



Board of County Commissioners
Hearing Date: March 13, 2025
Canyon County Development Services Department

PLANNING DIVISION ADDENDUM

CASE NUMBER: CR2022-0016

APPLICANT/REPRESENTATIVE: Givens Pursley LLP & RiveRidge Engineering Co.
PROPERTY OWNER: MDC, LLC & Carter Family Living Trust

APPLICATION: Conditional Rezone of approximately 164 acres from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone – Rural Residential) zone subject to a development agreement

LOCATION: 25455 Lansing Lane, Middleton
Parcel R37511 (Carter), 84.75 acres
Parcel R37510112 (MDC), 79.79 acres

ANALYST: Dan Lister, Principal Planner

P&Z RECOMMENDATION: Denial

SUMMARY:

The applicant requests a conditional rezone of Parcels R37511 & R37510112 from "A" (Agricultural) to "R-R" (Rural Residential). The request includes a development agreement with conditions that limit development to no more than 76 residential lots.

The Planning & Zoning Commission heard the case at a public hearing on December 5, 2025. After deliberation, the Commission recommended denial of the request due to school, traffic, and lot size compatibility impacts (Exhibits 1 & 2).

The Staff report packet dated December 5, 2024, and all supporting materials are contained in Exhibit 3. Agency & public comments received by March 3, 2025, for the public hearing may be found in Exhibits 4 & 5. Additional supplemental documents received by March 3, 2025, may be found in Exhibit 6.

EXHIBITS:

1. **Planning & Zoning Commission FCOs Signed December 19, 2024**
2. **Planning & Zoning Commission Minutes: December 5, 2024**
3. **Staff Report Packet Dated December 5, 2024:**
 - A. **Application Packet & Supporting Materials**
 1. Master Application
 2. Letter of Intent
 3. Conceptual Site Plan
 4. Draft Development Agreement
 5. Land Use Worksheet
 6. Neighborhood Meeting
 7. Title, Deed & Legal Descriptions
 8. Willowcreek Subdivision Groundwater Use Assessment – Technical Memorandum
 9. Draft Traffic Impact Study – Willowcreek-Lansing Lane Subdivision
 10. Area Map – Presentation Slide
 - B. **Supplemental Documents**
 1. Parcel Information Reports: R37511 & R37510112

2. Maps
 - a. Aerial
 - b. Vicinity
 - c. Zoning
 - d. Cases w/report
 - e. Subdivision Plats w/ report
 - f. Dairy, Feedlot & Gravel Pit
 - g. Lot Classification
 - h. Soil and Prime Farmlands w/report
 - i. Contour
 - j. City - Future Land Use
 - k. County - Future Land Use 2020
 - l. County - Future Land Use 2030
 - m. Wells/Nitrate Priority
 - n. TAZ – Households
1. Willowcreek Ranch Estates Sub #2
2. Willowcreek Ranch Estates Sub. #3
3. Willowview Sub. #2
4. PH2014-17
5. Thoroughbred Estates Sub.
6. PH-2016-65
7. Oaklee Subdivision – Preliminary plat
8. RZ2021-0034
9. Hawk View Subdivision – Preliminary Plat
10. CU2005-49

C. Site Visit Photos: September 5, 2024

D. Agency Comments – Received by November 25, 2024

1. Idaho Dept. of Environmental Quality (DEQ), received June 4, 2024
2. Idaho Dept. of Water Resources (IDWR) – NFIP Coordinator, received November 6, 2024
3. Black Canyon Irrigation District (BCID), received November 25, 2024 (August 5, 2022)
4. Idaho Transportation Dept. (ITD), received May 30, 2024
5. Canyon Highway District #4 (HD4), received August 24, 2022
6. City of Middleton, received July 19, 2022
7. Middleton School District, received July 7, 2024
8. Canyon Soils Conservation District, received May 11, 2024
9. City of Nampa, received November 5, 2024
10. Nampa-Meridian Irrigation District, received November 6, 2024

E. Public Comments – Received by November 25, 2024

1. Aubrey Walker, received June 16, 2022
2. Ashley Quenzer, received November 7, 2024
3. Brian Wanner, received November 20, 2024
4. Cheryl Palange, received November 25, 2024
5. Chloe Mackay, received November 25, 2024
6. Christine Hitchner, received November 25, 2024
7. Craig & Brenda Hardin, received November 25, 2024
8. Jill Jenkins, received November 19, 2024
9. Joseph Strognone, received November 25, 2024

10. Marc J. Rehberger, received November 25, 2024
 11. Shane & Valeri Main, received November 24, 2024
 12. Rocky & Bobby Yoneda, received November 22, 2024
 13. Melissa Buck, received November 25, 2024
 14. Errika DeVall, received November 25, 2024
 15. Saundra Wanner, dated November 15, 2024
 16. Rachell Wolfe, received November 25, 2024
 17. Jeff Creamer, received November 25, 2024
 18. Korina Bennallack, received November 25, 2024
 19. Mike & Monica Barber, received November 25, 2024
 20. Camilla Searle, received November 25, 2024
 21. Robert Smith, received November 25, 2024
- 4. Agency Comments Received by March 3, 2025**
- A. DSD Engineering letter dated February 18, 2025
 - B. Idaho Dept. of Environmental Quality letter dated February 5, 2025
 - C. Nampa Highway District No. 1 e-mail received February 5, 2025
 - D. City of Nampa Planning email received February 4, 2025
 - E. Middleton School District letter received February 18, 2025
- 5. Public Comments Received by March 3, 2025**
- A. Saundra L. Warner letter dated February 17, 2025
 - B. Sue Todd email dated February 26, 2025
 - C. Ron Cavanaugh email dated February 27, 2025
 - D. Christine Hitchner email dated February 27, 2025
 - E. Marc Rehberger email dated March 2, 2025
 - F. Mike Barber email dated March 2, 2025
 - G. Craig Hardin email dated March 2, 2025
 - H. Robert & Cindy James email dated March 1, 2025
 - I. Denise Rhodes email dated March 3, 2025
 - J. James Shores email dated March 1, 2025
 - K. Jeff Creamer email dated March 3, 2025
 - L. Rosemarie Rehberger email dated March 3, 2025
 - M. Cheryl Palange email dated March 3, 2025
 - N. Errika DeVall email dated March 3, 2025
 - O. Jill Jenkins email dated March 3, 2025
 - P. Joe Strongone email dated March 3, 2025
 - Q. Paul Pelletier email dated March 3, 2025
 - R. Melissa Buck email dated March 3, 2025
 - S. Alma and John Shields email dated March 3, 2025
- 6. Additional Supplemental Document Received by March 3, 2025**
- A. Email from applicant's representative dated February 22, 2025
 - B. Applicant's PowerPoint Presentation received March 3, 2025

EXHIBIT 1

Planning and Zoning Commission FCOs Signed December 19, 2024

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025



PLANNING AND ZONING COMMISSION
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of:

MDC LLC/Carter – CR2022-0016

The Canyon County Planning and Zoning Commission considers the following:

- 1) Conditional Rezone of parcels R37511 & R37510112, approximately 164 acres, from “A” (Agricultural) to “CR-R-R” (Conditional Rezone – Rural Residential).
- 2) The request includes a development agreement restricting future development to no more than 76 lots.

[Case CR2022-0016, 25455 Lansing Ln., Middleton, ID, Parcels R37511, and R37510112; also referred to as the NE¼ of Section 28 T5N, R2W Canyon County, Idaho]

Summary of the Record

1. The record is comprised of the following:

A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2022-0016.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).
 - a. Notice of the public hearing was provided per CCZO §07-05-01 and Idaho Code §67-6509.
 - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See CCZO §07-06-07(1).*
 - c. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCZO §07-05-01.*
 - d. Pursuant to CCZO section 07-02-03, land uses are compatible if: “a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.”
2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use, including subdivision permits. *See I.C. §67-6504, §67-6511.*

3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCZO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCZO §07-05-03.
5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCZO 07-05-03(1)(I).

The application, Case No. CR2022-0016, was presented at a public hearing before the Canyon County Planning and Zoning Commission on December 5, 2024. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and conceptual plans, the Planning and Zoning Commission finds the following per CCZO Section 07-06-07(6):

CONDITIONAL REZONE CRITERIA – CCZO §07-06-07(6)

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

Conclusion: The proposed conditional rezone change is generally consistent with the Comprehensive Plan (Comp. Plan).

Findings: (1) The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as "residential" (Exhibit B.2k of the staff report). Page 37 of the Comp. Plan describes the residential designation as follows:

"The residential designation is a zone specifically set aside for residential development. A minimum lot size is established in order to accommodate a septic system and well on the same parcel. In areas where soils are not adequate to support septic systems, development alternatives must be considered. Residential development must be compatible with the existing agricultural activity. Residential development should be encouraged in or near Areas of City Impact or within areas that demonstrate a development pattern of residential land uses."

(2) The request generally complies with the following goals and policies of the 2020 Comp. Plan:

- Property Rights – Policy 1: No person shall be deprived of private property without due process of law.
 - The request was processed per the following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).
- Property Rights – Policy 8: Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.
 - See criteria 2 & 3 within this document for evidence and details.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Property Rights – Policy 11: Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.

- The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k of the staff report).
- See criteria 2 & 3 within this document for evidence and details.
- See Section 6 of the staff report for recommended conditions of the development agreement.
- Population – Policy 3: Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses.
 - See criteria 2 & 3 within this document for evidence and details.
- School Facilities & Transportation – Goal 2: Strive for better connectivity, safer access, and pedestrian-friendly transportation options to schools.
 - See criteria 6 & 8 within this document for evidence and details.
- School Facilities & Transportation – Policy 2: Provide information regarding land development proposals with all affected school districts. School districts should be given the opportunity to participate in pre-application processes and planning.
 - See criteria 6 & 8 within this document for evidence and details.
- Economic Development – Policy 6: Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.
 - See criteria 2 & 3 within this document for evidence and details.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Land Use – Goal 1: To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure, and services.
 - See criteria 2 & 3 within this document for evidence and details.
- Land Use – Goal 5: Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.
 - See criteria 2 & 3 within this document for evidence and details.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Land Use – Goal 6: Designate areas where rural-type residential development will likely occur and recognize areas where agricultural development will likely occur.
 - The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k of the staff report).
 - See criteria 2 & 3 within this document for evidence and details.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Land Use – Policy 1: Review all residential, commercial, and industrial development proposals to determine the land use compatibility and impact on surrounding areas.
 - The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k of the staff report).
 - See criteria 2 & 3 within this document for evidence and details.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Land Use – Policy 2: Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate.

- See Section 6 of the staff report for recommended conditions of the development agreement.
- Land Use – Policy 6: Review all development proposals in areas that are critical to groundwater recharge and sources to determine impacts, if any, to surface and groundwater quantity and quality.
 - See criteria 5 within this document for evidence and details.
- Natural Resources - Water – Goal 1: Water is an essential and limited natural resource. Groundwater and surface water should be preserved and protected.
 - See criteria 5 within this document for evidence and details.
- Natural Resources - Water – Policy 4: Encourage new development to incorporate design elements that limit water use requirements.
 - See criteria 5 within this document for evidence and details.
- Natural Resources - Air – Policy 1: Consider land use and transportation issues as important factors in the reduction of air pollution.
 - See criteria 5 within this document for evidence and details.
- Hazardous Areas – Goal 1: To ensure the safety of residents and the protection of property.
 - See Section 6 of the staff report for recommended conditions of the development agreement.
- Public Services, Facilities, and Utilities – Policy 3: Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.
 - See criteria 8 within this document for evidence and details.
- Public Services, Facilities, and Utilities – Policy 4: Encourage activities to promote the protection of groundwater and surface water.
 - See criteria 5 within this document for evidence and details.
- Transportation – Policy 18: Transportation improvements, such as streets, curbs, gutters, drainage, if required, must be approved by and meet the standards of highway districts and/or ITD (as applicable) where applicable and not in direct conflict with other county objectives. Such improvements should (if appropriate) be funded by the developer.
 - See criteria 6 & 7 within this document for evidence and details.
- Transportation – Policy 19: Require and accept traffic studies in accordance with highway district procedures that evaluate the impact of traffic volumes, both internal and external, on adjacent streets and preserve the integrity of residential neighborhoods where applicable.
 - See criteria 6 within this document for evidence and details.
- Housing – Policy 1: Encourage a variety of housing choices that meet the needs of families, various age groups, and incomes.
 - See criteria 2 & 3 within this document for evidence and details.
- Community Design – Policy 2: Encourage development of self-sustaining communities that maintain the rural lifestyle and good quality of life of the county.
 - See criteria 2 & 3 within this document for evidence and details.
- Community Design – Policy 5: Encourage each development to address concerns regarding roads, lighting, drainage, stormwater runoff, landscaping, re-vegetation of disturbed areas, underground utilities, and weed control.
 - See criteria 3, 5, 6, & 7 within this document for evidence and details.

- Community Design – Policy 5: Encourage pressurized irrigation systems using non-potable water where reasonably possible (Idaho Code 67-6537).
 - See criteria 5 within this document for evidence and details. See Section 6 of the staff report for recommended conditions of the development agreement.
 - Agriculture – Policy 3: Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial, or industrial development.
 - See criteria 2 & 3 within this document for evidence and details.
 - Agriculture – Policy 4: Development shall not be allowed to disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way.
 - See criteria 5 within this document for evidence and details.
- (3) The request does not align with the following goals and policies of the 2020 Comp. Plan:
- Hazardous Areas – Policy 3: Endeavor to limit structures and developments in areas where known physical constraints or hazards exist. Such constraints or hazards include, but are not limited to, the following: i. Flood hazards; ii. Unstable soil and/or geologic conditions; and iii. Contaminated groundwater.
 - Housing – Policy 2: Limit housing in areas that are hazardous whenever possible. Such constraints or hazards include but are not limited to, the following: - Flood Hazards; - Unstable soil and/or geologic conditions; - Contaminated groundwater.
 - See Exhibit D.2 of the staff report and criteria 3 within this document for evidence and details.
 - School Facilities & Transportation – Policy 3: The adequacy of school facilities may be considered by the hearing bodies in reviewing proposed residential subdivision and planned developments based on recommendations from the affected districts.
 - See Exhibit D.7 of the staff report and criteria 8 within this document for evidence and details.
- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: In consideration of the surrounding land uses, the proposed conditional rezoning to “R-R is more appropriate than the current zoning designation of “A”.

Findings: (1) The subject parcels are zoned “A” (Agricultural, Exhibit B.2c of the staff report). CCZO Section 07-10-25(1) states the purpose of the “A” Zone is to:

“A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.”

The parcels consist primarily of best-suited soils (Class II – 76.78%, Exhibit B.2h of the staff report). A majority of the parcels are considered prime farmland if irrigated (88.28%, Exhibit B.2h of the staff report). The parcels are in active agricultural production associated with a

wholesale nursery (Exhibit A.2, B.2a & C of the staff report). Canyon Soils Conservation District provided a comment letter recommending the denial of the request for the above because the property is prime farmland (Exhibit D.8 of the staff report).

- (2) The applicant requests a conditional rezone to an “R-R” (Rural Residential, two-acre average minimum lot size) zone (Exhibit A.2 of the staff report). The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibits A.2 & A.4). The site plan has lots exceeding one acre in size and meeting the minimum average overall size of two acres (Exhibit A.3 of the staff report). Per CCZO §07-10-25(2), the purpose of the zone is to “*encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.*”
- (3) The request is supported by the 2020 Canyon County Comprehensive Plan where residential growth is shown on the future land use plans (Exhibit B.2k of the staff report).
- (4) When considering the surrounding subdivisions and land use decision (Exhibits B.2c, d & e of the staff report), the two-acre average minimum lot size promoted by the “R-R” zone is commensurate with the residential development in the area.
 - a. Based on existing development and approvals within the immediate vicinity, the subject parcels are enclaved agricultural properties surrounded by residential development. Within the immediate vicinity, the following similar rezones were approved (Exhibit B.2c & d of the staff report):
 - PH2014-17 (Approx. 91.5 acres): Rezone from “A” to “R-R”. Subsequently approved as Thoroughbred Estates in 2014. *See Exhibit B.6 & B.7 of the staff report.*
 - PH2016-65 (Approx. 61 acres): Rezoned from “A” to “R-1” (Single Family Residential). Subsequently approved as Oaklee Subdivision in 2021. *See Exhibit B.8 and B.9 of the staff report.*
 - RZ2021-0034 (Approx. 26.8 acres): Rezoned from “A” to “R-R”. Subsequently approved as Hawk View Estates in 2022. *See Exhibit B.10 & B.11 of the staff report.*
 - b. The following subdivisions are located adjacent to the request (Exhibit B.2e of the staff report):
 - Hawk View Estates (Preliminary Plat approved 2022): 12 lots, 2.23-acre average lot size (Exhibit B.11 of the staff report).
 - Thoroughbred Estates (2014): 40 lots, 2.29-acre average lot size (Exhibit B.7 of the staff report).
 - Moon Shadow Estates (2007): 18 lots, 1.18-acre average lot size.
 - Oaklee Estates Sub (2023): 36 lots, 1.53-acre average lot size (Exhibit B.9 of the staff report).
 - Willowview Subdivision No 2 (2006): 16 lots, 2.21-acre average lot size if not considering the subject parcel. Parcel R37510112, approximately 79.79 acres, is Lot 15, Block 1 of Willowview Subdivision No. 2 (Exhibit B.5 of the staff report).
 - Willowcreek Ranch Estates No. 3 (2004): 8 lots, 1.49-acre average lot size (Exhibit B.4 of the staff report).
 - Willowcreek Ranch Estates No. 2 (1998): 36 lots, 1.93-acre average lot size (Exhibit B.3 of the staff report).
 - Creekside Ranch Estates (2003): 3 lots, 5.81-acre average lot size.
 - Willowview Sub. (2005): 14 lots, 2.13-acre average lot size.
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: The proposed conditional rezone change “R-R” is not compatible with surrounding land uses. The proposed lot sizes are not commensurate with the area.

Findings: (1) The applicant requests a conditional rezone of an “R-R” (Rural Residential, two-acre average minimum lot size) zone (Exhibit A.2 of the staff report). The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibit A.2 & A.4 of the staff report). The site plan has lots exceeding one acre in size and meeting the minimum average overall size of two acres (Exhibit A.3 of the staff report). Per CCZO Section 07-10-25(2), the purpose of the zone is to “*encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.*”

- A. Based on existing development and approvals within the immediate vicinity, the subject parcels are surrounded by residential development. *See criteria 2 within this document for evidence and details.*
- (2) To promote connectivity between existing and the proposed development, the development includes the following condition of the development agreement regarding a pathway system: “The development on ultimate buildout shall provide a 10-foot no-rise pathway and 20-foot easement along the southern edge of Willow Creek, extending from the west boundary to the eastern boundary, dedicated for use by pedestrians, non-motorized vehicles, and equestrian traffic. A 10’ pathway with a 20’ easement shall connect the pathway to a public road within the development” (Exhibit A.2 & A.4 of the staff report). *See Section 6 of the staff report for recommended conditions of the development agreement.*
- (3) The parcel is located in an “AE” Floodplain with a mapped floodway (Exhibit D.2 of the staff report). The applicant proposes no residential structure, grading, construction, or encroachment into the floodway. The other areas of the “AE” floodplain will be raised with fill and processed through FEMA as a Letter of Map Revision to ensure all new residential structure pads and sanitary services are located outside of the floodplain (Exhibits A.2 & A.4 of the staff report). *See Section 6 of the staff report for recommended conditions of the development agreement.*
- (4) DEQ requires all new developments to ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651 and recommends the development submit a dust prevention and control plan before the final plat incorporating appropriate best management practices to control fugitive dust (Exhibit D.1 of the staff report). *See Section 6 of the staff report for recommended conditions of the development agreement.*
- (5) Comments were received from neighbors with concerns regarding lot size, cumulative impacts regarding traffic, access, water usage, and essential services (Exhibit E of the staff report). As conditioned, impacts regarding traffic, access, and adequate facilities (water, sewer, irrigation, drainage, and utilities) can be addressed as part of the preliminary plat and completed per the requirements of each affected agency (*See Section 6 of the staff report for recommended conditions of the development agreement.*).
- (6) After considering all comments and testimony, the Planning and Zoning Commission finds the lot sizes proposed are inconsistent with the surrounding area. The applicant proposes a large number of one-acre lots but meets the two-acre average lot size promoted by the “R-R” zone (CCZO Section 07-10-21) by retaining an 18.73-acre lot (Exhibit A.3 of the staff report). Per Exhibit B.2.e of the staff report, the existing subdivision development in the area has an average lot size of 2.99 acres. The Planning and Zoning Commission requested the applicant to consider a two-acre lot size minimum instead.
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: The proposed conditional rezone will not negatively affect the character of the area.

- Findings:** (1) The applicant requests a conditional rezone of an “R-R” (Rural Residential, two-acre average minimum lot size) zone. The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibit A.4 of the staff report).
- (2) Based on existing development and approvals within the immediate vicinity, the subject parcels are surrounded by residential development. *See criteria 2 within this document for evidence and details.*
- (3) Based on conditions addressing floodplain development, traffic, access, and adequate facilities found in Criteria 07-06-07(6)A3, 5, 6, 7 & 8, the request will not negatively impact the character of the area. *See Section 6 of the staff report for recommended conditions of the development agreement.*
- (4) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on November 5, 2024. A newspaper notice was published on November 5, 2024. Property owners within 600’ were notified by mail on November 5, 2024. Full political notice was provided on July 22, 2022. The property was posted on November 5, 2024.
- a. Comments were received from neighbors with concerns regarding lot size, cumulative impacts regarding traffic, access, water usage, and essential services (Exhibit E of the staff report). As conditioned, impacts regarding traffic, access, and adequate facilities (water, sewer, irrigation, drainage, and utilities) can be addressed as part of the preliminary plat and completed per the requirements of each affected agency (*See Section 6 of the staff report for recommended conditions of the development agreement.*).
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: Adequate facilities and services can be provided to accommodate the proposed rezone.

- Findings:** (1) Sewer is to be provided by private onsite septic/drain field systems for each lot (Exhibit A.2 of the staff report). A comment letter was not received from Southwest District Health (SWDH). At the time of platting, SWDH will require a nutrient pathogen (NP) study and subdivision engineering report (SER) to determine the number of lots and system location and design. <https://swdh.id.gov/licensing-permitting/septic-land-development/>.
- (2) Water will be provided by onsite private wells (Exhibit A.2). After considering all comments and analysis, the applicant agreed to provide a community water system.
- a. Comments were received regarding the need for a hydrology study to address the development and its impact on the water table (Exhibit E of the staff report). The applicant submitted a Technical Memorandum - Willowcreek Subdivision Groundwater Use Assessment prepared by HDR on July 25, 2023 (Exhibit A.8 of the staff report). The assessment finds the pumping of 76 wells or one community well for domestic use using a low transmissivity (conservative) estimate will induce less than 0.6 feet of drawdown at a radius of one-half continuous pumping. The addition of domestic wells or one community well to this area will not injure nearby well owners or harm local groundwater resources in the area.
- b. A community water system was recommended instead of individual wells for the following reasons:

- i. A portion of the parcel is located in a nitrate priority area and wells in the area demonstrate high nitrate levels (Exhibit B.2m of the staff report). A community water system will ensure residents get safe drinking water and are required to be annually monitored.
 - ii. Idaho Department of Environmental Quality (DEQ) requires a community water system when it well serves at least 15 connections or 25 people year-round in their primary residences (e.g., cities, towns, apartment complexes, and mobile home parks with their water supplies). <https://www.deq.idaho.gov/water-quality/drinking-water/general-information-on-drinking-water/>. Since the request proposes 76 individual wells with less than 15 connections each, DEQ and SWDH can only recommend a community water system, not required (Exhibit D.1 of the staff report). It is up to the local government to require a community water system at the time of rezone or plat.
 - iii. The Willowcreek Subdivision Groundwater Use Assessment provides positives and negatives of the community system (Exhibit A.8 of the staff report, page 13). Well-construction recommendations (Exhibit A.8 of the staff report, page 13) place the construction and expense of the homeowner. Disclosure/implementation of the recommended well-construction standard has been difficult for CC&Rs to enforce. Community water system requires the homeowner associate to contract a water service company to operate and maintain the system.
 - iv. A community water system ensures compliance with state and federal drinking water regulations. The system will also provide water for hydrants proposed to be installed throughout the subdivision (Exhibit A.8 of the staff report, page 13).
- (3) Drainage will be retained onsite and/or discharged at predevelopment rates (Exhibit A.2 of the staff report). Black Canyon Irrigation District (BCID) states runoff and drainage from the proposed development should be addressed as well as ensure downstream users are not adversely affected by the request (Exhibit D.3 of the staff report). The request does not include a drainage plan. A drainage and grading plan are required at the time of the preliminary plat per CCZO Section 07-17-09.
- (4) An onsite pressurized irrigation system is proposed using existing water rights (Exhibits A.2 & A.4 of the staff report). The request does not include an irrigation plan. An irrigation plan is required at the time of the preliminary plat per CCZO Section 07-17-09. *See Section 6 of the staff report for recommended conditions of the development agreement.* Black Canyon Irrigation District (BCID) will require the following (Exhibit D.3 of the staff report):
- a. All maintenance road right-of-ways, lateral right-of-ways, and drainage right-of-ways will need to be protected. Any crossing agreements and or piping agreements will be acquired from the Bureau of Reclamation (BOR) to cross over or under existing laterals, and pipes, or to encroach into any right-of-ways.
 - b. Laterals affected by this proposed land change will require to be piped and structures built to ensure adequate delivery of irrigation water.
 - c. An irrigation system with an adequate overflow needs to be installed to ensure the delivery of water to each lot and/or parcel of land entitled to receive irrigation water.
 - d. BCID and BOR will require a signed agreement to be in place before any changes are made to the sections of the Willow Creek Wasteway, C.E. 21.1-0.9, C.E. 21.1, and any appurtenant irrigation facilities that are affected by the development. These sections are required to be piped meeting BCID and BOR standards. Any additional modification required by BCID and BOR will be to ensure irrigation water is made available to all patrons.
- (5) Utilities will be provided via Idaho Power and other companies (gas, cable, phone) depending upon availability (Exhibit A.2 of the staff report). Utility easements are required at the time of the preliminary plat per CCZO Section 07-17-09.

- a. Upon discussions with the City of Middleton, the applicant agreed to enter into a pre-annexation agreement and provide a 20' wide utility corridor easement for future city services along Lansing Lane (Exhibits D.6 & A.4 of the staff report). The parcel is located outside of the Middleton Area of City Impact. Therefore, the County and City have not mutually agreed that the area can reasonably be expected to be annexed in the future (Idaho Code, Section 67-6526). Therefore, the Planning and Zoning Commission does not find a pre-annexation agreement or city utility easement necessary.
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on November 5, 2024. A newspaper notice was published on November 5, 2024. Property owners within 600' were notified by mail on November 5, 2024. Full political notice was provided on July 22, 2022. The property was posted on November 5, 2024.
 - a. *See Exhibit D of the staff report for affected agency comments.*
 - b. *See Exhibit E of the staff report for public comments.*
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: The proposed conditional rezone will require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with future traffic patterns created by the proposed development. As a condition, a traffic impact study is required to be submitted at the time of the preliminary plat per Highway District #4 (Exhibit D.5 of the staff report).

- Findings:**
- (1) The request equates to 784 trips per weekday, 58 trips during the AM peak hour, and 77 trips during the PM peak hour at full build-out (Exhibit D.5 & A.9 of the staff report). The trip numbers do not consider detached secondary residences per CCZO Section 07-10-27 and 07-14-25).
 - (2) The property has approximately 1,940 feet of frontage on Lansing Lane, a major collector road, and a stub connection to Stony Brook Way, a public road established by Thoroughbred Estates (Exhibit A.3 of the staff report).
 - (3) Highway District #4 (HD4, formerly Canyon Highway District #4) provided comments not opposing the request subject to conditions addressing HD4 comments regarding traffic (Exhibit D.5 of the staff report).
 - a. The proposed request is anticipated to generate more than 700 new trips per day and more than 70 peak-hour trips requiring a traffic impact study. The study should be performed for the proposed development, to be submitted with the preliminary plat. A scoping meeting including HD4 is required before commencing the study. At a minimum, the TIS should evaluate the trip generation and distribution) from the site; the proportionate share of trips from the site at the Lansing/Purple Sage and Lansing/SH-44 intersections; capacity at the two intersections at buildout; the suitability of proposed access locations and the need for auxiliary turn lanes on Lansing Lane to serve the site.
 - b. Traffic impacts from the development will also be mitigated through right-of-way dedication, public road improvements, and development impact fees.
 - (4) A draft Traffic Impact Study was prepared on July 5, 2023, by CR Engineering, Inc. (Exhibit A.9 of the staff report). The study evaluates potential traffic impacts resulting from background traffic, in-process developments within the area, and the proposed development as well as identifies improvements to mitigate the impacts if needed. Based on the review of the Lansing Lane and SH-44 intersection, a temporary traffic signal with existing lanes will be required at the build-out of the development (2025). The Lansing Lane and Purple Sage Road

intersection is anticipated to operate acceptably with the existing intersection control and lane configuration.

- a. The draft study has not been reviewed by HD4. A final study and required improvements will be determined at the time of the preliminary plat. *See Section 6 of this report for recommended conditions of the development agreement.*
- (5) The Idaho Transportation Department (ITD) submitted a comment stating the department has no concerns regarding the request due to the request being greater than 2.5 miles north of SH-44 (Exhibit D.4 of the staff report).
- (6) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on November 5, 2024. A newspaper notice was published on November 5, 2024. Property owners within 600' were notified by mail on November 5, 2024. Full political notice was provided on July 22, 2022. The property was posted on November 5, 2024.
 - a. *See Exhibit D of the staff report for affected agency comments.*
 - b. *See Exhibit E of the staff report for public comments.*
- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: The subject property does have legal access and will have adequate access at the time of the development.

- Findings:**
- (1) The existing access is a private driveway serving Parcel R37511 from Lansing Lane, a major collector. The access is used for the existing residence and agricultural operations (Exhibits B.2a & Exhibit C of the staff report).
 - (2) The applicant submitted a conceptual site plan (Exhibit A.3 of the staff report) proposing a public road connection to Lansing Lane (major collector), a connection to Stony Brook Way (public road established by Thoroughbred Estates Subdivision, and Kemp Road (public road established by Willow Creek Ranch #3).
 - a. Comments were received with concerns regarding the extension of Stony Brook Way (Exhibit E of the staff report).
 - (3) Comments were received opposing any connection or use of Kemp Road (Exhibit E of the staff report). The letter states Kemp Road is a private road.
 - a. Kemp Road is a public road in Willow Creek Ranch Estates No. 3. Kemp Road becomes a private road as it turns south and west into Willow Creek Ranch Estates No. 2 (Exhibits B.3 & B.4 of the staff report).
 - b. Kemp Road stubs into the subject parcel. However, the location of the stub road into the property slopes significantly (Exhibit B.2a & C of the staff report).
 - c. The applicant proposes access to Kemp Road for fire access only and plans to place bollards at the access to ensure it remains for emergency access only (Exhibit A.2 & A.4 of the staff report). *See Section 6 of the staff report for recommended conditions of the development agreement.*
 - d. Kemp Road is in the jurisdiction of HD4 which oversees the use of the road. The comment letter provided by HD4 does not mention Kemp Road (Exhibit D.5 of the staff report).
 - (4) Comments were received regarding traffic impact concerns (Exhibit E of the staff report). Highway District #4 (HD4, formerly Canyon Highway District #4) provided comments not opposing the request subject to conditions addressing HD4 comments regarding access (Exhibit D.5 of the staff report).

- a. Future residential development should be planned via one or more public or private road approaches to Lansing Lane. Intersection sight distance may be restricted by the hillcrest along the southerly portions of the site frontage and should be confirmed in the field before fixing access locations. Any new public or private road access should provide a minimum of 500 feet of separation to public or private roads and 210 feet from existing driveways to meet urban access spacing standards. Direct lot access to Lansing Lane is not permitted.
 - b. A public road connection extending between Stony Brook Way (in Thoroughbred Estates Subdivision) on the westerly boundary and Lansing Lane is generally desirable to support public needs and provide adequate traffic calming measures to reduce pass-through traffic and limit vehicle speeds.
 - i. The draft traffic impact study states the site access on Lansing Lane does not warrant turn lanes at the time of development buildout (Exhibit A.9 of the staff report). The draft study has not been reviewed by HD4. A study and access improvements will be determined at the time of the preliminary plat.
- (5) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on November 5, 2024. A newspaper notice was published on November 5, 2024. Property owners within 600' were notified by mail on November 5, 2024. Full political notice was provided on July 22, 2022. The property was posted on November 5, 2024.
- a. *See Exhibit D of the staff report for affected agency comments.*
 - b. *See Exhibit E of the staff report for public comments.*
- (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

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

Conclusion: The request is anticipated to impact essential services such as schools, police, fire, and emergency medical services.

Findings: (1) Schools:

- a. The request will be served by the Middleton School District. The proposed residential development will be served by Mill Creek Elementary, Middleton Middle School, and Middleton High School. On June 4, 2024, Middleton School District submitted a comment letter expressing significant concerns regarding capacity, continued growth, and the ability to meet future facility needs (Exhibit D.7 of the staff report). Mill Creek Elementary is at 118% of capacity. The middle and high schools are nearing capacity. Based on a demographic study, for every new home, the district can expect between 0.5 and 0.7 students. The proposal is anticipated to add 38-53 students. This equates to roughly 2-3 new classrooms. This also increases the need for bussing which requires the developer to plan for appropriate spacing for bus stops.
- b. The applicant has discussed an agreement with Middleton School District to provide 100 trees from the existing nursery for the district to use to help aesthetically and offset costs to the district. The applicant proposes an agreement with the District as a development agreement condition (Exhibit A.2 & A.4 of the staff report). *See Section 6 of the staff report for recommended conditions of the development agreement.* Middleton School District states they were contacted by the developer to discuss ideas to support the district. However, no formal agreement was set (Exhibit D.7 of the staff report).
- c. After considering all comments and testimony, the Planning and Zoning Commission finds the request will impact the Middleton School District. Even with the proposed development agreement conditions, the request does not adequately address the project's impact and cumulative impacts on the existing school capacity issue. The Planning and

Zoning Commission recommends the applicant work with the school district to find a solution that better addresses the project's impact on the school district.

(2) Police, Fire Protection & Emergency Medical Services:

- a. The request will be served by the Canyon County Sheriff's Department, Middleton Fire District, and Canyon County Paramedics/EMT. No comments or concerns were received. The development will require the submittal of a preliminary plat which will be provided for review and comments by all affected essential service agencies.
- b. The applicant states the low-density proposal is not anticipated to impact essential services. Rural road sections minimize upkeep and tax revenues generated by the development. Proposed roads and access will enhance accessibility for emergency services (Exhibit A.2 of the staff report).

