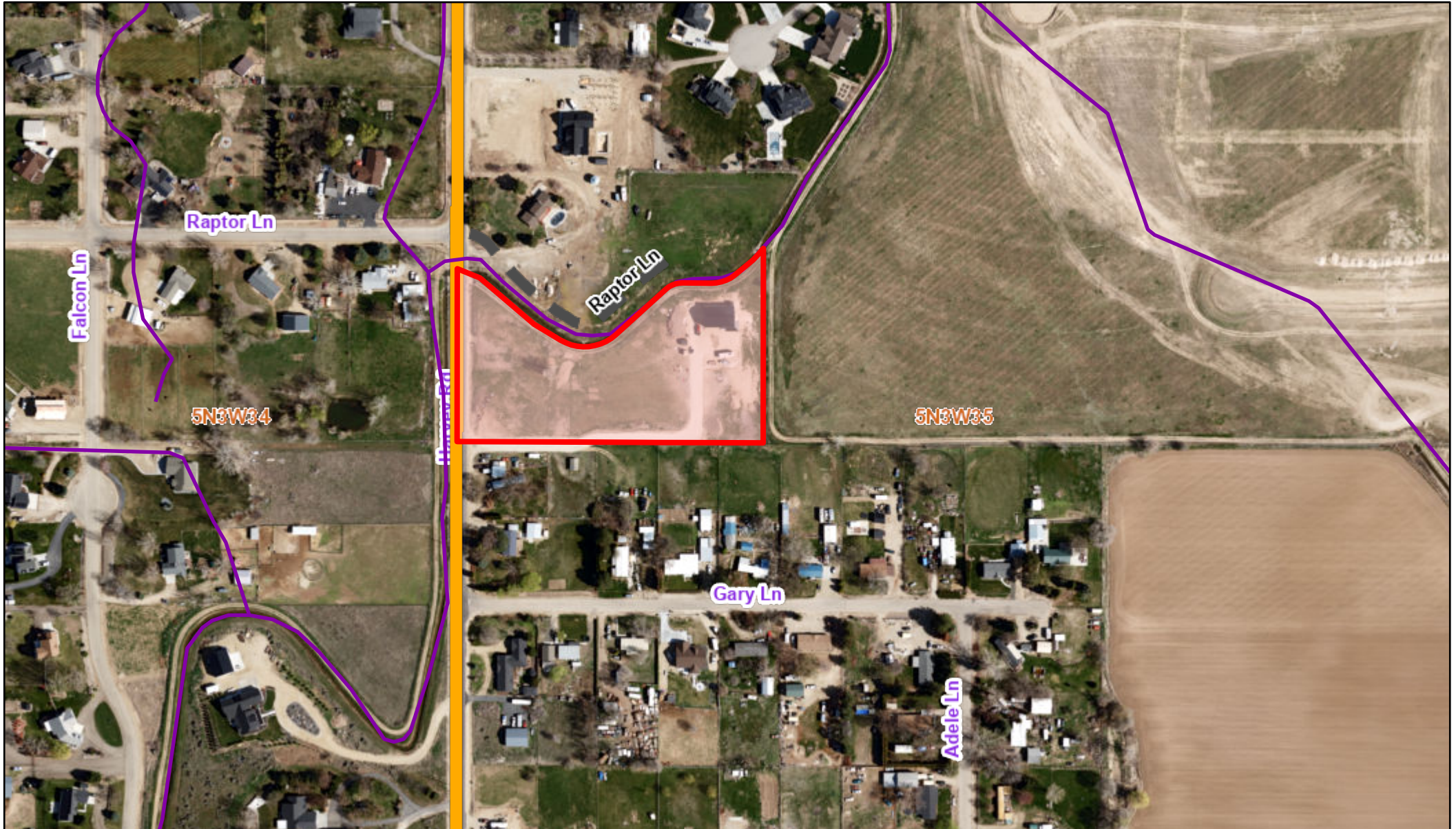


# Canyon County, ID Web Map



1/10/2025, 9:42:49 AM

Multiple Parcel Search \_Query result

Hydro\_NHDFlowline

County Boundary

Current Impact Area

City Limits

Sections

CC\_PrivateRoads

Urban\_2023

Red: Red

Green: Green

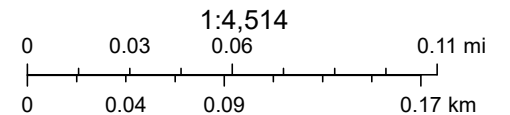
Blue: Blue

Imagery\_2022

Red: Band\_1

Green: Band\_2

Blue: Band\_3



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

Canyon County, ID

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



RECEIVED  
NOV 15 2024

BY: fo

## FINAL PLAT PUBLIC HEARING - CHECKLIST

### FINAL PLAT - CCZO Section 07-02-03

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION TO BE DEEMED COMPLETE (PLEASE CHECK OFF THE ITEMS REQUIRED):

Description	Applicant	Staff
Master Application completed and signed		✓
* Copy of Final Plat: 1 Hard Copy, 1 Digital		
Final Drainage Plan, if applicable		
Final Irrigation Plan, if applicable		
Final Grading Plan, if applicable		
* Completed Final Plat Checklist		
As-Built or Record Drawings if applicable CCZO §07-17-29(3)	x	
Condition Compliance Proof (Conditional Rezone/D.A.)		✓
Proof of approval from:	See Preliminary Plat	
Southwest District Health		
Irrigation District		
Fire District		
Highway District/ Idaho Transportation Dept.		
City Impact Area		
Bonding Instructions		
Deed or evidence of property interest to the subject property		
Fee: \$1000.00		
+\$10.00/lot x 3		
+\$100.00 for Area of City Impact ✓		1,130\$
**Fees are non-refundable**		

CR2022-003  
AD2022-0051

\*DISCLAIMER: The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can accept the application.

#### NOTES:

Any conditions of approval given during the rezoning or preliminary plat process, if applicable, must be addressed as part of submittal materials to ensure condition compliance is met.

Not all improvements have been completed or bonded per CCZO §07-17-29(4) must be construction drawing approval and before the final plat signature by the Board of Commissioners.





