of the fire code for subdivision under 30 lots.
- e. If the home sites more than 150 ft off the road way additional turnaround will be required.
- f. No parking signs will be required in all cul de sac.

Project: Falcon Rim Subdivision Preliminary Plat Review (23MS-151)

Fire District Headquarters • 11665 W. State St., Suite B • Star, Idaho 83669 • (208) 286-7772 • www.midstarfire.org

**4. Addressing/Street Signs:**

- a. Addressing/building identification sign shall be placed in a position that is plainly legible and visible from the street or road fronting the property.
 - i. Approved residential address numbers a minimum of six inches (6") in height and in a contrasting color shall be placed on all new buildings in such a position as to be clearly visible and legible from the street or road fronting the property.
- b. Upon commencement of initial construction of a new structure, a clear visible freestanding sign or post shall be erected and maintained in place until the permanent address numerals are attached or otherwise displaced upon the premises at completion.

5. Water Supply: Water supply requirements will be followed as described in Appendix B of the 2018 International Fire Code unless agreed upon by the Fire District.

- a. Fire Flow: The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building.
- b. Fire Flow: One and two family dwellings not exceeding 3,600 square feet require a fire-flow of 1,000 gallons per minute for a duration of 1 hour to service the entire project. One and two family dwellings in excess of 3,600 square feet require a minimum fire flow as specified in Appendix B of the International Fire Code.
- c. Water Supply: Water Supply Options
 - i. Municipal Water System
 - ii. Private or Community well capable of supplying required fire flow.
 - iii. Elevated and pressure tanks
 - iv. NFPA 13D Residential Fire Sprinkler System

6. Additional Comments:

- a. Final inspection by the Fire District of the above listed must be completed before building permits are issued by Canyon County.

Project: Falcon Rim Subdivision Preliminary Plat Review (23MS-151)

Fire District Headquarters • 11665 W. State St., Suite B • Star, Idaho 83669 • (208) 286-7772 • www.midstarfire.org



FIRE DEPARTMENT PRELIMINARY PLAT APPLICATION

PLEASE PRINT


Date: 07/10/23

Applicant Name: Lacey Clark		Primary Contact: <input type="checkbox"/> Applicant <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Representative	
Address: 5725 N. Discovery Way		City: Boise	Zip: 83713
Phone/Mobile: (208) 639-6939		Email Address: LClark@KMengllp.com	
Owner(s): Tradition Capital Partners, LLC			
Address: 8454 Brookhaven Place		City: Middleton	Zip: 83644
Phone/Mobile: (208) 863-5164		Email Address: spencer@tcpidaho.com	
Representative: Lacey Clark		Contact Name:	
Phone/Mobile: (208) 639-6939		Email Address: LClark@KMengllp.com	
Billing: Name and Email:			

PROJECT INFORMATION

Subdivision Name: Falcon Rim Subdivision		
Site Location: 25683 Duff Lane, Middleton ID 83644		
Approved Zoning Designation of Site: CR-R1		Legal Description: Section 29, Township 5N, Range 2W
Total Acreage of Site: 37.40 Acres		Dwelling Units Per Gross Acre: 0.70 units/acre
Minimum Lot Size: 39,462 SQ. Ft.		Minimum Lot Width:
Total Number of Lots: 28	Residential: 26	Commercial:
Industrial:	Common: 2	Other:
Total Number of Units:	Single-family:	Duplex:
Multi-family	Other:	Water Services:
Streets: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	# Entrances: 1	Gated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

FIRE CODE OFFICIAL USE ONLY

REVIEW NOTES: See attached staff report.	Application & Plans Received: (Date/By) 07/11/23 Drop-off - N. Sinclair		
	Permit Fee: \$200.00 Paid Cash Credit Card Check # 8241		
	Fire Authority Having Jurisdiction: Middleton Rural Fire District		
	Fire District Permit # 23MS-151		
	City/County Jurisdiction: Middleton/Canyon		
	County/City Permit #		
	FIRE DISTRICT APPLICATION STATUS		
	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		
	Fire Code Official: 		Date: 08/27/23



