



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Findings

1. The applicants, Blue Terra Development, requests approval for Sage Gate Subdivision Preliminary Plat, Irrigation, Drainage Plan, and Storage Condominium Plan for a seven-lot multi-use subdivision served by a private road lot (Attachment A). The subject property is located at 0 Old Hwy 30, approximately 854 feet north of the intersection of State Highway 44 and Old Highway 30, Caldwell; also referenced as a portion of the SE ¼ of Section 04, T4N, R3W, BM, Canyon County, Idaho.
2. The subject properties, R34535 and R34542, containing approximately 20.9-acres are zoned "C1" (Neighborhood Commercial) and are subject to conditions of a PUD conditional use permit (CU2021-0009-APL) (Exhibit B2 of the staff report).
3. The Sage Gate Storage and Business Park is subject to compliance with CU2021-0009-APL conditions of approval (Exhibit B2 of staff report).
4. Water will be provided to each lot by a single community well located on Lot 104 (Attachment A, Plat Note 8).
5. Each lot will be served by individual septic systems (Attachment A, Plat Note 7).
6. Middleton Fire District provided comment (see staff report Exhibit D9). Fire district review and approval of the access and turnaround is required per CCZO Section 07-10-03(2).
7. The property is located in the Middleton Impact Area. Per CCCO Section 09-09-13, County subdivision requirements apply in the impact area. The City of Middleton was noticed per CCCO Section 09-09-17. No comments were received from the City of Middleton.
8. Irrigation water will be provided to each lot through a pressurized irrigation system. Black Canyon Irrigation District requirements shall be addressed before the final plat signature (see staff report BCID comments Exhibits D6-D6.2).
9. Subdivision runoff and storm drainage facilities will be maintained by the business owners' association and/or each lot owner.
10. Access will be provided by a single access to Old Hwy 30. The private road is located within a 60 foot road lot identified as Lot 108 on the preliminary plat. The road names have been approved by addressing and application RD2023-0004.
11. The development must comply with HD4 requirements prior to the Board's approval of the final plat(s). See *Condition No. 6*. Highway District #4 requires a number of conditions to be met inclusive of dedication of right of way to achieve a 50 foot public right-of-way along Old Hwy 30, a principal arterial road. The development also requires right of way dedication for a right hand turn lane for southbound Old Hwy 30 at the site access. The highway district requires a plat note prohibiting direct lot access onto Old Hwy 30 and no direct access to Interstate 84 (see Preliminary Plat Note #13).
12. The development is not located within a mapped floodplain (Flood Zone X).
13. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2023-0011.
14. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on March 20, 2024, and August 20, 2024. JEPA notice was sent to the City of Middleton on March 20, 2024. The newspaper notice was published on August 20, 2024. Property owners were sent a notice on August 20, 2024. The property was posted on August 23, 2024.

15. The Planning and Zoning Commission heard this case at a public hearing on September 19, 2024 and forwarded the preliminary plat, irrigation, drainage and condominium plans with a recommendation of approval subject to conditions.
16. Notice of the BOCC public hearing was provided in accordance with CCZO §07-05-01. Agency notice inclusive of the city of Middleton was provided on December 9, 2024. JEPA notice was sent to the City of Middleton on March 20, 2024. The newspaper notice was published on December 13, 2024. Property owners were sent a notice on December 9, 2024. The property was posted on or before December 13, 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, Plat note #6, page C2.0);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation);
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and
- F. City of Middleton – Area of City Impact Agreement (CCCO Section 09-09-17).

The Planning and Zoning Commission found that the preliminary plat is consistent with the standards of review subject to conditions and forwarded the case to the Board of County Commissioners with a recommendation of approval subject to the conditions enumerated herein.

CCZO §07-17-09(5): Board Action:

- A. The board shall consider the commission's recommendation at a noticed public hearing.
- B. The board shall base its findings upon the evidence presented at the board's public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code.

The findings shall specify:

1. The ordinance and standards used in evaluating the application;
 - 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 #6, page C2.0);
 - D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation);
 - E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations); and
 - F. City of Middleton – Area of City Impact Agreement (CCCO Section 09-09-17).
2. The reasons for approval or denial; and

The Board of County Commissioners considered the recommendation of approval from the Planning and Zoning Commission and found that the preliminary plat is consistent with the standards of review subject

to conditions enumerated herein inclusive of the conditions of approval from case no. CU2021-0009-APL for the mixed use development.

3. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision. (Ord. 10-006, 8-16-2010; amd. Ord. 11-003, 3-16-2011)

Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject properties and proposed uses.
2. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected.
 - a. Black Canyon Irrigation District shall review the construction drawings and final plat to ensure district requirements are addressed (Staff report exhibits D6, D6.1 and D6.2). Evidence of compliance from BCID shall be submitted to DSD prior to the Board's signature on the final plat.
4. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property.
5. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat.
6. The development shall comply with the requirements of the Highway District #4 (Staff report exhibits D2-D4.1 and D10). Evidence shall be the Highway District's signature on the final plat.
7. The private roads throughout the development shall have a recorded road user's maintenance agreement in accordance with CCZO Section 07-10-03(1)B3. The agreement with the instrument number shall be added as a plat note on the final plat.
8. A water user's maintenance agreement for the irrigation serving all lots shall be recorded. The agreement with the instrument number shall be added as a plat note on the final plat.
9. Compliance with the international fire code and Fire district review of the access and turnaround is required. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
10. The development shall be served by a public drinking water system.
11. The development shall comply with the following conditions of approval for CU2021-0009-APL:

General

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject properties and proposed uses.
2. The development of the site shall be in general conformance with the applicant's letter of intent and site plan (Attachment A).
 - a. Storage units shall only be used for storage, and no other uses shall be permitted to operate within the storage units. Warehousing shall not be permitted in any structures within the development.
3. The site's development shall be required to plat under Canyon County Code Zoning Ordinance Article 17 Subdivision and meet the requirements of Canyon County Code 07-17-33(2) Condominium and Planned Unit Developments.

4. Prior to preliminary plat approval, evidence shall be provided to DSD demonstrating approval by Southwest District Health, Idaho Division of Water Resources, Canyon Highway District #4, and Middleton Fire District. Any improvements shall be installed or bonded prior to final plat approval.
5. Development of the site must commence within three (3) years of the conditional use permit approval and be completed within five (5) years as per CCZO §07-07-23 Time Limitations.

Access, Traffic and Internal Circulation

6. Prior to preliminary plat approval, the applicant shall meet the requirements of Canyon Highway District No. 4 and Idaho transportation Department. All roadway improvements as outlined in Attachment B and any other requirements/mitigation identified by the District and Idaho Transportation Department shall be completed prior to final plat approval.
7. Off-street parking shall be provided in accordance with article 13 of this chapter (CCZO §07-13-01 & 03).