**FINAL PLAT**  
**PUBLIC HEARING - MASTER APPLICATION**

<b>PROPERTY OWNER</b>	OWNER NAME: Shawn & Rae Lynn Kelley
	MAILING ADDRESS: 24720 Harvey Rd., Middleton, ID 83644
<div style="background-color: black; height: 30px; width: 100%;"></div>	
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.	
Signature: <u><i>Shawn Kelley</i></u> Date: <u>11/15/24</u>	

<b>APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER</b>	APPLICANT NAME: Same as property owner	
	COMPANY NAME:	
	MAILING ADDRESS:	
	PHONE:	EMAIL:

<b>SITE INFO</b>	STREET ADDRESS: 24720 Harvey Rd., Middleton, ID 83644	
	PARCEL NUMBER: R38194010A	
	PARCEL SIZE: 4.12-acres	
	NUMBER OF LOTS: 4	
	PROPOSED SUBDIVISION NAME: Alpine View Estates	
	FLOOD ZONE (YES/NO) No	ZONING DISTRICT: R-1

**FOR DSD STAFF COMPLETION ONLY:**

CASE NUMBER	<u>SD 2024-0013</u>	DATE RECEIVED:	<u>Dec. 4, 2024</u>
RECEIVED BY:	<u>Arbay Mberwa</u>	APPLICATION FEE:	<u>1,130\$</u> CK MO CC CASH



# Development Services Department



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

▪ Engineering Division ▪

## Final Plat Check-List

<b>Applicant:</b>	<b>Case Number:</b>
<b>Subdivision Name:</b>	<b>Plat Date:</b>

### CANYON COUNTY CODE OF ORDINANCES 07-17-13 (1-6)

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.

<b>1. METHOD &amp; MEDIUM OF PRESENTATION</b>	<b><u>Meets Code / Comments</u></b>
A. All plats to be recorded shall be prepared on a drafting medium in accordance with Requirements of Idaho Code Title 55, Chapter 19, paragraph (1) for Records of Survey Maps.	
B. The plat shall be drawn to an accurate scale of not more than one hundred feet to an inch (1"=100') unless otherwise approved by DSD <i>prior to submission</i> .	
C. The final plat drawing shall be additionally submitted in digital form approved by the Director.	
<b>2. IDENTIFICATION DATA REQUIRED</b>	
A. A title which includes the name of the subdivision and its location by number of section, township, range and county shall be placed together at one location at the top of the sheet and generally centered.	
B. Name, address and official seal of the surveyor preparing the plat.	
C. North arrow.	
D. Date of preparation.	
E. Revision block showing dates of 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.	

<b>3. SURVEY DATA REQUIRED</b>	<b><u>Meets Code / Comments</u></b>
<p>A. Boundaries of the tract to be subdivided and the interior lots are to be fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.</p> <ul style="list-style-type: none"> <li>• <i>Check boundary measurements on plat with legal description measurements, verify they are the same</i></li> <li>• <i>Request closure report be sent along with final plat when it gets routed to the County Surveyor. Closure report should include the metes and closure error ratio for each individual lot and the metes and closure error ratio for the exterior boundary of the subdivision.</i></li> </ul>	
<p>B. Any excepted lots within the plat boundaries shall show all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.</p>	
<p>C. Basis of bearing on the plat shall be referenced.</p> <ul style="list-style-type: none"> <li>• <i>Make sure it matches the legal description</i></li> <li>• <i>Reference to point of beginning</i></li> </ul>	

<b>4. DESCRIPTIVE DATA REQUIRED</b>	<b><u>Meets Code / Comments</u></b>
A. Name, right-of-way lines, courses, lengths, width of all private and public streets, alleys, pedestrian ways and utility easements.	
B. All drainage ways.	
<p>C. All easements provided for public services or utilities and any limitations of the easements.</p> <ul style="list-style-type: none"> <li>• <i>Applicable description for easements</i></li> </ul>	
D. All lots and blocks shall be numbered throughout the plat in accordance with Idaho Code. "Exceptions", "tracts", and "private parks" shall be so designated, lettered or named and clearly dimensioned.	
E. All sites to be dedicated to the public will be indicated and the intended use specified.	
F. All roads must be labeled as either "private" or "public" behind or beneath the road name.	
G. The area of each lot shall be stated in acres and decimals thereof.	
H. The statement from Idaho Code 22-4503 or any later amended statutory language shall appear on all final plats located in a zone where agricultural uses are allowed or permitted.	
I. A note as to the type of sewage disposal facilities to be provided.	

J. A note as to the type of water supply facilities to be provided.	
K. Required section and quarter-section line setbacks.	
<b>5. DEDICATION AND ACKNOWLEDGMENT</b>	<b><u>Meets Code / Comments</u></b>
A. A statement of dedication of all streets, alleys, pedestrian ways and other easements for public use by the person holding title of record and by person holding title as vendees under land contract.	
B. Acknowledgement of dedication: The dedication referred to in Section 07-18-17 of this Chapter shall be in the form of a certificate acknowledged in accordance with Idaho Code 50-1309.	
<b>6. REQUIRED CERTIFICATIONS</b>	<b><u>Meets Code / Comments</u></b>
A. Landowner's signature.	
B. Certification by a surveyor stating that the plat is correct and accurate and that the monuments described in it have been located as described. <i>Make sure stamp is signed and dated.</i>	
C. Certification of plat approval by the County Surveyor.	
D. Certification of plat approval by the Board.	
E. Approval or certification of comment by impacted agencies that may include: Highway Districts, Health Department, the City when the development is in an area of City Impact, Treasurer, Recorder, and State and Federal agencies having jurisdiction.	



## AGENCY ACKNOWLEDGMENT

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

Applicant: \_\_\_\_\_

Parcel Number: \_\_\_\_\_

Site Address: \_\_\_\_\_

### **SIGNATURES DO NOT INDICATE APPROVAL OF**

The purpose of this form is to facilitate communication of relevant requirements, application processes, and other early in the planning process. Record of communication submitted instead of a signature. After the application is hearing notification by DSD staff and will have the opportunity to

states agencies  
have all sent  
notice to Dan

See SD 2022-0056  
CR 2022-0033

\*The digital copy is in the  
prelim plat file folder.

#### **Southwest District Health:**

☐ Applicant submitted/met for informal review.

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

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

#### **Fire District:**

District: \_\_\_\_\_

☐ Applicant submitted/met for informal review.

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

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

#### **Highway District:**

District: \_\_\_\_\_

☐ Applicant submitted/met for informal review.

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

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

#### **Irrigation District:**

District: \_\_\_\_\_

☐ Applicant submitted/met for informal review.