- (3) Notice of the public hearing was provided per CCZO §07-05-01. Affected agencies were noticed on November 5, 2024. A newspaper notice was published on November 5, 2024. Property owners within 600' were notified by mail on November 5, 2024. Full political notice was provided on July 22, 2022. The property was posted on November 5, 2024.

- a. *See Exhibit D of the staff report for affected agency comments.*
- b. *See Exhibit E of the staff report for public comments.*
 - i. Comments were received regarding fire, ambulance, and school impacts especially since the bonds to assist those services failed (Exhibit E of the staff report).

- (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. CR2022-0016.

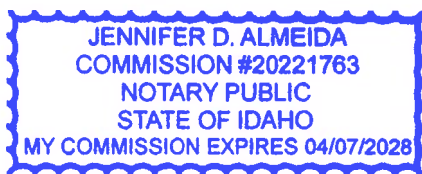
Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends **denial** of Case #CR2022-0016, a conditional rezone of parcels R37511 & R37510112, approximately 164 acres, from "A" (Agricultural) to "CR-R-R" (Conditional Rezone – Rural Residential).

Pursuant to Idaho Code Section 67-6519, the following actions may be taken to obtain approval:

1. Consider larger lot sizes that are compatible with the average lot size found in the immediate area.
2. Work with the Middleton School District to find adequate mitigation regarding the request and its impact on school capacity.

DATED this 19 day of December, 2024.



State of Idaho)

PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO


Robert Sturgill, Chairman

SS

County of Canyon County)

On this 19th day of December, in the year 2024, before me Jennifer Almeida, a notary public, personally appeared Robert Sturgill, 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: Jennifer D. Almeida

My Commission Expires: 4/7/28

EXHIBIT 2

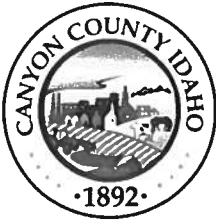
Planning and Zoning Commission Minutes: December 5, 2024

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, December 5, 2024
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present : Robert Sturgill, Chairman
 Brian Sheets, Commissioner
 Harold Nevill, Commissioner
 Geoffrey Mathews, Commissioner

Staff Members Present: Jay Gibbons, Interim Director of Development Services
 Carl Anderson, Planning Supervisor
 Dan Lister, Principal Planner
 Amber Lewter, Associate Planner

Chairman Sturgill called the meeting to order at 6:30 p.m.

Commissioner Sheets read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1A:

Case No. CR2022-0022 – Vermas: Approve revised FCO's.

MOTION: Commissioner Nevill moved to approve the revised FCO's for case no. CR2022-0022, seconded by Commissioner Matthews voice vote, motion carried.

Item 2A:

Case No. CR2022-0016 – MDC LLC. / Doug Carnahan: The owner, MDC, LLC/Joseph Carter, represented by RiveRidge Engineering Company, requests a conditional rezone of parcels R37511 & R37510112 from "A" (Agricultural) to "CR-R-R" (Conditional Rezone – Rural Residential). The request includes a development agreement restricting future development to no more than 76 lots. The subject parcels, approximately 164 acres, are located at 25455 Lansing Ln., Middleton, ID; also referred to as the NE¼, of Section 28 T5N, R2W Canyon County, Idaho.

Chairman Sturgill affirmed the applicant to testify.

Applicant's Testimony:

Douglas Carnahan – IN FAVOR – (Applicant) 7270 N. Tree Haven Pl., Meridian, ID 83641

Mr. Carnahan stated the property was purchased in 2002 (200 acres). The goal was to grow plants and eventually develop subdivisions. Discussed portions of the 200 acres that have been developed. They started planting trees in the area in 2003 (harvesting and planting). This process can only be cycled so many times due to topsoil loss. There is a container growing operation (plants) on the property (block 5). The primary access would be off of Lansing Lane. Kemp Rd. is a private road that is in a subdivision with one point of access. They would connect their roads to that but only for emergency access. The access on Duff Ln. is a natural connection that would run from the east through the subject property to Duff Ln. A traffic study was completed which showed minimal impact. Individual septic systems are proposed. Irrigation would be provided by a pressurized irrigation system. A community water system is proposed

for the development. Some of the areas are in the floodplain and fill would be used to meet requirements. He met with the Superintendent of the Middleton School District. Mr. Carnahan stated they will be donating trees to the district.

Commissioner Nevill asked if the property had surface water rights. Mr. Carnahan stated, yes. Commissioner Neill inquired about the proposed fire suppression system for the development. Mr. Carnahan stated a system would be built that had distribution lines throughout the property with hydrants. He deferred to Kent Adamson to clarify in his testimony.

Chairman Sturgill asked if there was a response time supplied by the fire district. Mr. Carnahan deferred to Kent Adamson to answer during his testimony. Chairman Sturgill asked how many trees were going to be donated. Mr. Adamson said about 100 at an estimated cost of \$500 each due to the size of the trees.

Chairman Sturgill asked staff to provide their staff report.

Planner Dan Lister reviewed the Staff Report for the record.

Commissioner Nevill asked how many additional portable units at Mill Creek would be required. Planner Lister stated that information was not provided by Middleton School District. Commissioner Nevill asked if Planner Lister knew the cost for a portable. He replied, no he does not.

Chairman Sturgill asked how much development is already approved around this property that has not been built yet. Planner Lister referenced the subdivision map in the staff report to discuss what has been approved / developed in the vicinity of the subject property. Chairman Sturgill asked about the temporary traffic light that would be installed at Lansing and Hwy 44. Planner Lister deferred to the engineer of the project. Chairman Sturgill asked how that light would be financed and whether or not the developer would be required to pay for it. Planner Lister read from Highway District 4's letter.

Chairman Sturgill affirmed the witnesses to testify.

Joe Carter – IN FAVOR – 25455 N. Lansing, Middleton, ID 83644

Mr. Carter is the co-applicant for the case. The property has surface water rights, and also an irrigation well. The staff report indicates Class 1 soil which was based on the soil survey. He has farmed the property for many years and it is basically river bottom. There are pockets of soil that won't grow Russian Olives.

Commissioner Sheets asked how the applicant got involved with the City of Middleton since the property was outside of the area of city impact. Mr. Carter deferred to Kent Adamson.

Kent Adamson – IN NEUTRAL – 2447 S. Vista Ave., Boise, ID 83705

Mr. Adamson stated that HDR prepared a well drawdown study for the project. The community system would have two (2) wells; primary and secondary. This system would furnish hydrants with fire flow. The response time to the project was approximately six (6) minutes.

Commissioner Nevill asked about the irrigation system and whether or not that would be separate. Mr. Adamson stated yes, it would be separate and would be surface water. Commissioner Nevill asked about the two wells and how it would work with the draw demand for fire suppression. Mr. Adamson stated that they haven't got that far in the design.

Mark Press – IN NEUTRAL – 23762 Amble Way, Middleton, ID 83644

Mr. Press stated that his property adjoins the northwest corner of the subject property. His concern was in regard to City of Middleton, and using developments as an opportunity to have wells installed that are far in excess of what the development needs but are a resource for the City of Middleton. A signal on Lansing and Hwy 44 should be guaranteed and in writing and they should be requirements as well as any turn lanes.

Ted Todd – IN OPPOSITION – 9564 Golden Willow St., Middleton, ID 83644

Mr. Todd stated that his concerns were in regard to infrastructure. Fire services are inadequate and their bond failed. Canyon County Paramedics have times when ambulances aren't available and that is becoming more frequent. Kids are riding on the floors of the busses. Mr. Todd has concerns about the fire fighting well, and the water being pulled out of the same aquifer. Truck traffic in the area is a problem on Lansing and on Hwy 44.

Chairman Sturgill asked how the services not available to the property be developed and financed so the developer can realize their vision for the land. Mr. Todd replied, impact fees. He said that Impact fees in Idaho are tens of thousands of dollars less than those in other states. Levies impact existing homeowners by increasing taxes to account for future development. There are 3800 approved homes in Middleton that haven't broke ground yet. Chairman Sturgill asked where that number came from. Mr. Todd stated the internet and committee members.

Joe Strongone – IN OPPOSITION – 9619 Golden Willow St., Middleton, ID 83644

Mr. Strongone said their subdivision backs up to the north end of the tree farm. Doug Carnahan also developed their subdivision. The lots in the area that are active in farmland, horses, cows, sheep, etc. The surrounding area is really Ag as noted in the 2030 plan. The formula the County uses opens the door to skew the intent. If you look at the plan, it is higher density with many narrow lots. The average is way less than two acres. There are quite a few one acre lots. Annexation is a no. He moved to the county for a reason. He does question why the applicant approached the city when it is not in the impact area. The soil is classified as best suited. The tree farm contributes to about 1-2 ft. high of seasonal water flow to Willow Creek. Needing to raise the lots from the flood zone will change the groundwater absorption and recharge. The Black Willow tree is unique and native to creeks and floodplains. Mammals, birds of prey, and honeybees utilize these trees. The trees along the tree farm span nearly 100 ft. tall due to the supply of irrigation water. He is concerned about the impact on the trees. We need to be strategic in conserving open space and meeting the 2030 Comprehensive Plan. He is not anti-development, but the proposed lots should be larger.

Christine Hitchner – IN OPPOSITION – 9308 Kemp Rd., Middleton, ID 83644

Ms. Hitchner referred to Exhibit A .10. Using that Exhibit, she indicated where her home was located. They have 2.14 acres. There are a total of seven (7) homes that have property that border the south boundary of the tree farm. There are (17) one acre lots proposed that will border their properties. Kemp Road is a private road and the members of the HOA pay for its maintenance. She is not sure where the information came from that Kemp Rd. could be used for emergency access.

Melissa Stead – IN OPPOSITION – 9265 Tula Dr., Middleton, ID 83644

Ms. Stead is concerned with the traffic impacts from this development but all that have been approved in this area. She has two teenage drivers who go to school and work. Traffic to Middleton High School is already dangerous. Access to Hwy 44 can easily be 10 minutes to take a left. People take changes and are more aggressive. There have been many accidents at the intersection of Lansing and Hwy 44. She is concerned about lack of infrastructure and constrained resources in the area. When you look at the return

on investment, is it the best interest of the overall area to continue to increase the demands.

Chairman Sturgill asked if the residents won't pass levies to finance the infrastructure and property can't be developed economically; How does a person develop their property. Ms. Stead said there could be restructuring with larger lots to reduce impact and still get a return. It is not in the best interest of the city or residents to take on the additional infrastructure costs.

Jeff Creamer – IN OPPOSITION – 9921 Stony Brook Way, Middleton, ID 83644

Mr. Creamer stated he is representing most of the folks that live on Stony Brook Way. Stony Brook Way is currently a dead-end street with fourteen homes. The proposed subdivision would change Stony Brook Way to a through road connecting Duff Ln. to Lansing Ln. He has an autistic son who has anxiety with traffic noise, traffic, and crowds. They chose Stony Brook Way to reduce his exposure to these triggers. Two other residents along Stony Brook way have PTSD and chose this to reduce their triggers as well. The traffic on Stony Brook is already unsafe due to low visibility and speed issues. In 2021 they requested a speed limit change, which was rejected. The proposed application has a traffic study which considers the sole access to be from Lansing. No other evaluations were considered. The proposed subdivision is anticipated to trigger 748 trips daily with 40 percent heading west. It is reasonable to assume that most westbound traffic would do so through Stony Brook to Duff rather than driving east through the subdivision to Lansing. Because Stony Brook would be a through road it is safe to assume that it would not just be residents of the subdivision utilizing the access. Changing Stony Brook to a through road would cause his home to be unlivable and would force his family to relocate. Mr. Creamer stated the application fails to meet Property rights policy No. 8 and 11, Land Use Goal No. 1, Hazardous Areas Goal No. 1, and Transportation Policy No. 19. If access is absolutely necessary for emergency services, they propose the installation of bollards or gating at the end of Stony Brook to allow EMS access only. This is also consistent with the traffic study evaluations. He is also concerned about the overcrowding at schools, EMS response times, well water depletion and recharge rates. A property owner does have the right to develop their land but not at the expense of his family and the safety of the Stony Brook neighborhood. Last year, Mr. Carnahan opposed the development of a school near his home in Sun Valley, noting traffic concerns. The residents of Stony Brook would like to be afforded the same consideration.

Commissioner Nevill asked Mr. Creamer if it was his understanding that the road was going to remain a cul-de-sac when he purchased it. Mr. Creamer stated, yes. Commissioner Nevill asked if he attended the neighborhood meeting. Mr. Creamer stated, yes.

Chairman Sturgill asked what Mr. Creamers' proposal would be for access. Mr. Creamer referenced the traffic study had all of the traffic going to Lansing. No traffic was considered moving through Stony Brook. They are not opposed to EMS access only, with a limitation to public access.

Cheryl Palange – IN OPPOSITION – 9155 Pursuit Dr., Middleton, ID 83644

Ms. Palange stated the intersection of Lansing Lane and Purple Sage was noted in the traffic study as being not impacted, however, it is a deadly intersection. The study had 65% of the traffic going down Lansing and the remaining 35% split going east and west on Purple Sage. The intersection of Lansing and Purple Sage is a two way stop and 50 mph. Lansing Lane is already full of trucks and cars and the addition of 748 daily trips would have an impact. She referenced testimony from the spring on this matter, in which the price of a portable was estimated to be \$250,000. Each portable has two (2) rooms. School impact is a concern as well as EMS. Disagreed with pre-annexation.

Commissioner Nevill asked what subdivision she lived in. She replied Cascade Hills.

Craig Hardin – IN OPPOSITION – 9713 Golden Willow, Middleton, ID 83644

Mr. Hardin stated his property is directly across from the tree farm. He sent in written comments on this project. The traffic is already a concern on Lansing, even with a light, there will still be a huge impact. Traffic is getting dangerous already and more school busses would also be required. The property is currently below the floodplain and adjacent to Willow Creek. If the water in Willow Creek gets contaminated, it will appear we haven't done our due diligence by adding 76 septic systems on 164 acres. He asked how big of a ripple effect adding more homes will have to the schools. It is not just the elementary school; what about the other schools? He agreed with Mr. Todd's testimony in regard to the costs. Is Canyon County going to become one big septic field? Infrastructure solutions need to be considered.

Lyle Zufelt – IN OPPOSITION – 9965 Grand Targhee, Middleton, ID 83644

Mr. Zufelt does not want to diminish the generous offering of 100 trees to Middleton School District. They don't need more trees, what they need is more room for students. Bonds for schools and levies for fire or EMS because the citizens of Middleton are opposed to encouraging more development. They said the impact from Stony Brook would be minimal and that should be a red flag. The speed limit is higher on Duff than it is Lansing, which means everyone going west will use Duff. He is concerned about the increase in population in the area and the impact on wells. He stated they have heard anecdotal reports of wells dropping the static level 12 ft in the last 20 years. What about the wells drilled 40 years ago. How is the addition of 76 more homes going to affect the established wells in the area? He is concerned about the day that the fire hydrants in the development won't work due to lack of water.

Douglas Carnahan – IN FAVOR – (REBUTTAL) 7270 N. Tree Haven Pl., Meridian, ID 83641

Mr. Carnahan stated that he is an engineer and they hire engineers to look at studies and look at all of the facts. They did a drawdown study on how much the well water would be drawn down if we had all individual wells. It was a positive outcome. The professionals put together the plans and traffic studies. He questioned why they didn't want an emergency access; he is fine with not doing it. He stated that the Stony Brook extension was made by the county. The firefighting well provide the capacity. He went to the City of Middleton years ago because they were shown in their Area of City Impact and they wanted to know what their plans were in that area. Over time, Middleton has now taken the posture that they don't think they'll get out this far. It would be nice to be able to use impact fees for schools, but you can't. The marketplace determines the size of lots based on who wants to buy them. People like a mix of lot sizes and that is what sells. Mr. Carnahan stated there is good engineering behind the plans and they try to help the community where they can.

Commissioner Nevill asked the school district had provided him with any information as to how many portables would need to be added. Mr. Carnahan did not have an exact number but could get it if needed. Commissioner Nevill asked if he had a cost of the portables. Mr. Carnahan did not have an exact number but could get it if needed.

Commissioner Sheets asked if the plan was still to have the pre-annexation and utility easement was still in the plan moving forward. Mr. Carnahan stated that if they don't need the utility easement they won't provide it.

Chairman Sturgill asked if he knew what the minimum lot size on was on the conceptual plat. Mr. Carnahan stated one (1) acre. Chairman Sturgill asked if he would be amenable to a condition requiring a minimum lot size. Mr. Carnahan said they would need to think about it as it is market driven. Chairman Sturgill asked if he would be amenable to a coming up with a formula in which the cost of a new school, the number of students it would accommodate, and what the advertised cost per student and allocate

that cost as a voluntary contribution as a condition of approval? Mr. Carnahan stated yes, so long as everyone else was treated the same. They have talked about cash contributions. Chairman Sturgill stated that school overcrowding has been an issue for development in this area.

Planning Supervisor, Carl Anderson, provided information from minutes in regard to a prior case that was heard by the P&Z in regard to cash contributions to Middleton School District. The numbers that were discussed as part of that hearing per lot was \$1149. He recommended that if a condition was added, rather than an arbitrary number, that the applicant work with the school district to determine what the number would be.

MOTION: Commissioner Nevill moved to close public testimony on the CR2022-0016, seconded by Commissioner Matthews. Voice vote, motion carried.

Deliberation:

Commissioner Matthews stated there are some items that could be mitigated with conditions. He did not agree with the solution to utilize Stony Brook Way. The temporary traffic measures could all be conditioned. However, he still comes back to the overcrowding at Middleton School District.

Commissioner Nevill stated this is a better plan than they see most of the time, but in the end, he is not in favor, until the Middleton School District has the ability to build new schools. He is concerned about the “temporary” traffic signal as well.

Commissioner Sheets referenced 07-06-07 (6) A 8 – “Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?” Commissioner Sheets noted evidence from the school district stating the percentages of capacity as well as the testimony received in regard to children riding on the floor of the busses. The county is not in a position to make a recommendation for cash contribution conditions. He agrees with the evidence provided in regard to the lot sizes being not congruent with the area. One acre lots are much better suited for areas near city services.

Chairman Sturgill agreed with Commissioner Sheets’ comments. However, he noted that developers have come to the Commission with an agreement with the school district. He is not recommending a condition, but could be provided as suggestion as to what the applicant can do to try to gain approval.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. CR2022-0016, finding that the application does not meet the criteria 07-07-07 (6) A 8 – impact of essential public services, specifically schools and 07-07-07 (6) A 3- the proposed lot sizes are too small, noting the information provided in the staff report in regard to lot sizes in the area and compatibility. The actions that the applicant could possibly take to gain approval, would be to increase lot size and work with the school district to find adequate medication to address school impacts. Seconded by Commissioner Nevill.

Discussion on the Motion:

None.

Roll call vote: 4 in favor, 0 opposed, motion passed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS

Interim Director Gibbons stated he appreciates the Commissions service and their deliberation. Chairman Sturgill asked what the preference would be for feedback on the new hearing process. Interim Director Gibbons stated an email would be fine and it can also be discussed after the next hearing.

Planning Supervisor also stated that feedback could be provided to him anytime.

4. ADJOURNMENT:

MOTION: Commissioner Nevill moved to adjourn, seconded by Commissioner Matthews. Voice vote, motion carried. Hearing adjourned at 12:00 a.m.

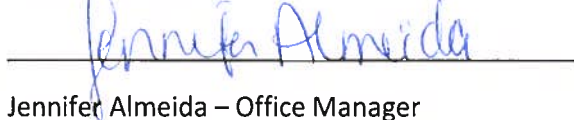
An audio recording is on file in the Development Services Departments' office.

Approved this 6th day of February, 2025.



Robert Sturgill, Chairman

ATTEST



Jennifer Almeida – Office Manager

EXHIBIT 3

Staff Report Packet Dated December 5, 2024

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025



Planning and Zoning Commission
Hearing Date: December 5, 2024
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMER: CR2022-0016

APPLICANT/REPRESENTATIVE: RiveRidge Engineering Co. – Kent Adamson
PROPERTY OWNER: MDC LLC/Joseph Carter – Doug Carnahan

APPLICATION: Conditional Rezone from an “A” Zone to a “CR-R-R” zone.

LOCATION: 25455 Lansing Ln., Middleton, ID, Parcels R37511, and R37510112; also referred to as the NE¼ of Section 28 T5N, R2W Canyon County, Idaho.

ANALYST: Dan Lister, Principal Planner
REVIEWED BY: Carl Anderson, Planning Supervisor

REQUEST:

The owner, MDC, LLC/Joseph Carter, represented by RiveRidge Engineering Company, requests a conditional rezone of parcels R37511 & R37510112, approximately 164 acres, from “A” (Agricultural) to “CR-R-R” (Conditional Rezone – Rural Residential). The request includes a development agreement restricting future development to no more than 76 lots. *See Exhibit A for more details.*

PUBLIC NOTIFICATION:

Neighborhood meeting conducted on:	May 11, 2022
Neighbor notification within 600 feet mailed on:	November 5, 2024
Newspaper notice published on:	November 5, 2024
Notice posted on-site on or before:	November 5, 2024

TABLE OF CONTENTS:

	Page #
1. Background	1
2. Hearing Body Action	1
3. Hearing Criteria	2
4. Agency Comment	10
5. Public Comment	11
6. Summary & Conditions	11
7. Exhibits	11

1. BACKGROUND:

The subject parcels are zoned “A” (Agricultural, Exhibit B.2c). The 2020 Canyon County Comprehensive Plan designates the future land use of the subject parcels as “residential” (Exhibit B.2k). The application was submitted before the adoption of the 2030 Comprehensive Plan (Exhibit B.2l). Therefore, the request must be reviewed based on the adopted plan at the time of submittal.

Parcel R37511, approximately 84.75 acres, was once approximately 113 acres until a portion of the parcel was divided and subsequently developed into Willow Creek Ranch Subdivision No. 3 (CU2005-49, Exhibit

B.12). The existing dwelling and most of the accessory structures on the property date back to the 1960s. The property has a nursery, Willow Creek Wholesale Nursery.

Parcel R37510112, approximately 79.79 acres, is Lot 15, Block 1 of Willowview Subdivision No. 2. Note 9 of the Willowview Subdivision final plat states the lot is non-buildable and is to be maintained by the developer or his assigns (Exhibit B.5). The property is currently utilized by Willow Creek Wholesale Nursery.

2. HEARING BODY ACTION:

Pursuant to Canyon County Code of Ordinance §07-06-01(3) requests for comprehensive plan changes and ordinance amendments may be consolidated for notice and hearing purposes. Although these procedures can be considered in tandem, pursuant to Idaho Code section 67-6511(b), the commission, and subsequently the board, shall deliberate first on the proposed amendment to the comprehensive plan; then, once the commission, and subsequently the board, has made that determination, the commission, and the board, should decide the appropriateness of a rezone within that area. This procedure provides that the commission, and subsequently the board, considers the overall development scheme of the county prior to consideration of individual requests for amendments to zoning ordinances. The commission, and subsequently the board, should clarify which of its findings relate to the proposed amendment to the comprehensive plan and which relate to the request for an amendment to the zoning ordinance.

Pursuant to Canyon County Code of Ordinance §07-06-07(1) Restrictions: In approving a conditional rezone application, the presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. When the presiding party finds that such conditions, stipulations, restrictions, or limitations are necessary, land may be rezoned upon condition that if the land is not used as approved, or if an approved use ends, the land use will revert back to the zone applicable to the land immediately prior to the conditional rezone action.

Additionally, pursuant to Canyon County Ordinance Article 07-06-07(3) Conditional Rezoning Designation: Such restricted land shall be designated by a CR (conditional rezoning) on the official zoning map upon approval of a resolution by the board for an "order of intent to rezone". An "order of intent to rezone" shall be submitted to the board for approval once the specific use has commenced on the property and all required conditions of approval have been met and any required improvements are in place. Land uses that require approval of a subdivision shall have an approved final plat in accordance with this chapter before the "order of intent to rezone" is submitted for approval by the board. Designation of a parcel as CR shall not constitute "spot" zoning and shall not be presumptive proof that the zoning of other property adjacent to or in the vicinity of the conditionally rezoned property should be rezoned the same.

Should the Commission wish to approve the subject conditional rezone, all applicable Canyon County standards pertaining to the required development agreement shall be strictly adhered to.

OPTIONAL MOTIONS:

The commission should consider the abovementioned procedures within Canyon County Ordinance 07-06-01(3).

Approval of the Application: “I move to approve CR2022-0016, MDC, LLC/Carter, finding the application **does** meet the criteria for approval under Section 07.06.07 of Canyon County Code of Ordinances, **with the conditions listed in the staff report, finding that;** [Cite reasons for approval & Insert any additional conditions of approval].

Denial of the Application: “I move to deny CR2022-0016, MDC, LLC/Carter, finding the application **does not** meet the criteria for approval under Article 07.06.07 of Canyon County Code of Ordinances, **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 CR2022-0016, MDC, LLC/Carter, to a [date certain or uncertain]

3. HEARING CRITERIA

Conditional Rezone Standards of Evaluation Analysis

Standards of Evaluation (CCCO §07-06-07(6)A): The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:				
Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			07-06-07(6)A1	Is the proposed conditional rezone generally consistent with the comprehensive plan;
			Staff Analysis	<p>The proposed conditional rezone change is generally consistent with the Comprehensive Plan (Comp. Plan).</p> <p>1) The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k). Page 37 of the Comp. Plan describes the residential designation as follows:</p> <p><i>“The residential designation is a zone specifically set aside for residential development. A minimum lot size is established in order to accommodate a septic system and well on the same parcel. In areas where soils are not adequate to support septic systems, development alternatives must be considered. Residential development must be compatible with the existing agricultural activity. Residential development should be encouraged in or near Areas of City Impact or within areas that demonstrate a development pattern of residential land uses.”</i></p> <p>2) The request generally complies with the following goals and policies of the 2020 Comp. Plan:</p> <ul style="list-style-type: none"> • <u>Property Rights – Policy 1:</u> <i>No person shall be deprived of private property without due process of law.</i> <ul style="list-style-type: none"> ○ The request was processed per the following laws and ordinances apply to this decision: Canyon County Code §01-17 (Land Use/Land Division Hearing Procedures), Canyon County Code §07-05 (Notice, Hearing and Appeal Procedures), Canyon County Code §07-06-01 (Initiation of Proceedings), Canyon County Code §07-06-07 (Conditional Rezones), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), and Idaho Code §67-6511 (Zoning Map Amendments and Procedures).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

				<ul style="list-style-type: none"> • <u>Property Rights – Policy 8</u>: <i>Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Property Rights – Policy 11</u>: <i>Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods.</i> <ul style="list-style-type: none"> ○ The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k). ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Population – Policy 3</u>: <i>Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>School Facilities & Transportation – Goal 2</u>: <i>Strive for better connectivity, safer access, and pedestrian-friendly transportation options to schools.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A6 & A8 for evidence and details. • <u>School Facilities & Transportation – Policy 2</u>: <i>Provide information regarding land development proposals with all affected school districts. School districts should be given the opportunity to participate in pre-application processes and planning.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A8 for evidence and details. • <u>Economic Development – Policy 6</u>: <i>Encourage commercial and residential development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Land Use – Goal 1</u>: <i>To encourage growth and development in an orderly fashion, minimize adverse impacts on differing land uses, public health, safety, infrastructure, and services.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Land Use – Goal 5</u>: <i>Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.</i>
--	--	--	--	---

				<ul style="list-style-type: none"> ○ <i>See criteria 07-06-07(6)A2 and A3 for evidence and details. See Section 6 of this report for recommended conditions of the development agreement.</i> ○ <i>See Section 6 of this report for recommended conditions of the development agreement.</i> • <u>Land Use – Goal 6: Designate areas where rural-type residential development will likely occur and recognize areas where agricultural development will likely occur.</u> <ul style="list-style-type: none"> ○ The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k). ○ <i>See criteria 07-06-07(6)A2 and A3 for evidence and details.</i> ○ <i>See Section 6 of this report for recommended conditions of the development agreement.</i> • <u>Land Use – Policy 1: Review all residential, commercial, and industrial development proposals to determine the land use compatibility and impact on surrounding areas.</u> <ul style="list-style-type: none"> ○ The future land use plan in the 2020 Canyon County Comp. Plan designates the parcels as “residential” (Exhibit B.2k). ○ <i>See criteria 07-06-07(6)A2 and A3 for evidence and details.</i> ○ <i>See Section 6 of this report for recommended conditions of the development agreement.</i> • <u>Land Use – Policy 2: Encourage orderly development of subdivisions and individual land parcels, and require development agreements when appropriate.</u> <ul style="list-style-type: none"> ○ <i>See Section 6 of this report for recommended conditions of the development agreement.</i> • <u>Land Use – Policy 6: Review all development proposals in areas that are critical to groundwater recharge and sources to determine impacts, if any, to surface and groundwater quantity and quality.</u> <ul style="list-style-type: none"> ○ <i>See criteria 07-06-07(6)A5 for evidence and details.</i> • <u>Natural Resources - Water – Goal 1: Water is an essential and limited natural resource. Groundwater and surface water should be preserved and protected.</u> <ul style="list-style-type: none"> ○ <i>See criteria 07-06-07(6)A5 for evidence and details.</i> • <u>Natural Resources - Water – Policy 4: Encourage new development to incorporate design elements that limit water use requirements.</u> <ul style="list-style-type: none"> ○ <i>See criteria 07-06-07(6)A5 for evidence and details.</i> • <u>Natural Resources - Air – Policy 1: Consider land use and transportation issues as important factors in the reduction of air pollution.</u> <ul style="list-style-type: none"> ○ <i>See criteria 07-06-07(6)A5 for evidence and details.</i>
--	--	--	--	---

				<ul style="list-style-type: none"> • <u>Hazardous Areas – Goal 1</u>: <i>To ensure the safety of residents and the protection of property.</i> <ul style="list-style-type: none"> ○ See Section 6 of this report for recommended conditions of the development agreement. • <u>Public Services, Facilities, and Utilities – Policy 3</u>: <i>Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A8 for evidence and details. • <u>Public Services, Facilities, and Utilities – Policy 4</u>: <i>Encourage activities to promote the protection of groundwater and surface water.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A5 for evidence and details. • <u>Transportation – Policy 18</u>: <i>Transportation improvements, such as streets, curbs, gutters, drainage, if required, must be approved by and meet the standards of highway districts and/or ITD (as applicable) where applicable and not in direct conflict with other county objectives. Such improvements should (if appropriate) be funded by the developer.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A6 & A7 for evidence and details. • <u>Transportation – Policy 19</u>: <i>Require and accept traffic studies in accordance with highway district procedures that evaluate the impact of traffic volumes, both internal and external, on adjacent streets and preserve the integrity of residential neighborhoods where applicable.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A6 for evidence and details. • <u>Housing – Policy 1</u>: <i>Encourage a variety of housing choices that meet the needs of families, various age groups, and incomes.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Community Design – Policy 2</u>: <i>Encourage development of self-sustaining communities that maintain the rural lifestyle and good quality of life of the county.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Community Design – Policy 5</u>: <i>Encourage each development to address concerns regarding roads, lighting, drainage, stormwater runoff, landscaping, re-vegetation of disturbed areas, underground utilities, and weed control.</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A3, A5, A6, and A7 for evidence and details. • <u>Community Design – Policy 5</u>: <i>Encourage pressurized irrigation systems using non-potable water where reasonably possible (Idaho Code 67-6537).</i> <ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A5 for evidence and details. See Section 6 of this report for recommended conditions of the development agreement. • <u>Agriculture – Policy 3</u>: <i>Protect agricultural operations and facilities from land use conflicts or undue interference created by existing or proposed residential, commercial, or industrial development.</i>
--	--	--	--	--

				<ul style="list-style-type: none"> ○ See criteria 07-06-07(6)A2 and A3 for evidence and details. • <u>Agriculture – Policy 4</u>: Development shall not be allowed to disrupt or destroy irrigation canals, ditches, laterals, drains, and associated irrigation works and rights-of-way. ○ See criteria 07-06-07(6)A5 for evidence and details. <p>3) The request <u>does not align</u> with the following goals and policies of the 2020 Comp. Plan:</p> <ul style="list-style-type: none"> • <u>Hazardous Areas – Policy 3</u>: Endeavor to limit structures and developments in areas where known physical constraints or hazards exist. Such constraints or hazards include, but are not limited to, the following: i. Flood hazards; ii. Unstable soil and/or geologic conditions; and iii. Contaminated groundwater. • <u>Housing – Policy 2</u>: Limit housing in areas that are hazardous whenever possible. Such constraints or hazards include but are not limited to, the following: - Flood Hazards; - Unstable soil and/or geologic conditions; - Contaminated groundwater. ○ See Exhibit D.2 and criteria 07-06-07(6)A3 for evidence and details. • <u>School Facilities & Transportation – Policy 3</u>: The adequacy of school facilities may be considered by the hearing bodies in reviewing proposed residential subdivision and planned developments based on recommendations from the affected districts. ○ See Exhibit D.7 and criteria 07-06-07(6)A8 for evidence and details.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation;
			Staff Analysis	<p>In consideration of the surrounding land uses, the proposed conditional rezoning to “R-R is more appropriate than the current zoning designation of “A”.</p> <p>1) The subject parcels are zoned “A” (Agricultural, Exhibit B.2c). CCZO Section 07-10-25(1) states the purpose of the “A” Zone is to:</p> <p><i>“A. Promote the public health, safety, and welfare of the people of the County by encouraging the protection of viable farmland and farming operations; B. Limit urban density development to Areas of City Impact in accordance with the comprehensive plan; C. Protect fish, wildlife, and recreation resources, consistent with the purposes of the "Local Land Use Planning Act", Idaho Code title 67, chapter 65; D. Protect agricultural land uses, and rangeland uses, and wildlife management areas from unreasonable adverse impacts from development; and E. Provide for the development of schools, churches, and other public and quasi-public uses consistent with the comprehensive plan.”</i></p> <p>The parcels consist primarily of best-suited soils (Class II – 76.78%, Exhibit B.2h). A majority of the parcels are considered prime farmland if irrigated (88.28%, Exhibit B.2h). The parcels are in active agricultural production associated with a wholesale nursery (Exhibit A.2, B.2a & C). Canyon Soils Conservation District provided a comment letter recommending the denial of</p>