Middleton School District #134

Every Child Learning Every Day

Middleton School District #134

Canyon County--Public Hearing Notice Response

General Response for New Development

Middleton School District has experienced significant growth in its student population over the past 5 years. Currently, Middleton School District has 2 of our 3 elementary schools over capacity. Heights Elementary is at 145% of capacity with five portable units totaling 10 classrooms. Mill Creek Elementary is at 112% of capacity with 6 portable classroom units totaling 12 classrooms. We are nearing capacity but have not superseded at this point at our high school (94%) and middle school (85%). As it stands now there is an immediate need for additional facilities in our school district, primarily in the elementary grades

We have completed a demographic study performed for our school district boundaries, and data suggests that for every new home, we could expect between 0.5 and 0.7 (with an average of .569) students to come to our schools. That is the factor/rate we use to make our projection of student impact for each development.

Falcon Rim Subdivision

Students living in the subdivision as planned would be in the attendance zone for Middleton Heights Elementary School, Middleton Middle School, and Middleton High School. With the 26 proposed lots we anticipate approximately 13-18 students K-12 will need educational services provided by our district. This equates roughly to 1 new classroom of students as a result of this development.

In addition to the increase in student population and its impact on facilities, bussing would be provided for all students. As such, it would be important that the developer include plans for appropriate spacing for bus stops. Typically, busses do not enter subdivisions. As such, safe routes to planned stops would be an important consideration.

As a school district, we would ask that the Canyon County Planning and Zoning Commission take these factors into consideration as you make your decision. Any questions regarding this response should be directed to Marc Gee at the contact information shared below.

A handwritten signature in dark ink, appearing to read 'Marc C. Gee'.

Marc C. Gee, Superintendent

November 11, 2024

Date

Exhibit D

Public Comments

1. Joel Neves, received October 24, 2024

Dan Lister

From: Dan Lister
Sent: Monday, October 28, 2024 11:07 AM
To: 'Joel & Vickie N'
Subject: RE: [External] Case No. SD2022-0047

Joel,

When the subject property was rezoned, the following condition was applied:

Exhibit C

Landscaping Example In Thoroughbred Estates



The preliminary plat provides a common lot along Duff Lane for the required landscape. A condition will be applied to the approval of the preliminary plat that a landscaping plan with the final plat per the rezone conditions and installed before final plat approval and recording.

Sincerely,

Dan Lister, Principal Planner

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

Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)

Public office hours

Monday, Tuesday, Thursday and Friday

8 am – 5 pm

Wednesday

1 pm – 5 pm

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

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.

-----Original Message-----

From: Joel & Vickie N <joelinvickie@gmail.com>

Sent: Thursday, October 24, 2024 11:16 AM

To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>

Subject: [External] Case No. SD2022-0047

I live across Duff Lane from the proposed development. I do not oppose the development but would like to see a raised buffer along the frontage with Duff Lane similar to what is on the east side of Duff. Is that in the plans? Thank you. Joel Neves Sent from my iPhone