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

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

#### **Area of City Impact**

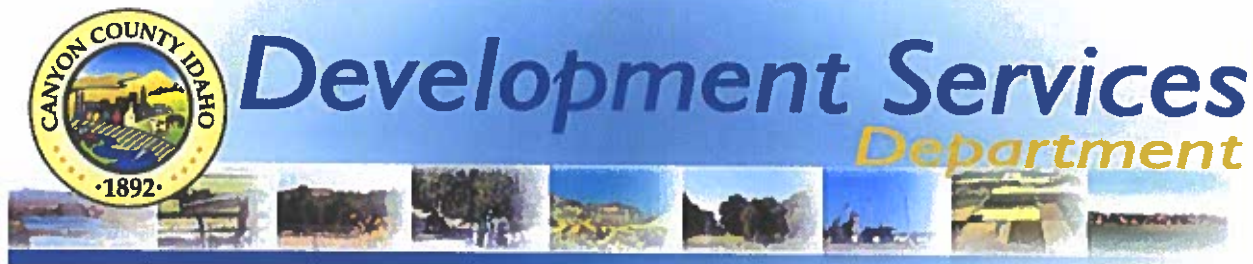
City: \_\_\_\_\_

☐ Applicant submitted/met for informal review.

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

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

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



**Canyon County, 1115 Albany Street, Caldwell, ID 83605**

(208) 454 7458 • (208) 454 6633 Fax • [DSDInfo@canyonco.org](mailto:DSDInfo@canyonco.org) • [www.canyonco.org/dsd](http://www.canyonco.org/dsd)

This letter is to inform you of Canyon County requirements regarding subdivision improvements.

Canyon County requires that all subdivision improvements must be either bonded or completed and certified by a registered professional engineer prior to the Board of County Commissioner's signature on the final plat.

Subdivision improvements consist of curbs, gutters, sidewalks, streetlights, paving, roads, irrigation, water, and sewer systems, and any other amenities within the subdivision.

If said items are completed prior to the Board's signature on the final plat, you must submit a letter from a registered professional engineer certifying that all improvements are constructed per code requirements and are completed. This letter must be stamped (sealed) by the engineer making the certification.

If said items are not going to be completed prior to the Board's signature on the final plat, they must be bonded.

**Bonding Procedure (Canyon County Zoning Ordinance 07-17-29(4):**

- Developer obtains three (3) contractor bids for the estimated cost to construct the improvements.
- Developer obtains a bond, irrevocable letter of credit, or other acceptable form of guarantee in the amount of 120% of the highest of the three (3) bid amounts.
- Developer will submit the three (3) contractor bids and the bond, irrevocable letter of credit, or other acceptable form of guarantee in the amount of 120% of the highest of the three (3) bid amounts to Development Services Department (DSD).
- If the internal roads are to be public, the Developer must bond these roads with the Highway District having jurisdiction and submit a copy of the bond to DSD.
- DSD forwards these items to the Canyon County Prosecuting Attorney's Office for legal review.
- Prosecuting Attorney reviews and approves bonding submittals.
- DSD will secure the bonding instrument.
- DSD requests a hearing date before the BOCC to consider signing the Final Plat.
- DSD will release the bond only upon written request from the DSD Director. This will only occur when DSD has received a letter from a registered professional engineer certifying that all improvements included in the bond are complete. This letter must be stamped (sealed) by the engineer making the certification. The bonded improvements shall be constructed within two (2) years from the date of recordation of the final plat; provided, however, the Board may extend the period one year upon showing of just cause by the developer.
- The scheduling of any payment to the developer will be in accordance with the County's current claim and payment schedule.

**O:\Department Forms\Subdivisions\Bonding\Bonding Form Letter\Bonding Form Letter.docPlanning • Zoning • Building • Code Enforcement**

*Dedicated to providing quality, efficient and equitable service to the citizens of Canyon County by planning for orderly growth and development through consistent administration and enforcement of County Ordinances.*



AGENCY LOCATION AND CONTACT		
<b>Southwest District Health</b>		
	Address	Phone Number
	13307 Miami Lane, Caldwell	(208) 455-5400
<b>Highway Districts</b>		
Agency	Address	Phone Number
Canyon	15435 ID-44, Caldwell	(208) 454-8135
Golden Gate	500 Golden Gate Ave. E, Wilder	(208) 482-6267
Nampa	4507 12 <sup>th</sup> Ave Road, Nampa	(208) 467-6576
Notus-Parma	106 S. 4 <sup>th</sup> Str., Parma	(208) 722-5343
<b>Idaho Transportation Department</b>		
	Address	Phone Number
	11331 W. Chinden Blvd., Boise	(208) 334-8300
<b>Fire Districts</b>		
Agency	Address	Phone Number
Caldwell Rural	310 S. Seventh Ave., Caldwell	(208) 896-4511
Homedale Rural	120 S. Main St., Homedale	(208) 337-3450
Kuna Rural	150 W. Boise St., Kuna	(208) 922-1144
Marsing Rural	303 Main St., Marsing	(208) 896-4796
Melba Rural	408 Carrie Rex, Melba	(208) 495-2351
Middleton Rural	302 E. Star Blvd., Middleton	(208) 585-6650
Nampa Rural	820 Second Str. South, Nampa	(208) 468-5770
Parma Rural	29200 HWY 95, Parma	(208) 722-6753
Star Rural	11665 State Str., Suite B, Star	(208) 286-7772
Upper Deer Flat Rural	9500 Missouri Ave., Nampa	(208) 466-3589
Wilder Rural	601 Patriot Way, Wilder	(208) 482-7563
<b>Irrigation Districts</b>		
Agency	Address	Phone Number
Famer Cooperative Ditch Co/Si	PO Box 69, Parma	(208) 722-2010
Farmers Union Ditch Co	PO Box 1474, Eagle	(208) 870-7919
Black Canyon	474 Elgin Ave., Notus	(208) 459-4141
Boise-Kuna	129 N. School Ave., Kuna	(208) 922-5608
Boise project Board of Control	2465 Overland Road, Boise	(208) 344-1141
Eureka	21766 Howe Road, Caldwell	(208) 250-8000
Franklin Ditch Co	3401 W. Pine Ave., Meridian	(208) 466-3819
Middleton Mill Ditch Co	PO Box 848, Middleton	(208) 585-3207
Nampa-Meridian	1503 1 <sup>st</sup> Str. South, Nampa	(208) 466-7861
New York	6616 W. Overland Road, Boise	(208) 378-1023
Pioneer	3804 S. Lake Ave., Caldwell	(208) 459-3617
Pioneer-Dixie	19724 Dixie River Road, Caldwell	(208) 454-1559
Riverside	PO Box 180, Greenleaf	(208) 722-2010
Settlers	PO Box 7571, Boise	(208) 343-5271
Siebenberg Cooperative Ditch Co	PO Box 642, Parma	kchamberlain.fcdc@gmail.com
Wilder	709 Cleveland Blvd., Caldwell	(208) 459-3421
Mason Creek Ditch Co	1905 Mason Rd., Caldwell	johnmcavoy48@yahoo.com
Poor Boy Ditch Co	PO Box 395, Greenleaf	(208) 407-7681 (F) 498-9690
Canyon County Water Co./Flake Ditch	PO Box 11/PO Box 6, Star	(208) 455-1735
<b>City Impact Area</b>		
Agency	Address	Phone Number
Caldwell	621 Cleveland Blvd., Caldwell	(208) 455-3000
Nampa	500 12 <sup>th</sup> Ave. S., Nampa	(208) 468-4430
Middleton	1103 W. Main St., Middleton	(208) 585-3133
Parma	305 N. 3 <sup>rd</sup> St., Parma	(208) 722-5138
Melba	401 Carrie Rex Ave., Melba	(208) 495-2722
Greenleaf	20523 Whittier Dr., Greenleaf	(208) 454-0552
Notus	375 Notus Road, Notus	(208) 459-6212
Homedale	31 W. Wyoming Ave., Homedale	(208) 337-4641
Star	10769 W. State St., Star	(208) 286-7247
Wilder	107 4 <sup>th</sup> St., Wilder	(208) 482-6204