				<p>the request for the above because the property is prime farmland (Exhibit D.8).</p> <p>2) The applicant requests a conditional rezone of an “R-R” (Rural Residential, two-acre average minimum lot size) zone (Exhibit A.2). The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibits A.2 & A.4). The site plan has lots exceeding one acre in size and meeting the minimum average overall size of two acres (Exhibit A.3). Per CCZO§07-10-25(2), the purpose of the zone is to <i>“encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.”</i></p> <p>3) The request is supported by the 2020 Canyon County Comprehensive Plan where residential growth is shown on the future land use plans (Exhibit B.2k).</p> <p>4) When considering the surrounding subdivisions and land use decision (Exhibits B.2c, d & e), the two-acre average minimum lot size promoted by the “R-R” zone is commensurate with the residential development in the area.</p> <p>a. Based on existing development and approvals within the immediate vicinity, the subject parcels are enclaved agricultural properties surrounded by residential development. Within the immediate vicinity, the following similar rezones were approved (Exhibit B.2c & d):</p> <ul style="list-style-type: none"> - <u>PH2014-17 (Approx. 91.5 acres)</u>: Rezone from “A” to “R-R”. Subsequently approved as Thoroughbred Estates in 2014. <i>See Exhibit B.6 & B.7.</i> - <u>PH2016-65 (Approx. 61 acres)</u>: Rezoned from “A” to “R-1” (Single Family Residential). Subsequently approved as Oaklee Subdivision in 2021. <i>See Exhibit B.8 and B.9.</i> - <u>RZ2021-0034 (Approx. 26.8 acres)</u>: Rezoned from “A” to “R-R”. Subsequently approved as Hawk View Estates in 2022. <i>See Exhibit B.10 & B.11.</i> <p>b. The following subdivisions are located adjacent to the request (Exhibit B.2e):</p> <ul style="list-style-type: none"> - Hawk View Estates (Preliminary Plat approved 2022): 12 lots, 2.23-acre average lot size (Exhibit B.11). - Thoroughbred Estates (2014): 40 lots, 2.29-acre average lot size (Exhibit B.7). - Moon Shadow Estates (2007): 18 lots, 1.18-acre average lot size. - Oaklee Estates Sub (2023): 36 lots, 1.53-acre average lot size (Exhibit B.9). - Willowview Subdivision No 2 (2006): 16 lots, 2.21-acre average lot size if not considering the subject parcel. Parcel R37510112, approximately 79.79 acres, is Lot 15, Block 1 of Willowview Subdivision No. 2 (Exhibit B.5). - Willowcreek Ranch Estates No. 3 (2004): 8 lots, 1.49-acre average lot size (Exhibit B.4).
--	--	--	--	--

				<ul style="list-style-type: none"> - Willowcreek Ranch Estates No. 2 (1998): 36 lots, 1.93-acre average lot size (Exhibit B.3). - Creekside Ranch Estates (2003): 3 lots, 5.81-acre average lot size. - Willowview Sub. (2005): 14 lots, 2.13-acre average lot size.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A3	Is the proposed conditional rezone compatible with surrounding land uses;
			Staff Analysis	<p>The proposed conditional rezone change “R-R” is compatible with surrounding land uses.</p> <p>Pursuant to CCZO section 07-02-03, land uses are compatible if:</p> <p><i>“a) they do not directly or indirectly interfere or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.”</i></p> <ol style="list-style-type: none"> 1) The applicant requests a conditional rezone of an “R-R” (Rural Residential, two-acre average minimum lot size) zone (Exhibit A.2). The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibit A.2 & A.4). The site plan has lots exceeding one acre in size and meeting the minimum average overall size of two acres (Exhibit A.3). Per CCZO Section 07-10-25(2), the purpose of the zone is to <i>“encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.”</i> 2) To promote connectivity between existing and the proposed development, the development includes the following condition of the development agreement regarding a pathway system: <i>“The development on ultimate buildout shall provide a 10-foot no-rise pathway and 20-foot easement along the southern edge of Willow Creek, extending from the west boundary to the eastern boundary, dedicated for use by pedestrians, non-motorized vehicles, and equestrian traffic. A 10’ pathway with a 20’ easement shall connect the pathway to a public road within the development”</i> (Exhibit A.2 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i> 3) Based on existing development and approvals within the immediate vicinity, the subject parcels are enclaved agricultural properties surrounded by residential development. When considering the surrounding subdivisions, the two-acre average minimum lot size promoted by the “R-R” zone is commensurate with the residential development in the area (Exhibits B.2c, d & e). <i>See criteria 07-06-07(6)A2 for evidence and details.</i> 4) The parcel is located in an “AE” Floodplain with a mapped floodway (Exhibit D.2). The applicant proposes no residential structure, grading, construction, or encroachment into the floodway. The other areas of the “AE” floodplain will be raised with fill and processed through FEMA as a Letter of Map Revision to ensure all new residential structure pads and sanitary services are

				<p>located outside of the floodplain (Exhibits A.2 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <p>5) DEQ requires all new developments to ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651 and recommends the development submit a dust prevention and control plan before the final plat incorporating appropriate best management practices to control fugitive dust (Exhibit D.1). <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <p>6) Comments were received from neighbors with concerns regarding lot size, cumulative impacts regarding traffic, access, water usage, and essential services (Exhibit E). As conditioned, impacts regarding traffic, access, essential services, and adequate facilities (water, sewer, irrigation, drainage, and utilities) will be addressed as part of the preliminary plat and completed per the requirements of each affected agency (<i>See Section 6 of this report for recommended conditions of the development agreement.</i>). Therefore, the request is compatible with the surrounding land uses.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A4	<p>Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?</p> <p>The proposed conditional rezone will not negatively affect the character of the area.</p> <p>1) The applicant requests a conditional rezone of an “R-R” (Rural Residential, two-acre average minimum lot size) zone (Exhibit A.2). The request will limit development to 76 lots (75 developable lots and an 18.73-acre lot for the existing dwelling and nursery operation, Exhibit A.4). The site plan has lots exceeding one acre in size and meeting the minimum average overall size of two acres (Exhibit A.3).</p> <p>2) Based on existing development and approvals within the immediate vicinity, the subject parcels are enclaved agricultural properties surrounded by residential development (Exhibits B.2c & d).</p> <p>3) When considering the surrounding subdivisions, the two-acre average minimum lot size promoted by the “R-R” zone is commensurate with the residential development in the area (Exhibit B.2e).</p> <p>a. Comments were received concerned regarding the lot sizes. 5-10-acre lot sizes with building envelopes are requested to maintain open space and habitat conservation (Exhibit E).</p> <p>4) Based on conditions addressing floodplain development, traffic, access, essential services, and adequate facilities found in Criteria 07-06-07(6)A3, 5, 6, 7 & 8, the request will not negatively impact the character of the area. <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p>
			Staff Analysis	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A5	<p>Will adequate facilities and services including sewer, water, drainage, irrigation, and utilities be provided to accommodate the proposed conditional rezone;</p>

			<p>The applicant proposes the following to demonstrate adequate facilities will be available for the future development:</p> <p>1) Sewer: Sewer is to be provided by private onsite septic/drain field systems for each lot (Exhibit A.2).</p> <p>A portion of the parcel is located in a nitrate priority area (Exhibit B.2m). A comment letter was not received from Southwest District Health (SWDH). At the time of platting, SWDH will require a nutrient pathogen (NP) study and subdivision engineering report (SER) to determine the number of lots and system location and design. https://swdh.id.gov/licensing-permitting/septic-land-development/.</p> <p>2) Water: Water will be provided by onsite private wells (Exhibit A.2).</p> <p>Comments were received regarding the need for a hydrology study to address the development and its impact on the water table (Exhibit E). The applicant submitted a Technical Memorandum - Willowcreek Subdivision Groundwater Use Assessment prepared by HDR on July 25, 2023 (Exhibit A.8). The assessment finds:</p> <ul style="list-style-type: none"> • The pumping of 76 wells or one community well for domestic use using a low transmissivity (conservative) estimate will induce less than 0.6 feet of drawdown at a radius of one-half continuous pumping. • The addition of domestic wells or one community well to this area will not injure nearby well owners or harm local groundwater resources in the area. <p>Staff recommends a community water system instead of individual wells for the following reasons:</p> <ul style="list-style-type: none"> • A portion of the parcel is located in a nitrate priority area and wells in the area demonstrate high nitrate levels (Exhibit B.2m). A community water system will ensure residents get safe drinking water and are required to be annually monitored. <ul style="list-style-type: none"> ○ If not, DEQ recommends wells be tested for total coliform bacteria, nitrate, and nitrite before use and retested annually (Exhibit D.1). • Idaho Department of Environmental Quality (DEQ) requires a community water system when it well serves at least 15 connections or 25 people year-round in their primary residences (e.g., cities, towns, apartment complexes, and mobile home parks with their water supplies). https://www.deq.idaho.gov/water-quality/drinking-water/general-information-on-drinking-water/. <ul style="list-style-type: none"> ○ Since the request proposes 76 individual wells with less than 15 connections each, DEQ and SWDH can only recommend a community water system, not required (Exhibit D.1). It is up to the local government to require a community water system at the time of rezone or plat.
--	--	--	---

Staff Analysis

				<ul style="list-style-type: none"> • The Willowcreek Subdivision Groundwater Use Assessment provides positives and negatives of the community system (Exhibit A.8, page 13). Well-construction recommendations (Exhibit A.8, page 13) place the construction and expense of the homeowner. Disclosure/implementation of the recommended well-construction standard has been difficult for CC&Rs to enforce. Community water system requires the homeowner associate to contract a water service company to operate and maintain the system. • A community water system ensures compliance with state and federal drinking water regulations. Hydrants will be installed throughout the subdivision to supply fire protection (Exhibit A.8, page 13). <p>3) Drainage: Drainage will be retained onsite and/or discharged at predevelopment rates (Exhibit A.2). Black Canyon Irrigation District (BCID) states runoff and drainage from the proposed development should be addressed as well as ensure downstream users are not adversely affected by the request (Exhibit D.3). The request does not include a drainage plan. A drainage and grading plan is required at the time of the preliminary plat per CCZO Section 07-17-09.</p> <p>4) Irrigation: An onsite pressurized irrigation system is proposed using existing water rights (Exhibits A.2 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i> Black Canyon Irrigation District (BCID) will require the following (Exhibit D.3):</p> <ul style="list-style-type: none"> • All maintenance road right-of-ways, lateral right-of-ways, and drainage right-of-ways will need to be protected. Any crossing agreements and or piping agreements will be acquired from the Bureau of Reclamation (BOR) to cross over or under existing laterals, and pipes, or to encroach into any right-of-ways. • Laterals affected by this proposed land change will require to be piped and structures built to ensure adequate delivery of irrigation water. • An irrigation system with an adequate overflow needs to be installed to ensure the delivery of water to each lot and/or parcel of land entitled to receive irrigation water. • BCID and BOR will require a signed agreement to be in place before any changes are made to the sections of the Willow Creek Wasteway, C.E. 21.1-0.9, C.E. 21.1, and any appurtenant irrigation facilities that are affected by the development. These sections are required to be piped meeting BCID and BOR standards. Any additional modification required by BCID and BOR will be to ensure irrigation water is made available to all patrons. <p>The request does not include an irrigation plan. An irrigation plan is required at the time of the preliminary plat per CCZO Section 07-17-09.</p>
--	--	--	--	---

				<p>5) Utility:</p> <p>Power will be provided via Idaho Power and other utilities (gas, cable, phone) depending upon availability (Exhibit A.2). Utility easements are required at the time of the preliminary plat per CCZO Section 07-17-09.</p> <p>Upon discussions with the City of Middleton, the applicant agreed to enter into a pre-annexation agreement and provide a 20' wide utility corridor easement for future city services along Lansing Lane (Exhibits D.6 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <p>Although the property is designated residential in the city's comprehensive plan (Exhibit D.6), the property is located outside of the Middleton Area of City Impact; and therefore, per Idaho Code §67-6526, not mutually agreed by the County and City an area reasonably expected to be annexed into the city in the future (CCZO Section 07-02-03).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A6	<p>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?</p>
			Staff Analysis	<p>The proposed conditional rezone will require public street improvements in order to provide adequate access to and from the subject property in order to minimize undue interference with future traffic patterns created by the proposed development. As a condition, a traffic impact study is required to be submitted at the time of the preliminary plat per Highway District #4 (Exhibit D.5).</p> <ol style="list-style-type: none"> 1) The request equates to 784 trips per weekday, 58 trips during the AM peak hour, and 77 trips during the PM peak hour at full build-out (Exhibit D.5 & A.9). The trip numbers do not consider detached secondary residences per CCZO Section 07-10-27 and 07-14-25). 2) The property has approximately 1,940 feet of frontage on Lansing Lane, a major collector road, and a stub connection to Stony Brook Way, a public road established by Thoroughbred Estates (Exhibit A.3). 3) Highway District #4 (HD4, formerly Canyon Highway District #4) provided comments not opposing the request subject to conditions addressing HD4 comments regarding traffic (Exhibit D.5). <ul style="list-style-type: none"> • The proposed request is anticipated to generate more than 700 new trips per day and more than 70 peak-hour trips requiring a traffic impact study. The study should be performed for the proposed development, to be submitted with the preliminary plat. A scoping meeting including HD4 is required before commencing the study. At a minimum, the TIS should evaluate the trip generation and distribution) from the site; the proportionate share of trips from the site at the Lansing/Purple Sage and Lansing/SH-44 intersections; capacity at the two intersections at buildout; the suitability of proposed access locations and the need for auxiliary turn lanes on Lansing Lane to serve the site.

				<ul style="list-style-type: none"> Traffic impacts from the development will also be mitigated through right-of-way dedication, public road improvements, and development impact fees. <p>4) A draft Traffic Impact Study was prepared on July 5, 2023, by CR Engineering, Inc. (Exhibit A.9). The study evaluates potential traffic impacts resulting from background traffic, in-process developments within the area, and the proposed development as well as identifies improvements to mitigate the impacts if needed. Based on the review of the Lansing Lane and SH-44 intersection, a temporary traffic signal with existing lanes will be required at the build-out of the development (2025). The Lansing Lane and Purple Sage Road intersection is anticipated to operate acceptably with the existing intersection control and lane configuration.</p> <p>The draft study has not been reviewed by HD4. A final study and required improvements will be determined at the time of the preliminary plat. <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <p>5) Idaho Transportation Department (ITD) submitted a comment stating the department has no concerns regarding the request due to the request being greater than 2.5 miles north of SH-44 (Exhibit D.4).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A7	Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development; and
			Staff Analysis	<p>The subject property does have legal access and will have adequate access at the time of the development.</p> <p>1) The existing access is a private driveway serving Parcel R37511 from Lansing Lane, a major collector. The access is used for the existing residence and agricultural operations (Exhibits B.2a & Exhibit C).</p> <p>2) The applicant submitted a conceptual site plan (Exhibit A.3) proposing a public road connection to Lansing Lane (major collector), a connection to Stony Brook Way (public road established by Thoroughbred Estates Subdivision, and Kemp Road (public road established by Willow Creek Ranch #3).</p> <p>a. Comments were received with concerns regarding the extension of Stony Brook Way (Exhibit E).</p> <p>3) Comments were received opposing any connection or use of Kemp Road (Exhibit E). The letter states Kemp Road is a private road.</p> <ul style="list-style-type: none"> Kemp Road is a public road in Willow Creek Ranch Estates No. 3. Kemp Road becomes a private road as it turns south and west into Willow Creek Ranch Estates No. 2 (Exhibits B.3 & B.4). Kemp Road stubs into the subject parcel. However, the location of the stub road into the property slopes significantly (Exhibit B.2a & C). The applicant proposes access to Kemp Road for fire access only and plans to place bollards at the access to ensure it remains for emergency

				<p>access only (Exhibit A.2 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <ul style="list-style-type: none"> Kemp Road is in the jurisdiction of HD4 which oversees the use of the road. The comment letter provided by HD4 does not mention Kemp Road (Exhibit D.5). <p>4) Comments were received regarding traffic impact concerns (Exhibit E). Highway District #4 (HD4, formerly Canyon Highway District #4) provided comments not opposing the request subject to conditions addressing HD4 comments regarding access (Exhibit D.5).</p> <ul style="list-style-type: none"> Future residential development should be planned via one or more public or private road approaches to Lansing Lane. Intersection sight distance may be restricted by the hill crest along the southerly portions of the site frontage and should be confirmed in the field before fixing access locations. Any new public or private road access should provide a minimum of 500 feet of separation to public or private roads and 210 feet from existing driveways to meet urban access spacing standards. Direct lot access to Lansing Lane is not permitted. A public road connection extending between Stony Brook Way (in Thoroughbred Estates Subdivision) on the westerly boundary and Lansing Lane is generally desirable to support public needs and provide adequate traffic calming measures to reduce pass-through traffic and limit vehicle speeds. <p>The draft traffic impact study states the site access on Lansing Lane does not warrant turn lanes at the time of development buildout (Exhibit A.9). The draft study has not been reviewed by HD4. A study and access improvements will be determined at the time of the preliminary plat.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-06-07(6)A8	<p>Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire, and emergency medical services? What measures will be implemented to mitigate impacts?</p>
			Staff Analysis	<p>The request is anticipated to impact essential services such as schools, police, fire, and emergency medical services. The applicant proposes mitigation measures to minimize project impacts on essential services.</p> <p>1) Schools: The request will be served by the Middleton School District. The proposed residential development will be served by Mill Creek Elementary, Middleton Middle School, and Middleton High School. The applicant has discussed an agreement with Middleton School District to provide 100 trees from the existing nursery for the district to use to help aesthetically and offset costs to the district. The applicant proposes an agreement with the District as a development agreement condition (Exhibit A.2 & A.4). <i>See Section 6 of this report for recommended conditions of the development agreement.</i></p> <p>On June 4, 2024, Middleton School District submitted a comment letter expressing significant concerns regarding capacity, continued growth, and the ability to meet future facility needs (Exhibit D.7). Mill Creek Elementary is at 118% of capacity. The middle and high schools are nearing capacity. Based on</p>

				<p>a demographic study, for every new home, the district can expect between 0.5 and 0.7 students. The proposal is anticipated to add 38-53 students. This equates to roughly 2-3 new classrooms. This also increases the need for bussing which requires the developer to plan for appropriate spacing for bus stops.</p> <p>The comment letter states the district was contacted by the developer to discuss ideas to support the district. However, no formal agreement was set.</p> <p>2) Police, Fire Protection & Emergency Medical Services:</p> <p>The request will be served by the Canyon County Sheriff's Department, Middleton Fire District, and Canyon County Paramedics/EMT. The agencies were notified on July 11, 2022, May 8, 2024, and November 5, 2024. No comments or concerns were received. The development will require the submittal of a preliminary plat which will be provided for review and comments by all affected essential service agencies.</p> <p>The applicant states the low-density proposal is not anticipated to impact essential services. Rural road sections minimize upkeep and tax revenues generated by the development. Proposed roads and access will enhance accessibility for emergency services (Exhibit A.2).</p> <p>Comments were received regarding fire, ambulance, and school impacts especially since the bonds to assist those services failed (Exhibit E).</p>
--	--	--	--	--

4. AGENCY COMMENTS:

Agencies including the Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Emergency Management Coordinator, Middleton Fire Protection District, Black Canyon Irrigation District, Highway District No. 4, Middleton School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Army Corp of Engineers, Flood District #10, Flood District #11, Natural Resource Conservation District, Canyon County Assessor's Office, Canyon County Parks and Recreation, Canyon Soil Conservation District, Canyon County Engineering/Floodplain Manager, Idaho Dept. of Environmental Quality, FEMA, Idaho Dept. of Water Resources (Water Rights), Idaho Dept. of Water Resources (Floodplain), Idaho Fish and Game, Southwest District Health, Brown Bus Company, COMPASS, Valley Regional Transit, and the City of Middleton were notified of the subject application.

Staff received agency comments from the City of Middleton, Idaho Dept. of Water Resources (Floodplain), Canyon Soil Conservation District, Black Canyon Irrigation District, Middleton School District, Canyon Highway District No. 4, Idaho Transportation Department, and Idaho Dept. of Environmental Quality (DEQ). All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

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.

5. PUBLIC COMMENTS:

Staff received 12 written public comments by the materials deadline of November 25, 2024. Generally, the comments received had concerns regarding the request. All public comments received by the aforementioned materials deadline are located in **Exhibit E**.

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.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, the staff concludes that the proposed conditional rezone is **compliant** with Canyon County Ordinance 07-06-07(6). A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

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 parcels, R37511 & R3750112, shall be divided in compliance with Chapter 7, article 17 of the Canyon County Code of Ordinances subject to the following conditions/restrictions:
 - a. The development shall be limited to 76 residential lots in substantial compliance with the conceptual site plan (Exhibit A.3) and applicant's letter of intent (Exhibit A.2).
 - b. As shown in the conceptual site plan (Exhibit A.3), the development shall extend Stony Brook way from the west boundary and Kemp Road from the south boundary to the existing approach extending from Lansing Lane. The Kemp Road access shall be used for emergency access. The development shall provide a fire access easement and all-weather service road to the property boundary of Willow Creek Ranch Estates #2 Block 1 Lot 9. Entrance from the public street shall have fire department-approved bollards or other access restrictions to limit access to emergency traffic only. Willow Creek Ranch Estates shall be responsible for allowing and providing access at the subdivision boundary to Kemp Rd. for emergency access.
 - c. The development shall provide a 10-foot no-rise pathway and 20-foot easement along the southern edge of Willow Creek, extending from the west boundary to the eastern boundary, dedicated for use by pedestrians, non-motorized vehicles, and equestrian traffic. A 10' pathway with a 20' easement shall connect the pathway to a public road within the development.
 - d. A public road shall be constructed in a phase of the development which extends to the southern boundary, just north of access to Kemp Rd. The development shall provide a fire access easement and all-weather service road to the property boundary of Willow Creek Ranch Estates #2 Block 1 Lot 9. Entrance from the public street shall have fire department-approved bollards or other access restrictions to limit access to emergency traffic only. Willow Creek Ranch Estates shall be responsible for allowing and providing access at the subdivision boundary to Kemp Rd. for emergency access.
 - e. A 20' wide utility corridor easement shall be dedicated to the City of Middleton on the eastern edge of the development along Lansing Lane (Exhibit D.6).
 - f. A permanent conservation easement shall be placed over the Willow Creek floodway and depicted on the plat to notify owners and limit improvements and structures from obstructing

the floodway (Exhibits A.2 & A.4). Any development in the floodway or floodplain shall comply with Chapter 7, Article 10A of the Canyon County Code of Ordinances.

- g. Development shall provide a central pressurized irrigation system to service all residential lots (Exhibit A.2).
 - h. Prior to preliminary plat approval, a traffic impact study shall be submitted to Highway District #4 (HD4) per Exhibit D.5. Any mitigation measures/improvements stated in the study and required by HD4 shall be complete prior to final plat approval.
 - i. Development shall provide 100 trees from the nursery that are compatible with the needs of the Middleton School District prior to the beginning of build-out.
 - j. The subdivision shall provide an area within a common lot or easement for a school bus stop.
 - k. Subdivision development shall comply with air quality and stormwater pollution protection requirements of the Idaho Dept. of Environmental Quality (DEQ).
 - l. Water shall be provided via a community water system.
3. The developer shall comply with CCZO §07-06-07(4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."

7. EXHIBITS:

A. Application Packet & Supporting Materials

- A.1. Master Application
- A.2. Letter of Intent
- A.3. Conceptual Site Plan
- A.4. Draft Development Agreement
- A.5. Land Use Worksheet
- A.6. Neighborhood Meeting
- A.7. Title, Deed & Legal Descriptions
- A.8. Willowcreek Subdivision Groundwater Use Assessment – Technical Memorandum
- A.9. Draft Traffic Impact Study – Willowcreek-Lansing Lane Subdivision
- A.10. Area Map – Presentation Slide

B. Supplemental Documents

- B.1. Parcel Information Reports: R37511 & R37510112
- B.2. Maps
 - a. Aerial
 - b. Vicinity
 - c. Zoning
 - d. Cases w/report
 - e. Subdivision Plats w/ report
 - f. Dairy, Feedlot & Gravel Pit
 - g. Lot Classification
 - h. Soil and Prime Farmlands w/report
 - i. Contour
 - j. City - Future Land Use
 - k. County - Future Land Use 2020
 - l. County - Future Land Use 2030
 - m. Wells/Nitrate Priority
 - n. TAZ – Households
- B.3. Willowcreek Ranch Estates Sub #2

- B.4. Willowcreek Ranch Estates Sub. #3
- B.5. Willowview Sub. #2
- B.6. PH2014-17
- B.7. Thoroughbred Estates Sub.
- B.8. PH-2016-65
- B.9. Oaklee Subdivision – Preliminary plat
- B.10. RZ2021-0034
- B.11. Hawk View Subdivision – Preliminary Plat
- B.12. CU2005-49

C. Site Visit Photos: September 5, 2024

D. Agency Comments – Received by November 25, 2024

- D.1. Idaho Dept. of Environmental Quality (DEQ), received June 4, 2024
- D.2. Idaho Dept. of Water Resources (IDWR) – NFIP Coordinator, received November 6, 2024
- D.3. Black Canyon Irrigation District (BCID), received November 25, 2024 (August 5, 2022)
- D.4. Idaho Transportation Dept. (ITD), received May 30, 2024
- D.5. Canyon Highway District #4 (HD4), received August 24, 2022
- D.6. City of Middleton, received July 19, 2022
- D.7. Middleton School District, received July 7, 2024
- D.8. Canyon Soils Conservation District, received May 11, 2024
- D.9. City of Nampa, received November 5, 2024
- D.10. Nampa-Meridian Irrigation District, received November 6, 2024

E. Public Comments – Received by November 25, 2024

- E.1. Aubrey Walker, received June 16, 2022
- E.2. Ashley Quenzer, received November 7, 2024
- E.3. Brian Wanner, received November 20, 2024
- E.4. Cheryl Palange, received November 25, 2024
- E.5. Chloe Mackay, received November 25, 2024
- E.6. Christine Hitchner, received November 25, 2024
- E.7. Craig & Brenda Hardin, received November 25, 2024
- E.8. Jill Jenkins, received November 19, 2024
- E.9. Joseph Strognone, received November 25, 2024
- E.10. Marc J. Rehberger, received November 25, 2024
- E.11. Shane & Valeri Main, received November 24, 2024
- E.12. Rocky & Bobby Yoneda, received November 22, 2024
- E.13. Melissa Buck, received November 25, 2024
- E.14. Errika DeVall, received November 25, 2024
- E.15. Saundra Wanner, dated November 15, 2024
- E.16. Rachell Wolfe, received November 25, 2024
- E.17. Jeff Creamer, received November 25, 2024
- E.18. Korina Bennallack, received November 25, 2024
- E.19. Mike & Monica Barber, received November 25, 2024
- E.20. Camilla Searle, received November 25, 2024
- E.21. Robert Smith, received November 25, 2024

Exhibit 3
EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# CR2022-0016

Hearing date: December 5, 2024

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: MDC LLC/Joseph Carter	
	MAILING ADDRESS: 7270 N. Tree Haven Pl.	
	PHONE: 208-870-8530 EMAIL: doug@thecarnahans.com	
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>5/31/22</u>		
(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: Kent Adamson	
	COMPANY NAME: RiveRidge Engineering Company	
	MAILING ADDRESS: 2447 S. Vista Ave	
	PHONE: 208-344-1180 EMAIL: kadamson@rvrdg.com	
SITE INFO	STREET ADDRESS: 25455 Lansing Lane, Middleton, ID 83644	
	PARCEL #: R3751011200 (platted), R3751100000 (unplatted) LOT SIZE/AREA: 164.60 Acres	
	LOT: 15 BLOCK: 1 SUBDIVISION: Willowview Subdivision No. 2	
	QUARTER: SE1/4NW1/4 SECTION: 28 TOWNSHIP: 5N RANGE: 2W	
	ZONING DISTRICT: AG FLOODZONE (YES/NO): YES	
HEARING LEVEL APPS	<input type="checkbox"/> CONDITIONAL USE <input type="checkbox"/> COMP PLAN AMENDMENT <input checked="" type="checkbox"/> CONDITIONAL REZONE <input checked="" type="checkbox"/> ZONING AMENDMENT (REZONE) <input checked="" 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 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>CR2022-0016</u> DATE RECEIVED: <u>5.31.22</u>		
RECEIVED BY: <u>CL</u> APPLICATION FEE: <u>1235.00</u> <input checked="" type="checkbox"/> MO <input type="checkbox"/> CC <input type="checkbox"/> CASH		

Revised 1/3/21



August 14, 2023

Jenna Petroll
Planning and Zoning Department
Canyon County
111 N. 11th Ave
Caldwell, ID 83605

**RE: Proposed Conditional Rezone
Willow Creek Subdivision
Letter of Intent**

Dear Jenna,

MDC, LLC and Joseph Carter are proposing to conditionally rezone 164.74 acres consisting of parcels R3751100000 (84.75 acres) and R3751011200 (79.81 acres) from agricultural (AG) to rural residential (RR) to facilitate entitlement for a residential subdivision. The non-build Lot 15, Block 1 parcel (R3751011200) of the WillowView Subdivision No. 2 Plat will be vacated to facilitate the norther portion of the development.

The concept plan consists of 75 developable lots and an existing home lot. The largest lot is 18.73-acres adjacent to the existing home and would be used to carry on nursery activities allowed within the rural residential zone. The concept has lots exceeding 1 acre in size and meeting the minimum average overall lot size of 2 acres for the Rural Residential zone. Public roadways meet the standards of the Canyon County Highway District and provide through connection to all adjacently available public roads (Stony Brook Way and the main entrance from Lansing Ln.). The connections will enhance access for emergency vehicle traffic to all surrounding subdivisions, including Kemp Road to the south, currently a long dead-end private road. It is planned to place bollards with a fire access to the south boundary for Kemp Rd. access. With the densities suggested and multiple inlet/outlets, traffic impacts due the subdivision are anticipated to be minimal as depicted by the completed Traffic Impact Study completed by the owners dated July 5th, 2023. A traffic light at Lansing Ln. and Highway 44 is suggested in the future due to the combined traffic of the area, however, no additional traffic mitigation measures are suggested for within or immediately adjacent to the subdivision. Legal access to the subject property for the rezone request is available currently off Lansing Lane.

2447 S. Vista Avenue • Boise, ID 83705
208-344-1180



The property is located just outside the City of Middleton impact area and thus the owners have contacted the city and are working through filing for pre-annexation to join. The owners have also been in negotiations for providing a utility corridor along Lansing Ln. for future use.

The Willow Creek floodway to the north would be maintained as is with no residential lot structures\grading\construction allowed within or encroaching upon its existing boundaries and protected. Portions of the surrounding 100-year AO zone would be raised via the LOMR-F process to ensure all new residential structure pads and sanitary sewer within the zone would be located out of the flood zone 4. The development on ultimate buildout shall provide a 10-foot no-rise pathway and 20-foot easement along the southern edge of Willow Creek, extending from the west boundary to the eastern boundary, dedicated for use by pedestrians, non-motorized vehicles, and equestrian traffic. A 10' pathway with 20' easement shall connect the pathway to a public road within the development.

The current 2020 comprehensive plan specifies the area as residential, however, the current zoning is agricultural. The rezone would facilitate the intent of the comprehensive plan by eliminating possible agricultural activities within an area that is already predominantly surrounded by residential home\land uses on all sides. West of the project site is Throughbread Estates consisting of identical lots to those proposed and RR zoning. To the south, Willowcreek Ranch Estates 1-3 was developed with 1–2-acre residential lots in early 2003. To the north Willowview Subdivision was constructed as RR and to the southeast across Lansing Lane there are also residential lots. Several of the AG field east of the project, across Lansing, are actively in process of being entitled residential also. Due to the nature of the surrounding land uses, the proposed zoning is more appropriate than the current zoning and will enhance the character of the area by eliminating potential heavy equipment, dust, and industrial uses within a predominantly residential area. The rezone will also provide the necessary densities for the area per the comprehensive plan's intent and the growth of Middleton\Caldwell area.

Onsite utilities to be provided to the lots with a mix of private and public systems. Sewer is to be provided by private onsite septic\drain field systems for each lot and water to be provide by onsite private wells. Due to the lot sizes being an average minimum lot size of 2 acres, sewer and water are being provided at densities twice the 1 acre minimum established by Southwest District Health guidelines and impacts to the local aquifer are to be negligible as depicted by the Willowcreek Subdivision Groundwater Use Assessment report completed by the owners and dated July 25th, 2023.

Drainage is to be retained onsite and\or discharged at predevelopment rates. Onsite pressure irrigation system to be provided using existing water rights to the site. Power will be provided via Idaho Power and other utilities (gas, cable, phone) depending upon availability. At the minimal densities proposed, it is not anticipated that these uses will have an adverse impact on existing facilities and\or geologic impact.

Public school services shall be provided by Mill Creek Elementary, Middleton Middle School, and Middleton High School. The development has discussed with the Middleton District and is in agreement with providing 100 trees from the existing nursery for the district to use for facilities to help with district costs and aesthetics.

Middleton Fire and Police shall service emergencies. It is unlikely that the low density of the subdivision would impose an undue burden on these services. Rural road sections minimize upkeep and tax revenues generated by



the new subdivision can help the various agencies in providing service. The additional roads will enhance access to several of the surrounding subdivisions that only have one entrance.

Please give me a call if you have any questions or comments. Thanks.