Exhibit E
Draft FCOs



Planning & Zoning Commission
Falcon Rim Subdivision - SD2022-0047

Development Services Department

DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Findings

1. The applicant, KM Engineering, representing Tradition Capital Partners, requests approval of the preliminary plat for Falcon Rim Subdivision consisting of 26 buildable lots and two (2) common lots on Parcel R37527011, approximately 37.4 acres (Attachment A). The application and preliminary plat were submitted and accepted on August 17, 2022 (Exhibit A of the staff report).
2. The subject property is 25683 Duff Lane, Middleton; Parcel R37527011; referenced as the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 5 North, Range 2 West, Boise-Meridian, Canyon County, Idaho (Exhibit B.1 of the staff report).
3. The subject property is zoned "CR-R-1" (Single Family Residential) subject to meeting the conditions of the development agreement (RZ2018-0018). *See Exhibit B.4a & B.4b of the staff report.*
4. The property is not located within an area of city impact (Exhibit B.1 of the staff report).
5. The acreage is 37.40 acres (31.42-acre buildable area). The development consists of a 1.21-acre average lot size (Preliminary Plat Data, Attachment A). Although a community system was recommended (Exhibit B.2a through B.2e of the staff report), it is not required by DEQ (Exhibit B.2c of the staff report) and was not required as a condition of the rezone (Exhibit B.4a and B.4b of the staff report).
6. Irrigation will be delivered by Black Canyon Irrigation District. Irrigation will be delivered to individual lots via the proposed pressure irrigation system (Preliminary Engineering Note #7, Attachment A). Page PP1.2 of the plat shows the point of diversion (Keynote #3), the location of the proposed pump station (Keynote #2), and the proposed pressure irrigation line (PI) to each lot. A gravel access road to the proposed pump station is proposed within a 30' easement. The Homeowners Association or underlying 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 (Preliminary Plat Note #8). Compliance with Black Canyon Irrigation District requirements and comments Attachment B) are applied as conditions of approval. *See Condition No. 4.*
7. The development will be served by individual wells and septic systems (Attachment A, Preliminary Engineering Notes 1-3).
8. Storm drainage from the roadways and lots shall be collected in roadside swales that meet the Idaho Department of Environmental Quality and Highway District No. 4's requirements. The storm detention facilities will be determined during the final design. (Preliminary Engineering Note #4, Attachment A). Storm drainage infiltration basin locations are shown on Page PP1.2 (Keynote #1). The retention basins will be located within easements or in the common lots. 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 (Preliminary Plat Note #7). Finished grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved (Preliminary Plat Note #10).
9. A 56' wide public road system is proposed (Attachment A). A 30' wide gravel access road is proposed to provide access to the irrigation pump system between Lots 10 and 11. A 40' wide public right-of-way shown on the plat along Duff Lane will be dedicated to Highway District #4. The public street names were accepted and reserved for the subject parcel on April 18, 2022 (Exhibit C.2 of the staff report). Compliance with Highway District #4 requirements is applied as a condition of approval. *See Condition No. 3.*
10. The Middleton Rural Fire District responded stating the development could be served subject to compliance with applicable road, access, addressing, street signage, and water supply requirements (Attachment C). *See Condition No. 6.*

11. The development is not located within a mapped floodplain (Flood Zone X, Exhibit B.1 and B.5).
12. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0047.
13. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on August 28, 2024, and October 18, 2024. The newspaper notice was published on October 22, 2024. Property owners were sent a notice on October 18, 2024. The property was posted on October 21, 2024.

Conclusions of Law

Section 07-17-09(4)A of the Canyon County Zoning Ordinance (CCZO) states, “*The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:*

1. *The ordinance and standards used in evaluating the application;*
2. *Recommendations for conditions of approval that would minimize adverse conditions, if any;*
3. *The reasons for recommending the approval, conditional approval, modification, or denial; and*
4. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.”*

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

- A. Idaho Code Section 67-6513 (Subdivisions);
- B. Idaho Code Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code Section 22-4503 (Right-to-Farm Act, Preliminary Plat note #3, Attachment A);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

The preliminary plat was found to be consistent with the standards of review (See Section 3 of the staff report and Exhibit B.2 of the staff report).

Conditions of Approval

- 1) All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner’s signature on the final plat.
 - a. Construction plans/drawings shall be submitted per CCZO Section 07-17-11. Construction plans/drawings are to be reviewed and approved by the County Engineer prior to construction beginning.
 - b. Development in the floodplain shall require a floodplain development permit and compliance with Chapter 7, Article 10a of the Canyon County Zoning Ordinance.
 - i. *See Exhibits C.4 & C.6 of the staff report.*
- 2) Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
- 3) 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.
- 4) 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.
 - a. The review includes compliance with the conditions stated in Attachment B (Exhibit C.1 of the staff report).
 - b. Evidence that water right 63-25948 is properly moved or transferred shall be submitted to Development Services prior to the Board of County Commissioner’s signature on the final plat.
- 5) 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.