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



**FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER**

**Findings**

1. The applicants, Shawn, and Rae Lynn Kelley, request approval regarding Alpine View Estates Subdivision, a three-lot subdivision served by a private road lot (Attachment A). The request includes a waiver of subdivision improvements such as sidewalks, gutters, street lighting, and landscaping. The subject property is located at 24720 Harvey Road, Caldwell; also referenced as a portion of the NW ¼ of Section 35, T5N, R3W, BM, Canyon County, Idaho.
2. The 4.12-acre parcel is zoned "CR-R-1" (Conditional Rezone – Single Family Residential; one-acre average minimum lot size) subject to conditions of a development agreement (CR2022-0033, Exhibit C - 5b of the staff report). *See Condition No. 9.*
3. The average residential lot size is 1.21 acres (Attachment A).
4. Each lot will be served by individual domestic wells (Attachment A, Plat Note 7).
5. Each lot will be served by individual septic systems (Attachment A, Plat Note 8). *See Condition No. 4.*
6. Middleton Fire District did not comment. Fire district review and approval of the access and turnaround is required per CCZO Section 07-10-03(2) (Attachment B). *See Condition No. 8.*
7. The property is located in the Middleton Impact Area. Per Canyon County Code of Ordinances (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. The development agreement approved as part of the approved rezone (CR2022-0033) requires a utility easement along Harvey Road to be established to ensure development does not impede the city's ability to extend services to the area in the future (Exhibit C - 5b of the staff report, Condition 2c). The plat shows a 10' utility easement along Harvey Road. Plat Note #4 states the different utilities that can be established within the easement including public utilities (Attachment A).
8. Irrigation water will be provided to each lot through a pressurized irrigation system owned and maintained by Drake Subdivision Homeowner's Association (Exhibit C - 2c of the staff report and Attachment A, Plat Note 3). The use of existing irrigation water complies with Black Canyon Irrigation District's letter (Attachment C) and condition 2d of the development agreement approved as part of the rezone (CR2022-0033, Exhibit C - 5b of the staff report). Other comments from Black Canyon Irrigation District shall be addressed before the final plat signature. *See Condition No. 2a.*
9. Subdivision runoff and storm drainage facilities will be maintained by the homeowner's association or each property owner (Attachment A, Plat Note 9).
10. Current access is via a 25' unmaintained right-of-way established by Drake Subdivision. The applicant proposes a private road, Kelley Lane (RD2022-0040, Exhibit 5c of the staff report), to serve the three lots. The proposed private road does not meet County requirements. A private road must be located within a road lot (60' wide unless reduced through the director's decision to 50' wide; CCZO Section 07-17-31). The road lot proposed is only 25' wide (50' wide if the public right-of-way is included). The access must be reviewed on the final plat to comply with County requirements. *See condition No. 5a for compliance options.*
11. Highway District #4 requires a 40' wide public right-of-way dedication along Harvey Road, a major collector road. The highway district requires a plat note prohibiting direct access onto Harvey Road. Before final plat approval, all irrigation lines and fencing located in the new right-of-way area, and existing field access must be removed or relocated (Attachment D). *See Condition No. 5.*
12. The development is not located within a mapped floodplain (Flood Zone X, Exhibit C -1).

13. The Planning & Zoning Commission heard the case at a public hearing held on July 11, 2024. After deliberation, the Planning & Zoning Commission recommended approval with conditions of the request (Exhibit A & B of the staff report).
14. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2022-0056.
15. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on April 27, 2023, June 5, 2024 (Planning and Zoning Commission), and August 7, 2024. The newspaper notice was published on August 13, 2024. Property owners were sent a notice on June 5, 2024 (Planning and Zoning Commission), and August 7, 2024. The property was posted on August 15, 2024.

#### **Conclusions of Law**

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

- A. *The board shall consider the commission's recommendation at a noticed public hearing.*
  - The Planning & Zoning Commission heard the case at a public hearing held on July 11, 2024. After deliberation, the Planning & Zoning Commission recommended approval with conditions of the request (Exhibit A & B of the staff report).
- B. *The board shall base its findings upon the evidence presented at the board's public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify, or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code. The findings shall specify:*
  1. *The ordinance and standards used in evaluating the application;*
  2. *The reasons for approval or denial; and*
  3. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.*

Upon review of the preliminary plat, the Board of County Commissioners 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);
- 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 preliminary plat was found to be consistent with the standards of review subject to conditions (Attachment B).

#### **Conditions of Approval**

1. All subdivision improvements (public roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected.
  - a. Black Canyon Irrigation District shall review the final plat to ensure all concerns in their comment letter (Attachment B & C) are addressed. Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Attachment B).
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat (Attachment B).
5. The development shall comply with the requirements of the Highway District #4 (Attachment D). Evidence shall be the Highway District's signature on the final plat.
  - a. Lot 4, the proposed road lot, shall either (1) be dedicated to the highway district to make the total width of the right-of-way 50', or (2) the 25' public right-of-way must be abandoned and shown within the private

road lot as 50' wide. If the highway district determines the 25' right-of-way is adequate to provide access to the subdivision, lot 4 shall be removed.