Fire

8. Prior to preliminary plat approval, the applicant shall have an agreement with Middleton Rural Fire District regarding the requirements and standards that shall be applied to the development and the applicant shall provide the agreement to DSD.

Utilities

9. Development of the site shall meet all requirements of the respective utility providers (i.e., Idaho Power, telephone providers, etc.).

Domestic Water

10. Water shall not be made available to the public unless the applicant applied for and is approved for a community water system from Southwest District Health.

Signage

11. Signage shall comply with §07-10-13 of the Canyon County Zoning Ordinance. In addition, where signs are located in close proximity to a residential area, the sign should be designed and located so they have little or no impact on adjacent residential neighborhoods. Signage along Old Hwy 30 shall be restricted to monument signs.

Light Mitigation

12. All exterior lighting shall be shielded downward and directed away from adjacent properties. A photometric plan shall be provided at the time of platting.

Irrigation

13. Development of the shall not disrupt any irrigation canals, laterals, or ditches as per Idaho State Law, Title 18 Chapter 43 Irrigation Works.
14. Stormwater and drainage shall be retained on site and shall not be directed into existing canals/drainages and waterways.
15. The applicant shall comply with Black Canyon Irrigation District with regards to the installation of fencing, irrigation facilities, drainage, and stormwater run-off into any irrigation facility.

Landscaping

16. A sight-obscuring fence and landscape buffer shall be provided on the northern, eastern, and southern boundaries of the site. A fencing and landscaping plan shall be submitted to DSD with the preliminary plat

application. The site shall be landscaped using a mix of xeriscape and green landscaping techniques. The site shall be developed and landscaped inclusive of fencing in substantial conformance with Sage Gate Landscape Plan Exhibit VII.a. dated November 19, 2024.

Building Design and Review

- 17. Site and development design plans shall be submitted to DSD with the preliminary plat application and shall be in substantial conformance with CU2021-0009-APL-Attachment C. The submitted design plans were submitted. Construction shall be in substantial conformance with the street, exterior typical and perspectives provided by the applicant and attached hereto as Exhibits VII.a., VII.b., and VII.c.
- 18. The storage access and circulation areas shall be paved. The area identified in the northwest corner and along the north fence line for boat/RV/trailer parking may be all-weather surface.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2023-0011, the Board of County Commissioners approve the Preliminary Plat, Irrigation, Drainage Plan, Landscape and Fencing Plan, Design Elevations, and Storage Condominium Plan for Sage Gate Subdivision subject to the Conditions of Approval as enumerated herein.

APPROVED this 14 day of JANUARY, 2025.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY,**

Yes No Did Not Vote

 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	_____	_____

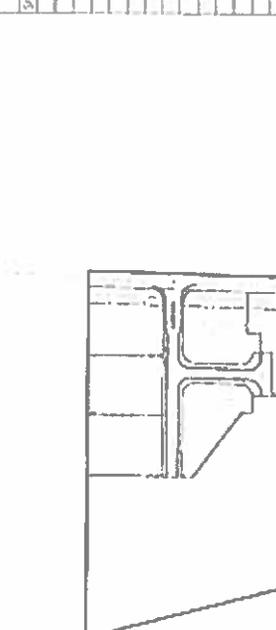
Attest: Rick Hogaboam, Clerk

By: 



SAGE GATE SUBDIVISION
PREPARED BY
BLUE TERRA DEVELOPMENT
LAKATAPIS
CALDWELL, IDAHO

Sheet Number	Sheet Title
C-1	COVER
C-2	PRELIMINARY PLAT
C-3	PRELIMINARY UTILITIES
C-4	PRELIMINARY CONDO PLAN
C-5	SITE PLAN
C-6	GRADING AND DRAINAGE PLAN
C-7	REGULATION PLAN
C-8	PRIVATE STREET
C-9	CONWAY CONCERN/PLAT/PA
C-10	CONWAY CONCERN/PLAT/PA
C-11	DETAILS
C-12	DETAILS
C-13	AS-COMPLETES



SITE MAP

GENERAL NOTES

1. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS REVIEWED THE RECORD PLATS AND SURVEY DATA FOR THE SITE.
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COMMENTS

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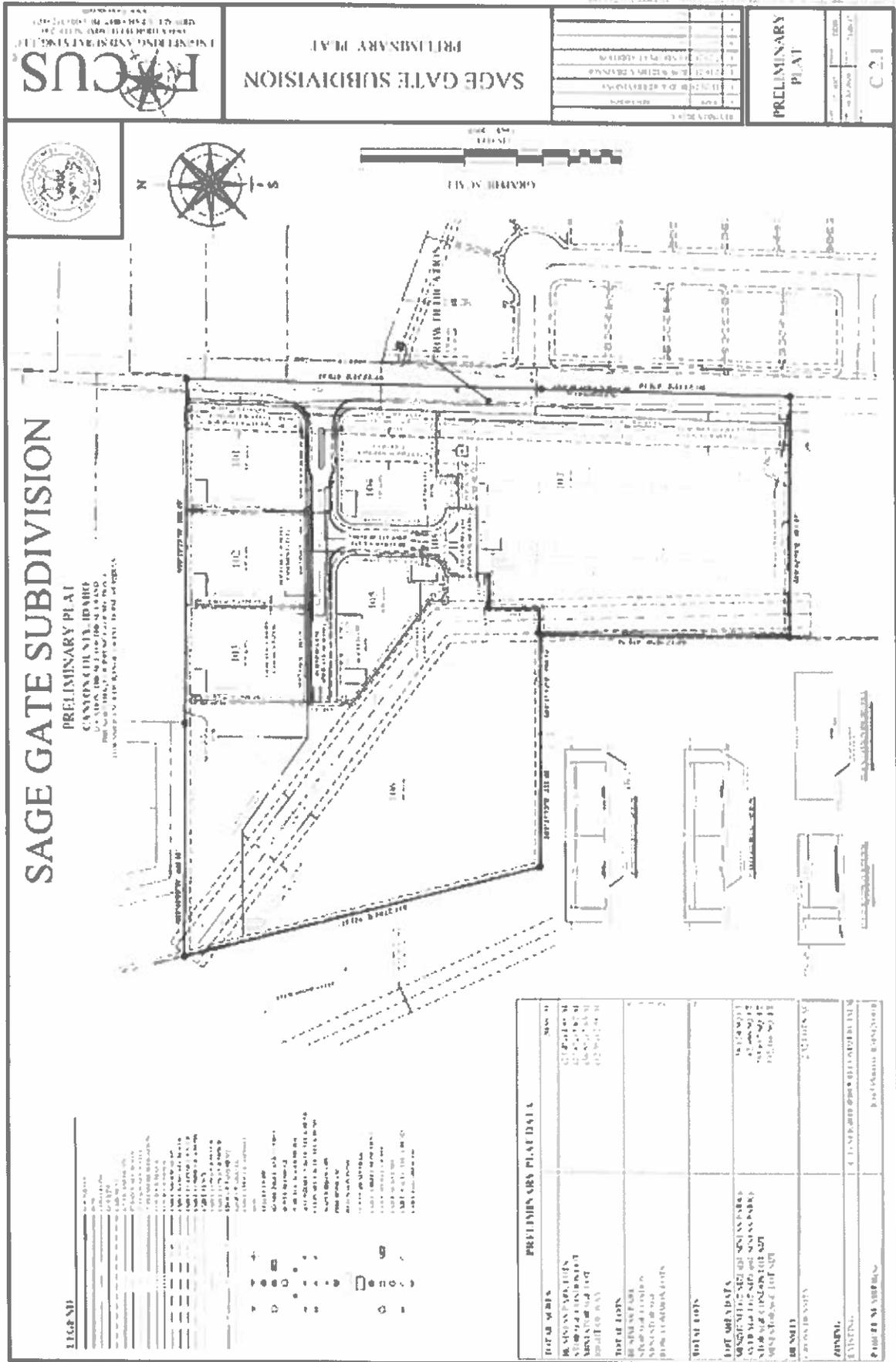
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SAGE GATE SUBDIVISION
PRELIMINARY PLAT