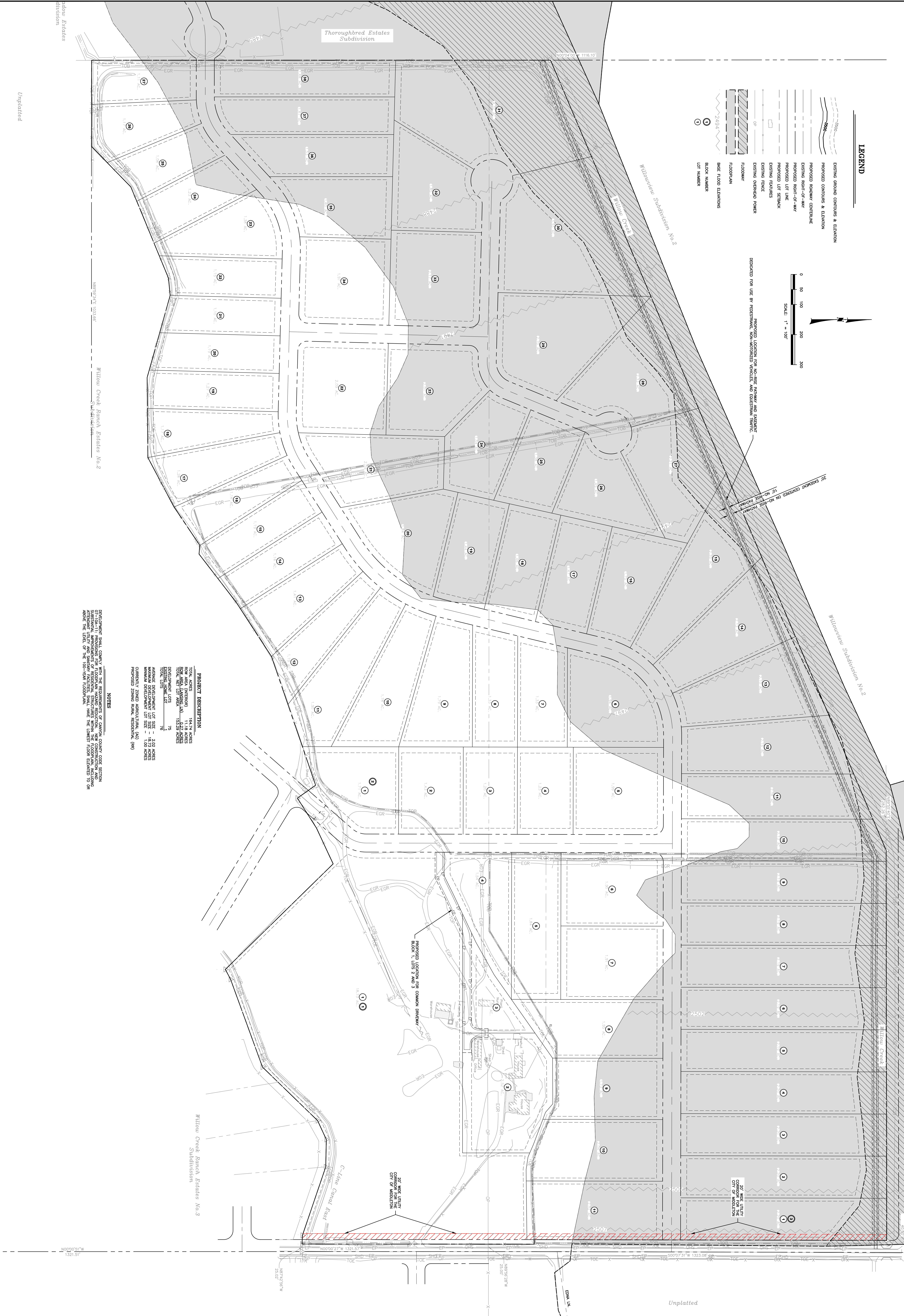
Sincerely,

Kent D. Adamson, P.E.
President
RiveRidge Engineering Company

cc: MDC, LLC
Joseph Carter

© COPYRIGHT 2023 RIVERIDGE ENGINEERING CO. THIS INSTRUMENT IS THE PROPERTY OF RIVERIDGE ENGINEERING CO. ANY REPRODUCTION, REUSE OR MODIFICATION OF THIS INSTRUMENT OR ITS CONTENTS WITHOUT WRITTEN PERMISSION OF RIVERIDGE ENGINEERING CO. IS STRICTLY PROHIBITED

CONCEPT PLAN FOR PROPOSED AG TO RR CONDITIONAL REZONE
FOR
WILLOWCREEK/LANSING LANE SUBDIVISION
CANYON COUNTY, IDAHO
AUGUST 2023



PROJECT DESCRIPTION

TOTAL ACRES	14.54 ACRES
ROW AREA (INTERIOR)	11.19 ACRES
ROW AREA (EXTERIOR)	3.35 ACRES
TOTAL ROW AREA	14.54 ACRES
DEVELOPMENT LOTS	75
TOTAL LOTS	75
AVERAGE DEVELOPMENT LOT SIZE	2.02 ACRES
MINIMUM DEVELOPMENT LOT SIZE	1.00 ACRES
CURRENTLY ZONED AGRICULTURAL (AG)	
PROPOSED ZONING	RR

NOTES

1. THE PROPOSED AG TO RR CONDITIONAL REZONE IS BASED ON THE ASSUMPTION THAT THE PROPOSED DEVELOPMENT WILL BE USED FOR AGRICULTURAL PURPOSES. THE CITY OF MIDDLETON HAS REVIEWED THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE CITY OF MIDDLETON ZONING ORDINANCE. THE CITY OF MIDDLETON HAS REVIEWED THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE CITY OF MIDDLETON ZONING ORDINANCE. THE CITY OF MIDDLETON HAS REVIEWED THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE CITY OF MIDDLETON ZONING ORDINANCE.

015-230



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 11th Ave. #140 • Caldwell, Idaho • 83605 • Phone (208) 454-7458

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

DEVELOPMENT AGREEMENT BETWEEN CANYON COUNTY AND APPLICANT

Agreement number: _____

THIS AGREEMENT, made and entered into this _____ day of _____, _____ by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and MDC LLC and Carter Family Living Trust, hereinafter referred to as "Applicants."

RECITALS

WHEREAS, Applicants have applied to County for a conditional rezone from an AG zone to a RR zone, which are legally described in the attached Exhibit "A," incorporated by reference herein (hereinafter referred to as "Subject Properties"; and

WHEREAS, Parcel R37510112 is owned by MDC LLC and managed by Doug Carnahan, Parcel R37511 is owned by Carter Family Living Trust and managed by Joe Carter

WHEREAS, on the ____ day of _____, _____ the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Properties to a RR zone, which was done with the Applicants' 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 as amended, and to ensure the Applicants will implement and be bound by the conditions of the conditional rezone order issued by the Canyon County Board of Commissioners; and

WHEREAS, the County and Applicants desire to formalize their respective rights and responsibilities as required by Canyon County Amended Resolution Number 95-232 entitled, "Rules Governing the Creation, Form, Recording, Modification, Enforcement and Termination of Written Commitments (Development Agreements)" and the Canyon County Code.

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.

Applicant is the owner(s) of Subject Property 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 Property from AG to RR zoning, 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. 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 a RR zone and those provisions of law that are otherwise applicable to the Subject Properties.

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 CR2022-0016 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 Property conditionally rezoned from AG Zone designation to RR 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 Properties.

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 Courthouse
1115 Albany Street
Caldwell, Idaho 83605

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

Doug Carnahan
MDC, LLC
7270 N. Tree Haven Place
Meridian, ID 83646

Joseph Carter
Carter Family Living Trust
25455 N. Lansing Lane
Middleton, ID 83644

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**

APPLICANT

Commissioner Brooks

Doug Carnahan, MDC, LLC

Commissioner Holton

Commissioner Van Beek

Joseph Carter, Carter Family Living Trust

ATTEST: Chris Yamamoto, Clerk

BY: _____
Deputy

DATE: _____

STATE OF IDAHO)
) ss.
County of Canyon)

Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

Exhibit A.4, Pg. 7

EXHIBIT "A"
LEGAL DESCRIPTION

DRAFT

EXHIBIT "B"

CONDITIONS OF APPROVAL FOR *****

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. The development shall be limited to 76 residential lots.
3. The development on plating of a total of 30 residential lots shall extend Stony Brook way from the west boundary to a approach exiting onto Lansing Ln.
4. The development on ultimate buildout shall provide a 10-foot no-rise pathway and 20-foot easement along the southern edge of Willow Creek, extending from the west boundary to the eastern boundary, dedicated for use by pedestrians, non-motorized vehicles, and equestrian traffic. A 10' pathway with 20' easement shall connect the pathway to a public road within the development.
5. A public road shall be constructed in a phase of the development which extends to the southern boundary, just north of access to Kemp Rd. Development shall provide a fire access easement and all-weather service road to the property boundary of Willow Creek Ranch Estates #2 Block 1 Lot 9. Entrance from the public street shall have fire department approved bollards or other access restrictions to limit access to emergency traffic only. Willow Creek Ranch Estates shall be responsible for allowing and providing access at the subdivision boundary to Kemp Rd. for emergency access.
6. A 20' wide utility corridor easement shall be dedicated to the City of Middleton on the eastern edge of the development along Lansing Ln.
7. A permanent conservation easement shall be placed over the Willow Creek floodway and depicted on the plat to notify owners and limit improvements and structures from obstructing the floodway.
8. Development shall provide a central pressurized irrigation system to service all residential lots.
9. Development shall provide 100 trees from the nursery that are compatible with the needs of the Middleton School District prior to beginning of build out.
10. Willowview Subdivision No. 2, Lot 15 Block 1 shall be vacated from the plat to facilitate development.

LAND USE WORKSHEET

Exhibit A.5



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

LAND USE WORKSHEET

Required for Conditional Use Permit, Comprehensive Plan and Zoning Ordinance Amendment Applications

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

- 1. DOMESTIC WATER:** ☒ Individual Domestic Well ☐ Centralized Public Water System ☐ City
- ☐ N/A – Explain why this is not applicable: N/A
- ☐ How many Individual Domestic Wells are proposed? 75

- 2. SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system
- ☐ N/A – Explain why this is not applicable: N/A

3. IRRIGATION WATER PROVIDED VIA:

- ☒ Surface ☒ Irrigation Well ☒ None

4. IF IRRIGATED, PROPOSED IRRIGATION:

- ☒ Pressurized ☐ Gravity

5. ACCESS:

- ☒ Frontage ☐ Easement Easement width _____ Inst. # _____

6. INTERNAL ROADS:

- ☒ Public ☐ Private Road User's Maintenance Agreement Inst # _____

7. FENCING

- ☐ Fencing will be provided (Please show location on site plan)

Type: _____ Height: _____

8. STORMWATER:

- ☒ Retained on site ☒ Swales ☒ Ponds ☒ Borrow Ditches

☐ Other: _____

9. SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY: (i.e. creeks, ditches, canals, lake)

Willow Creek and Surface Irrigation

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

- ☒ Residential 76 ☐ Commercial ☐ Industrial
☐ Common ☐ Non-Buildable

2. FIRE SUPPRESSION:

- ☒ Water supply source: Domestic Wells

3. INCLUDED IN YOUR PROPOSED PLAN?

- ☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: container plant grower that sells to retail/wholesale nurseries

2. DAYS AND HOURS OF OPERATION:

- ☒ Monday 7:00 am to 6:00 pm
☒ Tuesday 7:00 am to 6:00 pm
☒ Wednesday 7:00 am to 6:00 pm
☒ Thursday 7:00 am to 6:00 pm
☒ Friday 7:00 am to 6:00 pm
☒ Saturday 7:00 am to 6:00 pm
☒ Sunday 7:00 am limited to 4:00 pm

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? 10 ☐ No

4. WILL YOU HAVE A SIGN? ☒ Yes ☐ No ☐ Lighted ☒ Non-Lighted

Height: 3 ft Width: 4 ft. Height above ground: 6 ft

What type of sign: Wall X Freestanding Other

5. PARKING AND LOADING:

How many parking spaces? open area - 20 max.

Is there is a loading or unloading area? yes

ANIMAL CARE RELATED USES

1. MAXIMUM NUMBER OF ANIMALS: N/A

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. ANIMAL WASTE DISPOSAL

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

NEIGHBORHOOD MEETING SIGN-UP**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

**NEIGHBORHOOD MEETING SIGN UP SHEET****CANYON COUNTY ZONING ORDINANCE §07-01-15**

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 25455 Lansing St.	Parcel Number: R3751011200, R3751100000	
City: Middleton	State: Idaho	ZIP Code: 83644
Notices Mailed Date: 04/22/22	Number of Acres: 164.60	Current Zoning: AG
Description of the Request: Conditional Rezone Application and Development Agreement. Rezone to Rural Residential (RR) for 73 developable lots		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Kent D Adamson		
Company Name: RiveRidge Engineering Company		
Current address: 2447 S. Vista Ave		
City: Boise	State: Idaho	ZIP Code: 83705
Phone: 208-344-1180	Cell: 208-609-4933	Fax: N/A
Email: kadamson@rvrdg.com		

MEETING INFORMATION

DATE OF MEETING: 5/11/22		MEETING LOCATION: 25445 Lansing St.
MEETING START TIME: 6:00PM		MEETING END TIME: 7:00PM
ATTENDEES: Kent Adamson, Doug Carnahan , and Joseph Carter		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Carlee Bunker	<i>[Signature]</i>	9425 Golden Willow St.
2. Ken & Robin Rabst		9473 " "
3. JOE STRONGONG		9617 " "
4. Rose Rehberger	<i>[Signature]</i>	9992 STONY BROOK WAY
5. Xander & GREG Gram		9298 Golden Willow St
6. Jolie & Corey Gibbs	<i>[Signature]</i>	25860 Weeping Willow
7.		
8.		
9.		

Revised 11/25/20

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

Kent D Adamson

APPLICANT/REPRESENTATIVE (Signature):



DATE:

5 / 11 / 22

NEIGHBORHOOD MEETING SIGN-UP

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



NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 25455 Lansing St.	Parcel Number: R3751011200, R3751100000	
City: Middleton	State: Idaho	ZIP Code: 83644
Notices Mailed Date: 04/22/22	Number of Acres: 164.60	Current Zoning: AG
Description of the Request: Conditional Rezone Application and Development Agreement. Rezone to Rural Residential (RR) for 73 developable lots		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: Kent D Adamson		
Company Name: RiveRidge Engineering Company		
Current address: 2447 S. Vista Ave		
City: Boise	State: Idaho	ZIP Code: 83705
Phone: 208-344-1180	Cell: 208-609-4933	Fax: N/A
Email: kadamson@rvrdg.com		

MEETING INFORMATION

DATE OF MEETING: 5/11/22	MEETING LOCATION: 25445 Lansing St.	
MEETING START TIME: 6:00PM	MEETING END TIME: 7:00PM	
ATTENDEES: Kent Adamson, Doug Carnahan , and Joseph Carter		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Kent Adamson		2447 S Vista Ave, ID 83705
2. Mark + Heather Moore		9846 Stony Brook Way 83644
3. Christine Hitchner + Lindsay Thompson		9308 Kemp Rd
4. Becky + Brian Chick		9550 Kemp Rd
5. Cindy Pruitt Stroth		9500 Kemp Rd
6. JEFF LEAMER		9921 STONY BROOK
7. BETTE BARKER		25857 LANSING LN
8. Kent + Jocelyn Robinson		9028 Kemp Rd.
9. MARK & LINDA NEIL		25726 LANSING

Revised 11/25/20

10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

Kent D Adamson

APPLICANT/REPRESENTATIVE (Signature):



DATE:

5 / 11 / 22

April 13th, 2022

Dear Neighbor,



We are in the process of applying for a conditional rezone to Canyon County Development Services (DSD). One of the requirements necessary prior to submitting the application is to hold a neighborhood meeting and provide information to our surrounding neighbors (Canyon County Zoning Ordinance § 07-01-15).

This meeting is for informational purposes and to receive feedback from you as we move through the application process. This is not a Public Hearing before a governing body of the County. Once our application has been submitted and processed, a public hearing date will be scheduled. Prior to the scheduled date you will receive an official notification from Canyon County DSD regarding the Public Hearing via postal mail, newspaper publication, and/or a display on the property for which the conditional rezone is applied. The Neighborhood Meeting details are as follows:

Date: May 11th, 2022

Time: 6:00 PM

Meeting and Site Location: 25455 Lansing Lane, Middleton, ID 83644

Property description: Parcels R3751100000 (84.75 acres) and R3751011200 (79.81 acres). The project is summarized below: MDC, LLC and Joseph Carter are proposing to conditionally rezone 164.74 acres consisting of agricultural (AG) to rural residential (RR) to facilitate entitlement of a 76-lot residential subdivision

Proposed access: Entrance to meeting location is by entering the driveway to 25455 Lansing Lane on the west side of the road approximately 500' south of Edna Lane.

Total acreage: 164.74 acres

Proposed lots: 1 Existing, 75 Proposed

We look forward to the neighborhood meeting and encourage you to attend. At that time, we will answer any questions you may have.

Please do not call Canyon County Development Services regarding this meeting. This is a PRE-APPLICATION requirement and we have not submitted the application for consideration at this time. The County currently has no information on this project.

If you have any questions prior to the meeting, please contact me at (phone, email, written correspondence).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kent D. Adamson', is written over a horizontal line.

Kent D. Adamson, P.E.

President

RiveRidge Engineering Company

2447 S. Vista Avenue • Boise, ID 83705
208-344-1180



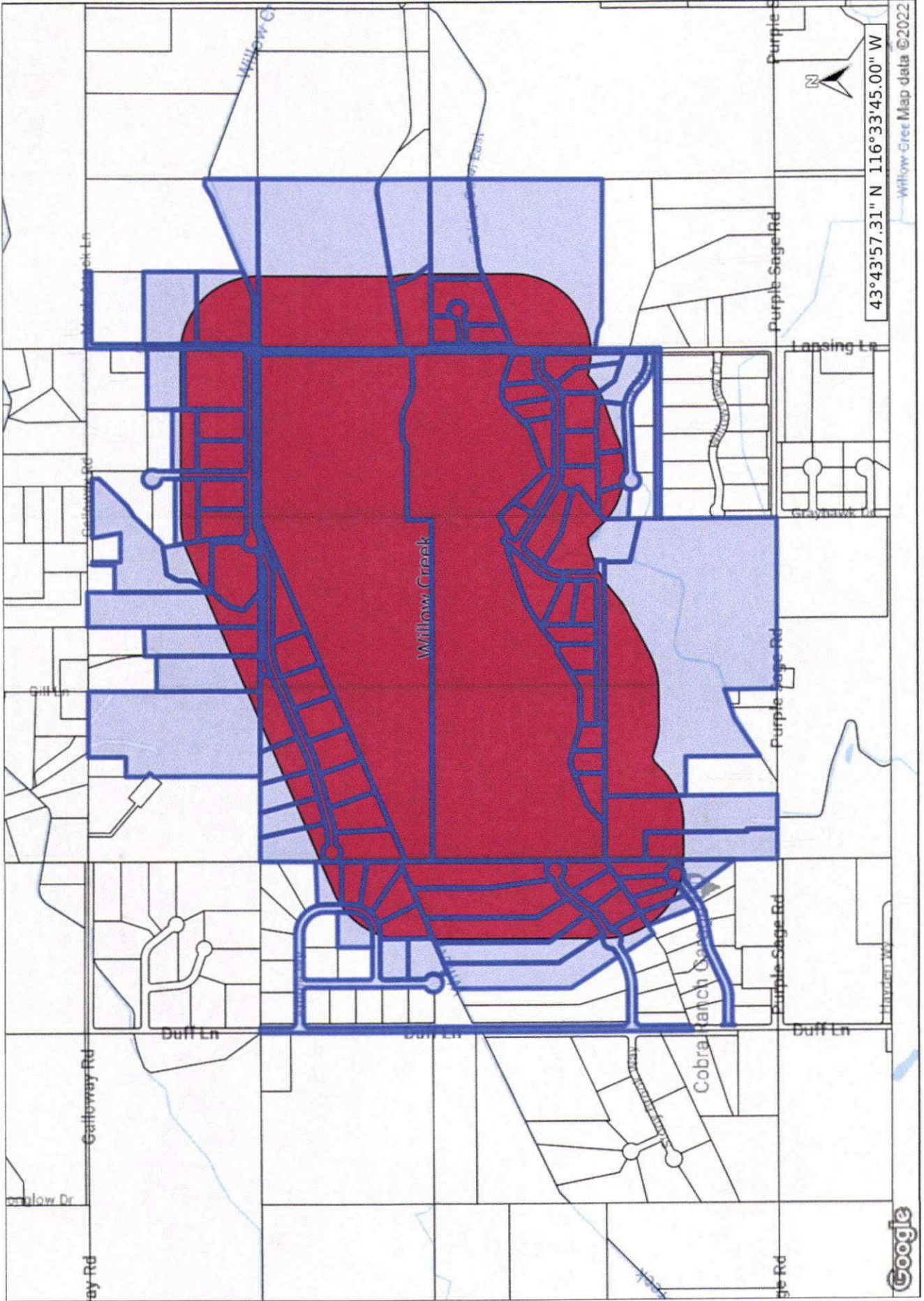
landproDATA

Neighborhood Meeting Notification Area

600' Surrounding Project



RiverRidge
ENGINEERING COMPANY



Mar 30, 2022 - landproDATA.com
Scale: 1 inch approx 1000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.



0004398936

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0004398936

Date Filed: 9/2/2021 2:25:38 PM

Entity Name and Mailing Address:		
Entity Name:	MDC, LLC	
The file number of this entity on the records of the Idaho Secretary of State is:	0000027724	
Address	7270 N TREE HAVEN PL MERIDIAN, ID 83646-4979	
Entity Details:		
Entity Status	Active-Existing	
This entity is organized under the laws of:	IDAHO	
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:	W4736	
The registered agent on record is:		
Registered Agent	DOUGLAS K CARNAHAN Registered Agent Physical Address 7270 N TREE HAVEN PLACE MERIDIAN, ID 83646 Mailing Address	
Limited Liability Company Managers and Members		
Name	Title	Business Address
DOUGLAS K CARNAHAN	Manager	7270 N. TREE HAVEN PLACE MERIDIAN, ID 83646
MEREDITH A CARNAHAN	Manager	7270 N. TREE HAVEN PLACE MERIDIAN, ID 83646
JASON D CARNAHAN	Member	5496 BOGUS BASIN ROAD BOISE, ID 83702
KERRY S CARNAHAN ELLIS	Member	579 E ORION CT. BOISE, ID 83702
The annual report must be signed by an authorized signer of the entity.		
Job Title: MANAGER		
DOUGLAS K CARNAHAN	09/02/2021	
Sign Here	Date 5/31/22	

B0642-6345 09/02/2021 2:25 PM Received by ID Secretary of State Lawrence Denney

INSTRUMENT NO.

QUITCLAIM DEED

FOR GOOD AND VALUABLE CONSIDERATION which is hereby acknowledged, OAK LEAF DEVELOPMENT COMPANY, INC., hereinafter "Grantor" does release and forever quitclaim unto MDC, LLC, whose address is 4410 W. Chinden Blvd. Meridian, Idaho 83646, hereinafter "Grantee," and to its heirs and assigns, all right, title and interest which Grantor now has or may hereafter acquire in the real property situated in Canyon County, State of Idaho, described as:

28-5N-2W NE WILLOWVIEW SUB NO 2 LT 15 BLK 1

PROPERTY ADDRESS: GOLDEN WILLOW STREET.

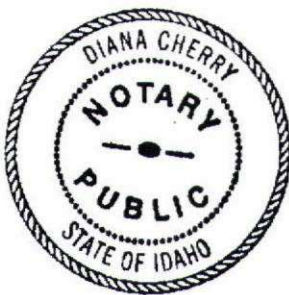
TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto Grantee, and to its successors and assigns forever.

WITNESS the hand of said Grantor this 5 day of March, 2009.


Douglas Carnahan, President
Oak Leaf Development Company, Inc.

STATE OF IDAHO)
County of Ada) ss

On this 5th day of March, 2009, before me, a Notary Public, personally appeared Douglas Carnahan, President of Oak Leaf Development Company, Inc., known or identified to me to be the persons whose names is subscribed to the within instrument, and acknowledged to me that they executed the same.



Mona Cherry
Notary Public for Idaho
Residing at Eagle, Idaho
Commission expires: 6/8/2013

2009 MAR 5 PM 2 52
WILLIAM H. HURST
COUNTY RECORDER
BY *Donna*
REQUEST *Ind. Lg*
TYPE *1* FEE *3*

[illegible]

2009010690

A 10/25/2002

08:26

PIONEER TITLE → 912082345890P987

NO.326

013

200251155

RECORDED

OCT 29 PM 4 30

CANNON COUNTY RECORDER
BY Jackie BrownREQUEST PIONEER - CALDWELL
TYPE Fee 92A Pioneer Company
PIONEER TITLE COMPANYOF ADA COUNTY
8151 W. Rifleman Ave. / Boise, Idaho 83704
(208) 377-2700**WARRANTY DEED**

For Value Received Stephen Damele and Pauline Damele, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Joseph Carter and Carla Carter, husband and wife

hereinafter referred to as Grantee, whose current address is , ,

the following described premises, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

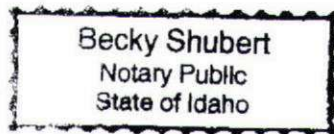
Dated: October 25, 2002

Stephen Damele
Stephen Damele

Pauline Damele
Pauline Damele

STATE OF Idaho. County of Ada, ss. Gooding

On this 25th day of October, in the year of 2002, before me the undersigned, notary public personally appeared Stephen Damele and Pauline Damele known or identified to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.



Becky Shubert
Notary Public of
Residing Wendell, ID at
Commission 02-23-05 expires:



PORTER'S LAND SURVEYING, INC.

921 South Curtis Road
Boise, Idaho 83705-1840

Phone: (208) 344-3650

October 11, 2002

POOR COPY

Legal Description for Carnahan/Carter Parcel B

A parcel of land being a portion of the Southeast 1/4 of the Northeast 1/4, a portion of the North 1/2 of the Southeast 1/4, and a portion of the Northeast 1/4 of the Southwest 1/4; all located in Section 28, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho; more particularly described as follows:

Beginning at an Iron Pin marking the Section Corner common to Sections 21, 22, 27 and 28, T. 5 N., R. 2 W., B.M.:

thence, along the section line common to said Sections 27 and 28, also being the centerline of Lansing Lane, S 0°07'15" W 1322.92 feet to a Spike in a bridge deck marking the North 1/16 Section Corner common to said Sections 27 and 28;

thence, continuing along said section line S 0°07'25" W 1171.31 feet to a point, from which a PK Nail marking the 1/4 Section Corner common to said Sections 27 and 28 bears S 0°07'25" W 151.69 feet distant;

thence, leaving said section line, N 89°52'35" W 25.00 feet to an Iron Pin on the west right-of-way line of said Lansing Lane, also being the REAL POINT OF BEGINNING;

thence, leaving said west right-of-way line, S 87°37'09" W 245.49 feet to an Iron Pin;

thence, N 79°14'17" W 78.74 feet to an Iron Pin;

thence, N 66°05'45" W 151.52 feet to an Iron Pin;

thence, N 78°34'11" W 28.90 feet to an Iron Pin;

thence, S 89°42'56" W 179.33 feet to an Iron Pin;

thence, S 59°04'57" W 62.08 feet to an Iron Pin;

thence, N 89°57'30" W 572.83 feet to an Iron Pin on the east 1/16 section line of said Section 28;

thence, along the east 1/16 section line of said Section 28, S 0°02'07" W 190.00 feet to a G.L.O. Brass Cap marking the Center- East 1/16 Section Corner of said Section 28;

thence, leaving the east 1/16 section line of said Section 28 and along the east-west center 1/4 section line of said Section 28, N 89°58'08" W 1320.22 feet to an Iron Pin marking the Center 1/4 Section Corner of said Section 28;

thence, continuing along the east-west center 1/4 section line of said Section 28, N 89°59'33" W 1320.10 feet to an Iron Pin marking the Center-West 1/16 Section Corner of said Section 28;

thence, leaving the east-west center 1/4 section line of said Section 28 and along the west 1/16 section line of said Section 28, S 0°00'28" E, 1320.84 feet to a G.L.O. Brass Cap marking the Southwest 1/16 Section Corner of said Section 28;

thence, leaving the west 1/16 section line of said Section 28 and along the south 1/16 section line of said Section 28, S 89°59'12" E 286.42 feet to an Iron Pin marking the Southwest Corner of Lot 1, Block 1 of *WILLOW CREEK RANCH ESTATES NO. 2 SUBDIVISION*, as shown on the Official Plat, recorded in Book 26 of Plats at page 22, Records of Canyon County, Idaho;

1 of 2.

thence, leaving the south 1/4 section line of said Section 28 and along the northerly boundary line of said *WILLOW CREEK RANCH ESTATES NO. 2 SUBDIVISION*, N 45°53'48" E 187.31 feet to an Iron Pin;

thence, N 67°34'22" E 328.09 feet to an Iron Pin;

thence, N 84°28'16" E 57.66 feet to an Iron Pin;

thence, S 74°17'49" E 283.74 feet to an Iron Pin;

thence, N 89°25'18" E 265.60 feet to an Iron Pin;

thence, N 62°13'46" E 186.30 feet to an Iron Pin;

thence, N 55°57'59" E 153.66 feet to an Iron Pin;

thence, S 84°31'29" E 29.05 feet to an Iron Pin;

thence, N 52°20'53" E 203.15 feet to an Iron Pin;

thence, leaving the northerly boundary line of said *WILLOW CREEK RANCH ESTATES NO. 2 SUBDIVISION*, N 56°58'04" E 213.90 feet to an Iron Pin;

thence, N 71°04'06" E 452.64 feet to an Iron Pin;

thence, S 35°17'15" E 74.26 feet to an Iron Pin;

thence, N 57°33'11" E 118.51 feet to an Iron Pin;

thence, N 65°05'58" E 130.88 feet to an Iron Pin;

thence, S 44°24'05" E 501.20 feet to a point in the centerline of the C Line Canal, said point being witnessed by an Iron Pin bearing S 47°35'57" E 15.88 feet distant;

thence, meandering along the C Line Canal the following bearings and distances:

N 62°16'22" E 37.20 feet to a point; said point being witnessed by an Iron Pin bearing

S 27°06'35" E 14.97 feet distant;

thence, N 70°01'02" E 310.26 feet to a point; said point being witnessed by an Iron Pin bearing

S 36°04'49" E 15.41 feet distant;

thence, N 44°10'53" E 255.35 feet to a point; said point being witnessed by an Iron Pin bearing

S 38°28'12" E 15.29 feet distant;

thence, N 65°10'54" E 69.09 feet to a point; said point being witnessed by an Iron Pin bearing

S 14°48'26" E 15.05 feet distant;

thence, S 88°45'49" E 91.19 feet to a point; said point being witnessed by an Iron Pin bearing

S 8°26'20" W 14.51 feet distant;

thence, S 71°13'10" E 240.52 feet to a point; said point being witnessed by an Iron Pin bearing

S 8°29'29" W 14.41 feet distant;

thence, S 87°35'57" E 28.84 feet to a point marking the intersection of the centerline of said C Line Canal and the west right-of-way line of said Lansing Lane; said point being witnessed by an Iron Pin bearing S 0°00'29" E 13.31 feet distant;

thence, leaving the centerline of said C Line Canal and along the west right-of-way line of said Lansing Lane, N 0°00'29" W 619.64 feet to an Iron Pin marking the intersection of the west right-of-way line of said Lansing Lane and the east-west center 1/4 section line of said Section 28;

thence, leaving the east-west center 1/4 section line of said Section 28 and continuing along the west right-of-way line of said Lansing Lane, N 0°07'25" E 151.72 feet to the REAL POINT OF BEGINNING;

said parcel contains 84.92 acres, more or less;

said parcel being subject to any easements of record or in use.

POOR COPY



2 of 2.



Technical Memorandum

Willowcreek Subdivision Groundwater Use Assessment

Canyon County, Idaho

July 25, 2023

Technical Memorandum

**Willowcreek Subdivision Groundwater Use
Assessment**

Canyon County, Idaho

July 25, 2023

Prepared by

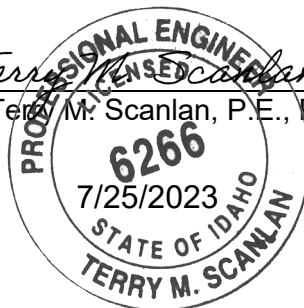


Gregg Jones, PhD

Reviewed by



Terry M. Scanlan, P.E., P.G.





Technical Memo

Date: Tuesday, July 25, 2023

To: MDC, LLC

From: Gregg Jones, PhD and Jason Thompson, PE | HDR Engineering, Inc. (HDR)

Subject: Willowcreek Subdivision Groundwater Use Assessment

Summary

1. The proposed Willowcreek Subdivision domestic water supply will be from either 76 individual wells or a community production well. Irrigation will be supplied by surface water from the Black Canyon Irrigation District through a pressurized irrigation system.
2. Pumping 76 wells or one community well for domestic use using the low transmissivity (conservative) estimate will induce less than 0.6 feet of drawdown at a radius of one-half mile from the center of the proposed Willowcreek Subdivision after one year of continuous pumping.
3. The addition of 76 domestic wells or one community well to this area will not injure nearby well owners or have a negative impact on local groundwater resources in the area.

Introduction

Willowcreek Lansing Lane Subdivision, a residential subdivision (Subdivision) consisting of 76 two-acre lots, has been proposed in Canyon County. The proposed subdivision is located approximately 2.5 miles north of the State Highway 44, bordered on the east side by Lansing Lane, on the south by Purple Sage Road, on the west by Duff Lane, and on the north by Galloway Road. The property includes a total of 153 developable acres.

HDR has evaluated the impact on local groundwater conditions from two groundwater pumping options to supply potable water for domestic use and irrigation; dispersed pumping from 76 domestic wells and concentrated pumping from one community production well.

For the domestic well option, each residential lot would have its own domestic well and septic system and it is anticipated water use from these wells will be almost entirely for indoor purposes. The proposed Subdivision would be irrigated with surface water reliably supplied from Black Canyon Irrigation District. Supplemental ground water is also authorized for development under permit 63-34956 that can be used in the pressurized system when surface water is not being delivered. There is the potential, however, that the domestic wells could be used for limited landscape irrigation on a short-term basis in the event surface water supplies are curtailed early due to drought conditions.



The community production well case would be similar to the domestic well case in every respect except that the water supply for the subdivision would come from a single community production well (with a backup production well) as opposed to numerous domestic wells.

The purpose of this memorandum is to estimate the impact on local groundwater conditions due to pumping for the domestic well and community production well pumping options at the proposed Subdivision, compare the benefits and drawbacks of the domestic and community well options, and make recommendations for the construction specifications for the domestic and community wells.