6. The shared 60' wide access easement (unless reduced to 50' via an easement reduction application pursuant to CCZO Section 07-10-03(1) D) 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.
7. A water user's maintenance agreement between the subdivision and Drake HOA shall be recorded. The agreement with the instrument number shall be added as a plat note on the final plat.
8. 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.
9. The recorded development agreement shall be referenced as a plat note on the final plat.

**Order**



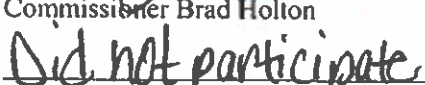

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0056, the Board of County Commissioners **approves** the Preliminary Plat for Alpine View Estates subject to the Conditions of Approval as enumerated herein.

*Pursuant to Section 67-6535 of the Idaho Code, the applicant has 14 days from the date of the final decision to seek reconsideration before seeking judicial review.*

DATED this 11 day of Sept, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

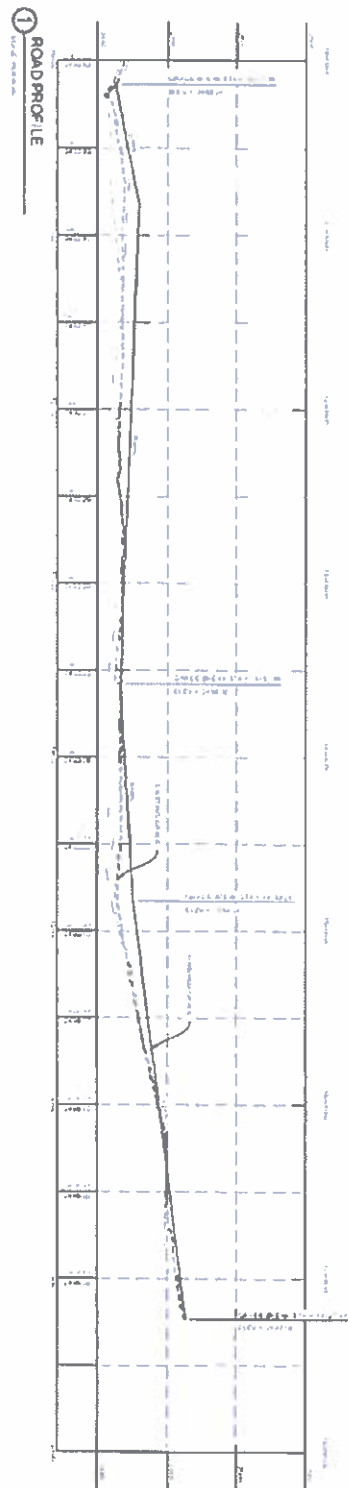
☒ Motion Carried Unanimously  
☐ Motion Carried/Split Vote Below  
☐ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Zach Brooks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attest: Rick Hogaboam, Clerk			
By: 	Date: <u>9-11-24</u>		
Deputy			







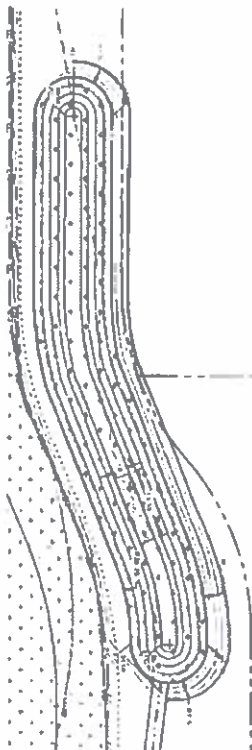
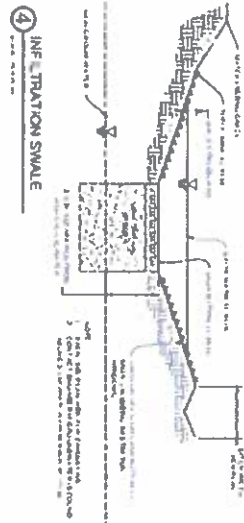


## DISCUSSION

[illegible][illegible]