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CHECKED BY	J. D. ANDERSON
SCALE	AS SHOWN
PROJECT NO.	2023-0011

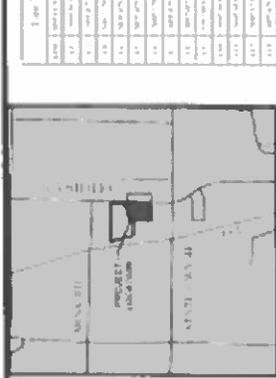
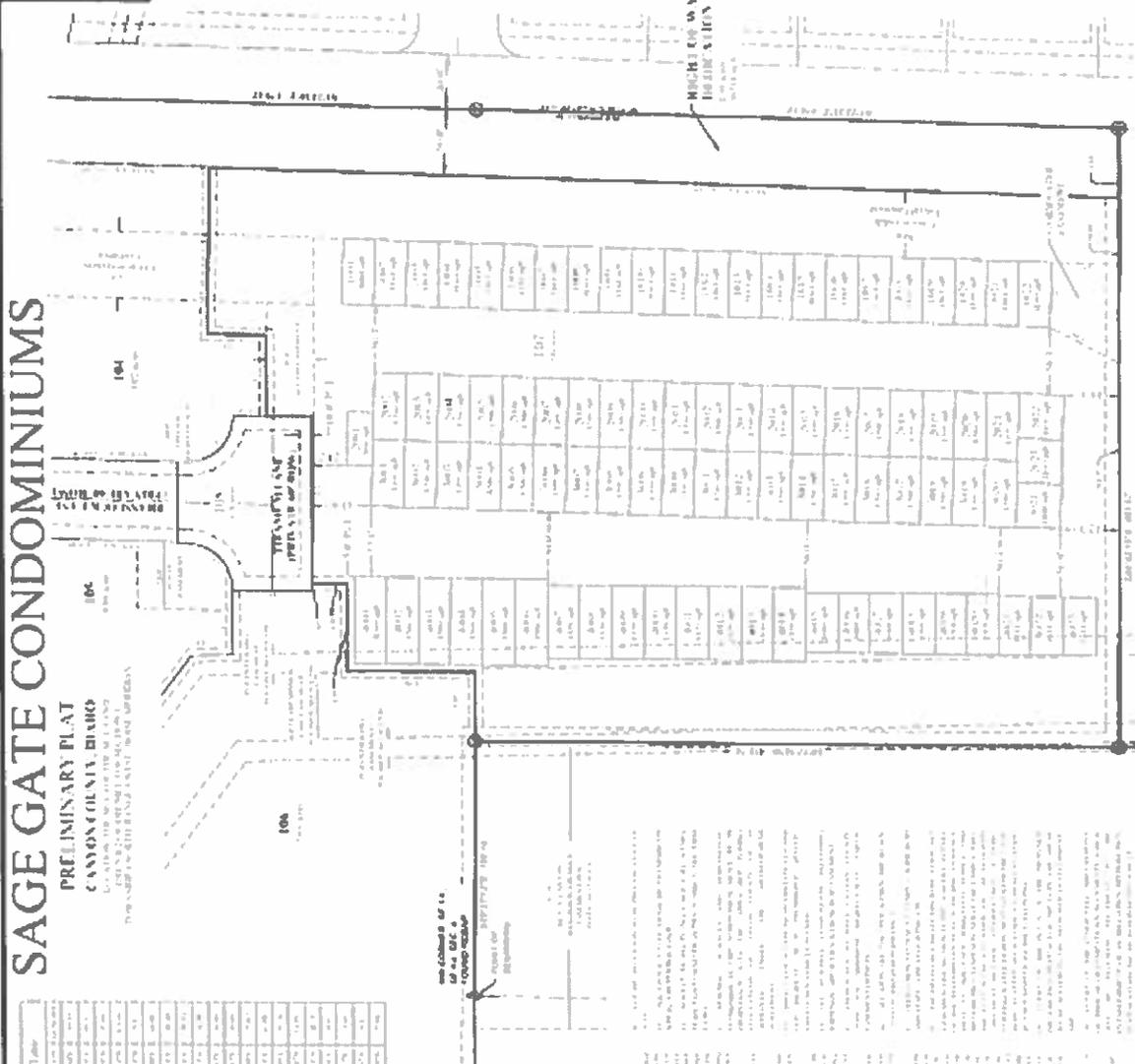
PRELIMINARY PLAT
 C-21