- 6) 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.
 - a. The review includes compliance with the conditions stated in Attachment C (Exhibit C.7 of the staff report).
- 7) After preliminary plat approval applicant shall provide GIS data containing georeferenced lot line and roadway linework to be included in Development Services GIS mapping.
- 8) A water user's maintenance agreement for the pressurized irrigation system shall be provided with the application for the final plat and recorded concurrently with the final plat.
- 9) Construction plans to be reviewed and approved by the County Engineer prior to construction beginning.
- 10) The recorded development agreement #21-127 shall be referenced on the final plat as a plat note.
- 11) A landscaping plan per Conditions No. 2c of the development agreement (Exhibit B.4b of the staff report) shall be submitted with the final plat. The landscaping plan shall include a maintenance plan to ensure the landscaping is maintained and does not become a nuisance. The landscaping and maintenance plan shall be included in the recorded conditions, covenants, and restrictions to be upheld by the homeowner's association.
- 12) An ag-disclosure per Conditions No. 2b of the development agreement (Exhibit B.4b of the staff report) shall be submitted with the final plat. The disclosure shall be included in the recorded conditions, covenants, and restrictions to be upheld by the homeowner's association or property owners.
- 13) All development on slopes 15% or greater is prohibited. Any changes that require hillside development will be reviewed per CCZO Section 07-17-33(1) through the preliminary plat and final plat application process.
- 14) Prior to the Board signing the final plat, a location on the common lot shall be provided for a United States Postal Service community mailbox unless waived by the United States Postal Service.
- 15) The final plan shall include a common area to be used to provide a safe bus stop spacing for school pickup/drop-off (Exhibit C.8 of the staff report).

Order

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

RECOMMENDED FOR APPROVAL on this _____ day of _____, 2024.

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

Robert Sturgill, Chairman

State of Idaho)