## 2 STORM CALCULATIONS

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C1.1

## GRADING DETAILS

## HARLEY ESTATES

24022 HARVEY ROAD CALDIE U

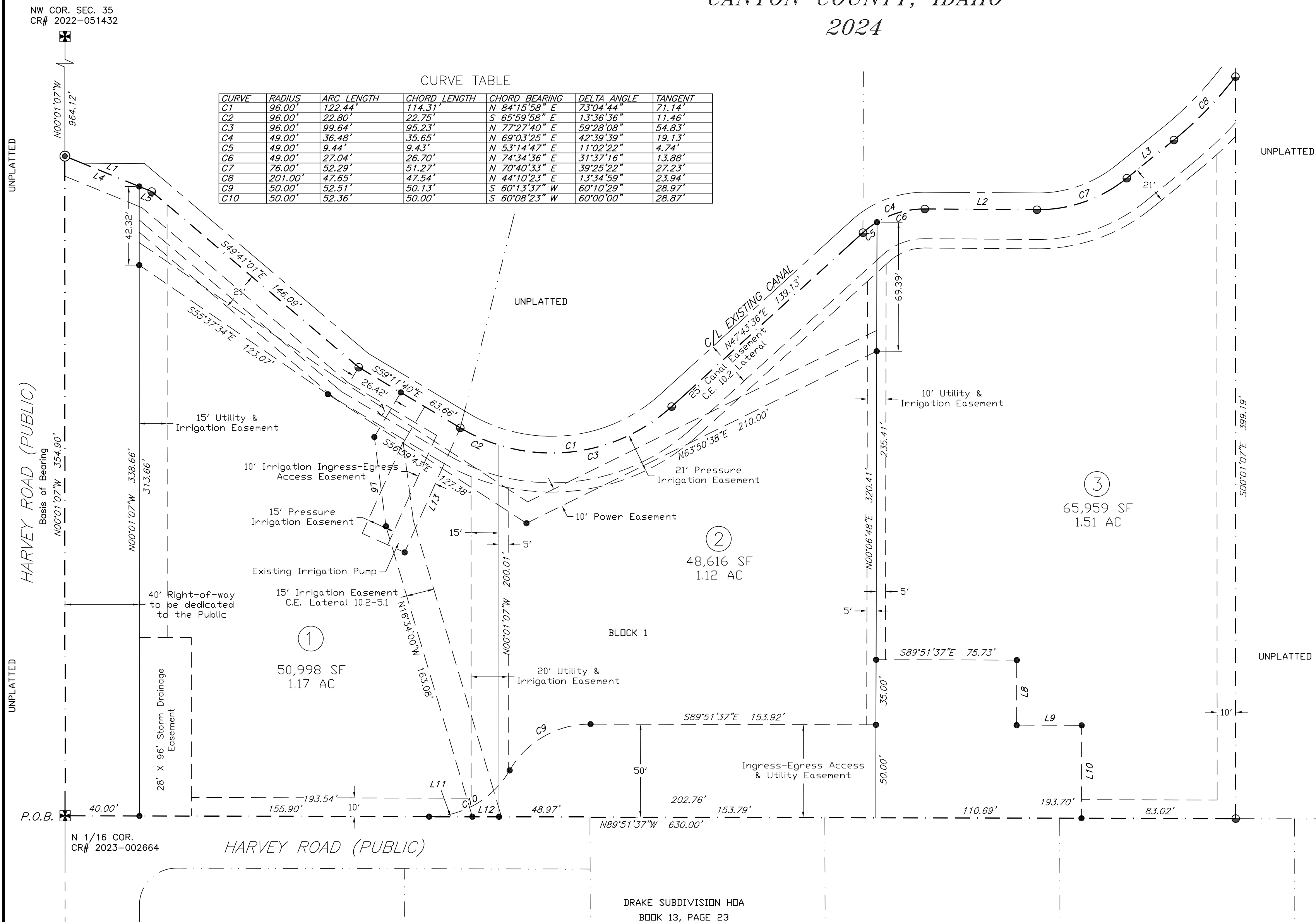


**Alpha Omega**  
ENGINEERING LLC





[illegible]

## BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	96.00'	122.44'	114.31'	N 84°15'58" E	73°04'44"	71.14'
C2	96.00'	22.80'	22.75'	S 65°59'58" E	13°36'36"	11.46'
C3	96.00'	99.64'	95.23'	N 77°27'40" E	59°08'08"	54.83'
C4	49.00'	36.48'	35.65'	N 69°03'25" E	42°39'19"	19.13'
C5	49.00'	9.43'	9.43'	E 63°14'47" E	11°02'22"	4.74'
C6	49.00'	27.04'	26.70'	N 74°34'36" E	37°37'16"	13.88'
C7	76.00'	52.29'	51.27'	N 70°40'33" E	39°25'22"	27.23'
C8	201.00'	47.65'	47.54'	N 44°10'23" E	13°34'59"	23.94'
C9	50.00'	52.51'	50.13'	S 60°13'37" W	60°10'29"	28.97'
C10	50.00'	52.36'	50.00'	S 60°08'23" W	60°00'00"	28.87'



LEGEND

	<i>Found Aluminum Cap</i>
	<i>Found 1/2" rebar. Replaced with Set 5/8" rebar with plastic cap labeled "PLS 12220"</i>
	<i>Set 1/2" rebar with plastic cap labeled "PLS 12220"</i>
	<i>Set 5/8" rebar with plastic cap labeled "PLS 12220"</i>

① Lot Number

-----	Boundary Line
-----	Easement Line
-----	Section Line
-----	Lot Line
-----	Property Line
-----	Canal Centerline

( ) Record Distance

*P.O.B. Point of Beginning*

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 67°47'22" E	50.49'
L2	S 89°36'45" E	60.35'
L3	N 50°57'52" E	32.63'
L4	S 67°47'22" E	43.21'
L5	S 67°47'22" E	7.28'
L6	N 07°26'02" W	48.43'
L7	N 30°48'20" E	27.90'
L8	S 00°08'23" W	35.00'
L9	S 89°51'37" E	35.00'
L10	S 00°08'23" W	50.00'
L11	S 89°51'36" E	23.28'
L12	S 89°51'37" E	14.35'
L13	S 24°04'35" W	73.39'

SURVEYOR NARRATIVE:

1. THE BOUNDARY OF THIS SUBDIVISION WAS ESTABLISHED BY RECORD OF SURVEY NO. 2022-007396 AND DEED NO. 2023-028001. I FOUND AND HELD MONUMENTS SHOWN ON RECORD OF SURVEY NO. 2022-007396 FOR THE OVERALL BOUNDARY.

2. THIS PLAT WAS DONE AT THE REQUEST OF SHAWN KELLEY AND RAE KELLEY TO SUBDIVIDE THIS PROPERTY INTO THREE RESIDENTIAL LOTS.



REVISION DATE: 10-08-24

OWNER/DEVELOPER:

SHAWN LEE KELLEY AND RAE LYNN KELLEY  
24720 HARVEY RD  
CALDWELL, ID 83607

*EAGLE LAND SURVEYING, LLC.*

106 W MAIN ST. UNIT D, MIDDLETON, ID 83644  
(208) 861-7513; pls12220@yahoo.com

*SEC. 35, T. 5 N., R. 3 W., B.M.*

				<i>SHEET</i> <i>1</i>
<i>DATE:</i>	<i>9-23-24</i>	<i>PROJECT:</i>	<i>22-090</i>	<i>OF</i>
<i>DRAWN. BY:</i>	<i>JBF</i>	<i>COPYRIGHT © 2024 ELS ALL RIGHTS RESERVED.</i>		<i>3</i>
<i>CHCKD. BY:</i>	<i>JBF</i>			





May 29, 2024

Dalia Alnajjar  
Engineering Supervisor  
Development Services Department  
111 North 11<sup>th</sup> Ave. #140  
Caldwell, Idaho 83605

**Re: Alpine View Estates Subdivision Preliminary Plat Application**

Dear Ms. Alnajjar,

Keller Associates, Inc. has reviewed the Preliminary Plat for the Alpine View Estates Subdivision dated May 3, 2024. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements.

1. Address comments from the Black Canyon Irrigation District in letter dated, March 20, 2024 relevant to the preliminary plat phase. Provide BCID approval of constructing pressure irrigation lines within their canal easement.
2. Provide approval letter for private road from the applicable fire district.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. Plat shall comply with requirements of the local highway district.
6. Plat shall comply with Southwest District Health requirements.

We recommend that **Preliminary Plat be APPROVED with the conditions listed above**. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above-referenced Preliminary Plat, when granted, does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 244-5065.