SAGE GATE SUBDIVISION
CONDOMINIUM PRELIMINARY PLAT

CUNDO
PRELIMINARY
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Legend

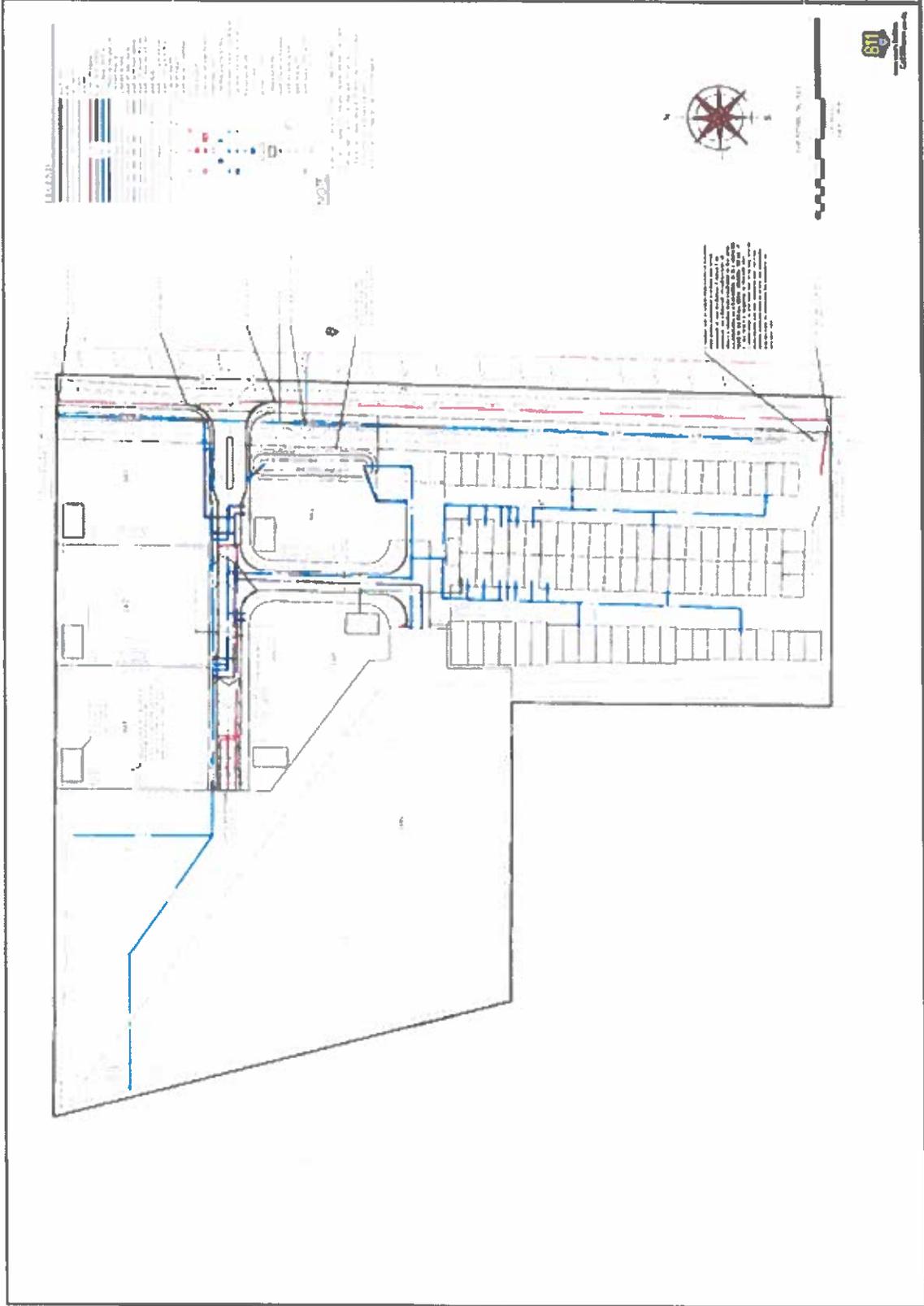
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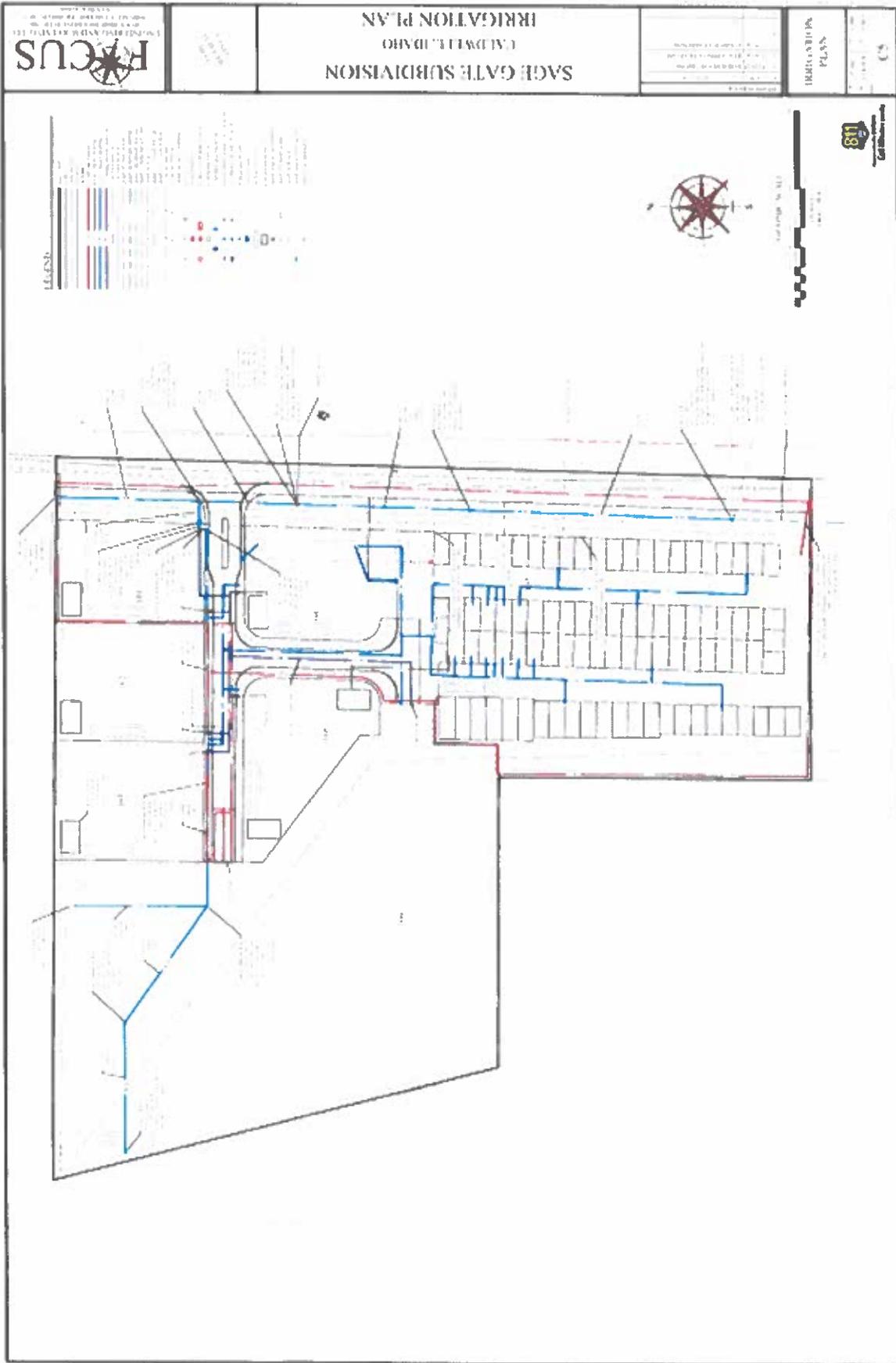
Table with 2 columns: Unit Number, Area

