



## CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11<sup>th</sup> Avenue Ste. 310 • Caldwell, Idaho • 83605 • (208) 454-7458

### INTERDEPARTMENTAL MEMORANDUM

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FOR YOUR: ☐ Review ☒ Action ☐ Information

DATE: June 29, 2023, 9:30 AM

TO: Board of County Commissioners

FROM: Dan Lister, Planning Official

SUBJECT: Combined Application Request – Jagers  
Case No. RZ2023-0003, SD2023-0012, and SD2023-0013

#### **Background:**

Treasure Valley Planning Idaho, LLC, representing Chris and Mary Jagers, is requesting three applications (RZ2023-0003, SD2023-0012, and SD2023-0013) to be processed as a combined application (Exhibit A, Fee Waiver or Reduction Request dated May 4, 2023). The application fees paid total \$3,740. The applicant requests any fee reduction be determined by staff based on estimated savings. The request does not include information or reasons for the request.

The subject properties are Parcel R37468012A1 and R37468012A (25744 Kingsbury Lane, Middleton).

#### **Applicable Code:**

##### **07-01-11: COMBINING APPLICATIONS:**

*Pursuant to Idaho Code section 67-6522, the board or commission may combine related applications for the convenience of applicants. If combined applications are authorized, DSD shall establish forms and procedures to combine related applications for the convenience of applicants. Fees for combined permits shall be established through a board resolution as provided in Article 4 of this chapter. (Ord. 10-006, 8-16-2010)*

The adopted Planning and Zoning Fee Schedule (Resolution #22-137) requires a BOCC resolution when combining multiple hearing applications (Exhibit B, Planning and Zoning Fee Schedule).

#### **Analysis:**

The Canyon County Zoning Ordinance (CCZO) allows the following application types to be combined:

- A comprehensive plan amendment may be combined with a zoning amendment at the discretion of the Director of DSD (CCZO Section 07-06-01(3)).
  - The applicant has not applied for a comprehensive plan amendment.
- A preliminary plat and final plat can be combined subject to CCZO Section 07-17-17 (Short Plat).
  - The properties are located within a floodplain which does not qualify for a short plat (CCZO Section 07-17-17(1)B).

At the June 1, 2023, Board Workshop (Exhibit C and link to workshop:

<https://agenda.canyoncounty.id.gov/Agenda?date=2023-06-01>), DSD staff provided information demonstrating how combined applications are one of the causes of the current public hearing case backlogs. Reasons included:

- The review of a plat takes longer than the review of a rezone application. A rezone application typically sits until the plat is deemed complete when it could proceed through hearings while the plat is being reviewed.
  - Combined hearings also tend to confuse the hearing body due to the applicant using the plat information to make rezone findings.
- If DSD staff cannot make the required findings and must recommend denial of the rezone application, a review of the subsequent plat is not an efficient use of DSD staff time.

For these reasons, DSD staff recommends denial of the request which allows staff the discretion to determine if the applications can be heard concurrently or not during the review process.

The request includes any fee reduction determined by staff based on estimated savings. The applicant does not provide a proposed reduced fee. If the Board approves the combined applications request, the savings in cost would come from the reduction of public hearings. The combining of applications would reduce staff time for two hearings with an estimated cost savings of \$587.50 (See Exhibit D for cost breakdown).

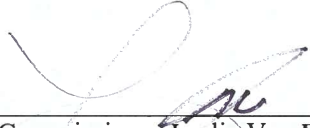
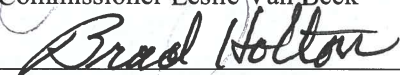
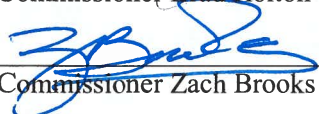
A draft resolution is provided if the Board approves the request (Exhibit E, Draft Resolution). If approved, staff recommends refunding \$587.50 as shown in Exhibit D. Per the applicable codes, the request is a Board decision that can be denied without any findings.

**Decision:**

Regarding the combined application request by Treasure Valley Planning Idaho, LLC, representing Chris and Mary Jagers for Case #RZ2023-0003, SD2023-0012, and SD2023-0013, the Board of County Commissioners:

☐ Approve the request and signs the Board Resolution.

☒ Deny the request.

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	_____	_____

Attest: Chris Gamarrato, Clerk  
J Ross, Deputy Clerk

## Carl Anderson

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**From:** Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>  
**Sent:** Thursday, October 10, 2024 5:55 AM  
**To:** Dan Lister  
**Cc:** Amber Lewter  
**Subject:** [External] RE: Initial Agency RZ2023-0003 Jagers

After careful review of the transmittal submitted to ITD on October 9, 2024, regarding RZ2023-0003 Jagers, the Department has no comments or concerns to make at this time.