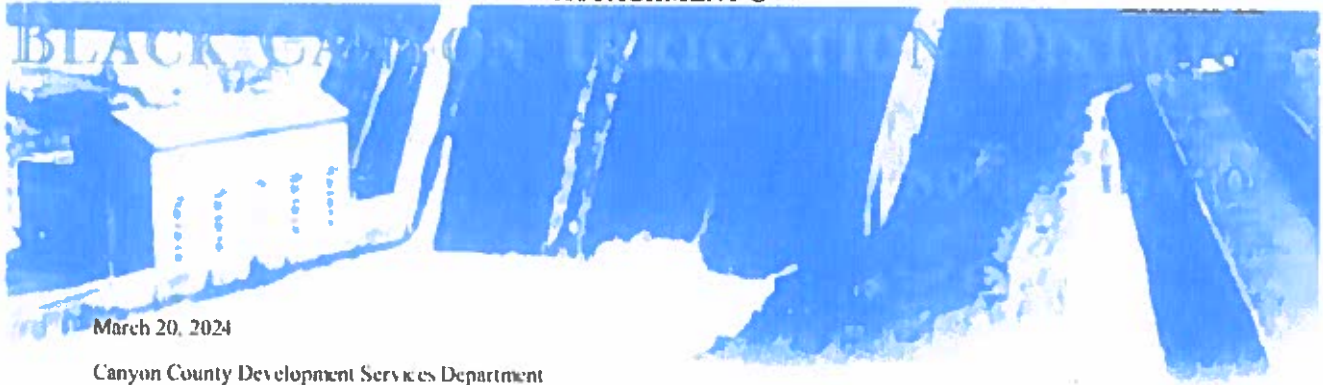
Sincerely,

**KELLER ASSOCIATES, INC.**

A handwritten signature in blue ink, appearing to read "Justin Walker".

Justin Walker, P.E.  
County Engineer

## ATTACHMENT C



March 20, 2024

Canyon County Development Services Department  
111 North 11<sup>th</sup> Ave Suite 310  
Caldwell, ID 83605  
(208) 454-7458

RE: Subdivision (SD) Parcel R38194010A – UPIA 11.5 in R1D  
Case No.: SD2022-0056 (Was originally responded to under CR2022-0033)  
Applicant: Shawn & Rae Lynn Kelley  
Planner: Dan Lister

Black Canyon Irrigation District (District) has previously commented on the agency notice case number CR2022-0033. Please see below for the previous correspondence we have had on this project. All comments on this project are still pertinent (unless noted otherwise).

The parcel is located at 24720 Harvey Road, Caldwell, Canyon County, Idaho.

The District is requesting that Canyon County require the proponent to clarify/answer the following initial comments regarding this proposed land use change prior to approving the change. Significant infrastructure affecting multiple landowners could be affected by approving this change without receiving clarification on the below listed items.

11/30/2023 The District spoke with the applicant on November 17, 2023 and November 30, 2023, to discuss items listed in the agency response letter submitted to the County on October 30, 2023. Additional comments based on the correspondence with the applicant are shown in red below.

3/20/2024 No resolution has been offered by the applicant to date.

### Pre-Application (Prior to concurrence approval of conditional rezone)

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

11/30/2023 A parcel split fee (which is processed through the form listed above) is required to be paid for the creation of each new lot.

03/20/2024 Request still outstanding.

2. Records show that this property receives surface water from the adjacent Drake subdivision. The proponent will need to address their plan for delivering existing surface water to the property. Specifically, it will need to be clarified what arrangements (if any) have been made and how the irrigation water will be accounted for in the proposed re-zoned property. This is in direct contrast to what is presented on the Land Use Worksheet (Item #3) and the Irrigation Plan application (Page 2, Item 2 and Item 6). Please clarify.

11/30/2023 The District has suggested to the applicant to speak with the Drake Subdivision HOA regarding irrigation assessment billing for this conditional rezone and parcel split. This property does have irrigation water from the District (different from that stated in the application). The property has been historically receiving this water from the Drake Subdivision. The Drake Subdivision HOA has been historically paying the assessment for the proponent's irrigation water. The District will need concurrence from the property owner and Drake subdivision if they wish to continue to be included in the Drake Subdivision irrigation system. The District will default to assessing each new property created, individually billing each of these three parcels if no further resolution is reached prior to approval of this conditional Rezone application. The applicant is encouraged to coordinate with the Drake Subdivision HOA.

03/20/2024 Request still outstanding.



3. District records show an irrigation lateral C.E. 10.2-5.1 is installed across the center of this parcel (north to south) that feeds the Drake subdivision located due south of the proposed proponent's property. This lateral needs to be shown on the plans and addressed by either an easement or other legal means. See map below.

11/30/2023 The pipeline shown running North and South across the property is downstream of the District's weir. This pipeline is not a District facility, it is a private facility. It is recommended that this pipeline be properly addressed on any documented survey or preliminary plat. No further action from the District is required on this item.

03/20/2024 Per LC 31-3805 (1)(b) ii, we assume both Canyon County and the City of Middleton are required to review the private irrigation system located on this subdivision including its effects on the Drake subdivision. This is the appropriate time to clean this irrigation system deficiency up.



4. The proponent's grading plan shows private irrigation being fed from the North, across the canal from an existing well. The proponent needs to clarify how this is intended to be applied in conjunction with receiving surface irrigation? Are there arrangements to move surface irrigation water from the parcel?

11/30/2023 The proponent has been requested to add revise note to the development agreement, site survey or preliminary plat document that states, "Groundwater irrigation is available, however prior to being able to receive this groundwater, irrigation infrastructure needs to be installed across the Black Canyon Irrigation District's lateral. A license agreement is required to cross and/or work within the District's easement. Crossing infrastructure currently does not exist." Once this note is provided, this comment will be satisfied.

03/20/2024 Request still outstanding.

5. The grading plan sheet shows a private irrigation line crossing the District's canal. Any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of-ways of the District or Reclamation.

11/30/2023 See response to Item #4 above. The proponent has been asked to add a note to the development agreement, formal site survey, or preliminary plat document to provide clarity to any potential future owner. Once this note is provided, this comment will be satisfied.

03/20/2024 Request still outstanding.



6. The District will require that the laterals affected by this proposed land change be piped and structures built to ensure the delivery of irrigation water to our patrons. This parcel is located directly adjacent to the section of C.E. 10.2 canal which will need to be piped. The piped canal must meet minimum requirements outlined in the District's standards found on the website (<https://blackcanyonirrigation.com/development>). The District and Reclamation may require additional modifications to ensure irrigation water is made available to patrons as this proposed project proceeds.