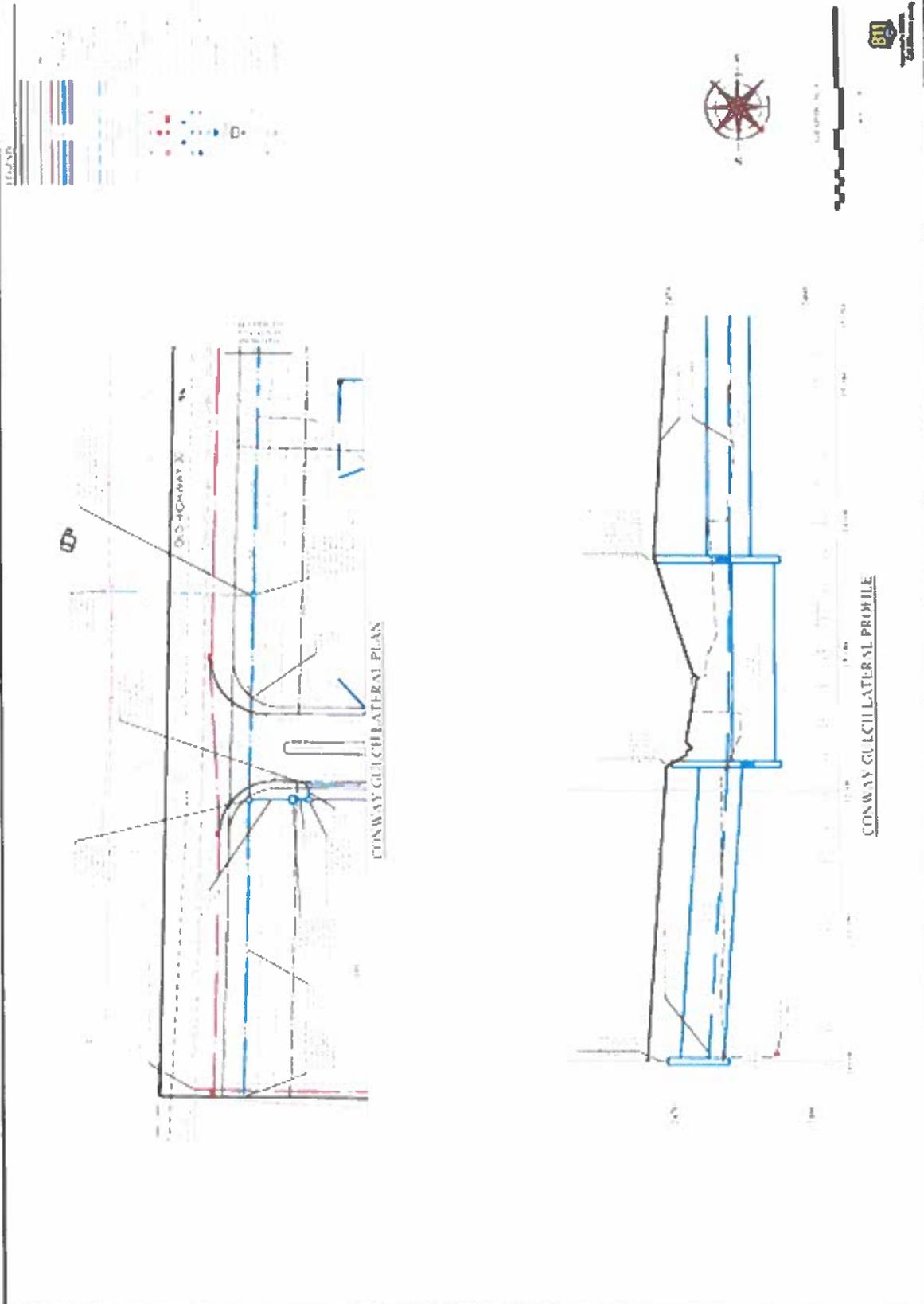
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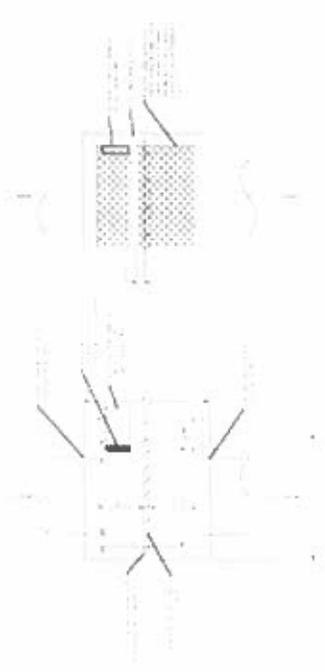
CONDOMINIUMS
This preliminary plat shows the layout of the Sage Gate Condominiums, including the building footprints, parking areas, and site boundaries. The units are numbered 101 through 200. The site is located at the intersection of Canyon Colony Driving and Murkin Way. The plat is subject to the approval of the local planning and zoning commission.

PREPARED BY:
FOCUS CONDOMINIUMS
12345 MAIN STREET
CANYON COLONY, ARIZONA 85901
TEL: (520) 555-1234
WWW.FOCUSCONDOMINIUMS.COM