Thank you,



Niki Benyakhlef  
*Development Services Coordinator*

**District 3 Development Services**

O: 208.334.8337 | C: 208.296.9750

Email: [niki.benyakhlef@itd.idaho.gov](mailto:niki.benyakhlef@itd.idaho.gov)

Website: [itd.idaho.gov](http://itd.idaho.gov)

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**From:** Amber Lewter <Amber.Lewter@canyoncounty.id.gov>  
**Sent:** Wednesday, October 9, 2024 3:26 PM  
**To:** 'snickel@staridaho.org' <snickel@staridaho.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'Chris Hopper' <chopper@hwydistrict4.org>; 'Lenny Riccio' <lrccio@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@phd3.idaho.gov' <mitch.kiester@phd3.idaho.gov>; 'anthony.lee@phd3.idaho.gov' <anthony.lee@phd3.idaho.gov>; 'projectmgr@boiseriver.org' <projectmgr@boiseriver.org>; 'scott\_sbi@outlook.com' <scott\_sbi@outlook.com>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crawforth <Brian.Crawforth@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>; 'Richard Sims' <middletown.rich@gmail.com>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>; 'CENWW-RD-BOI-TV@usace.army.mil' <CENWW-RD-BOI-TV@usace.army.mil>  
**Subject:** Initial Agency RZ2023-0003 Jagers

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Please see the attached agency notice. You are invited to provide written testimony or comments by **November 9, 2024**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

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

Thank you,



**Amber Lewter**

Hearing Specialist

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

Direct Line: 208-454-6631

Fax: 208-454-6633

Email: [amber.lewter@canyoncounty.id.gov](mailto:amber.lewter@canyoncounty.id.gov)

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

Development Services Department (DSD)

**NEW** public office hours

**Effective Jan. 3, 2023**

Monday, Tuesday, Thursday and Friday

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

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

**▪ Engineering Division ▪**

**To:** Dan Lister, Canyon County Development Services Department

**Subject:** Response to Case No. RZ2023-0003 - Zoning Map Amendment Request

**Date:** October 28, 2024

Dear Mr. Lister,

This letter serves as the Engineering Department's formal response regarding the conditional rezoning request submitted by Treasure Valley Planning LLC, on behalf of Avery Family Trust/Jaggers, to rezone parcels R37468012A and R3768012A1 from an Agricultural (A) zone to a Rural Residential (R-R) zone. The applicant has proposed a development agreement that limits the parcels to a minimum lot size of five acres.

**Engineering Review and Comments:**

**1. Floodplain Location:**

The property is located within a Flood Hazard Zone A, where no Base Flood Elevation (BFE) has been determined. Any future development on these parcels must adhere to floodplain management requirements, including compliance with floodproofing standards, floodplain development permit and submission of a finished construction elevation certificate.

**2. Drainage and Infrastructure Impact:**

The change from Agricultural to Rural Residential zoning raises considerations for increased stormwater runoff and drainage management. We recommend a detailed drainage plan and stormwater management system to address the runoff generated by any potential residential development, ensuring no adverse impact on adjacent properties.

**3. Access and Transportation Requirements:**

Rezoning may result in increased traffic along Kingsbury Lane and nearby roads. We recommend that a traffic impact study be conducted to evaluate the proposed rezone's effects on road infrastructure, as well as to outline any necessary road upgrades to accommodate additional vehicle loads.

**4. Soil Stability and Septic Feasibility:**

Soil stability for foundation support and septic feasibility must be reviewed as the current zoning shift may affect the type and extent of residential construction allowable on these parcels.



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**▪ Engineering Division ▪**

## **Conclusion**

Based on the concerns outlined, the Engineering Department recommends that the rezoning request be considered with a condition that requires adherence to floodplain development standards and a submission of plans for stormwater management, traffic assessment, and soil stability verification before any construction.

Please do not hesitate to reach out should you require further clarification or additional information regarding these recommendations.

Sincerely,

**Dalia Alnajjar**

Engineering Supervisor

Canyon County Engineering Department

## Carl Anderson

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**From:** Richard Sims <middletown.rich@gmail.com>  
**Sent:** Thursday, October 10, 2024 8:52 AM  
**To:** Dan Lister  
**Subject:** [External] zoning request response

Good Morning,  
The Canyon County Soil Conservation District has no comments for:  
RZ2023-0003  
OR2023-0001&CR2023-0004  
OR2023-0003  
RZ2023-0004

Thank you for request.

Richard Sims  
Associate Supervisor



## Dan Lister

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**From:** Anthony Lee <Anthony.Lee@swdh.id.gov>  
**Sent:** Thursday, October 10, 2024 11:34 AM  
**To:** Dan Lister  
**Subject:** [External] RE: Initial Agency RZ2023-0003 Jagers

Hi Dan,

Per request for comments.

Applicant needs to schedule a pre-development meeting with SWDH to discuss this project.

Let me know if you have any questions.

Thank you,



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

**Anthony Lee, RS/BS | Land Development Senior**  
o 208.455.5384 | c 208.899.1285 | f 208.455.5300  
[anthony.lee@swdh.id.gov](mailto:anthony.lee@swdh.id.gov) | [SWDH.org](http://SWDH.org)  
13307 Miami Ln., Caldwell, ID 83607

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'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'stevie.harris@isda.idaho.gov' <stevie.harris@isda.idaho.gov>; 'idahoaaa@gmail.com' <idahoaaa@gmail.com>; 'peter.Jackson@idwr.idaho.gov' <peter.Jackson@idwr.idaho.gov>; 'maureen.oshea@idwr.idaho.gov' <maureen.oshea@idwr.idaho.gov>; 'CENWW-RD-BOI-TV@usace.army.mil' <CENWW-RD-BOI-TV@usace.army.mil>  
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**Amber Lewter**

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