To characterize hydrogeologic conditions, driller's reports (well logs) for wells near the Subdivision were downloaded from the Idaho Department of Water Resources (IDWR) database to determine lithology and existing well capacities. IDWR groundwater-level monitoring data were reviewed to determine regional trends in groundwater levels. The following is an outline of items covered in this document:

1. Driller's Reports
 - a. Well Construction
 - b. Lithology and Aquifer Conditions
 - c. Water Levels
 - d. Well Yields and Aquifer Transmissivity
2. Hydrographs
 - a. Regional Trends
3. Drawdown Analysis
4. Recommendations for Well Construction
5. Conclusions

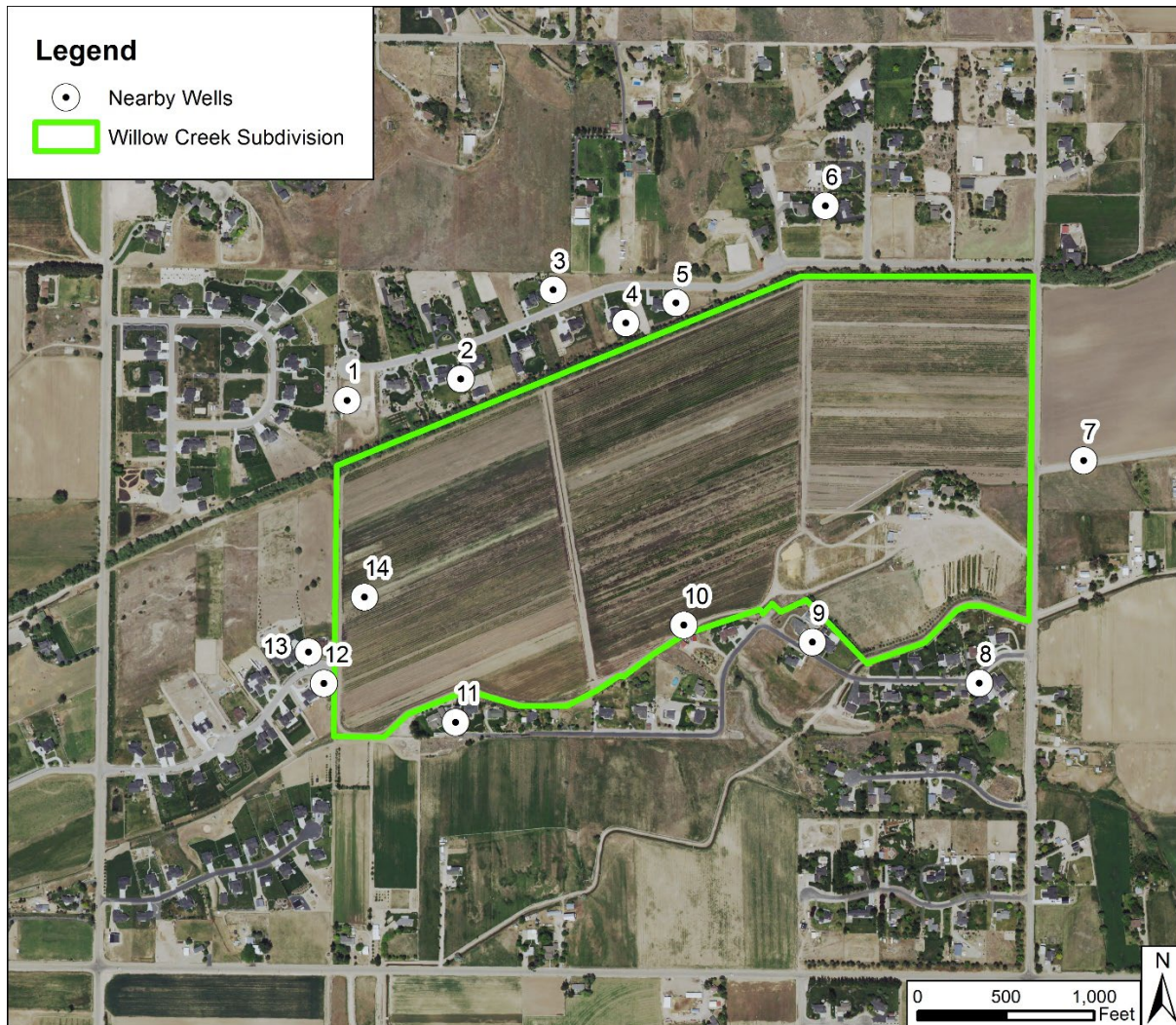
1. Driller's Reports

A total of 14 well logs from domestic wells within 0.5 miles of the proposed Subdivision were obtained from the Idaho Department of Water Resource's (IDWR) *Find a Well* map interface. Well locations are presented in Figure 1 with important construction and testing information in Table 1. The well labels in Figure 1 correspond to log numbers in Table 1. The wells are distributed in and around the proposed subdivision and all were constructed for domestic use.

A high-capacity irrigation/fire protection well located about 1.25 miles southeast of the subdivision was reviewed to better assess local aquifer hydraulic parameters.

All well logs reviewed are included in Appendix A.

Figure 1. Location of the Proposed Willowcreek Subdivision and Nearby Domestic Wells Used in the Assessment.





a. Well Construction

Most of the nearby wells are constructed with 6-inch diameter steel casings and 5-inch diameter stainless-steel screens. Most wells are screened between 150 and 300 feet below ground surface (bgs) with screen lengths between 5 and 10 feet.

b. Lithology and Aquifer Conditions

The lithologic logs from the driller's report indicate the subsurface near the Subdivision is primarily alternating layers of sand and clay with some gravel. All wells are screened in areas described as sand with limited descriptions on the specific grains size (i.e., fine, medium, or coarse sand). Hydraulic parameters of water-bearing zones can be estimated based on the character of the aquifer materials. Typical hydraulic conductivity (K) for sands range between 100 and 1,000 gallons/day/ft². The saturated thickness of these water-bearing zones is estimated based on the occurrence of water identified in the driller's logs and generally ranged between 100 and 200 feet.

Storativity (S) values were estimated based on the specific storage values for dense sand and an aquifer thickness of 150 feet for T determination. The resulting S value is approximately 0.005, which is typical for confined aquifer zones in the Middleton and Star area.

Table 1. Construction Specifications of Nearby Domestic Wells

Log #	Well ID	Total Depth (feet bgs)	Cased Depth (feet bgs)	Case Diam	Case Mat	Screen Interval (feet bgs)	Screen Length (feet)	Water Bearing Material	Static Water Level (feet bgs)	Const Date	Yield (gpm)	Drawdown (ft bgs) Discharge (gpm) Test Duration (min)	Well Test Method	Specific Capacity (gpm/ft)	Well Type D = Domestic
1	466339	193	177	6	Steel	188-193	5	Crs Snd	58	9/16/21	69	120/65/30	Air	0.57	D
2	437699	171	164	6	Steel	166-171	5	Med White Snd	48	4/21/14	125	160/125/60	Air	0.78	D
3	441993	259	253	5	Steel	254-259	5	Med Lrg Snd	84	8/3/15	85	240/85/120	Air	0.35	D
4	203	198	198	6			5			5/12/15	50	185/50/60	Air	0.27	D
5	448042	174	162	6	Steel	165-170	5	Fne Snd. Brn Sndy Cly	58	6/13/17	30	170/30/60	Air	0.18	D
6	416024	170	159	6	Steel	151-159	8	Med Brwn Snd	65	4/5/07	60	75/60/60	Air	0.8	D
7	471965	192	181	6	Steel	182-192	10	Crs White Snd	71	10/17/22	40	180/40/60	Air	0.22	D
8	409068	228	218	6	Steel	218-228	10	Med Crs Snd	107	3/12/06	65	220/65/120	Air	0.3	Irr
9	442932	193	187	6	Steel	188-193	5	Vry Fne White Snd	77	11/3/2015	70	180/70/120	Air	0.39	D
10	406063	243	237	6	Steel	233-243	10	Fne to Med Snd	117	8/23/05	50	220/50/120	Air	0.23	D
11	335337	196	184	6	Steel	186-196	10	Snd	66	4/19/12	100	114/100/ND	Air	0.88	D
12	446852	197	192	6	Steel	192-197	5	Med Snd	43	1/11/17	65	185/65/120	Air	0.35	D
13	448919	182	176	6	Steel	177-182	5	Crs Wh Brn Snd	45	9/2/17	70	175/70/120	Air	0.40	D
14	440054	323	317	6	Steel	318-323	5	Fne Med Snd	141	12/3/14	110	300/110/120	Air	0.37	D

c. Water Levels

The water-bearing zones tapped by local wells in this area are generally considered “confined” because static water levels in completed wells rise to higher elevations than first encountered water and above the tops of the water-bearing zones. Measurements of depth to water (static water level) for wells within 0.5 miles of the subdivision were between 43 and 141 feet below ground surface (bgs).

Groundwater flow direction in the local area is westerly, based on regional groundwater contour maps presented for spring 1996, fall 1996, spring 1998, fall 1998, spring 2000, fall 2000, and fall 2001 in Appendix E of Characterization of Ground Water Flow in the Lower Boise River Basin (Petrich and Urban, 2004, IWRRI-2004-01).

d. Well Yields and Aquifer Transmissivity

Table 1 also includes the results from pumping tests reported in the driller’s logs. The yield in gallons per minute (gpm) and drawdown in feet below ground surface were used to calculate the specific capacity which indicates the amount of water produced per foot of drawdown (i.e., specific capacity in gpm/ft). The average pumping rate and specific capacity of the domestic wells is 71 gpm and 0.43, respectively. All of the wells are screened in discrete sand lenses that are connected to the larger aquifer system consisting of multiple sand lenses.

In developing estimates of transmissivity (T), it was decided that using the raw data from the 14 domestic wells would not provide sufficient accuracy. This is because those wells were constructed only to supply domestic demands so there is no need for them to be efficient. Also, they are not fully penetrating and the “pumping tests” to determine yield following construction are almost always airlift estimates, which usually result in much lower specific capacities than achieved when the wells are pumped. The T value from a partially penetrating domestic well test might be valid for interference analysis of another well at a distance of 50 feet in the same sand layer. However, it does not provide accurate results for projecting impacts at distances of thousands of feet. The modest seasonal fluctuations in groundwater levels observed in the vicinity of large agricultural irrigation or municipal wells in northeast Canyon County supports the conclusion that large-scale drawdowns are not likely to occur from pumping of domestic wells.

To determine a reasonable T value, data was evaluated from a domestic/irrigation/fire protection well located in the Lakes Subdivision 2.4 miles southeast of the proposed Subdivision. This well was constructed in 2014 and test pumped at a rate of 2,250 gpm with a drawdown of 94 feet. This results in a specific capacity of 24 gpm/ft. For confined aquifers, specific capacity multiplied by 2000 provides an estimate of T in gpd/ft. Multiplying 24 gpm/ft by 2,000 results in a T of 48,000 gpd/ft, which is within the range for similar aquifer materials.

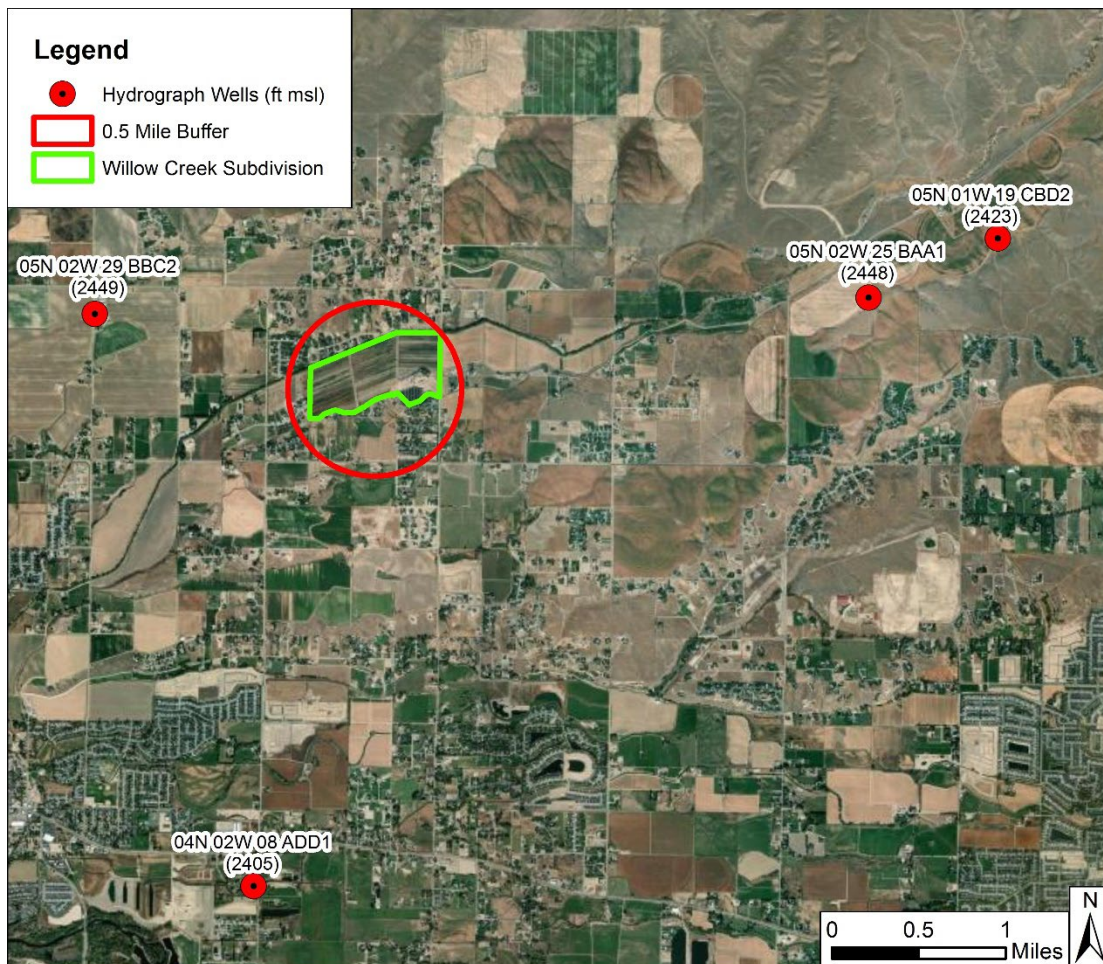
To determine a more reasonable range of T values for the domestic wells that were comparable to the T value obtained for the well above, the specific capacity values calculated from the domestic well driller’s logs were corrected to compensate for the likely underestimated well capacities. The specific capacity values were corrected as if the well screens extended over the entire saturated zone (~200 feet). This resulted in a range of T between 8,800 gpd/ft and 62,500

gpd/ft, which encompasses the T value of 48,000 gpd/ft for the well described above. While the range of T seems large, the range of K values based on the 200 feet thickness is between 44 and 312 gpd/ft² which is a reasonable range of values given sands can vary between 100 and 1000 gpd/ft².

2. Hydrographs

Hydrographs from IDWR monitoring wells were reviewed to understand regional groundwater conditions. Locations for the IDWR monitor wells with hydrographs are presented in Figure 2. The most recent season high water levels at each of the well locations are labeled and all wells are within four miles of the proposed Subdivision. The period of record for water level data shown on the hydrographs varies for each well, with the earliest beginning in 1969 and the most recent for all wells extending approximately through mid 2020.

Figure 2. Well Hydrograph Locations



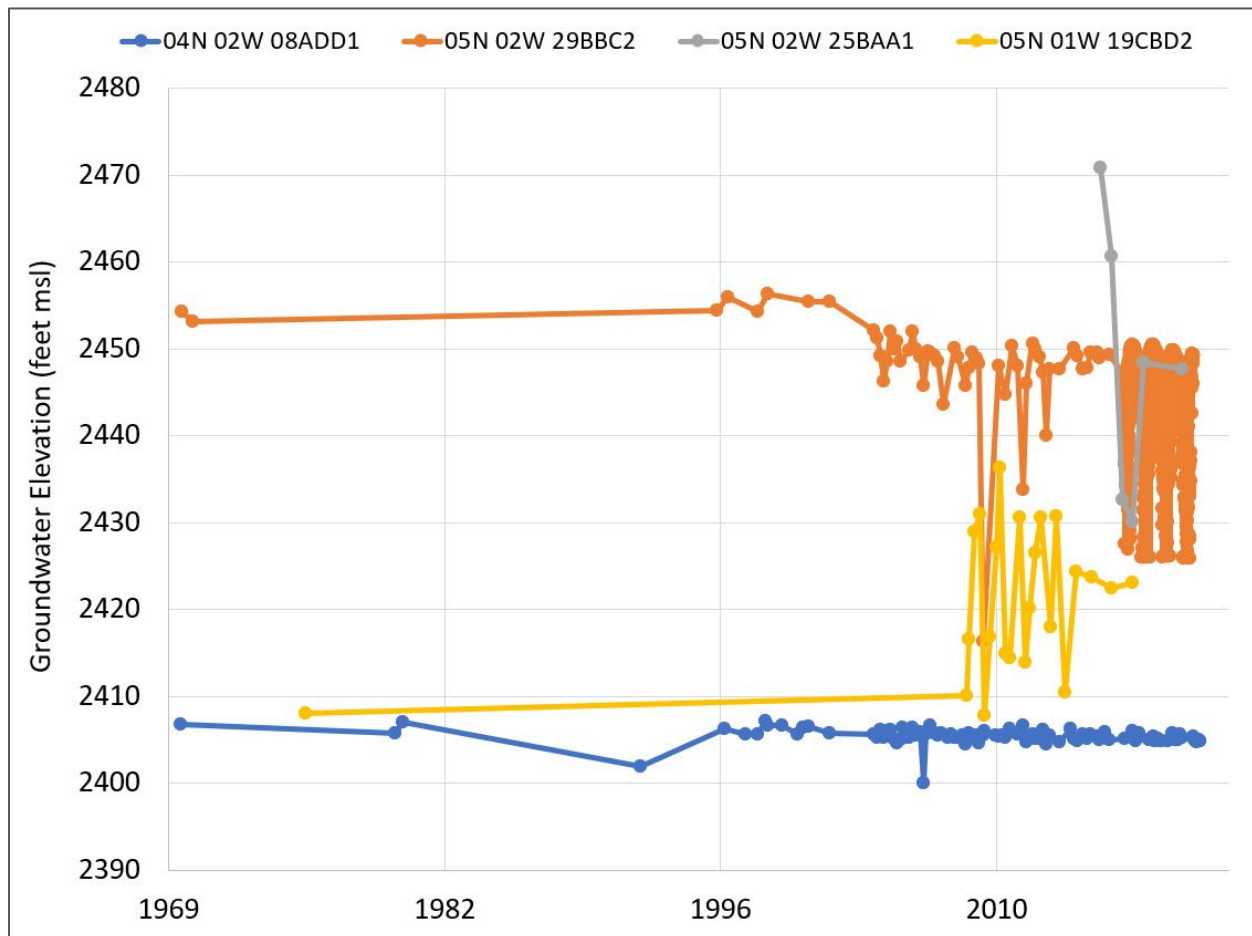
a. Regional Trends

- The individual hydrographs are presented in Figure 3. In the 2020 water level measurements, elevations are between 2402 and 2471 feet msl, consistent with the reported water levels in the driller's log near the Subdivision. Water levels have been

generally stable going back to 1969. A slight decline has occurred at **05N 02W 29BBC2** starting in 1996 but has stabilized over the past 10 years through mid 2020.

- Well **04N 20W 08ADD1** (2 miles to the southwest) has shown approximately 2 feet of decline since 1969 but also has stabilized. Seasonal highs and lows associated with irrigation pumping vary by as much as 25 feet on an annual basis.
- Two wells with short-term records (**05N 01W 19CBD2** and **05N 02W 25BAA1**) are located 3 to 4 miles the northeast of the subdivision. Both wells show significant fluctuations, but the data are not consistent enough to establish long-term trends.

Figure 3. Hydrographs From Nearby Monitor Wells



3. Drawdown Analysis

The drawdown due to the addition of 76 new domestic wells was estimated under two conditions:

- (1) the wells only providing water for domestic use, and
- (2) the wells being temporarily used for irrigation.

In each scenario, a drawdown analysis was performed using the Theis method. The Theis non-equilibrium well equation is a common approach for determining drawdown from pumping wells in confined aquifers. Drawdown can be calculated for any distance from a pumping well and for any duration of pumping. The Theis equation has a number of assumptions (i.e., no recharge, horizontal flow, infinite aquifer lateral extent, fully penetrating wells, and homogenous hydraulic conductivity) which are never fully satisfied in nature, but are adequately approximated in most conditions to allow accurate estimates of well interference impacts.

The analysis utilized the range of aquifer transmissivity values estimated previously in this report using the results of well tests and the materials described in the driller's logs: 8,800 gpd/ft to 62,500 gpd/ft.

a. Domestic Well Supply Option

Domestic Use Scenario. Under conditions where wells are only used for non-irrigation use, a demand of 300 gallons per day per household for 76 homes was assumed to be reasonable, resulting in a total groundwater production rate of 22,800 gallons per day (15.8 gpm 24-hour average). To evaluate drawdown to the surrounding area, a hypothetical well pumping at a rate of 15.8 gpm was placed in the center of the Subdivision. This pumping stress was then analyzed for the high and low transmissivity value estimates.

The results for the low transmissivity analysis are presented in Figure 4; the high transmissivity analysis is presented in Figure 5. These figures represent drawdown with increasing distance from the hypothetical well over different time periods. Drawdown was determined at distances of 0.5 mile and 1.0 mile between one and 365 days. Figure 4 shows that with an assumed transmissivity of 8,800 gpd/ft (low estimate), the drawdown after 365 days of continuous pumping at 15.8 gpm was approximately 0.60 feet at a radius of 0.5 miles and 0.40 feet at a radius of one mile. Under high transmissivity (62,500 gpd/ft) conditions, the estimated drawdown at 0.5 mile and 1.0 mile was approximately 0.16 feet and 0.12 feet, respectively. The impact of either transmissivity scenario on neighboring wells is negligible.

Figure 4. Low Transmissivity Drawdown Analysis with no Irrigation.

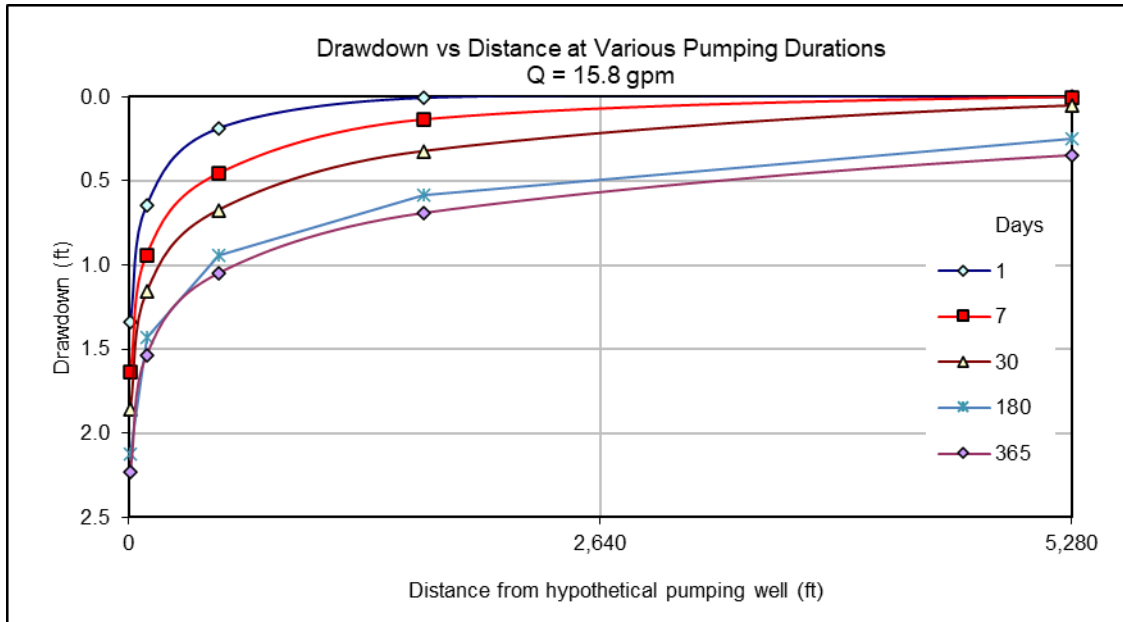
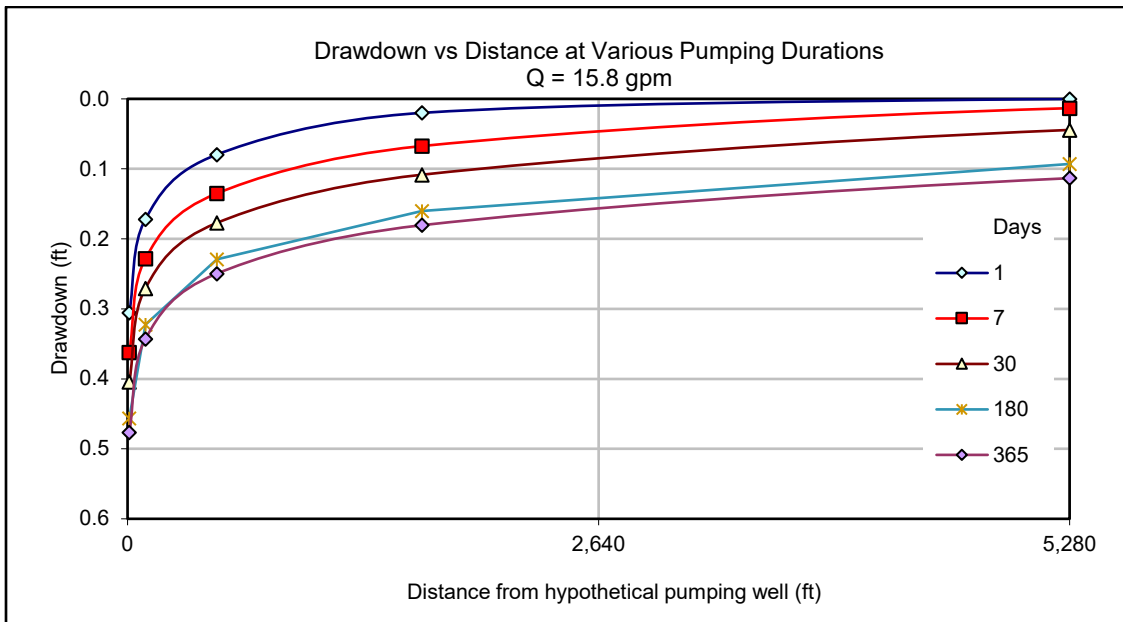


Figure 5. High Transmissivity Drawdown Analysis with no Irrigation.



Irrigation Use Scenario. Significant groundwater use for irrigation is not anticipated because surface water supplies are generally adequate for a full season of irrigation. In the event of drought conditions, however, domestic wells might be used for irrigation due to early curtailment

of surface water supplies. If this occurs, the duration of pumping is not expected to be longer than one month (i.e., mid-September through mid-October).

A 30-day irrigation scenario was analyzed using the Theis method. The analysis assumed an irrigation demand of 9 gpm per acre (0.02 cfs/acre), which is the maximum duty of water for irrigation in Idaho. Irrigated area within each lot was estimated at 0.5 acres, the maximum allowable irrigated area from domestic wells under Idaho Code 42-111(1)(a). Therefore, for 76, 2 acre lots, one quarter of the acreage can be irrigated, which is 38 acres. Irrigating 9 gpm per acre results in an irrigation rate of 342 gpm. These assumptions result in a total pumping rate of 357.8 gpm; 342 gpm for irrigation and 15.8 gpm for domestic use for the entire subdivision. Drawdown was calculated at distances of 0.5 mile and 1.0 mile between one and 30 days. Results for the low transmissivity analysis are presented in Figure 6 and the high transmissivity analysis in Figure 7.

Figure 6. Low Transmissivity Analysis with Irrigation

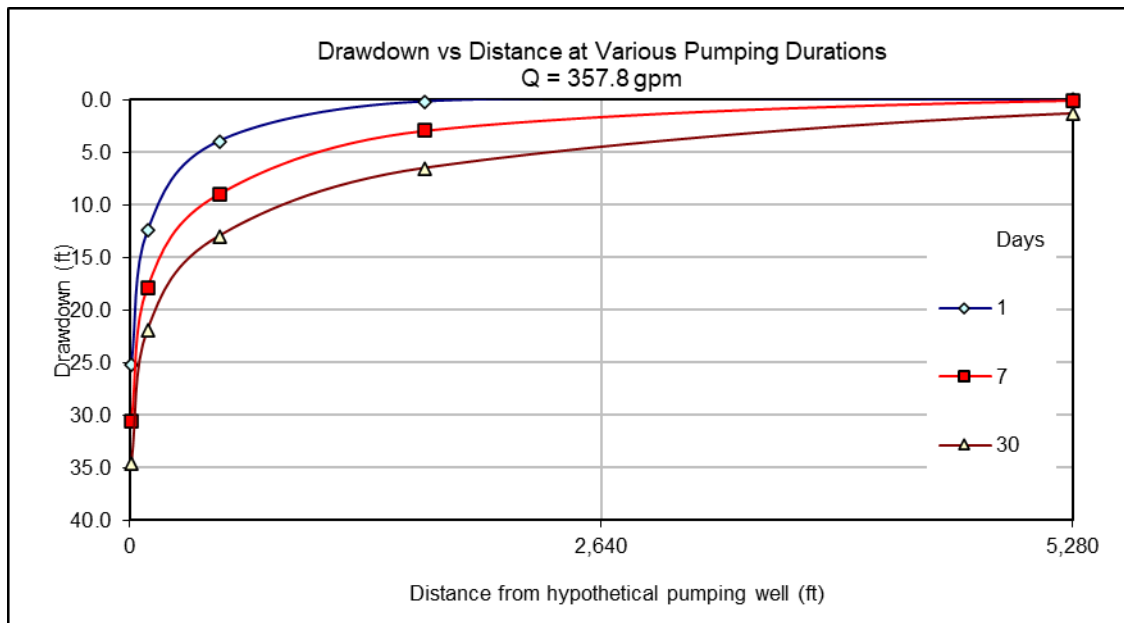
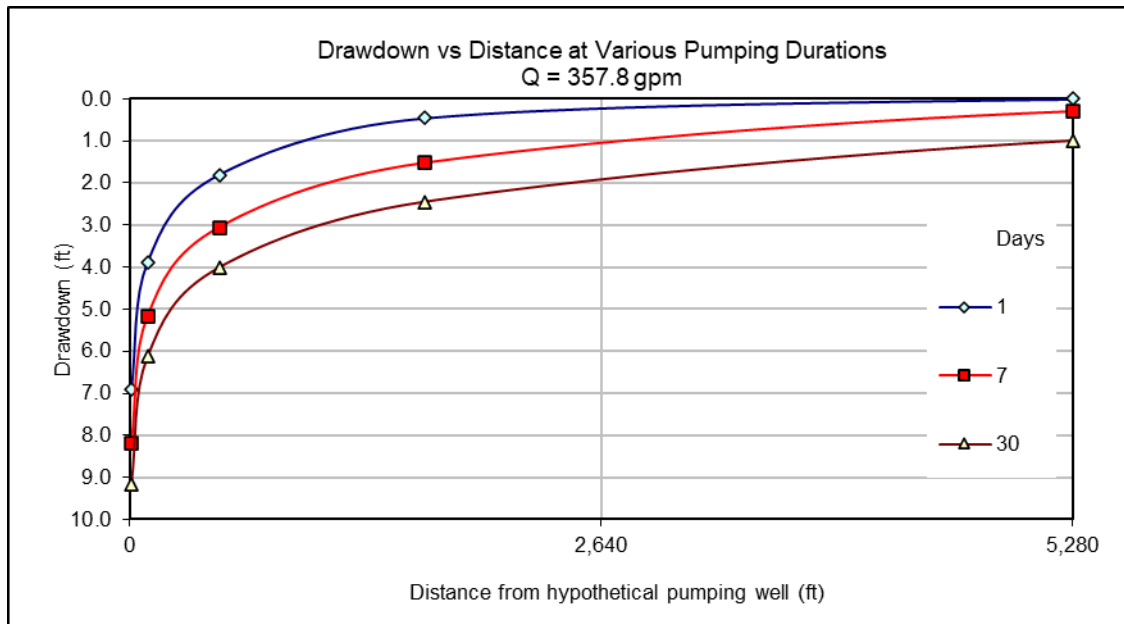


Figure 7. High Transmissivity Analysis with Irrigation



With an assumed transmissivity of 8,800 gpd/ft, the drawdown after 30 days of continuous pumping at 357.8 gpm was approximately 5.0 feet at a radius of a 0.5 mile and 2.0 feet at a radius of 1.0 mile. Under the high transmissivity (62,500 gpd/ft) condition, the estimated drawdown at 0.5 mile and 1.0 mile were approximately 2.0 feet and 1.0 foot, respectively. Although irrigation pumping results in substantially greater drawdowns than calculated for domestic-only pumping scenarios, this range of drawdowns will also have a negligible impact on surrounding water supply wells.

b. Community Well Supply Option

A principle assumption for the drawdown analysis for both the 76 domestic wells option and the single community production well option is that all pumping is concentrated from a single well in the center of the subdivision. Therefore, the results of the drawdown analysis is the same for both options.

4. Comparison of Domestic and Community Production Well Supply Options

There are very significant differences between the water supply options in regard to requirements for infrastructure, permitting, completion timeframe, and operation and maintenance. These are summarized in Table 2.

Table 2. Comparison of Domestic and Community Well Water Supply Systems.

	Domestic Well Supply Option	Community Well Supply Option
Well Configuration	A relatively simple, small-scale well will be constructed on each lot to supply the in-door needs of each of the 76 homes.	Two production wells with greater depth, diameter, and pumping capacity than the domestic wells will be installed to supply the in-door needs of the 76 homes. Only one well will operate at a time as the second well will serve as a backup.
Infrastructure	In addition to a well, each home will require a pipe from the well to the home, submersible well pump, pressure tank, and potentially a small-scale treatment device such as a water softener to remove iron and managanese from the water.	In addition to the two community wells, a subdivision-wide water system will be constructed that will consist of distribution pipelines, storage tank, well pumps, pump station, fire hydrants, and water treatment.
Water Quality & Fire Protection	Individual homeowners are responsible for monitoring the quality of their well water and determining whether treatment will be necessary. There is no dedicated water supply for fire protection.	The water system is regulated to ensure compliance with state and federal drinking water regulations. Hydrants will be installed throughout the subdivision to supply fire protection.
Operation and Maintenance	Individual homeowners are responsible for ensuring their water systems operate properly.	A homeowners association would be responsible for contracting with a water servicing company to operate and maintain the water system.
Permitting & Timeframe	Each home requires a well construction permit. The entire water system for each home can be constructed in a matter of days. A water right is not needed for domestic wells.	The wells and distribution system must go through an extensive design, permitting, construction, inspection, and testing process that will require many months to complete. A water right would be needed for centralized public water system.
Cost	In the range of \$25,000/home. For 76 homes, this would be in the range of \$1.9 million.	The cost for a centralized public system is estimated to range from \$1 million to \$2 million.

5. Recommendation for Well Construction

a. Domestic Water Supply Wells

Recommendations for domestic well construction are based on the drillers logs of three wells (14, 10, and 9) that trend west to east across the Subdivision. These wells range from 193 to 323 feet bgs in depth and have screened lengths of 5 to 10 feet. Based on the construction of these wells and the materials described in the driller's logs, the following construction is anticipated for the 34 domestic wells:

- 6-inch steel casing
- 10-foot stainless steel screen (5-inch diameter, 0.020-inch slot size) at depths between 210-330.
- 4-inch diameter pumps set 50 feet below static water level.

b. Community Production Well

Two community production wells would be needed. If each well is designed to meet the peak hour potable demands of 76 homes, then two 8-inch wells would be needed. The wells would be equipped with 6-inch submersible pumps. A maximum depth of 300 feet is anticipated. This scenario assumes that a storage tank is provided for fire protection.