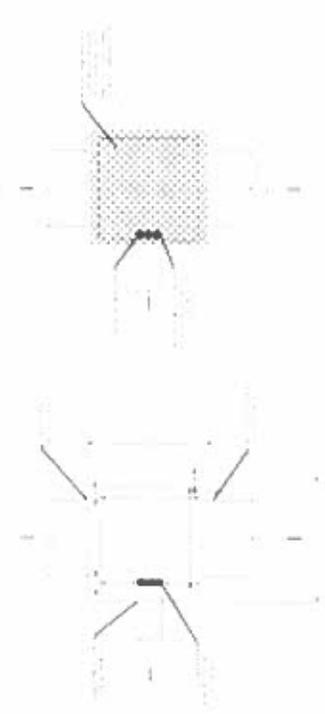




BRICK SUBSOIL DRAIN WITH 12\"/>



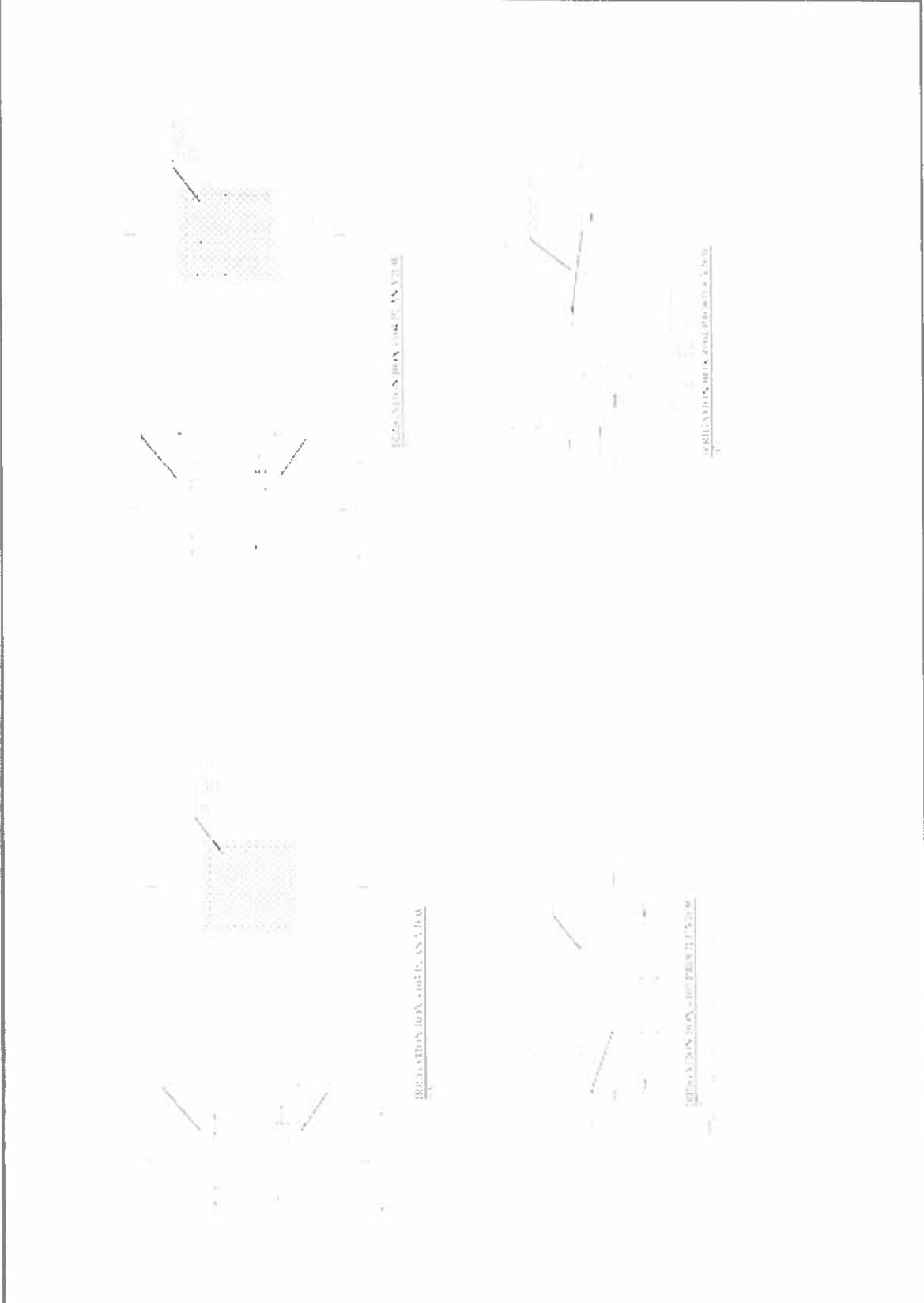
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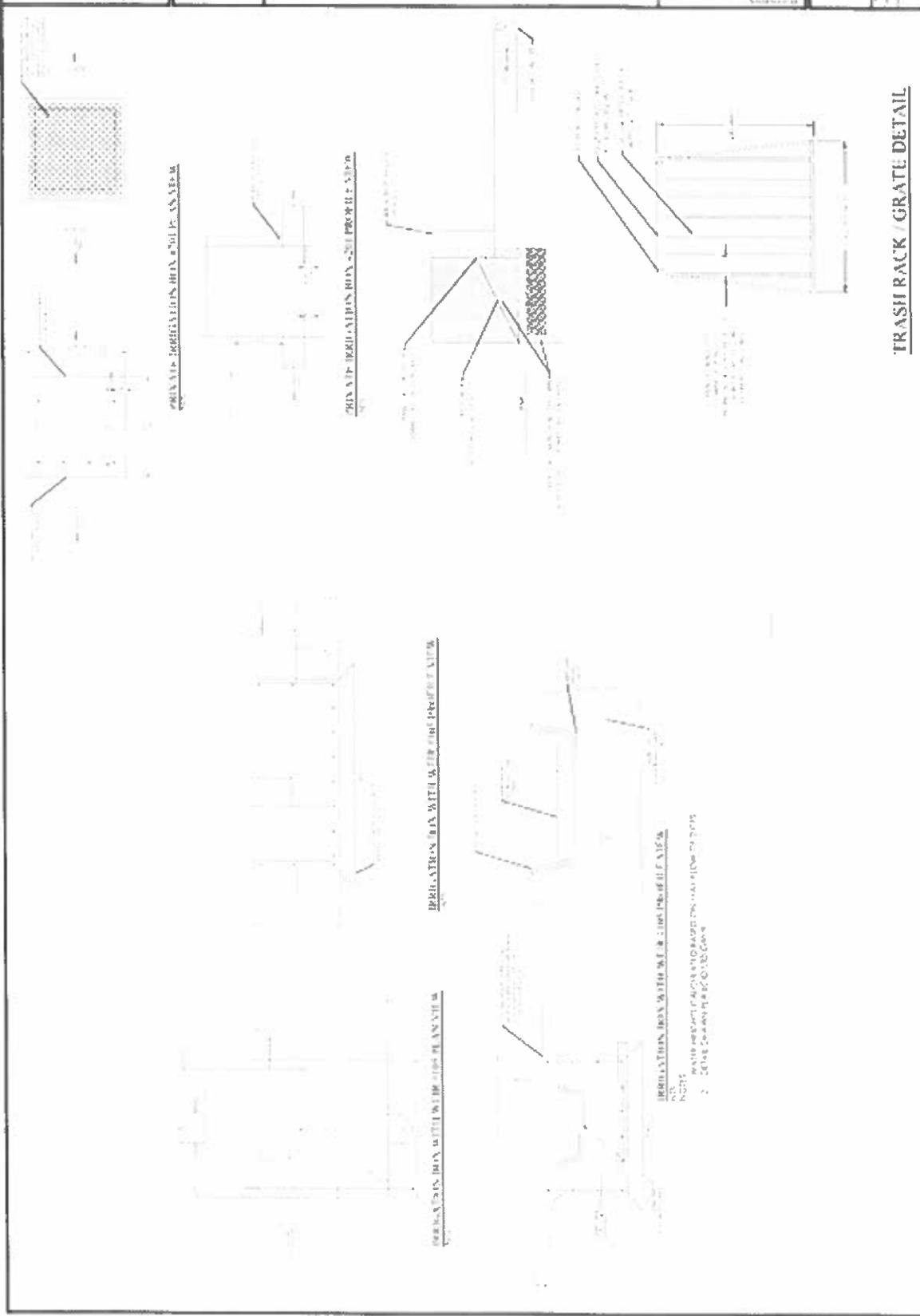


BRICK SUBSOIL DRAIN WITH 10\"/>



BRICK SUBSOIL DRAIN WITH 10\"/>





TRASH RACK / GRATE DETAIL



DATE: 11/15/2023
TIME: 10:00 AM

SAGE GATE SUBDIVISION CADD DETAILS BCID DETAILS

PROJECT NO.	23-0011
DATE	11/15/2023
SCALE	AS SHOWN
DRAWN BY	...
CHECKED BY	...