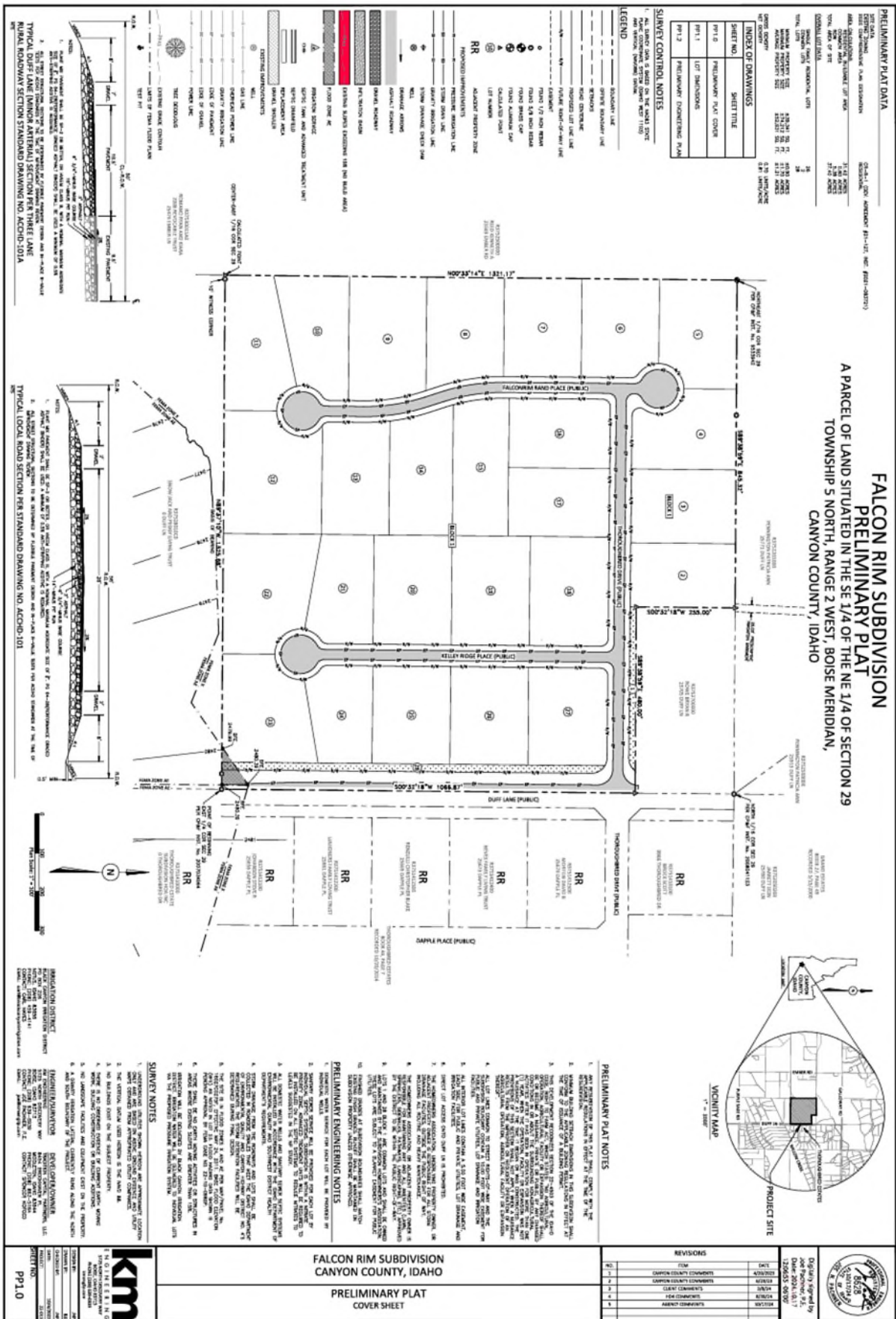
SS

County of Canyon County)