6. Conclusion

The drawdown analysis suggests that the addition of 76 new domestic wells to the area or a single community production well will have a minimal impact on current groundwater levels in the vicinity of the proposed Subdivision. Drawdown impacts will be minimal provided that each lot utilizes surface water supplies for irrigation purposes.

Regardless of which well water supply option is used, each of the individual two-acre lots will include its own septic system. Greater than 90 percent of the non-irrigation diversions for domestic use are non-consumptive. As a result, water pumped for domestic purposes will be recharged back to the aquifer, reducing the already minimal impact of the additional wells.

Regional groundwater levels are stable or only slightly declining over the last 50 years.

Based on the information above, 76 new domestic wells or a single community production well at the proposed Willowcreek Subdivision will not negatively impact existing wells in the surrounding area.

Wells constructed with properly sized well screens are less likely to produce sand and are less likely to lose productivity due to plugging of screens and perforations. Many (perhaps most) well failures are not caused by water-level declines in an aquifer, but rather because of either excessive sand production or loss of productivity caused by plugging of well screens or perforations, or by collapse of open boreholes. In other words, wells generally do not “go dry”. Instead, they more often fail due to loss of productivity resulting in excessive drawdown. Properly constructed wells, of adequate depth and using appropriate well screens, are much more resistant to failure.

There are very significant differences in supplying the 76 homes using domestic well option vs the community production well option. The community production well option would require a subdivision-wide distribution system which would result in significantly greater infrastructure, permitting, completion timeframe, and operation and maintenance.

7. References

Petrich, C.R., and Urban, S., 2004, Characterization of Ground Water Flow in the Lower Boise River Basin, Moscow, University of Idaho Water Resources Research Institute, IWRRI-2004-01)..

Appendix A. Well Logs

63

Form 238-7
6/02IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT1. WELL TAG NO. D 0052451
DRILLING PERMIT NO. _____
Water Right or Injection Well No. _____

2. OWNER:

Name Walker Custom Construction
Address PO Box 968
City Emmett State Id Zip 83617

3. LOCATION OF WELL by legal description:

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 5 North ☒ or South ☐
Rge. 28 East ☐ or West ☒
Sec. 28 SE 1/4 NW 1/4 1/4
Gov't Lot _____
County Carson
Lat: _____ Long: _____
Address of Well Site 9660 Golden Willow
City Middleton
(Give at least name of road + Distance to Road or Landmark)
Lt. 27 Blk. 1 Sub. Name Willowview #2

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
Perma plug	0	18	500 lbs	10' over bore dry pour

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 18' - 8"
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	72	184	8	250 Steel	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe 5' Length of Tailpipe 2'
Packer ☒ Y ☐ N Type 6" R:b

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method _____
Screen Type & Method of Installation Johnson / Lunsford Valve

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
186	191	25	6"	7 1/2"	S.S.	<input type="checkbox"/>	<input type="checkbox"/>

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

47 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: San Seal well cap

850255

Office Use Only

Well ID No. 420113
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 1/4 1/4
Lat: _____ Long: _____

12. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
200		190'	1 hr.

Water Temp. _____ Bottom hole temp. _____
Water Quality test or comments: Good clear color
no smell Depth first Water Encounter 76'

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	0	4	Top Soil		X
10	4	8	Sand & clay		X
10	8	10	Hard pan		X
10	10	49	Sand & clay		X
6	49	81	Sand & gravel	X	
6	81	84	Brn clay		X
6	84	90	Dark Brn Sand & clay	X	
6	90	94	Brn clay		X
6	94	101	Dark Brn Sand	X	
6	101	118	Brn clay		X
6	118	126	Sandy clay	X	
6	126	132	Brn clay		X
6	132	151	Sand & clay (Fractured)	X	
6	151	159	Hard Brn clay		X
6	159	174	Sandy clay	X	
6	174	184	Brn clay		X
6	184	191	Large med Sand white	X	

RECEIVED

DEC 28 2007

WATER RESOURCES
WESTERN REGIONCompleted Depth 191 ft. (Measurable)
Date: Started 11-12-07 Completed 11-14-07

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Precision Well Drilling Firm No. 522
Principal Driller Jeff Dawson Date 11-14-07
and
Driller or Operator II _____ Date _____
Operator I _____ Date _____Principal Driller and Rig Operator Required.
Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES

Exhibit A.8, Pg. 18

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

804035

1. WELL TAG NO. D 0063885

Drilling Permit No. 915414-804035

Water right or injection well # _____

2. OWNER

Name Kara Christan

Address 6980 N.Meridian RD

City Eagle State ID Zip 83616

3. WELL LOCATION:

Twp. 5 North ☒ or South ☐ Rge. 2 East ☐ or West ☒

Sec. 28 1/4 NE 1/4 SE 1/4

Gov't Lot _____ County CANYON

Lat. 43 ° 44.384 (Deg. and Decimal minutes)

Long. 116 ° 34.382 (Deg. and Decimal minutes)

Address of Well Site 9029 Temp RD - Kemp Rd.

City Middleton

(Give at least name of road + Distance to Road or Landmark)

Willow Creek Ranch

Lot. 10 Blk. 2 Sub. Name Estate

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection

☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Replacement well ☐ Modify existing well

☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
3/4 bentonite	0	40	1450 lbs	pour

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6	2	208	.250	steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	200	212	.250	steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 208

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☒ Y ☐ N Type johnson

Method of installation wash in

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
212	217	.14	5ft	5	ss	.250

Length of Headpipe 11 ft Length of Tailpipe _____

Packer ☒ Y ☐ N Type 3 wing

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
-----------------	-----------	---------	-----------------------	------------------

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 129 Static water level (ft) 117

Water temp. (°F) 56 Bottom hole temp. (°F) _____

Describe access port cap

Well test:

Test method:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing artesian
83	50	1/2hr	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Water Quality test or comments:

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water Y	N
10	0	3	top soil		x
10	3	4	hard pan		x
10	4	40	sandy clay		x
6	40	93	brown sandy clay		x
6	93	115	gravel		x
6	115	125	brown sandy clay		x
6	125	132	brown sand	x	
6	132	136	brown clay		x
6	136	147	brown sand	x	
6	147	152	brown clay		x
6	152	157	brown sand	x	
6	157	161	brown clay		x
6	161	170	brown sand	x	
6	170	173	brown clay		x
6	173	175	brown sand	x	
6	175	196	brown sand w/clay strips	x	
6	196	201	brown clay		x
6	201	205	fine sand	x	
6	205	210	brown clay		x
6	210	217	brown sand	x	

RECEIVED

AUG 24 2012

WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable) 117

Date: Started 8-1-12 Completed 8-3-12

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name waterpro Well Drilling Co. No. 626

*Principal Driller Monte Post Date 8-6-12

*Driller _____ Date _____

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

63

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

RECEIVED

AUG 30 2021

WATER RESOURCES
WESTERN REGION

1. WELL TAG NO. D 0090491

Drilling Permit No. 901321Water right or injection well # 63-34956

2. OWNER: Willow Creek Whole Sale Nursery LLC

Name Willow Creek Whole Sale Nursery LLCAddress 25455 Lansing Ln.City Middleton State ID Zip 83644

3. WELL LOCATION:

Twp. 05 North ☒ or South ☐ Rge. 02 East ☐ or West ☒Sec. 28 1/4 NE 1/4 SE 1/4Gov't Lot _____ County CanyonLat. 43 ° 44.4895 (Deg. and Decimal minutes)Long. 116 ° 34.3756 (Deg. and Decimal minutes)

Address of Well Site

25455 Lansing Ln. City Middleton

(Give at least name of road - Distance to Road or Landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation ☐ Thermal ☐ Injection☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☐ Air Rotary ☒ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material 3/4 Chip From (ft) 0 To (ft) 200 Quantity (lbs or ft³) 3000 Placement method/procedure Poured

8. CASING/LINER:

Diameter (nominal) 8 From (ft) +2 To (ft) 303 Gauge/Schedule 315 Material Steel

Casing Liner Threaded Welded

☒ ☐ ☐ ☒☐ ☐ ☐ ☐☐ ☐ ☐ ☐☐ ☐ ☐ ☐Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____Manufactured screen ☒ Y ☐ N Type JohnsonMethod of Installation Set inFrom (ft) 303 To (ft) 363 Slot size .25 Number/ft 60 Diameter (nominal) 8" Material SS Gauge or Schedule 315

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material SilicaSand 8/16 From (ft) 200 To (ft) 363 Quantity (lbs or ft³) 4,000 Placement method Poured

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____Describe control device Cap

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) _____ Static water level (ft) 117Water temp. (°F) 68 Bottom hole temp. (°F) 68Describe access port well cap

Well test: Test method:

Drawdown (feet) 46 Discharge or yield (gpm) 500 Test duration (minutes) 150Pump ☒ Bailer ☐ Air ☐ Flowing artesian ☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
12.25	0	6	Top Soil		X
12.25	6	8	Gravel		X
12.25	8	17	Brown Clay w/Sands		X
12.25	17	28	Brown Clay		X
12.25	28	31	Clay w/Sands		X
12.25	31	39	Sands		X
12.25	39	41	Clay		X
12.25	41	46	Sands		X
12.25	46	50	Clay		X
12.25	50	86	Clay w/ Sand strips		X
12.25	86	94	Gravel		X
12.25	94	96	Sands		X
12.25	96	102	Gravels and Sands	X	
12.25	102	116	Gray Clay		X
12.25	116	125	Sandy Clay		X
12.25	125	137	Sands	X	
12.25	137	162	Sandy Clay		X
12.25	162	165	Clay		X
12.25	165	167	Sands	X	
12.25	167	178	Clay w/ Sands		X
12.25	178	189	Sands	X	
12.25	189	207	Clay		X
12.25	207	211	Sands	X	
12.25	211	225	Coarse Sands	X	
12.25	225	232	Sands	X	
12.25	232	235	Sandy Clay		X
12.25	235	242	Sands	X	
12.25	242	258	Clays w/ fine Sand		X
12.25	258	263	Sands	X	
12.25	263	284	Clay w/ Sand layers	X	
12.25	284	290	Sands	X	
12.25	290	305	Clay w/ fine Sand		X

Completed Depth (Measurable): 363Date Started: 08/11/21 Date Completed: 08/16/21

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley Drilling Co. No. 560*Principal Driller [Signature] Date 08/24/2021

*Driller _____ Date _____

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0090491

Drilling Permit No. _____

Water right or injection well # _____

2. OWNER: Willow Creek Wholesale Nursery LLC

Name Willow Creek Wholesale Nursery LLC

Address 25455 Lansing Lane

City Middleton State ID Zip 83644

3. WELL LOCATION:

Twp. 05 North ☒ or South ☐ Rge. 02 East ☐ or West ☒

Sec. 28 1/4 NE 1/4 SE 1/4

Gov't Lot _____ County _____

Lat. 43 44.4895 (Deg. and Decimal minutes)

Long. 116 34.3756 (Deg. and Decimal minutes)

Address of Well Site 25455 Lansing Lane City Middleton

(Give at least name of road + Distance to Road or Landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☐ Air Rotary ☒ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
3/4 Chip	0	200	3,000 lbs	Poured

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Unr	Threaded	Welded
8	+2	303	.375	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

9. PERFORATIONS/SCREENS:

Perforations ☐ Y ☒ N Method _____

Manufactured screen ☒ Y ☐ N Type Johnson

Method of installation Set in

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
303	363	.25	60	8"	SS	.375

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
Silica Sand 8/16	200	363	4,000 lbs	Poured

11. FLOWING ARTESIAN:

Flowing Artesian? ☒ Y ☐ N Artesian Pressure (PSIG) _____

Describe control device Cap

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) _____ Static water level (ft) 117

Water temp. (°F) 68 Bottom hole temp. (°F) 68

Describe access port Well Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
46	500	150

Test method:

Pump	Bailer	Air	Flowing artesian
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
12.25	305	315	Coarse Sands	X	
12.25	315	317	Clay		X
12.25	317	322	Sands	X	
12.25	322	324	Clay		X
12.25	324	331	Sand	X	
12.25	331	362	Sand		X
12.25	362	365	Clay		X

Completed Depth (Measurable) 363

Date Started: Aug 11, 2021

Date Completed: Aug 16, 2021

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley Drilling Co. No. 560

*Principal Driller [Signature] Date 08/24/2021

*Driller _____ Date _____

*Operator II _____ Date _____

Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

1. WELL TAG NO. D 0097406
 Drilling Permit No. 907847
 Water right or injection well # _____
2. OWNER: Generation Homes
 Name _____
 Address Po Box 69
 City Middleton State ID Zip 83644
3. WELL LOCATION:
 Twp. 05 North ☒ or South ☐ Rge. 02 East ☐ or West ☒
 Sec. 27 1/4 SW 1/4 NW 1/4

 Gov't Lot _____ County Canyon
 Lat. 43 ° 44.6139 (Deg. and Decimal minutes)
 Long. -116 ° 34.2972 (Deg. and Decimal minutes)
 Address of Well Site 8933 Edna lane

 City Middleton
 (Give at least name of road + Distance to Road or Landmark)
 Lot. _____ Blk. _____ Sub. Name _____
4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____
5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____
6. DRILL METHOD:
☐ Air Rotary ☐ Mud Rotary ☒ Cable ☐ Other _____
7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method/procedure
bentonite	0	38	1200	Slow pour

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6	+2	181	.250	steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	175	182	.258	steel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 181.3
9. PERFORATIONS/SCREENS:
 Perforations ☐ Y ☐ N Method _____
 Manufactured screen ☒ Y ☐ N Type Johnson SS
 Method of installation Pull back

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
182	192	.020	10	5	SS	.304

 Length of Headpipe 7.8 Length of Tailpipe 1/2 plate

 Packer ☒ Y ☐ N Type 3 lip
10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
-----------------	-----------	---------	-----------------------	------------------

11. FLOWING ARTESIAN:
 Flowing Artesian? ☐ Y ☐ N Artesian Pressure (PSIG) _____
 Describe control device _____
12. STATIC WATER LEVEL and WELL TESTS:
 Depth first water encountered (ft) _____ Static water level (ft) 71
 Water temp. (°F) _____ Bottom hole temp. (°F) Cold
 Describe access port Well cap
Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
too 180	40	60

Test method:

Pump	Bailer	Air	Flowing artesian
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	30	sandy clay		X
10	30	38	clay		X
6	38	55	sandy clay		X
	55	79	gravel		X
	79	96	clay		X
	96	106	white course sand	X	
	106	166	sand clay some sand streaks	X	
	166	170	fine sand	X	
	170	178	clay		X
	178	180	fine sand	X	
	180	191	course white sand 1 clay crack	X	
	191	192	brown clay		X

RECEIVED

OCT 18 2022

 WATER RESOURCES
WESTERN REGION

 Completed Depth (Measurable): 192

 Date Started: 10/12/22 Date Completed: 10/18/22
14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

 Company Name J McLeran Drilling LLC Co. No. 720
 *Principal Driller Josh McLeran Date 10/18/22
 *Driller _____ Date _____
 *Operator II _____ Date _____
 Operator I _____ Date _____
 *Signature of Principal Driller and rig operator are required.

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

Received
11-20-72
K/2
2

1. WELL OWNER

Name

Address

Owner's Permit No.

GARY STEINBACK.

R.T. 3 CALDWELL IDAHO

☒ NONE

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic

☐ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

4. METHOD DRILLED

☒ Cable

☒ Rotary

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Diameter of hole

7 7/8 inches

Total depth

197 feet

Casing schedule:

☐ Steel

☐ Concrete

Thickness

1/4 inches

Diameter

6 inches

From

0 feet

To

197 feet

Was a packer or seal used?

☐ Yes

☒ No

Perforated?

☒ Yes

☐ No

How perforated?

☐ Factory

☐ Knife

☒ Torch

Size of perforation

8 inches by 6 inches

Number

100 perforations

From

0 feet

To

20 feet

Well screen installed?

☐ Yes

☒ No

Manufacturer's name

NONE

Type

NONE

Model No.

NONE

Diameter

Slot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed?

☒ Yes

☐ No

Size of gravel

1/4

Placed from

0 feet to

196 feet

Surface seal?

☒ Yes

☐ No

To what depth

150 feet

Material used in seal

☐ Cement grout

☒ Puddling clay

AND TOWER

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

6 ON

SW NW 27

1/4 Sec. 34

T. 31 N

R. 2 W

X NW

(By Mr. Steinback)

7. WATER LEVEL

Static water level

90 feet below land surface

Flowing?

☐ Yes

☒ No

G.P.M. flow

Temperature

F.

Quality

Artesian closed-in pressure

p.s.i.

Controlled by

☐ Valve

☐ Cap

☐ Plug

8. WELL TEST DATA

☒ Pump

☒ Bailer

☐ Other

Discharge G.P.M.

10 GPM

Draw Down

10 FEET

Hours Pumped

48 hours

9. LITHOLOGIC LOG

34100

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
7 7/8	0	10	TOP SOIL		X
	10	50	SAND FINE DRY		X
	50	150	ROCK BOLDERS HARD		X
	150	190	SEMENT GRAVEL HARD		X
	190	197	CLAY BROWN WATER	X	

NOTICE.

This well has been under a test, in which I put a WARRANTY and a 30 Day GUARANTEE. Therefore I was waiting for this well to prove out good. The guarantee is now VOID.

PERFORATED

11-19-72

Marvin Breier

Driller

197

10.

Work started

21 of aug 72

finished

OCT-10th 72

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

MARVIN DRILLING CO

177

Driller's or Firm's Name

Number

BOISE R.T. 3. IDAHO

Address

Marvin Breier

NOV-19-72

Signed By

Date

1. WELL OWNER

Name

Address

Owner's Permit No.

GARY STEINBACK.

R.T. 3 CALDWELL IDAHO

☒ NONE

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic

☐ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

4. METHOD DRILLED

☒ Cable

☒ Rotary

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Diameter of hole

7 7/8 inches

Total depth

197 feet

Casing schedule:

☐ Steel

☐ Concrete

Thickness

1/4 inches

Diameter

6 inches

From

0 feet

To

197 feet

Was a packer or seal used?

☐ Yes

☒ No

Perforated?

☒ Yes

☐ No

How perforated?

☐ Factory

☐ Knife

☒ Torch

Size of perforation

8 inches by 6 inches

Number

100 perforations

From

0 feet

To

20 feet

Well screen installed?

☐ Yes

☒ No

Manufacturer's name

NONE

Type

NONE

Model No.

NONE

Diameter

Slot size

Set from

feet to

feet

Diameter

Slot size

Set from

feet to

feet

Gravel packed?

☒ Yes

☐ No

Size of gravel

1/4

Placed from

0 feet to

196 feet

Surface seal?

☒ Yes

☐ No

To what depth

150 feet

Material used in seal

☐ Cement grout

☒ Puddling clay

AND TOWER

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

E

S

6 ON

SW NW 27

1/4 Sec. 34

T. 31 N

R. 2 W

X NW

(By Mr. Steinback)

7. WATER LEVEL

Static water level

90 feet below land surface

Flowing?

☐ Yes

☒ No

G.P.M. flow

Temperature

F.

Quality

Artesian closed-in pressure

p.s.i.

Controlled by

☐ Valve

☐ Cap

☐ Plug

8. WELL TEST DATA

☒ Pump

☒ Bailer

☐ Other

Discharge G.P.M.

10 GPM

Draw Down

10 FEET

Hours Pumped

48 hours

9. LITHOLOGIC LOG

34100

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
7 7/8	0	10	TOP SOIL		X
	10	50	SAND FINE DRY		X
	50	150	ROCK BOLDERS HARD		X
	150	190	SEMENT GRAVEL HARD		X
	190	197	CLAY BROWN WATER	X	

NOTICE.

This well has been under a test, in which I put a WARRANTY and a 30 Day GUARANTEE. Therefore I was waiting for this well to prove out good. The guarantee is now VOID.

PERFORATED

11-19-72

Marvin Breier

Driller

197

10.

Work started

21 of aug 72

finished

OCT-10th 72

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

MARVIN DRILLING CO

177

Driller's or Firm's Name

Number

BOISE R.T. 3. IDAHO

Address

Marvin Breier

NOV-19-72

Signed By

Date

RECEIVED

REPORT OF WELL DRILLER State of Idaho

JAN 31 1970

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Glenn Steinback

Address 1/2 mile west of Star on Willow Creek

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain) _____

CASING SCHEDULE: Threaded ☐ Welded ☒

6 "Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: 250 Material: _____

Steel ☒ concrete ☐ wood ☐ other ☐

(explain) _____

PERFORATED? Yes ☐ No ☒ Type of perforator used: _____

Size of perforations: _____ " by _____ "

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☐ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☒ No ☐ To what depth?

20 ft. Material used in seal: Clay

Did any strata contain unusable water? Yes ☐

No. ☐ Type of water: _____

Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☐ No ☒

Cemented in place? Yes ☐ No ☒

Locate well in section

LOCATION OF WELL: County Canyon

NE 1/4 NE 1/4 Sec. 28 T. 5 N. R. 2 W

Size of drilled hole: 6 Total depth of well: 249 Standing water level below ground: 105 Temp. Fahr. _____ ° Test delivery: 15 gpm or _____ cfs Pump? ☒ Bail ☐

Size of pump and motor used to make test: 2 HP Sub

Length of time of test: 6 Hrs. _____ Min.

Drawdown: _____ ft. Artesian pressure: _____ ft.

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing? Yes ☐ No ☒

DEPTH MATERIAL 32018 WATER

FROM TO YES OR NO

FEET FEET

0 3 top soil no

3 40 sand & clay no

40 42 clay no

42 80 sand & clay no

80 85 gravel no

85 200 sand & clay no

200 240 quick sand yes

240 249 sand & gravel yes

Work started: Sept 10

Work finished: Sept 27

Well Driller's Statement: This well was

drilled under my supervision and this report

is true to the best of my knowledge.

Name: _____

Address: Box 2 Menden

Signed by: Danell F. Randall

License No. 111 Date: Oct 15 69

Use other side for additional remarks

63

Form 238-7
11/97 JGE

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

845 955

Office Use Only

Inspected by

Twp

Rge

Sec

1/4

1/4

1/4

Lat:

Long:

1. WELL TAG NO. D 0047788

DRILLING PERMIT NO.

Other IDWR No.

2. OWNER:

Name Longbow Development

Address PO Box 670

City Middleton

State ID Zip 83644

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

	Twp. 5	North X	or	South
	Rge. 2	East	or	West X
	Sec. 28	1/4	NE 1/4	NE 1/4
	Gov't Lot	10 acres	40 acres	160 acres
County Canyon		Lat: 43 44.849' Long: 116 34.633		
Address of Well Site Off of Whispering				

Willow 9102 Willow View City Middleton

Lt. 4 Blk. 1 Sub. Name Willow View Creek Estates

4. USE:

X Domestic Municipal Monitor Irrigation
Thermal Injection Other

5. TYPE OF WORK: check all that apply (Replacement etc.)

X New Well Modify Abandonment Other

6. DRILL METHOD:

X Air Rotary Cable Mud Rotary Other

7. SEALING PROCEDURES:

Seal/Filter Pack	AMOUNT	METHOD
Material	From To	Sacks or Pounds
Bentonite	0 18'	8 Sacks Overbore

Was drive shoe used? X Y N Shoe Depth(s) 158'

Was drive shoe seal tested? X Y N How? Air

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2'	158'	.250	Steel	X		X	
5"	151'	159'	.250	Steel		X	X	

Length of Headpipe 8'

Length of Tailpipe 0

9. PERFORATIONS/SCREENS:

Perforations Method Washdown
X Screens Screen Type Johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
159'	169'	.020		5"	SS		X

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

65 ft. below ground Artesian pressure lb.
Depth flow encountered 160 ft. Describe access port or control devices: Cap

11. WELL TESTS:

Pump	Bailer	X Air	Flowing Artesian
Yield gal./min.	Drawdown	Pumping Level	Time
60 gpm	75'	140'	1 Hr.

Water Temp. 56

Bottom hole temp. 56

Water Quality test or comments:

Depth first Water Encounter 72'

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks. Lithology, Water Quality & Temperature	Y	N
10"	0	4'	Brown Sand		
10"	4'	5'	Cliche		
10"	5'	18'	Brown Clay w/ Sand		
6"	18'	19'	Brown Clay w/ Sand		
6"	19'	27'	Sand w/ Gravel		
6"	27'	53'	Coarse Sand w/ Pea Gravel		
6"	53'	57'	Brown Clay		
6"	57'	84'	Gravel		X
6"	84'	98'	Sticky Brown Clay		
6"	98'	119'	Sandy Brown Clay		X
6"	119'	121'	Sticky Brown Clay		
6"	121'	155'	Sand w/ Clay Strips		X
6"	155'	160'	Sticky Brown Clay		
6"	160'	170'	Medium Brown Sand		X

RECEIVED

MAY 09 2007

WATER RESOURCES
WESTERN REGION

Completed Depth 169'

(Measurable)

Date: Started 4/4/2007

Completed 4/6/2007

13. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley Drilling

Firm No. 560

Firm Official

Date 4/7/2007

and

Driller or Operator

Date 4/7/2007

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

Exhibit A.8, Pg. 26

Drilling Permit No. 976612 - 882669
Water right or injection well # _____

Name Evans Waters
Address 9377 Golden Willow Street
City Middleton State Id Zip 83644

Twp. 05 North ☒ or South ☐ Rge. 02 East ☐ or West ☒
Sec. 28 1/4 SW 1/4 NE 1/4
10 acres 40 acres 160 acres

City Middleton
(Give at least name of road + Distance to Road or Landmark)
Lot _____ Blk. _____ Sub. Name _____

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other

Seal material	From (ft)	To (ft)	Quantity (lbs or ft)	Placement method/procedure
Bentonite 3/4 c	0	42	1550 lbs	Pour

Diameter (nominal)	From (ft)	To (ft)	Gauge/ Schedule	Material	Casing	Liner	Threaded	Welded
6"	+1.5	162'	.250	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 162'

Perforations ☐ Y ☒ N Method _____
 Manufactured screen ☒ Y ☐ N Type Johnson Stainless
 Method of installation Pull Back

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
165	170	.014		5"	Stainless	

Length of Headpipe 5'8" Length of Tailpipe 3'
Packer ☒ Y ☐ N Type K-Packer

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft³)	Placement method
NA				

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

Depth first water encountered (ft) 58' Static water level (ft) 58'
Water temp. (°F) Cold Bottom hole temp. (°F) _____

Describe access port _____

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing artesian
170'	30	60	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Water quality test or comments:

[illegible]

Completed Depth (Measurable): 173'

Date Started: 5/31/2017 Date Completed: 6/14/2017

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name **McLeran Well Drilling** Co. No. **641**

*Principal Driller Uan Date 6/19/2017

*Driller _____ Date _____

*Operator II _____ Date _____

Operator: Josh Mizeran Date: 6/19/2017

* Signature of Principal Driller and rig operator are required.

63

Form 238-7
6/02IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT**1. WELL TAG NO. D**

D0047904

DRILLING PERMIT NO. _____

Water Right or Injection Well No. _____

2. OWNER:

Name

Address

City

LEGACY HOMES
1780 N.J. WATERBROOK WAY
STAR ID Zip 83669**3. LOCATION OF WELL by legal description:**

You must provide address or Lot, Blk. Sub. or Directions to well.

Twp. 5 North ☒ or South ☐
Rge. 2 East ☐ or West ☒
Sec. 28 SW 1/4 NE 1/4 1/4
Gov't Lot _____ County CANYON

Lat: _____

Address of Well Site

9612 Golden Willow St
City Middleton

(Give at least name of road + Distance to Road or Landmark)

Lt. 28 Blk. 1 Sub. Name Willow View Sub.

4. USE:☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____**5. TYPE OF WORK** check all that apply

(Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____**6. DRILL METHOD:**☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____**7. SEALING PROCEDURES**

Seal Material	From	To	Weight / Volume	Seal Placement Method
Bentonite	0	18	500lbs	10" overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 148
Was drive shoe seal tested? ☒ Y ☐ N How? DRY HOLE**8. CASING/LINER:**

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	0	148	25	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5"	148	150	18	Steel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
255					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe 5' Length of Tailpipe 0
Packer ☒ Y ☐ N Type K packer**9. PERFORATIONS/SCREENS PACKER TYPE**Perforation Method FACTORY
Screen Type & Method of Installation Stainless Steel

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
150	160	20th		5"	Stainless Steel	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:45 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: WELL CAP**12. WELL TESTS:**☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
70			1 1/2 HRS.

Water Temp. _____

Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter 93'

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10"	0	4	TOP SOIL		
10"	4	18	CLAY & SAND MIXED		
6"	18	25	CLAY & SAND MIXED		
6"	25	48	CLAY		
6"	48	75	GRAVEL		
6"	75	93	CLAY		
6"	93	97	SAND		<input checked="" type="checkbox"/>
6"	97	115	CLAY		
6"	115	130	SAND		<input checked="" type="checkbox"/>
6"	130	135	CLAY		
6"	135	165	SAND		<input checked="" type="checkbox"/>

RECEIVED

APR 18 2007

WATER RESOURCES
WESTERN REGION

Completed Depth 165 (Measurable)

Date: Started 03/01/07 Completed 3-10-07

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name KNIE PUMP & DRILLING Firm No. 417

Principal Driller Mike Knie Date 4-1-07

and Driller or Operator II _____ Date _____

Operator I _____ Date _____

Principal Driller and Rig Operator Required.

Operator I must have signature of Driller/Operator II.

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

1. WELL TAG NO. D 0070321
Drilling Permit No. 971117 - 877174
Water right or injection well # _____

2. OWNER: Dean Echols
Name _____
Address P.O. Box 462
City Star State Id. Zip 83669

3. WELL LOCATION:
Twp. 5 North ☒ or South ☐ Rge. 2 East ☐ or West ☒
Sec. 28 1/4 NW 1/4 SE 1/4

Gov't Lot _____ County Canyon
Lat. 43 ° 44:44 (Deg. and Decimal minutes)
Long. 116 ° 34:64 (Deg. and Decimal minutes)
Address of Well Site 9222 Kemp Rd.

(Give at least name of road + distance to road or landmark)
City Middleton
Lot. 5 Blk. 4 Sub. Name Willow Creek Ranch

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:
☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:
Seal material From (ft) To (ft) Quantity (lbs or ft³) Placement method/procedure
3/8 Bent 0 44 54 bags Dry Pour

8. CASING/LINER:
Diameter (nominal) From (ft) To (ft) Gauge/Schedule Material Casing Liner Threaded Welded
6 42 187 250 Steel ☒ ☐ ☐ ☒

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 187'

9. PERFORATIONS/SCREENS:
Perforations ☐ Y ☐ N Method _____
Manufactured screen ☒ Y ☐ N Type Johnson
Method of installation WASH DN- Valve

From (ft) To (ft) Slot size Number/ft Diameter (nominal) Material Gauge or Schedule
188 193 12 6" 1/4" S.S.

Length of Headpipe 6'-4" Length of Tailpipe 0
Packer ☒ Y ☐ N Type 3-Rib

10. FILTER PACK:
Filter Material From (ft) To (ft) Quantity (lbs or ft³) Placement method

11. FLOWING ARTESIAN:
Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____
Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:
Depth first water encountered (ft) 105 Static water level (ft) 77
Water temp. (°F) 58 Bottom hole temp. (°F) _____
Describe access port San Seal Well Cap

Well test: Drawdown (feet) Discharge or yield (gpm) Test duration (minutes)
180 70 2 hrs.
120 65 1 hr.

Test method: Pump ☐ Bailer ☐ Air ☒ Flowing artesian ☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:				Water	
Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Y	N
11	0	6	Top Soil		
	6	8	Hrd Pan		
	8	26	Sand & Brn clay		
	26	45	Gravel mixed w/ clay		
6	45	59	Gravel		
	59	68	Brn clay		
	68	96	Gravel		
	96	102	Sticky Brn clay		
	102	111	Fractured clay & coarse sand		
	111	116	Brn clay		
	116	135	Sandy clay		
	135	137	Brn clay		
	137	143	White Brn Sand		
	143	156	Brn clay		
	156	176	Fine Brn Sand		
	176	180	Brn clay		
	180	181	Fine Sand		
	181	187	Brn clay		
	187	193	Real Fine White Sand		

RECEIVED

NOV 25 2015

WATER RESOURCES
WESTERN REGION

Completed Depth (Measurable): 193 ft.
Date Started: 10/28/15 Date Completed: 11/4/15

14. DRILLER'S CERTIFICATION:
I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Precision Drilling No. 522
*Principal Driller Jeff Ransom Date 11/15/15
*Driller Jeff Ransom Date 11/15/15
*Operator II _____ Date _____
Operator I _____ Date _____

* Signature of Principal Driller and rig operator are required.

63

Form 238-7
11/97 JGEIDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

838703

Office Use Only

Inspected by

Twp

Rge

Sec

1/4

1/4

1/4

Lat:

Long:

1. WELL TAG NO. D 0042304

DRILLING PERMIT NO.

Other IDWR No.

2. OWNER:Name Justin & Aubrey WalkerAddress 21570 Lansing LaneCity Middleton State ID Zip 83644**3. LOCATION OF WELL by legal description:**

Sketch map location must agree with written location.