11/30/2023 - The District has waived their requirement to pipe the existing canal for this application. *No further action required*

7. Fencing will be required along the lateral per District's standards.

11/30/2023 - The District recommends installing fencing along the lateral. *No further action required*

8. The grading plan sheet shows private irrigation lines in the District's right-of-way which need to be relocated. No outside utilities or other structures are allowed within District's right-of-way.

11/30/2023 - Request still outstanding

03/20/2024 - Request still outstanding

9. Any and all maintenance road right-of-ways, lateral right-of-ways and drainage right-of-ways will need to be protected (including the restriction of all encroachments). There is a District's maintenance road that runs along the south side of the canal which will need to remain in place and accessible.

11/30/2023 - *No action required - notification for proponents understanding only*

#### General Comments:

1. A standalone, recorded easement(s) will be required for any irrigation lateral that is located within the property boundary. The District's lateral along this parcel has a prescriptive easement which needs to be recorded. The Developer will be required to provide the easement description and exhibit signed by a professional surveyor licensed in the state of Idaho. The District will provide the easement language once the description and the exhibit have been provided.
2. Construction runoff and drainage from the proposed land should be addressed as it shall not enter the lateral or District's right of way.
3. Please ensure that separation distances between any proposed wells, septic drain fields, and the District's irrigation canal meet minimum IDAPA requirements.

All of the above requirements need to be met, including any others that arise during future review.

Thank You,

*Donald Popoff*

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

CC: Shawn & Rae Lynn Kelley - Developer  
Roberta Stewart - City of Middleton  
Carl Hayes - Black Canyon Irrigation District  
Tyler Chamberlain - Black Canyon Irrigation District  
Heather Crubaugh - Black Canyon Irrigation District



ATTACHMENT D



**HIGHWAY DISTRICT No.4**  
**15435 HIGHWAY 44**  
**CALDWELL, IDAHO 83607**

**TELEPHONE 208.454.8135**  
**FAX 208.454.2008**

March 18, 2024

Canyon County Board of Commissioners and Planning & Zoning Commission  
111 N. 11<sup>th</sup> Street  
Caldwell, Idaho 83605  
Attention: Stephanie Hailey, Planner

RE: **SD2022-0056**  
**Alpine View Subdivision**  
**Harvey Rd- Canyon County Parcel R3.8194010A aka 24720 Harvey Rd**

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the agency notice and application for subdivision of Parcel R38194010A aka 24720 Harvey Rd. The applicant is proposing 3 residential lots (1 existing) on approximately 4.12 acres. HD4 provides the following comments on the request:

**General**

The subject property consists of 1 parcels totaling approximately 4.12 acres, located in the NW 1/4 NW 1/4 Section 35 15N R4W, and lying on the east side of Harvey Rd approximately 1,000 ft south of Purple Sage Rd. The subject property has approximately 355-feet of frontage on Harvey Rd along the westerly boundary. There does not appear to be any other public road access available to the property.

Harvey Rd is classified as a major collector on the functional classification maps adopted by HD4 and Canyon County. Existing right-of-way width along the subject property is a 25-foot prescriptive right-of-way, measured from the existing road centerline. Ultimate right-of-way width is a 40-foot half width measured from the section line (west property boundary).

**Existing Access**

The subject property is currently served by a residential gravel driveway approach to Harvey Rd at the southwest corner of the property.

**Future Access for Residential Development**

Access for the 3 residential lots portrayed on the plat is shown as a private road approach to Harvey Rd, located at the existing gravel driveway approach. This approach location is acceptable to the District. The approach will be required to be paved per ACCHD Standard Drawing SD-106, with a maximum throat width of 30-feet and maximum radii of 20-feet. This requirement shall be made with construction of the third residential lot making use of the approach; however HD4 recommends the County condition the developer to complete this work prior to approving the final plat.

**Requirements for Final Plat**

The following requirements shall be included with, or completed prior to approval of final plat by the Highway District:

1. Provide a 40-foot right-of-way dedication for Harvey Rd as shown.
2. Add a note to the final plat: "No lot shall have direct access to Harvey Rd except via the private road Lot 4 Block 1."
3. Remove all irrigation facilities public or private from the 40-foot right-of-way area along Harvey Rd.
4. Relocate or remove any existing fences to the new right-of-way line.
5. Abandon (remove and regrade shoulder or borrow ditch) existing field access to Harvey Rd along Lot 1 Block 1 (two locations).

**Transportation Impacts:**

The two additional residential lots proposed by the development are not anticipated to materially affect existing or future transportation systems. Transportation impacts from the development will be mitigated by right-of-way dedication, frontage improvements, impact fees, or a combination of these means.

**Section Line Setbacks**

Canyon County code Chapter 7 Section 19-10 requires a 70-foot building setback to any section line or quarter section line. These setbacks are in effect along the westerly boundary of the subject property.

HD4 does not oppose the requested development application, and requests the Commission make these comments conditions of any approved land use action. Please feel free to contact me with any questions on this matter.

Respectfully,



Chris Hopper, P.E.  
District Engineer

File: Subdivision Harvey Rd- Alpine View Estates Sub

**Canyon County Development Services**  
111 N. 11th Ave. Room 310, Caldwell, ID 83605  
(208) 454-7458

**Building Divsn Email:** buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

**Receipt Number:** 84245

**Date:** 12/5/2024

**Date Created:** 12/5/2024

**Receipt Type:** Normal Receipt

**Status:** Active

**Customer's Name:** Shawn Kelley

**Comments:**

**Site Address:** 24720 HARVEY RD, Caldwell ID 83607 / Parcel Number: 38194010A0

**CHARGES**

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Final Plat	SD2024-0013	\$1,000.00	\$0.00	\$0.00
Planning - Final Plat Addition City Impact Area Fee	SD2024-0013	\$100.00	\$0.00	\$0.00
Planning - Final Plat Addition Per Lot Fee (Per Application)	SD2024-0013	\$30.00	\$0.00	\$0.00

**Sub Total:** \$1,130.00

**Sales Tax:** \$0.00

**Total Charges:** \$1,130.00

**PAYMENTS**

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Credit Card	167209715	\$1,130.00

**Total Payments:** \$1,130.00

**ADJUSTMENTS**

**Receipt Balance:** \$0.00