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

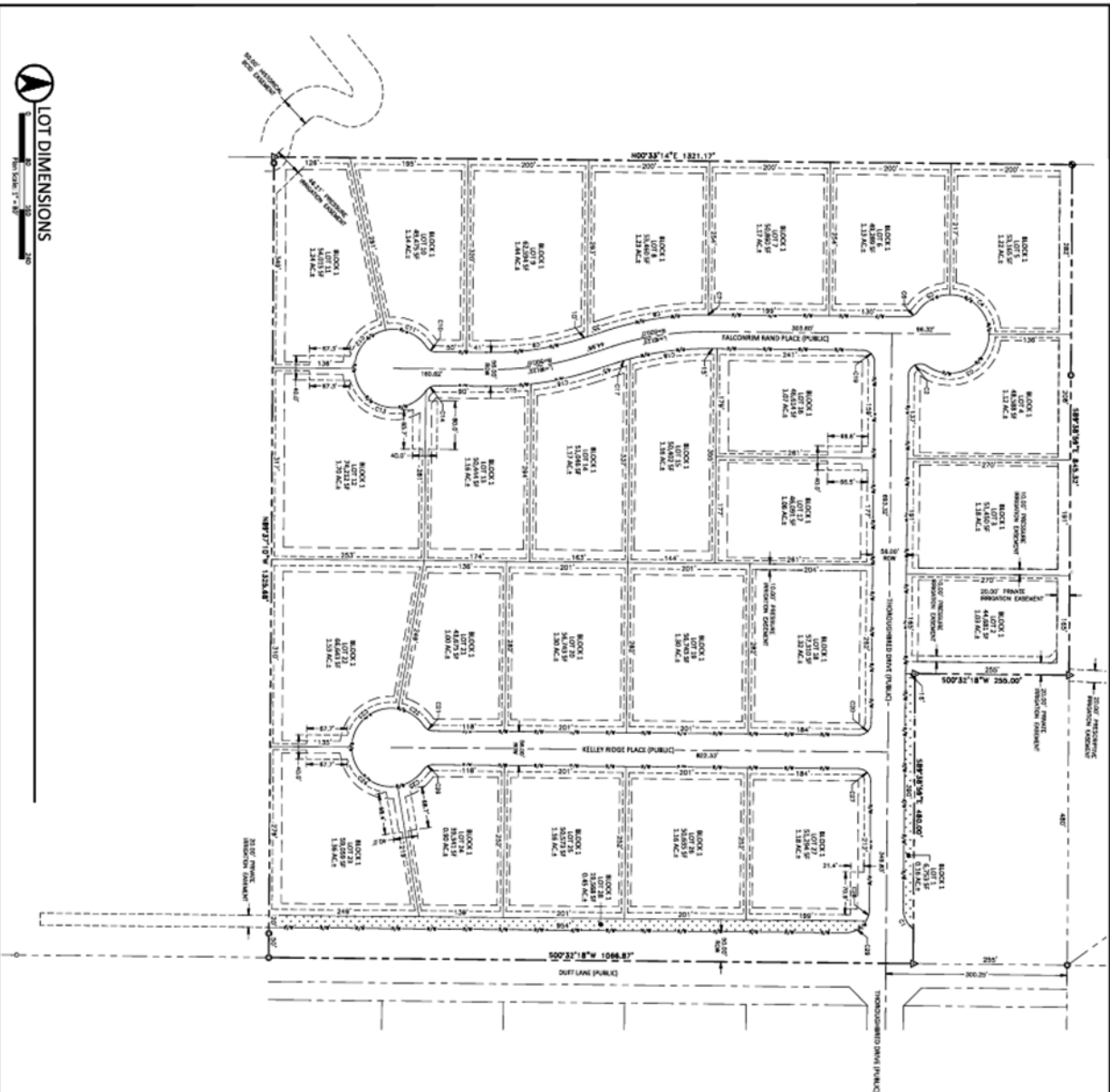
Notary: _____

My Commission Expires: _____





LOT DIMENSIONS
GRAPHIC SCALE: 1" = 50'



COMMITTEE			
NO.	DATE	DESCRIPTION	APPROVED
1	01/11/2022	INITIAL REVIEW	APPROVED
2	01/11/2022	REVIEW	APPROVED
3	01/11/2022	REVIEW	APPROVED
4	01/11/2022	REVIEW	APPROVED
5	01/11/2022	REVIEW	APPROVED
6	01/11/2022	REVIEW	APPROVED
7	01/11/2022	REVIEW	APPROVED
8	01/11/2022	REVIEW	APPROVED
9	01/11/2022	REVIEW	APPROVED
10	01/11/2022	REVIEW	APPROVED
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98	01/11/2022	REVIEW	APPROVED
99	01/11/2022	REVIEW	APPROVED
100	01/11/2022	REVIEW	APPROVED



km
K&M ENGINEERING & ARCHITECTURE
1000 S. 10TH AVE. SUITE 100
BOISE, IDAHO 83702
PHONE: 208.333.1000
FAX: 208.333.1001
WWW.KMENGINEERING.COM

FALCON RIM SUBDIVISION
CANYON COUNTY, IDAHO


PRELIMINARY PLAT
LOT DIMENSIONS

REVISIONS

NO.	DATE	DESCRIPTION
1	01/11/2022	INITIAL REVIEW
2	01/11/2022	REVIEW
3	01/11/2022	REVIEW
4	01/11/2022	REVIEW
5	01/11/2022	REVIEW

SHEET NOTES

1. SEE SHEET P1.2 FOR LEGEND AND PLOT NOTES.



ATTACHMENT B

Dan Lister

From: Derick Corell <dcorell@rh2.com>
Sent: Wednesday, September 11, 2024 5:57 PM
To: Dan Lister
Cc: Mike Meyers; tyler@blackcanyonirrigation.com; Don Popoff; Spencer Kofoed; Stephanie Hopkins
Subject: [External] Canyon County Agency Response SD2022-0047 - Falcon Rim
Attachments: Ltr_2023.10.23-CHayes_PP_SUB23_22_FalconRim.pdf

Dan –

The District previously provided conditional pre-plat concurrence for Case No. SD2022-0047 on October 23rd, 2023. See attached.