	Twp. <u>5</u>	North <input checked="" type="checkbox"/> or South <input type="checkbox"/>
	Rge. <u>2</u>	East <input type="checkbox"/> or West <input checked="" type="checkbox"/>
	Sec. <u>28</u>	1/4 <u>NE</u> 1/4 <u>SE</u> 1/4
	Gov't Lot	County <u>Canyon</u>
	Lat: <u>43° 44. 408'</u>	Long: <u>116° 34. 422'</u>

Address of Well Site

City Middleton

(Give at least name of road + Distance to Road or Landmark)

Lt. 11 Blk. 2 Sub. Name Willow Creek Ranch**4. USE:**
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other
5. TYPE OF WORK: check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other
6. DRILL METHOD:
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other
7. SEALING PROCEDURES:

Seal/Filter Pack		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	18'	13 Sacks	Overbore

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 218'Was drive shoe seal tested? ☐ Y ☒ N How?**8. CASING/LINER:**

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	+2'	218'	.250	Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe 5' Length of Tailpipe 0**9. PERFORATIONS/SCREENS:**
☐ Perforations ☒ Screens Method Johnson Screen Type Johnson

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
218'	228'	.020		5"	SS	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:107 ft. below ground Artesian pressure lb.Depth flow encountered 221 ft. Describe access port or control devices: Cap**11. WELL TESTS:**

Yield gal./min.	Drawdown	Pumping Level	Time
<u>65</u>	<u>220'</u>	<u>220'</u>	<u>2 Hrs.</u>

Water Temp. 56Bottom hole temp. 56

Water Quality test or comments:

Depth first Water Encounter 162'**12. LITHOLOGIC LOG:** (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water
				Y N
10"	0	2'	Top Soil	
10"	2'	4'	Cliche	
10"	4'	18'	Cemented Sand & Gravel	
6"	18'	24'	Cemented Sand & Gravel	
6"	24'	32'	Sticky Tan Clay	
6"	32'	48'	Med. Brown Sand & Pea Gravel	
6"	48'	63'	Sand & Gravel	
6"	63'	94'	Sticky Brown Clay	
6"	94'	121'	Gravel	
6"	121'	161'	Sticky Tan Clay	
6"	161'	178'	Fine Brown Sand	X
6"	178'	201'	Fine Brown Sand	X
6"	201'	212'	Medium Brown Sand	X
6"	212'	221'	Sticky Tan Clay	
6"	221'	223'	Large Coarse Sand	X
6"	223'	227'	Medium Coarse Sand	X
6"	227'	228'	Sticky Tan Clay	

RECEIVED

MAR 20 2006

WATER RESOURCES
WESTERN REGIONCompleted Depth 228

(Measurable)

Date: Started 3/7/2006Completed 3/13/2006**13. DRILLER'S CERTIFICATION:**

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Treasure Valley DrillingFirm No. 560

Firm Official

Date 3/14/2006

and

Driller or Operator

Date 3/14/2006

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

844806

Office Use Only

Well ID No. 414963

Inspected by _____

Twp _____ Rge _____ Sec _____

1/4 _____ 1/4 _____ 1/4 _____

Lat: _____ Long: _____

1. **WELL TAG NO. D** 0047518
 DRILLING PERMIT NO. _____
 Water Right or Injection Well No. _____

2. **OWNER:**
 Name Steve Alters
 Address 1217 W Hitchcock St.
 City Meridian State Id. Zip 83642

3. **LOCATION OF WELL by legal description:**

You must provide address or Lot, Blk, Sub. or Directions to well.

Twp. 5 North ☒ or South ☐
 Rge. 2 East ☐ or West ☒
 Sec. 28 NE 1/4 ME 1/4 _____ 1/4 _____
 Gov't Lot _____ County Carson 10 acres 40 acres 160 acres
 Lat: _____ Long: _____
 Address of Well Site 25902 Weeping Willow St.

City Middleton
 Lt. 9 Blk. 1 Sub. Name Willowview Sub.

4. **USE:**
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. **TYPE OF WORK** check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. **DRILL METHOD:**
☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. **SEALING PROCEDURES**

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>Bentonite</u>	<u>0</u>	<u>18'</u>	<u>10</u>	<u>dry pour</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 186'
 Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. **CASING/LINER:**

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6"</u>	<u>2'</u>	<u>192'</u>	<u>25</u>	<u>stainless</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Length of Headpipe 5' Length of Tailpipe 0
 Packer ☐ Y ☐ N Type K-pak

9. **PERFORATIONS/SCREENS PACKER TYPE**

Perforation Method _____
 Screen Type & Method of Installation Stainless steel

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>182'</u>	<u>192'</u>	<u>20</u>		<u>5"</u>	<u>stainless</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. **FILTER PACK**

Filter Material	From	To	Weight / Volume	Placement Method
<u>none</u>				

11. **STATIC WATER LEVEL OR ARTESIAN PRESSURE:**

60 ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe access port or control devices: well cap

12. **WELL TESTS:**

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailor	<input checked="" type="checkbox"/> Air	<input type="checkbox"/> Flowing Artesian
Yield gal./min. <u>40</u>	Drawdown	Pumping Level	Time <u>1/2 hr</u>

Water Temp. 55° Bottom hole temp. _____

Water Quality test or comments: good

Depth first Water Encounter 160

13. **LITHOLOGIC LOG: (Describe repairs or abandonment)**

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>10"</u>	<u>0</u>	<u>10'</u>	<u>Top soil</u>		
<u>10"</u>	<u>10'</u>	<u>18'</u>	<u>Sand + gravel mix</u>		
<u>6"</u>	<u>18'</u>	<u>60'</u>	<u>Sand + clay Drilling</u>		
<u>6"</u>	<u>60'</u>	<u>100'</u>	<u>Cemented gravel</u>		
<u>6"</u>	<u>100'</u>	<u>101'</u>	<u>Brown clay</u>		
<u>6"</u>	<u>101'</u>	<u>165'</u>	<u>Sand</u>		
<u>6"</u>	<u>165'</u>	<u>175'</u>	<u>Brown clay</u>		
<u>6"</u>	<u>175'</u>	<u>192'</u>	<u>Sand</u>		

RECEIVED

JAN 09 2007

WATER RESOURCES
WESTERN REGION

Completed Depth 192' (Measurable)
 Date: Started 11-13-06 Completed 12-8-06

14. **DRILLER'S CERTIFICATION**

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Clearwater Drilling Inc Firm No. 382

Principal Driller Brad Larson Date 1/1/07

and Driller or Operator II _____ Date _____

Operator I _____ Date _____

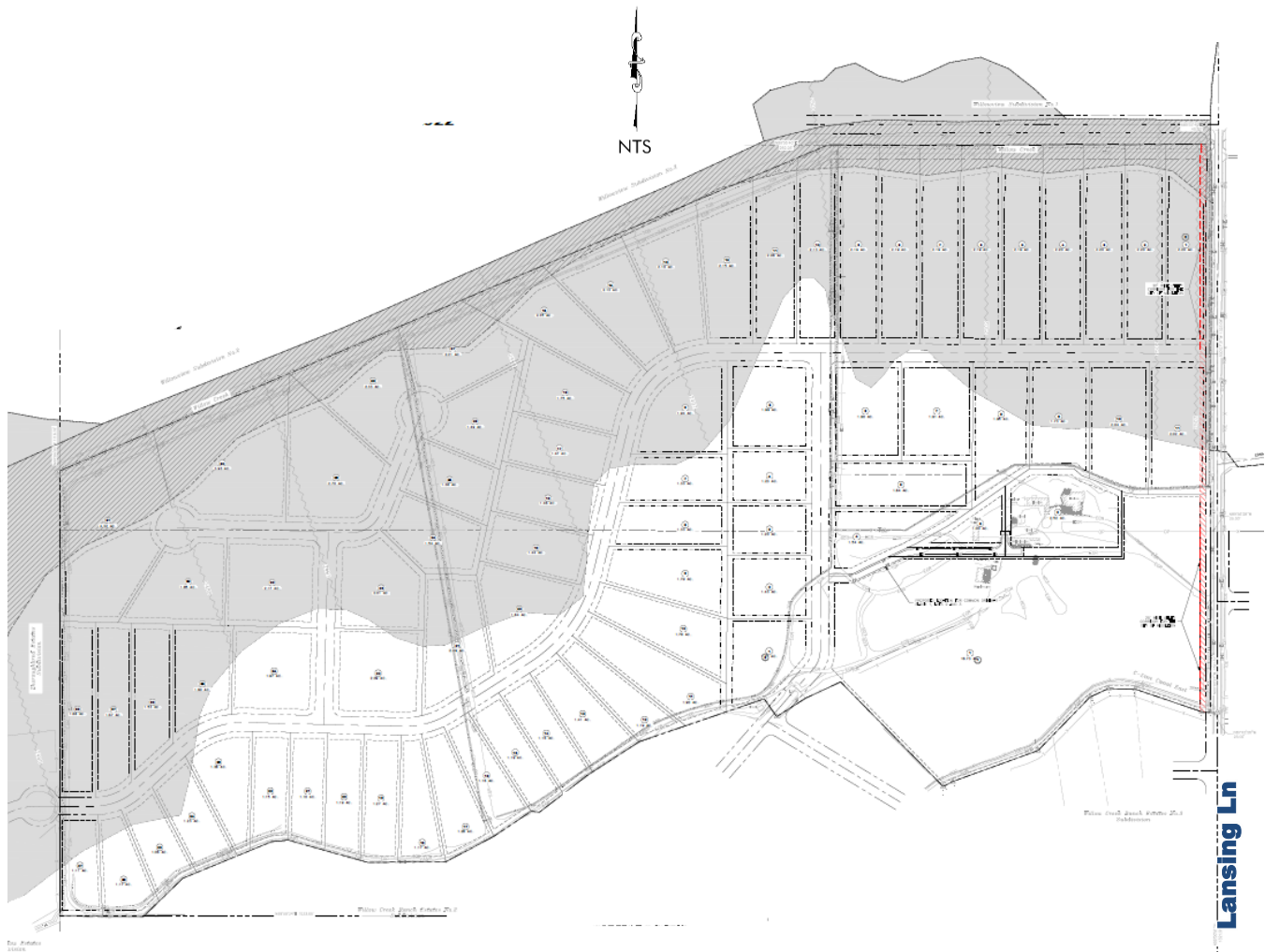
Principal Driller and Rig Operator Required.
 Operator I must have signature of Driller/Operator II.

TRAFFIC IMPACT STUDY – DRAFT

WILLOWCREEK-LANSING LANE SUBDIVISION

Canyon County, Idaho

July 5, 2023



Prepared For:

MDC, LLC

Prepared By:

ENGINEERING, INC.

181 East 50th Street
Garden City, ID 83714
(208) 841-4996

S:\projects\23-15 Willowcreek-Lansing Lane Subdivision\doc\Willowcreek-Lansing Sub TIS.docx

Table of Contents

EXECUTIVE SUMMARY	1
1.0 Proposed Development.....	1
2.0 Improvements Needed to Mitigate 2023 Existing Traffic Conditions	2
3.0 Improvements Needed to Mitigate 2025 Build-Out Year Background Traffic Conditions	2
4.0 Improvements Needed to Mitigate 2025 Build-Out Year Total Traffic Conditions	3
5.0 Improvements Needed to Mitigate 2030 Horizon Year Background Traffic Conditions	3
6.0 Improvements Needed to Mitigate 2030 Horizon Year Total Traffic Conditions	3
1.0 INTRODUCTION	4
1.1 Proposed Development.....	5
1.2 Study Approach	6
1.3 Study Area	6
1.4 Study Period	6
1.5 Analysis Methods and Performance Measure Thresholds.....	6
2.0 EXISTING CONDITIONS.....	7
2.1 Roadway Network, Intersection Control, and Lane Configuration	7
2.2 Existing Traffic Volumes	7
2.3 Intersection Crash Data	7
2.4 Intersection Operations.....	9
2.5 Intersection Mitigation	9
3.0 2025 BUILD-OUT YEAR BACKGROUND TRAFFIC CONDITIONS	10
3.1 Roadway Network	10
3.2 Background Traffic	10
3.3 Intersection Operations.....	12
3.4 Intersection Mitigation	12
4.0 2025 BUILD-OUT YEAR TOTAL TRAFFIC CONDITIONS.....	14
4.1 Roadway Network	14
4.2 Site Traffic.....	14
4.2.1 Trip Generation	14
4.2.2 Trip Capture.....	14
4.2.3 Pass-By Trips.....	14
4.2.4 Modal Split	14
4.2.5 Trip Distribution and Assignment	14
4.3 Total Traffic.....	14
4.4 Intersection Operations.....	18
4.5 Intersection Mitigation	18
4.6 Site Access and Circulation.....	19
5.0 2030 HORIZON YEAR BACKGROUND TRAFFIC CONDITIONS	21
5.1 Roadway Network	21
5.2 Background Traffic	21
Intersection Operations	21
5.3 Intersection Mitigation	23
6.0 2030 HORIZON YEAR TOTAL TRAFFIC CONDITIONS	24
6.1 Roadway Network	24
6.2 Site Traffic.....	24
6.3 Total Traffic.....	24
6.4 Intersection Operations.....	24
6.5 Intersection Mitigation	24
APPENDIX A: Traffic Counts	A
APPENDIX B: 2023 Synchro Reports.....	B

APPENDIX C: In-Process Development.....	C
APPENDIX D: 2025 Background Synchro Reports	D
APPENDIX E: 2025 Total Synchro Reports.....	E
APPENDIX F: 2030 Background Synchro Reports.....	F
APPENDIX F: 2030 Total Synchro Reports.....	G
APPENDIX H: Turn Lane Guidelines Worksheets	H

List of Figures

Figure 1.1 – Site Location and Vicinity	4
Figure 1.2 – Preliminary Site Plan	5
Figure 2.1 – 2023 Existing Intersection Control, Lane Configuration, and Peak Hour Traffic	8
Figure 3.1 – 2025 Build-Out Year Peak Hour Background Traffic	11
Figure 4.1 – Estimated Site Traffic Distribution Patterns	15
Figure 4.2 – 2025 Build-Out Year Peak Hour Site Traffic.....	16
Figure 4.3 – 2025 Build-Out Year Peak Hour Total Traffic	17
Figure 4.4 – Site Access and Circulation	20
Figure 5.1 – 2030 Horizon Year Peak Hour Background Traffic	22
Figure 6.1 – 2030 Horizon Year Peak Hour Total Traffic	25

List of Tables

Table 1 – Proposed Intersection Improvements Summary.....	1
Table 2.1 – Existing Roadway Characteristics.....	7
Table 2.2 – Intersection Crash Data (2017-2021)	7
Table 2.3 – Intersection Operations – 2023 Existing Traffic	9
Table 3.1 – Intersection Operations – 2025 Background Traffic	12
Table 3.2 – Lansing Lane and SH 44 Intersection – 2025 Background Traffic - Mitigation.....	13
Table 4.1 – Build-Out Site Trip Generation Summary.....	14
Table 4.2 – Intersection Operations – 2025 Build-Out Year Total Traffic	18
Table 4.3 – Lansing Lane and SH 44 Intersection – 2025 Total Traffic - Mitigation	19
Table 4.4 – Site Access Intersection Operations – 2025 Build-Out Year Total Traffic.....	19
Table 5.1 – Intersection Operations – 2030 Horizon Year Background Traffic	21
Table 5.2 – Lansing Lane and SH 44 Intersection – 2030 Background Traffic - Mitigation.....	23
Table 6.1 – Intersection Operations – 2030 Horizon Year Total Traffic	26
Table 6.2 – Lansing Lane and SH 44 Intersection – 2030 Total Traffic - Mitigation	26

EXECUTIVE SUMMARY

CR Engineering, Inc. has been retained to prepare a traffic impact study (TIS) for the proposed Willowcreek-Lansing Lane Subdivision located west of Lansing Lane between Golden Willow Street and Purple Sage Road in Canyon County, Idaho. **Figure 1.1** shows the site location and its vicinity. The TIS was prepared in accordance with the Canyon Highway District No. 4 (CHD4) requirements.

The TIS evaluated the potential traffic impacts resulting from background traffic growth, in-process developments within the area, and the proposed development, and identify improvements to mitigate the impacts if needed. Traffic impacts were evaluated under weekday AM and PM peak hour traffic conditions based on the proposed land use and site accesses as shown in the preliminary site plan. **Table 1** summarizes the improvements needed to mitigate the traffic impacts for the following analysis years traffic conditions:

- 2023 Existing traffic
- 2025 Build-out year background traffic
- 2025 Build-out year total traffic
- 2030 Horizon year background traffic
- 2030 Horizon year total traffic

Table 1 – Proposed Intersection Improvements Summary

Intersection		2023 Existing	2025 Build-Out Year		2030 Horizon Year	
			Background	Total	Background	Total
①	Lansing Ln and Purple Sage Rd	None	None	None	None Signal	None
②	Lansing Ln and SH 44	None	Signal	Signal	Signal	Signal
③	Site Access and Lansing Ln	Future site access intersection		Unsignalized intersection	Future site access intersection	Unsignalized intersection

1.0 Proposed Development

- 1.1 Willowcreek-Lansing Lane Subdivision is a proposed residential development estimated to contain 76 single-family lots (one existing) with an expected 2025 build-out year
- 1.2 Based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 11th Edition*, the proposed development is estimated to generate approximately 784 trips per weekday, 58 trips during the AM peak hour, and 77 trips during the PM peak hour at full build-out
 - All trips generated by the site were assumed to be made by personal and commercial vehicles
 - No internal capture trips or pass-by trips were assumed in the traffic analysis
 - The estimated site traffic distribution patterns are:
 - 15% west of the site traveling on Purple Sage Road
 - 20% east of the site traveling on Purple Sage Road
 - 25% west of the site traveling on SH 44
 - 40% east of the site traveling on SH 44

- 1.3 The development is planning to construct one full-movement approach on Lansing Lane and connect to Stoney Brook Way to the west:

■ **Site access on Lansing Lane**

- Located approximately 740 feet south of Golden Willow Street, 330 feet north of Edna Lane, and 1,360 feet north of Kemp Road
 - Meets the minimum 500-foot local road spacing on the same side of Lansing Lane, a major collector street
 - Meets the minimum 250-foot local road spacing on the opposite side of Lansing Lane
- Does not warrant turn lanes under 2025 build-out year and 2030 horizon year total traffic conditions based on NCHRP Report 457 guidelines
- Anticipated to meet minimum operational thresholds under 2025 build-out year and 2030 horizon year total traffic conditions as an unsignalized T-intersection

2.0 Improvements Needed to Mitigate 2023 Existing Traffic Conditions

- 2.1 Based on the most current five-year (2017-2021) historical crash data, the study area intersections do not have apparent safety issues:

■ **Lansing Lane and Purple Sage Road intersection**

- There were nine (5) crashes reported at the intersection between 2017 and 2021 according to the Local Highway Technical Assistance Council (LHTAC) website (<http://gis.lhtac.org/safety/>)
- Two (2) of the crashes resulted in property damages, two (2) crashes resulted in injuries, and one (1) crash resulted in a fatality
- All crashes were angle crashes due to failure to yield
- The intersection crash rate is 0.92 accidents per million entering vehicles (ACC/MEV)

■ **Lansing Lane and SH 44 intersection**

- There were 13 crashes reported at the intersection between 2017 and 2021
- Two (2) of the crashes resulted in property damages, two (2) crashes resulted in injuries, and one (1) crash resulted in a fatality
- Seven (7) of the crashes resulted in property damages, five (5) crashes resulted in injuries, and one (1) crash resulted in a fatality
 - The fatal crash was due to alcohol impairment
- The intersection crash rate is 0.73 ACC/MEV

- 2.2 With 2023 existing traffic, all study area intersections currently meet minimum operational thresholds analyzed with the existing intersection control and lane configuration. Additionally, none of the study area intersections warrants a turn lane based on NCHRP Report 457 and ITD turn lane guidelines. Therefore, no improvements are needed to mitigate 2023 existing traffic operations

3.0 Improvements Needed to Mitigate 2025 Build-Out Year Background Traffic Conditions

- 3.1 With 2025 background traffic, one study area intersection is anticipated to exceed minimum operational thresholds analyzed with the existing intersection control and lane configuration. The intersection and mitigation improvements are:

■ **Lansing Lane and SH 44 intersection**

- Temporary traffic signal with existing lanes
 - The intersection is identified in the CHD4 *Capital Improvements Plan* for the Middleton/Star service area (Mid-Star CIP) to be signalized in the 2020-2025 timeframe

- 3.2 The Lansing Lane and Purple Sage Road intersection is anticipated to operate acceptably with the existing intersection control and lane configuration under 2025 background traffic
- No turn lanes are warranted based on NCHRP Report 457 turn lane guidelines

4.0 Improvements Needed to Mitigate 2025 Build-Out Year Total Traffic Conditions

- 4.1 With 2025 total traffic, one study area intersection is anticipated to continue to exceed minimum operational thresholds analyzed with the existing intersection control and lane configuration. The intersection and mitigation improvements are:
- **Lansing Lane and SH 44 intersection**
 - Temporary traffic signal with existing lanes
- 4.2 The Lansing Lane and Purple Sage Road intersection is anticipated to operate acceptably with the existing intersection control and lane configuration under 2025 total traffic
- No turn lanes are warranted based on NCHRP Report 457 turn lane guidelines
- 4.3 The estimated site traffic generated by the development as a percentage of the 2025 build-out year total traffic is as follows:
- *Lansing Lane* and Purple Sage Road intersection : AM Peak = 10.3%, PM Peak = 12.4%
 - Lansing Lane and SH 44 intersection : AM Peak = 2.8%, PM Peak = 3.0%

5.0 Improvements Needed to Mitigate 2030 Horizon Year Background Traffic Conditions

- 5.1 With 2030 background traffic, one study area intersection is anticipated to continue to exceed minimum operational thresholds analyzed with the existing intersection control and lane configuration. The intersection and mitigation improvements are:
- **Lansing Lane and SH 44 intersection**
 - Temporary traffic signal with existing lanes
- 5.2 The Lansing Lane and Purple Sage Road intersection is anticipated to operate acceptably with the existing intersection control and lane configuration under 2030 background traffic
- No turn lanes are warranted based on NCHRP Report 457 turn lane guidelines

6.0 Improvements Needed to Mitigate 2030 Horizon Year Total Traffic Conditions

- 6.1 With 2030 total traffic, one study area intersection is anticipated to continue to exceed minimum operational thresholds analyzed with the existing intersection control and lane configuration. The intersection and mitigation improvements are:
- **Lansing Lane and SH 44 intersection**
 - Temporary traffic signal with existing lanes
- 6.2 The Lansing Lane and Purple Sage Road intersection is anticipated to operate acceptably with the existing intersection control and lane configuration under 2030 total traffic
- No turn lanes are warranted based on NCHRP Report 457 turn lane guidelines
- 6.3 The estimated site traffic generated by the development as a percentage of the 2030 horizon year total traffic is as follows:
- Lansing Lane and Purple Sage Road intersection : AM Peak = 8.1%, PM Peak = 9.9%
 - Lansing Lane and SH 44 intersection : AM Peak = 2.4%, PM Peak = 2.6%

1.0 INTRODUCTION

CR Engineering, Inc. has been retained to prepare a traffic impact study (TIS) for the proposed Willowcreek-Lansing Lane Subdivision located west of Lansing Lane between Golden Willow Street and Purple Sage Road in Canyon County, Idaho. **Figure 1.1** shows the site location and its vicinity. The TIS evaluates the potential traffic impacts resulting from background traffic growth, in-process developments in the area, and the proposed development, and identifies improvements to mitigate the impacts if needed.

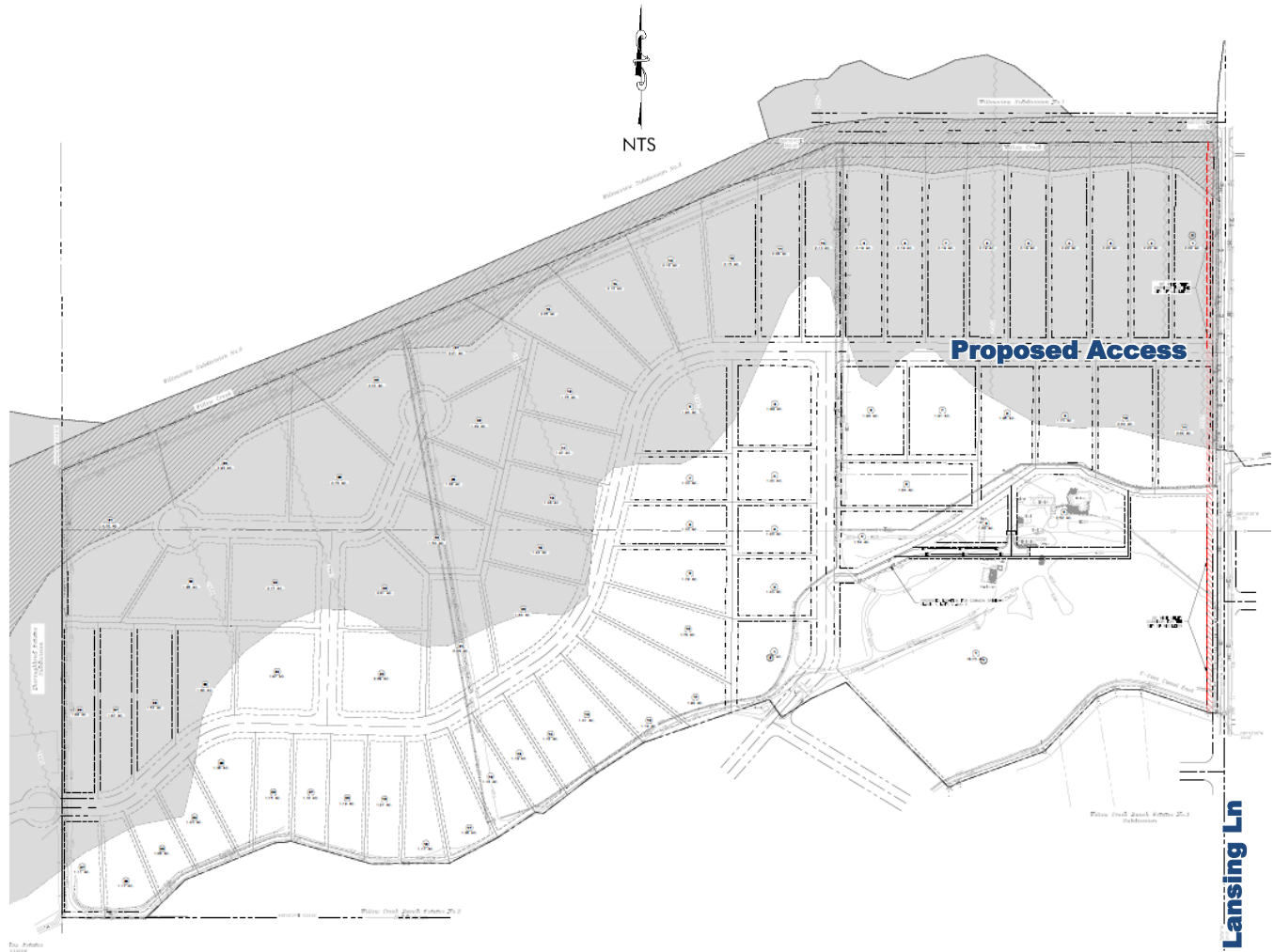
Figure 1.1 – Site Location and Vicinity



1.1 Proposed Development

Figure 1.2 shows the preliminary site plan with the proposed site access locations. Willowcreek-Lansing Lane Subdivision is a proposed residential development containing 75 single-family lots and one existing home. Based on the preliminary site plan, the development is planning to construct one full-movement access on Lansing Lane. The site also connects to Stony Brook Way to the west. The expected build-out year is 2025 but this may change based on the market conditions.

Figure 1.2 – Preliminary Site Plan



1.2 Study Approach

The TIS was prepared in accordance with the *Highway Standards and Development Procedures* for the Association of Canyon County Highway District (ACCHD).

Based on the development size and proposed land use, the development is estimated to generate less than 50 peak hour trips, which is below the Idaho Transportation Department (ITD) threshold to require a traffic impact study.

1.3 Study Area

The Canyon Highway District No. 4 (CHD4) identified the following study area intersections for the traffic impact analysis:

- Lansing Lane and Purple Sage Road intersection
- Lansing Lane and SH 44 intersection
- Proposed site access intersection

1.4 Study Period

The analysis peak periods are the AM and PM peak hours of operation of the transportation system. The analysis years and traffic conditions are:

- 2023 Existing traffic
- 2025 Build-out year background traffic
- 2025 Build-out year total traffic
- 2030 Horizon year background traffic
- 2030 Horizon year total traffic

1.5 Analysis Methods and Performance Measure Thresholds

Intersection capacity analysis was performed using Synchro 11 (Version 11.3.151.0), which utilizes the HCM 6th Edition (HCM6) methodologies. All parameters used in the analysis were based on existing data when available or Synchro default values, when not available. The level of service (LOS) for intersections is based on the average delay of vehicles traveling through the intersection on a scale of A (best) to F (worst).

The study area roadways and intersections fall under the jurisdiction of CHD4 and ITD. According to the CHD4 Jurisdiction Map, the site and surrounding areas are within the Star and Middleton area of impact. Therefore, the study area intersections are considered within an urban area for this TIS. For this study, the minimum operational thresholds for CHD4 intersections in an urban area are LOS D with a maximum volume-to-capacity (v/c) ratio of 1.00 for any lane group. For ITD intersections, mitigation improvements are required for any individual movement either operating at LOS F or with a v/c ratio greater than 0.90 (Memo No. 39, District 3 Operational Procedures).

2.0 EXISTING CONDITIONS

2.1 Roadway Network, Intersection Control, and Lane Configuration

A brief description of the existing roadways within the study area is summarized in **Table 2.1** below. The roadway functional classification is based on the 2011 CHD4 Functional Classification Map and the ITD iPlan OpenData ArcGIS database. **Figure 2.1** summarizes the study area intersection control and lane configuration.

Table 2.1 – Existing Roadway Characteristics

Roadway	Functional Classification	Number of Lanes	Posted Speed Limit (mph)	Pedestrian Facilities
Purple Sage Rd	Minor Arterial	2	50	• No Sidewalk or bicycle lanes
Lansing Lane	Collector Street	2	50	• No Sidewalk or bicycle lanes
SH 44	Principal Arterial (Statewide Route)	2-3	55	• No sidewalk or bicycle lanes

2.2 Existing Traffic Volumes

Weekday AM and PM peak hour traffic counts were obtained at the study area intersections on May 24, 2023. The peak hour intersection turning movement counts were collected on a weekday for a 2-hour period at 15-minute intervals between 7:00 and 9:00 during the AM peak hour and between 4:00 and 6:00 PM during the PM peak hour. Existing intersection turning movement counts are included in the appendix. **Figure 2.2** summarizes the existing 2023 peak hour traffic.

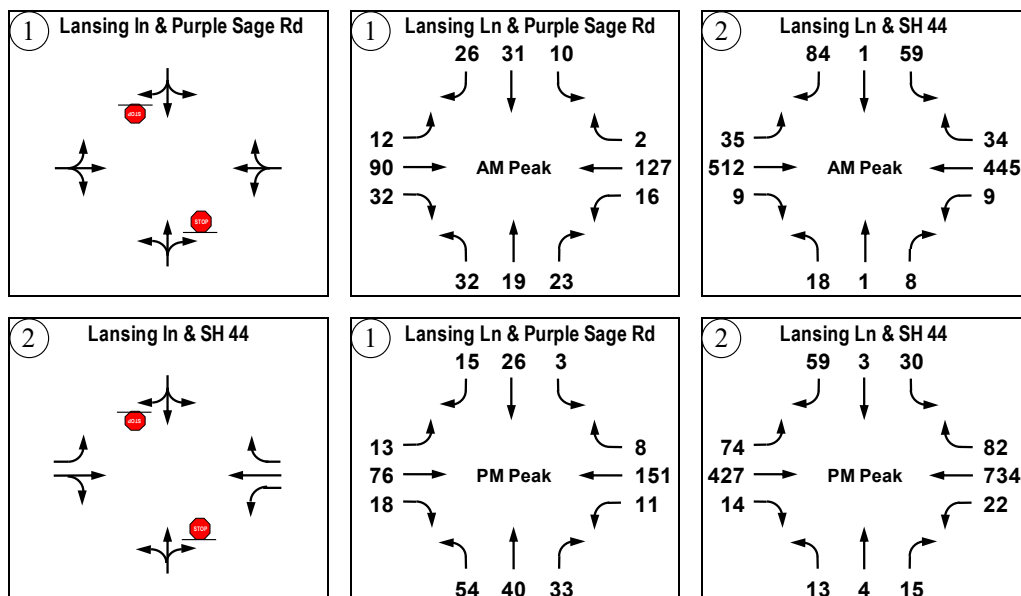
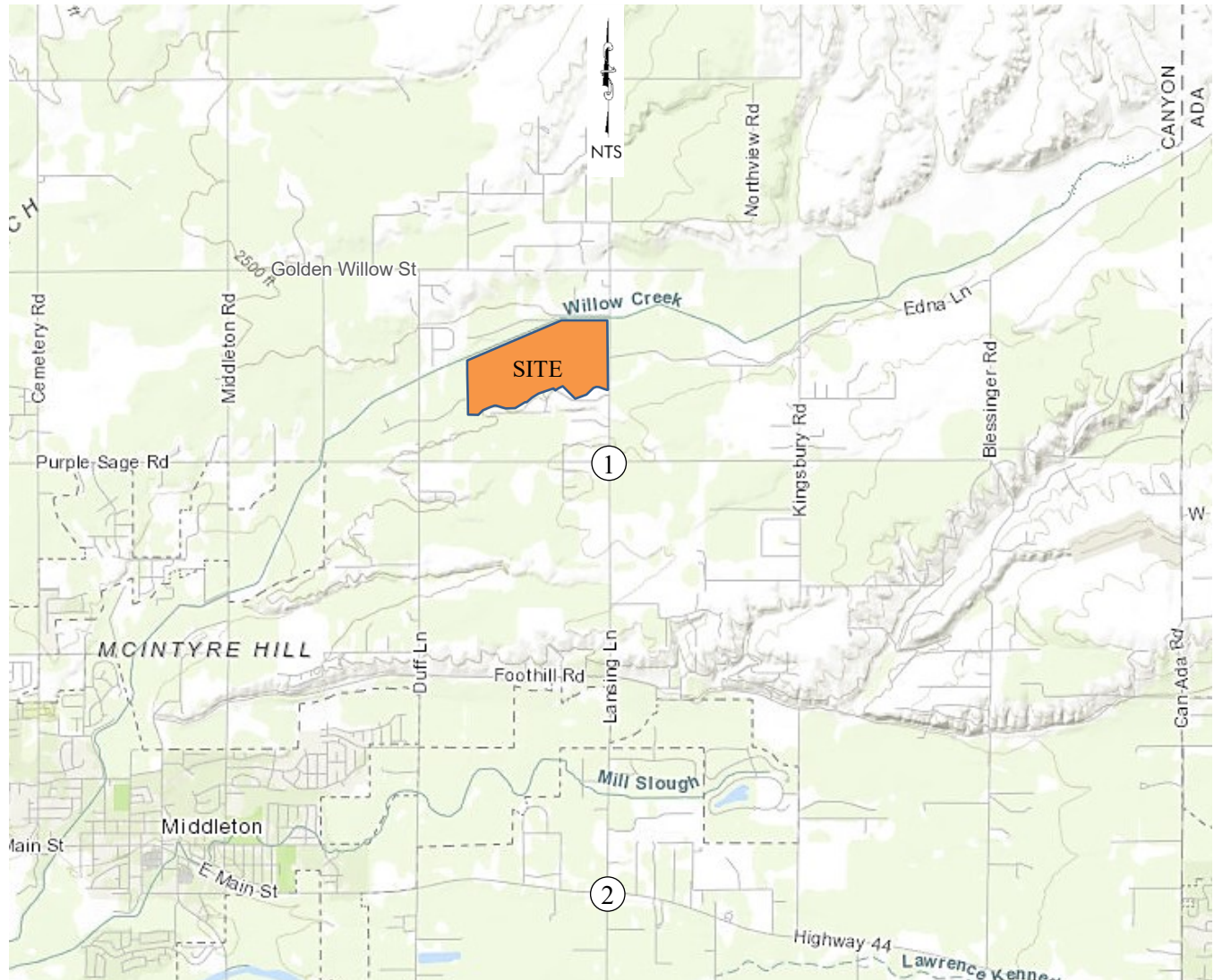
2.3 Intersection Crash Data

The most current five-year (2017-2021) crash data was obtained from the Local Highway Technical Assistance Council (LHTAC) website (<http://gis.lhtac.org/safety/>). **Table 2.2** summarizes the intersection crash data. A review of the historical crash data showed no apparent crash issues. The intersection crash rates are less than one crash per million entering vehicles (ACC/MEV). There was one fatal crash reported at each intersection.