THE 100' DEEP FAINS
IN

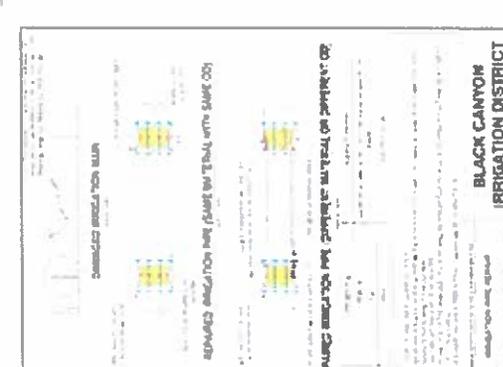
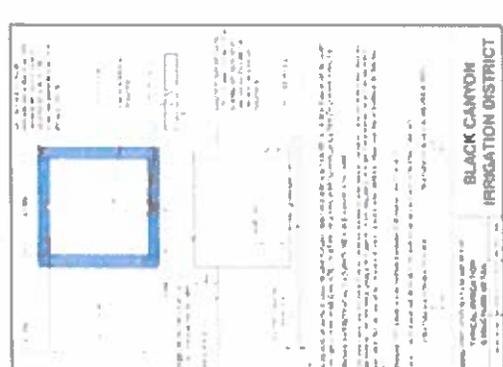
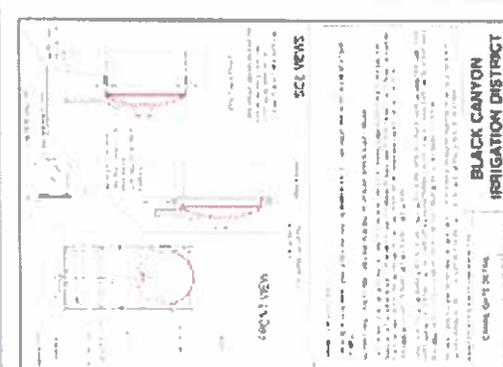
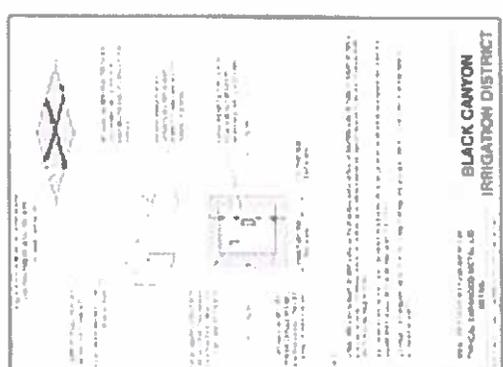
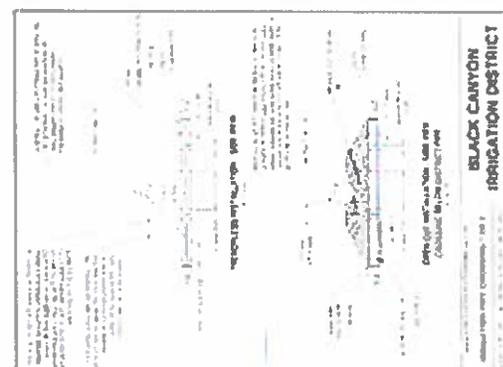
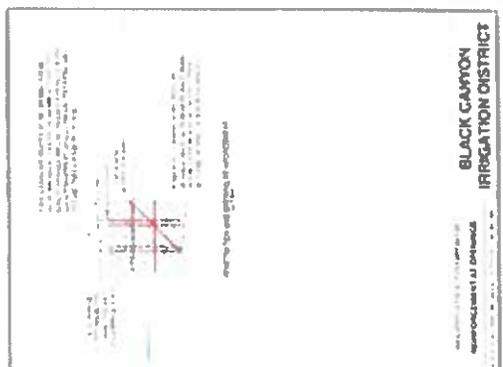
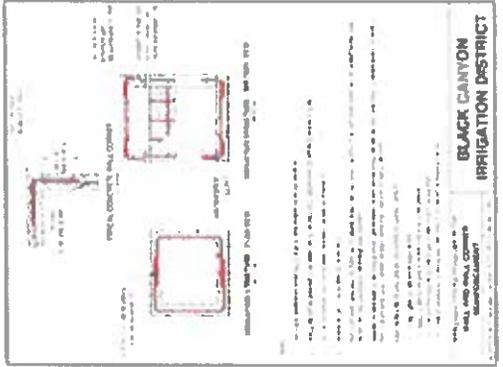
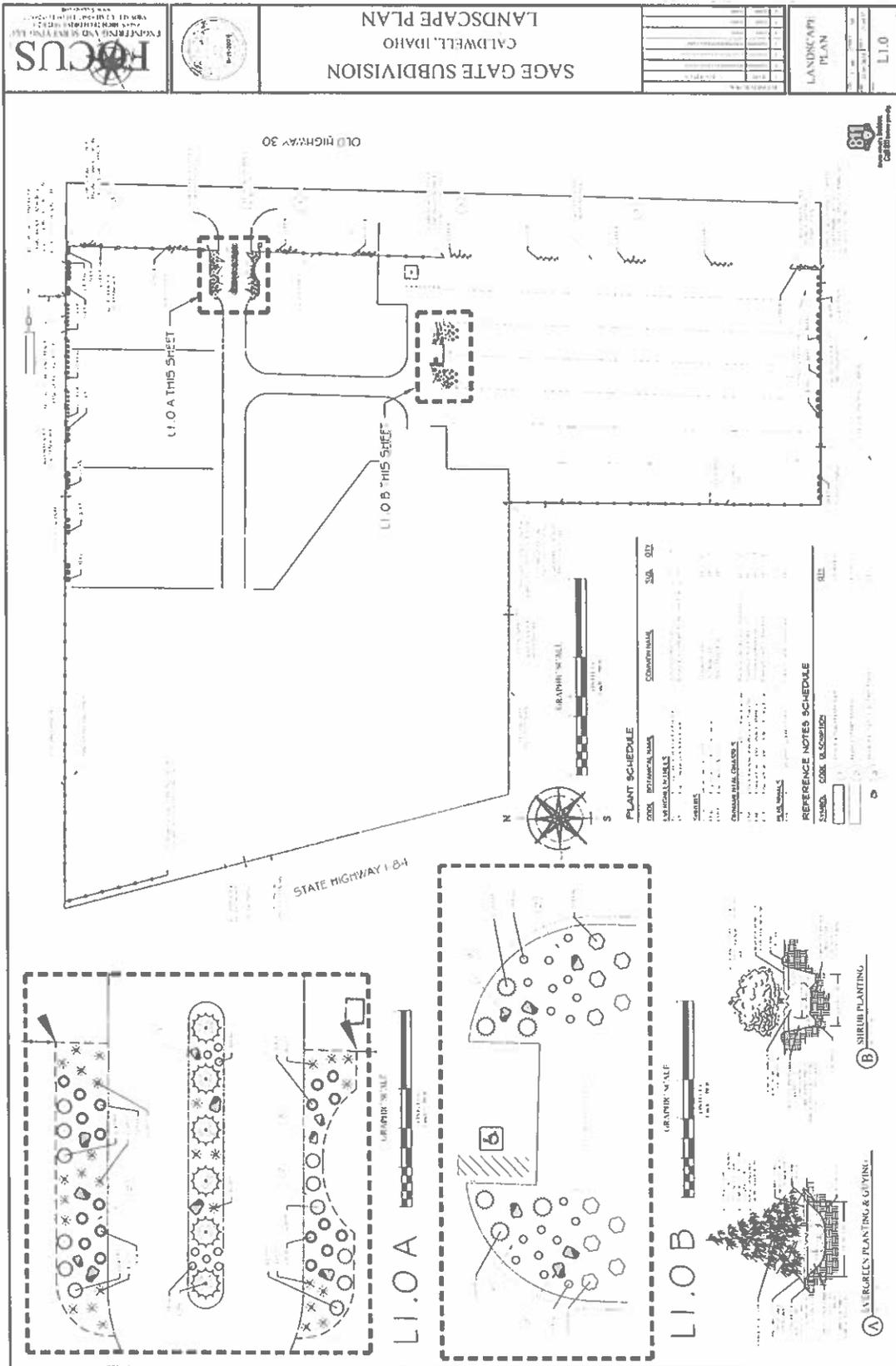
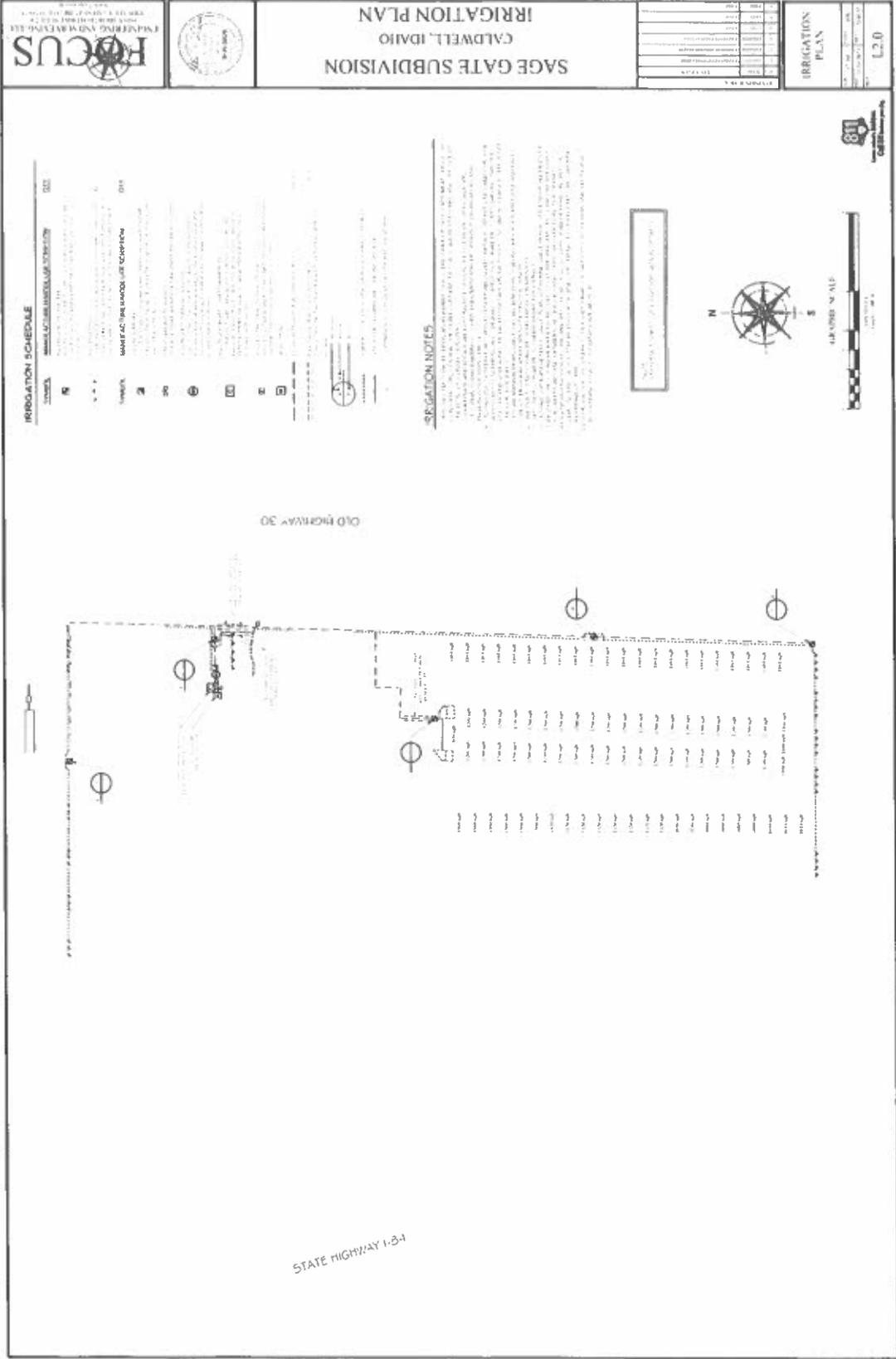


EXHIBIT VII.a. LANDSCAPE PLAN DATED 111924





EXHIBITS VII b. – d. BUILDING DESIGN ELEVATIONS

EVstudio
3000 N. 10th St.
Tulsa, Oklahoma 74104
918.438.1234
www.evstudio.com

PROJECT: SAGE GATE STORAGE
LOCATION: CANYON COUNTY, ID
DATE: 10/2023

AF230002

EXTERIOR ELEVATIONS
A200

1 NORTH ELEVATION
2 SOUTH ELEVATION
3 WEST ELEVATION
4 EAST ELEVATION
5 NORTH ELEVATION
6 SOUTH ELEVATION