As of today, no revised preliminary plat has been submitted to the District and all comments still apply. The applicant has been included in this email for ease of communication.

Thanks,
Derick



Derick Corell EIT

Civil Staff Engineer 3 | RH2 Engineering, Inc.

16150 N. High Desert Street, Suite 201

Nampa, Idaho 83687

C: 986.777.0464

O: 208.907.0520

dcorell@rh2.com

www.rh2.com



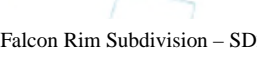
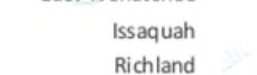
RH2 ENGINEERING

Nampa

16150 N High Desert Street, Suite 201

Nampa, ID 83687

1.800.720.8052 / rh2.com



October 23, 2023

Carl Hayes
District Manager
Black Canyon Irrigation District
PO Box 226
Notus, ID 83656

Sent via: Email

Subject: BCID SUB23-22 – Falcon Rim Subdivision Preliminary Plat Review – Approval

Dear Mr. Carl Hayes:

RH2 Engineering, Inc. (RH2) has reviewed the preliminary plat plan sheets (3 plan sheets, PP1.0-PP1.2), stamped and signed on June 23rd, 2023, prepared by Km Engineering for the Falcon Rim Subdivision. We are providing concurrence for approval of the preliminary plat with the following conditions:

Pre-Plat Conditions:

1. The Developer will need to demonstrate how they plan to divert flow at Tap 4 feeding the C.E. 18.1-1.0 pipeline to the north of the property. Typically, when water leaves a weir box the District no longer regulates the routing of the water, thus a private easement will need to be produced not involving BCID or BOR to verify that water can be delivered.
2. District records indicate a 25' historical easement from centerline of Lateral 18.1-1.3 extends into the southwest corner of the proposed subdivision. In particular please review that the 12" GI line is outside the District's right-of-way. District policy prevents any development within their easements.
3. A review of the historical water rights on this parcel will be required, including the determination of where water will be placed within the parcel(s). The District will perform this task. If it is determined that excess water is created from this proposed development (roads and other non-irrigable surfaces), the developer will have the opportunity to relocate this excess water.

WASHINGTON LOCATIONS

Bellingham
Bothell (Corporate)
East Wenatchee
Issaquah
Richland
Tacoma

OREGON LOCATIONS

Medford
Portland

IDAHO LOCATIONS

Nampa



Final Plat Conditions (Prior to Final Plat Approval):

1. Prior to approval of final plat, a standalone easement will need to be recorded for Lateral 18.1-1.3 that extends within the boundary of the Falcon Rim Subdivision Plat. The developer will be required to provide the District with a legal exhibit and legal description. These documents will need to be signed by a licensed professional surveyor within the State of Idaho. Once recorded, the instrument number will need to be included on the final plat.
2. A Parcel Division Fee will be applied for each newly created lot per District policy.
3. All Development fees need to be paid prior to the District approving final plat.
4. A final as-constructed drawing will be required per District Standards.

General Pre-plat Notes and Design Comments:

1. When preparing gravity irrigation design plans for the District's review, please make sure to include all pertinent gravity irrigation design information such as flow rate, connection information, structure details, etc. This will help expedite the development review process.

Sheet PP1.0:

1. Please include Black Canyon Irrigation District (BCID) contact information on this sheet.

Sheet PP1.1:

1. Please change the "40' BCID Easement" callout to a "Private Irrigation Easement" on all plan views. The District easement will stop at the northern edge of the development and a private easement will bring water down the western edge.

Sheet PP1.2:

1. Please clarify where irrigation water will enter the property. Unclear what is meant by point of diversion (Keynote 3).
2. The proposed pump station will require an overflow drain. It appears that a drain will carry overflow to the southeast corner of the property via the 12" GI line. Please verify that this is true. Note that District policy does not allow drain water to re-enter BCID irrigation network.



Sincerely,

A handwritten signature in black ink that reads 'Donal G. Popoff'.

Don Popoff, PE

Nampa Office Manager



CC: Tyler Chamberlain – Black Canyon Irrigation District
Debbie Root – Canyon County Development Services
Spencer Kofoed – Developer
Lacey Clark– Km Engineering

Attachments: SUB23-03 Falcon Rim – Preliminary Plat 20230623_RH2comments

DRAFT

ATTACHMENT C

MIDDLETON RURAL FIRE DISTRICT



STAR FIRE PROTECTION DISTRICT

DATE: August 27, 2023
TO: Lacey Clark
KM Engineering
FROM: Victor Islas, Deputy Chief
SUBJECT: Fire District Review (23MS-151)
PROJECT NAME: Falcon Rim Subdivision
25683 Duff Ln., Middleton, ID 83644

Fire District Summary Report:

1. Overview

- a. This development can be serviced by the Middleton Rural Fire District. This development shall comply with the 2018 International Fire Code (IFC), Authority Having Jurisdiction (AHJ) and any codes set forth by the Canyon County, Idaho
- b. Scope: New Development
- c. Construction Type – VB
- d. Purposed Lots = 26 with 2 Common
- e. Zoning – R1 Rural Residential
- f. Any overlooked hazardous condition and/or violation of the International Building and/or Fire Code does not imply approval of such condition or violation.

2. Fire Response Time:

- a. This development will be served by the Middleton Rural Fire District Station 52, located at 22585 Kingsbury Rd., Middleton, Idaho 83644. Station 52 is 5.9 mile with a travel time of 9 minutes under ideal driving conditions to the purposed entrance off Galloway Rd.

3. Accessibility: Roadway Access, Traffic, Radio Coverage

- a. Access roads shall be provided and maintained following Appendix D and Section 503 of the IFC. Access shall include adequate roadway widths, signage, turnarounds, and turning radius for fire apparatus.
- b. Access road design shall be designed and constructed to allow for evacuation simultaneously with emergency response operations.
- c. All access roads in this development shall remain clear and unobstructed during construction of the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times.
- d. Purposed access roads meet the intent of the fire code for subdivision under 30 lots.
- e. If the home sites more than 150 ft off the road way additional turnaround will be required.
- f. No parking signs will be required in all cul de sac.

Project: Falcon Rim Subdivision Preliminary Plat Review (23MS-151)

**4. Addressing/Street Signs:**

- a. Addressing/building identification sign shall be placed in a position that is plainly legible and visible from the street or road fronting the property.
 - i. Approved residential address numbers a minimum of six inches (6") in height and in a contrasting color shall be placed on all new buildings in such a position as to be clearly visible and legible from the street or road fronting the property.
- b. Upon commencement of initial construction of a new structure, a clear visible freestanding sign or post shall be erected and maintained in place until the permanent address numerals are attached or otherwise displaced upon the premises at completion.

5. Water Supply: Water supply requirements will be followed as described in Appendix B of the 2018 International Fire Code unless agreed upon by the Fire District.

- a. Fire Flow: The fire-flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building.
- b. Fire Flow: One and two family dwellings not exceeding 3,600 square feet require a fire-flow of 1,000 gallons per minute for a duration of 1 hour to service the entire project. One and two family dwellings in excess of 3,600 square feet require a minimum fire flow as specified in Appendix B of the International Fire Code.
- c. Water Supply: Water Supply Options
 - i. Municipal Water System
 - ii. Private or Community well capable of supplying required fire flow.
 - iii. Elevated and pressure tanks
 - iv. NFPA 13D Residential Fire Sprinkler System

6. Additional Comments:

- a. Final inspection by the Fire District of the above listed must be completed before building permits are issued by Canyon County.