Table 2.2 – Intersection Crash Data (2017-2021)

Intersection	Total Crashes	Crash Severity			Notes	Crash Rate (ACC/MEV)
		PDO	Injury	Fatal		
① Purple Sage Rd and Lansing Lane	5	1	1	1	<ul style="list-style-type: none"> • 5 (100%) angle crashes due to failure to yield • 1 fatal crash 	0.92
② Lansing Lane and SH 44	13	7	5	1	<ul style="list-style-type: none"> • 8 (62%) angle crashes due to failure to yield and inattention • 8 (62%) crashes in NB and SB directions • 1 fatal crash due to alcohol impairment 	0.73

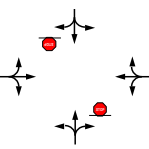
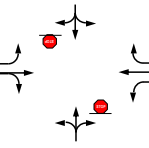
Figure 2.1 – 2023 Existing Intersection Control, Lane Configuration, and Peak Hour Traffic



2.4 Intersection Operations

To determine the existing traffic operations, the study area intersections were analyzed with the existing intersection control and lane configuration and 2023 peak hour traffic. Copies of the analysis reports are included in the appendix. **Table 2.3** summarizes the intersection capacity analysis results. All study area intersections currently meet minimum operational thresholds under 2023 existing traffic conditions.

Table 2.3 – Intersection Operations – 2023 Existing Traffic

Intersection	Control / Lane	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and Purple Sage Rd		EB	A	8	0.01	A	8	0.01
		WB	A	8	0.01	A	7	0.01
		NB	B	12	0.14	B	12	0.21
		SB	B	11	0.12	B	11	0.07
② Lansing Ln and SH 44		EBL	A	9	0.04	B	10	0.10
		EBTR	-	-	-	-	-	-
		WBL	A	9	0.01	A	8	0.02
		WBT	-	-	-	-	-	-
		WBR	-	-	-	-	-	-
		NB	D	31	0.18	E	43	0.26
		SB	D	32	0.55	E	44	0.52

2.5 Intersection Mitigation

The study area intersections currently meet minimum operational thresholds under 2023 existing traffic conditions. Additionally, none of the study area intersections warrants turn lanes based on NCHRP Report 457 and ITD turn lane guidelines. Therefore, no improvements are needed to mitigate 2023 existing traffic operations.

3.0 2025 BUILD-OUT YEAR BACKGROUND TRAFFIC CONDITIONS

3.1 Roadway Network

For the 2025 building-out year background traffic impact analysis, the study area roadways and intersections are assumed to remain the same as the 2023 existing conditions.

According to the current transportation plans, there are no funded projects within the study area. The Lansing Lane and Purple Sage Road intersection is identified in the CHD4 *Capital Improvements Plan* for the Middleton/Star service area (Mid-Star CIP) to be reconstructed as a single-lane roundabout in the 2035-2040 timeframe. The Lansing Lane and SH 44 intersection is identified in the Mid-Star CIP to be signalized in the 2020-2025 timeframe.

According to the 2019 ITD *SH-44, I-84 to Eagle Corridor Study* Traffic Analysis and Access Management Report, SH 44 between Middleton Road and Star Road is planned to have public road intersections restricted, as SH 44 will have a continuously raised median except for where restricted crossing U-turn (RCUT) and signalized intersections. An RCUT is planned at the Lansing Lane and SH 44 intersection. Once converted to an RCUT intersection, the left-out movements from Lansing Lane will be required to make right-turn movements and utilize a U-turn loon between 600 and 800 feet away from Lansing Lane. The U-turn loon is stated to require 120-140 feet of right-of-way, which is likely to occur with the corridor widening to two travel lanes.

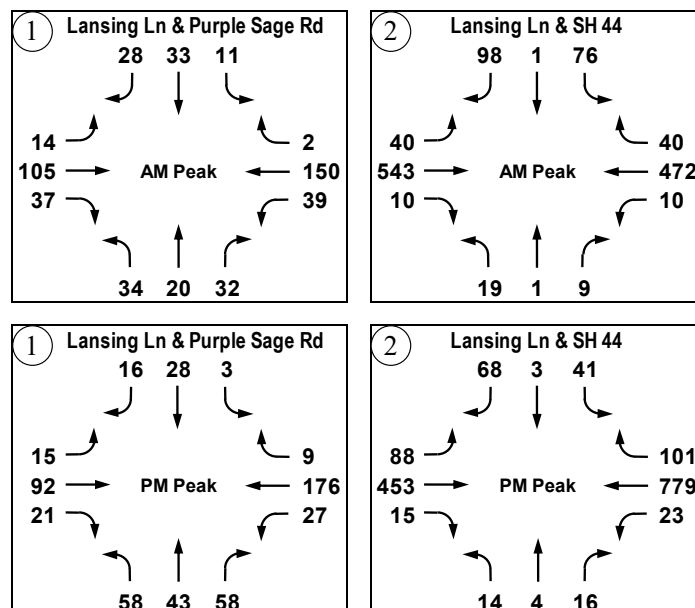
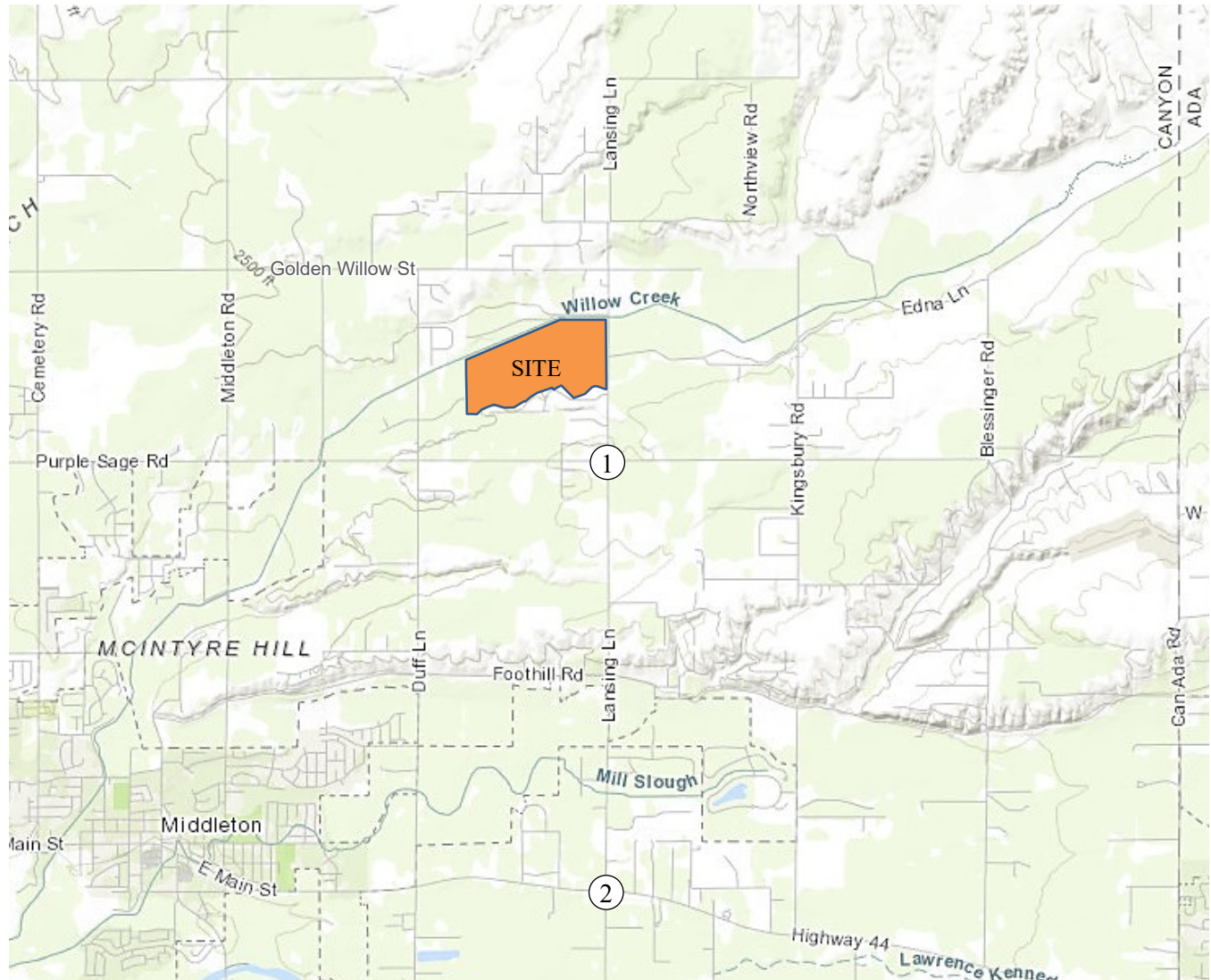
3.2 Background Traffic

Background traffic growth from 2023 to 2025 was estimated by extrapolating the 2023 existing traffic counts with the following annual growth rates:

- SH 44 – 3.0%
- Purple Sage Road – 6.9%
- Lansing Lane – 3.3%

The annual traffic growth rate for SH 44 is based on COMPASS forecasts between 2022 and 2040. COMPASS forecasts are included in the appendix. In addition, one in-process development in the vicinity of the site, Mint Farm Subdivision, is expected to contribute off-site traffic to the study area intersections and were included in background traffic. **Figure 3.1** summarizes the 2025 peak hours background traffic at the study area intersections.

Figure 3.1 – 2025 Build-Out Year Peak Hour Background Traffic



3.3 Intersection Operations

To determine the 2025 background traffic operations, the study area intersections were analyzed with the existing intersection control and lane configuration with 2025 background traffic volumes. Copies of the analysis reports are included in the appendix. **Table 3.1** summarizes the intersection capacity analysis results. Based on traffic analysis results, one study area intersection is anticipated to exceed minimum operational thresholds under 2025 background traffic conditions:

- Lansing Lane and SH 44 intersection

Table 3.1 – Intersection Operations – 2025 Background Traffic

Intersection	Control / Lane	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and Purple Sage Rd		EB	A	8	0.01	A	8	0.01
		WB	A	8	0.03	A	8	0.02
		NB	B	13	0.17	B	13	0.28
		SB	B	12	0.14	B	12	0.09
② Lansing Ln and SH 44		EBL	A	9	0.05	B	11	0.13
		EBTR	-	-	-	-	-	-
		WBL	A	9	0.01	A	9	0.02
		WBT	-	-	-	-	-	-
		WBR	-	-	-	-	-	-
		NB	E	37	0.22	F	59	0.35
		SB	F	55	0.76	F	88	0.80

3.4 Intersection Mitigation

Lansing Lane and Purple Sage Road Intersection

The Lansing Lane and Purple Sage Road intersection is anticipated to meet CHD4 minimum operational thresholds analyzed with the existing intersection control and lane configurations with 2025 background traffic. Additionally, no turn lanes are warranted based on NCHRP Report 457 turn lane guidelines. Therefore, no improvements are needed to mitigate 2025 background traffic operations.

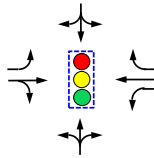
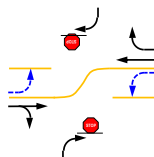
Lansing Lane and SH 44 Intersection

The Lansing Lane and SH 44 intersection is anticipated to exceed ITD minimum operational thresholds as an unsignalized intersection with existing lanes. The northbound and southbound approaches are anticipated to operate at LOS F in the peak hours, exceeding the ITD threshold. According to ITD transportation plans, there are no funded improvements programmed at the intersection. According to the SH 44 corridor plan, the intersection is planned to be reconstructed as an RCUT intersection in the long term. The intersection is identified in the Mid-Star CIP to be signalized in the 2030-2035 timeframe. The following mitigation options were evaluated:

- Option 1 – Temporary traffic signal with existing lanes
- Option 2 – Reconstruct the intersection as an RCUT
 - Construct U-turn loons on SH 44 east and west of the intersection to accommodate U-turns

Table 3.2 summarizes the intersection mitigation analysis results. Installing a temporary traffic signal or an RCUT is expected to mitigate the intersection operations. However, an RCUT is beyond the build-out year and may not be feasible. Installing a traffic signal is consistent with CHD4 Mid-Star CIP and is recommended.

Table 3.2 – Lansing Lane and SH 44 Intersection – 2025 Background Traffic - Mitigation

Intersection		Control / Lane Mitigation	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
				LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
1	Lansing Ln and SH 44		Intersection	B	14	0.63	B	13	0.67
			EBL	A	9	0.12	B	11	0.28
			EBTR	B	14	0.80	A	8	0.47
			WBL	A	10	0.04	A	7	0.05
			WBT	B	13	0.72	B	14	0.85
			WBR	A	9	0.07	A	7	0.13
			NB	B	16	0.08	C	25	0.18
			SB	B	19	0.51	C	27	0.48
			EBL	A	9	0.05	B	11	0.13
			EBTR	-	-	-	-	-	-
			WBL	A	9	0.01	A	9	0.02
			WBT	-	-	-	-	-	-
			WBR	-	-	-	-	-	-
			NBR	B	14	0.07	B	12	0.07
			SBR	C	15	0.35	C	20	0.33

4.0 2025 BUILD-OUT YEAR TOTAL TRAFFIC CONDITIONS

4.1 Roadway Network

For the 2025 building-out year total traffic impact analysis, the study area roadways and intersections are assumed to remain the same as the 2023 existing conditions. The development is expected to improve Lansing Lane along the site frontages and construct one site access on Lansing Lane.

4.2 Site Traffic

4.2.1 Trip Generation

Site trip generation is estimated using the procedures recommended in the latest edition of the *Trip Generation Manual (11th Edition)*, published by the Institute of Transportation Engineers. **Table 4.1** summarizes the site trip generation. At full build-out, the development is estimated to generate approximately 784 trips per weekday, 58 trips during the AM peak hour, and 77 trips during the PM peak hour.

Table 4.1 – Build-Out Site Trip Generation Summary

Land Use	ITE Code	Size	Unit	Period	Total Trips	Entering	Exiting
Single-Family Residential	210	76	DU	Weekday Daily (vpd)	784	50%	392
				AM Peak Hour (vph)	58	25%	15
				PM Peak Hour (vph)	77	63%	48

4.2.2 Trip Capture

Based on ITE methodologies and the proposed land use, the development is not expected to retain trips internally within the site. No reduction for internal trip capture was assumed in the traffic analysis.

4.2.3 Pass-By Trips

The development is not expected to generate pass-by trips. No pass-by trips were assumed in the traffic analysis.

4.2.4 Modal Split

For traffic analysis purposes, all trips generated by the development were assumed to be made by personal and commercial vehicles.

4.2.5 Trip Distribution and Assignment

Site traffic was distributed and assigned to the external roadway system based on current travel patterns, site layout, and the general location of the site within the area. **Figure 4.1** shows the expected site traffic distribution patterns. **Figure 4.2** summarizes the estimated peak hours site traffic. No site traffic is expected to use Stony Brook Way.

4.3 Total Traffic

The 2025 site traffic is then added to the 2025 background traffic as determined above to obtain the 2025 total traffic. **Figure 4.3** summarizes the estimated 2025 peak hour total traffic at the study area intersections. The proportionate share of the site traffic of 2025 total traffic at each study area intersection is:

- Lansing Lane and Purple Sage Road intersection
 - AM peak=10.3%
 - PM peak=12.4%
- Lansing Lane and SH 44 intersection
 - AM peak=2.8%
 - PM peak=3.0%

Figure 4.1 – Estimated Site Traffic Distribution Patterns

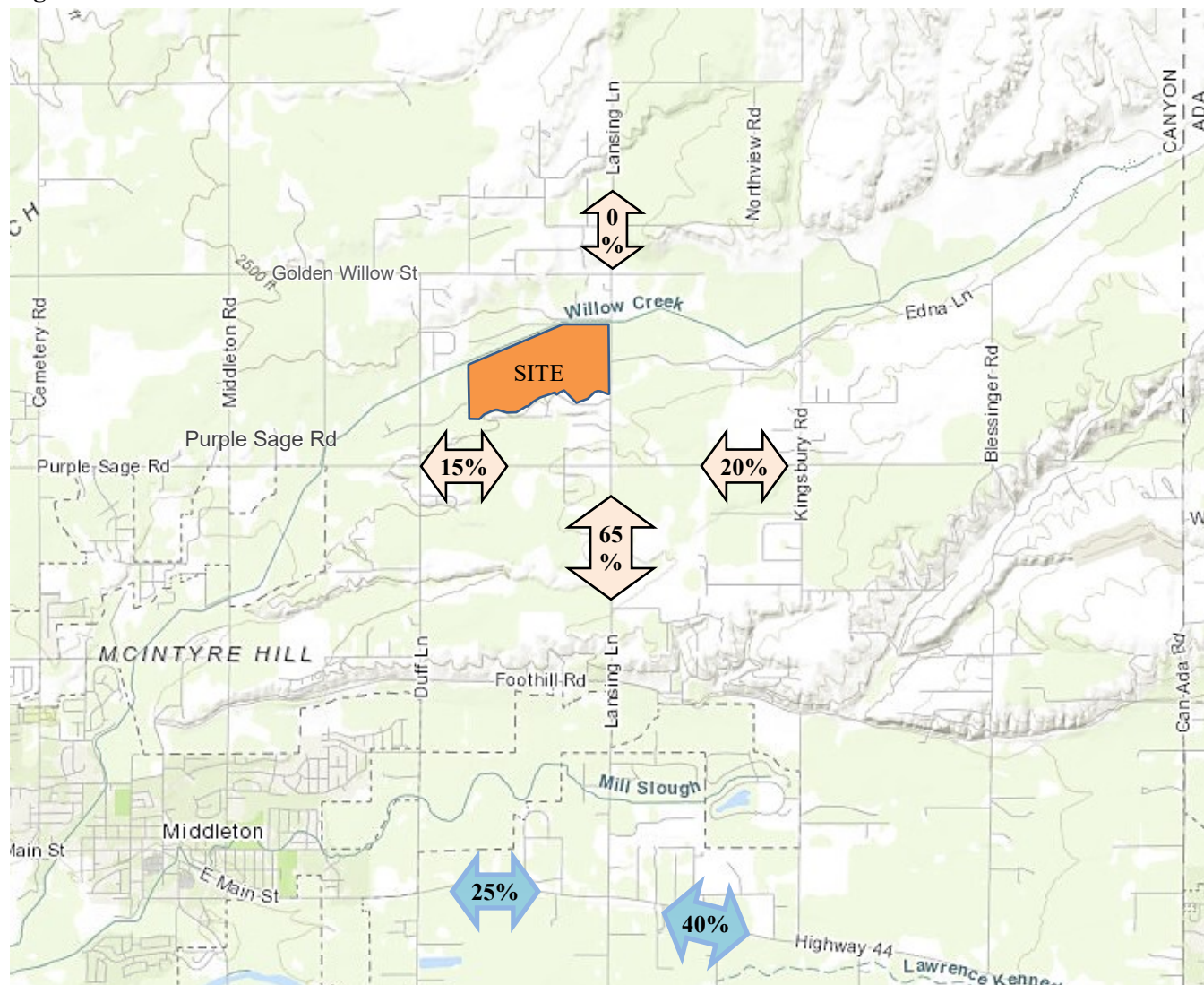


Figure 4.2 – 2025 Build-Out Year Peak Hour Site Traffic

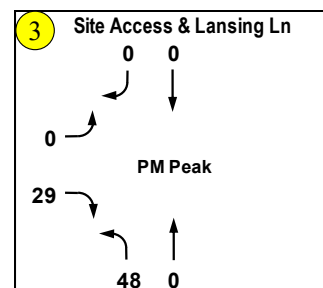
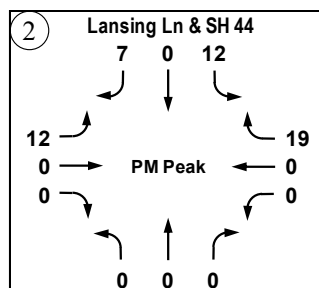
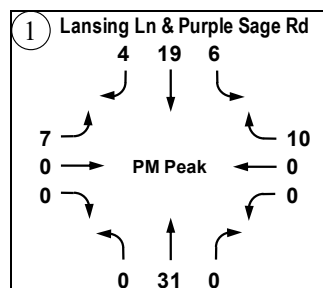
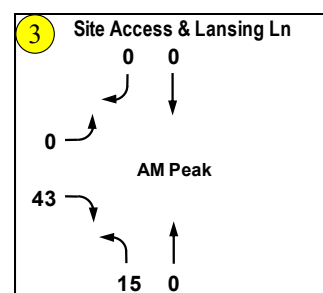
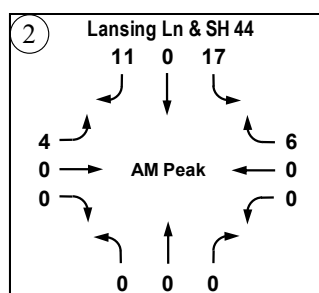
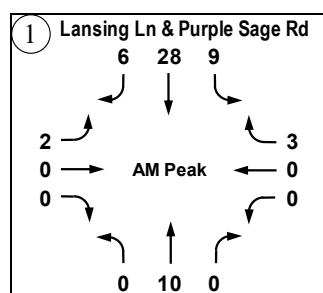
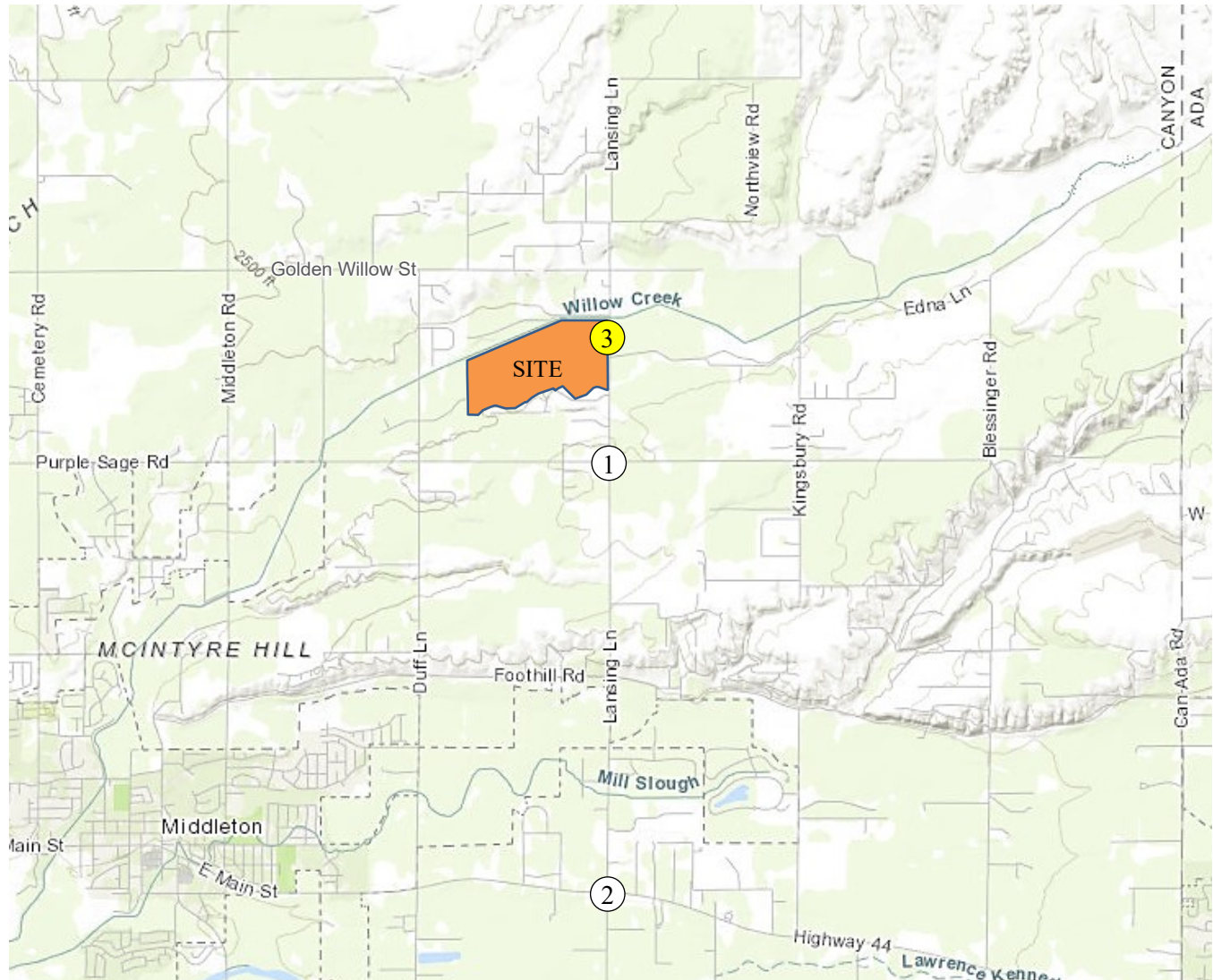
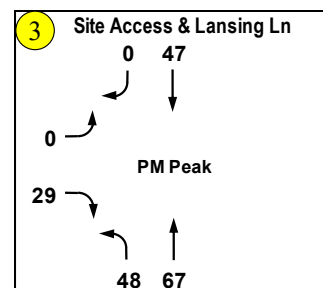
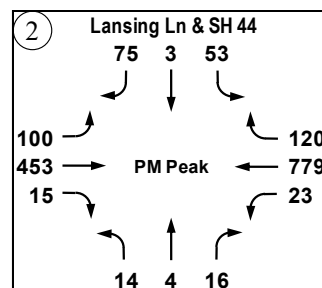
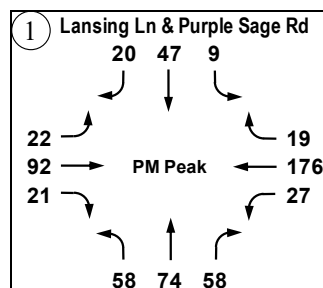
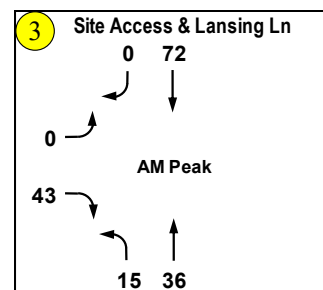
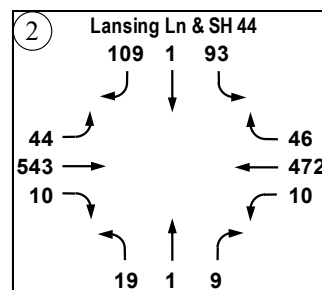
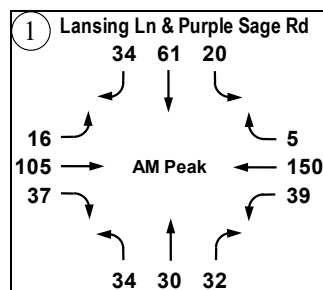
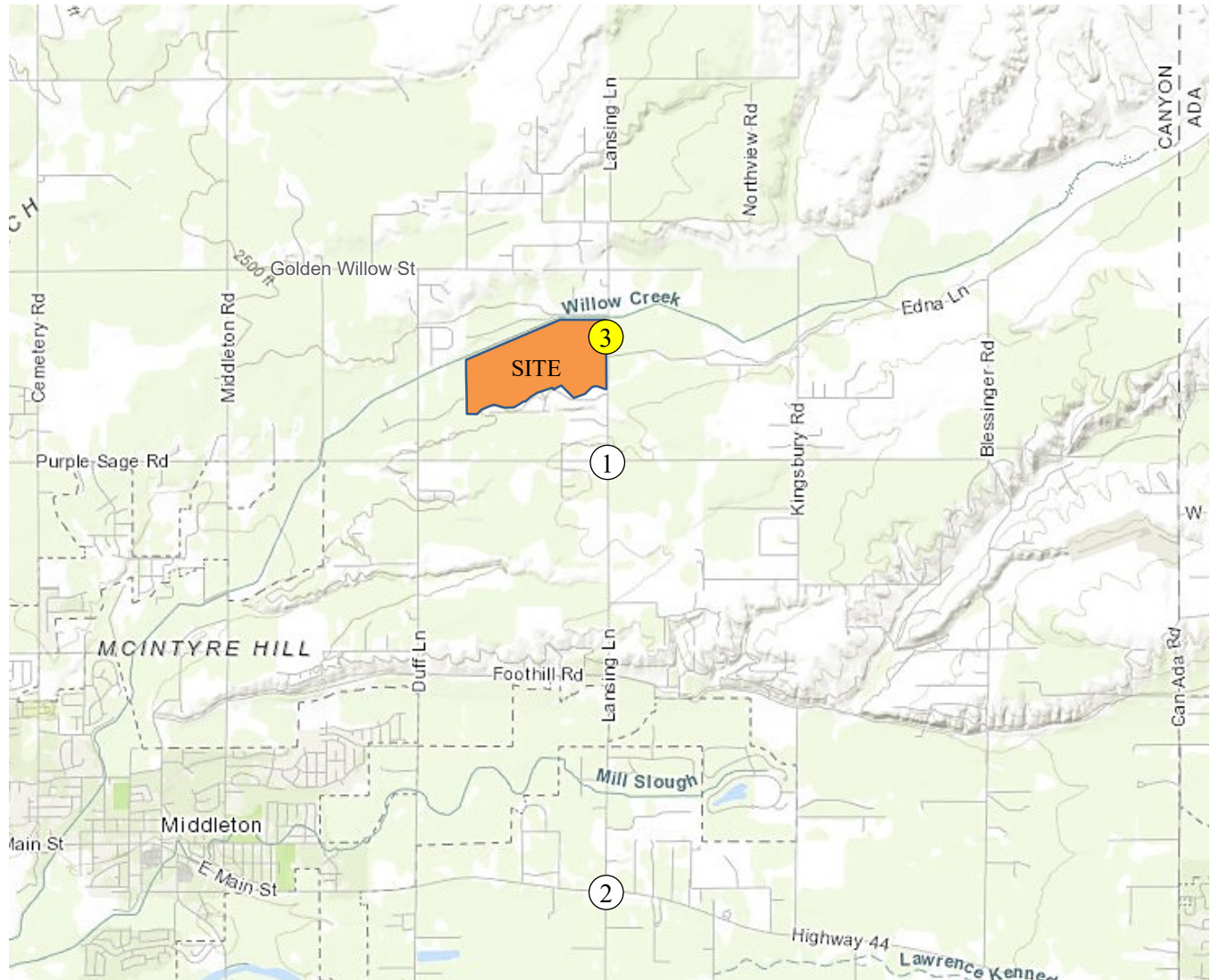


Figure 4.3 – 2025 Build-Out Year Peak Hour Total Traffic

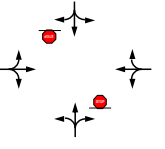
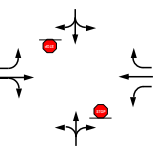


4.4 Intersection Operations

To determine the 2025 total traffic operations, the study area intersections were analyzed with the existing intersection control and lane configuration 2025 total traffic volumes. Copies of the analysis reports are included in the appendix. **Table 4.2** summarizes the intersection capacity analysis results. Based on traffic analysis results, one study area intersection is anticipated to exceed minimum operational thresholds under 2025 total traffic conditions:

- Lansing Lane and SH 44 intersection

Table 4.2 – Intersection Operations – 2025 Build-Out Year Total Traffic

Intersection	Control / Lane	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and Purple Sage Rd		EB	A	8	0.01	A	8	0.02
		WB	A	8	0.03	A	8	0.02
		NB	B	14	0.21	C	15	0.37
		SB	B	14	0.24	B	13	0.15
② Lansing Ln and SH 44		EBL	A	9	0.05	B	11	0.15
		EBTR	-	-	-	-	-	-
		WBL	A	9	0.01	A	9	0.02
		WBT	-	-	-	-	-	-
		WBR	-	-	-	-	-	-
		NB	E	39	0.23	F	67	0.39
		SB	F	85	0.93	F	150	1.03

4.5 Intersection Mitigation

Lansing Lane and Purple Sage Road Intersection

The Lansing Lane and Purple Sage Road intersection is anticipated to meet CHD4 minimum operational thresholds analyzed with the existing intersection control and lane configurations with 2025 total traffic. Additionally, no turn lanes are warranted based on NCHRP Report 457 turn lane guidelines. Therefore, no improvements are needed to mitigate 2025 total traffic operations.

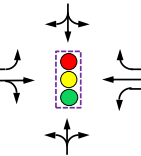
Lansing Lane and SH 44 Intersection

The Lansing Lane and SH 44 intersection is anticipated to exceed ITD minimum operational thresholds as an unsignalized intersection with existing lanes. The southbound approach is anticipated to operate at LOS F with a v/c ratio of 1.03 in the PM peak hour, exceeding the ITD threshold. The following improvements are needed to mitigate 2025 total traffic operations:

- Temporary traffic signal with existing lanes

Table 4.3 summarizes the intersection mitigation analysis results. Installing a temporary traffic signal is expected to mitigate the intersection operations.

Table 4.3 – Lansing Lane and SH 44 Intersection – 2025 Total Traffic - Mitigation

Intersection		Control / Lane Mitigation	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
				LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
①	Lansing Ln and SH 44		Intersection	B	15	0.65	B	13	0.70
			EBL	A	10	0.14	B	11	0.32
			EBTR	B	15	0.81	A	8	0.47
			WBL	B	11	0.04	A	7	0.05
			WBT	B	14	0.73	B	15	0.85
			WBR	A	10	0.09	A	8	0.16
			NB	B	16	0.08	C	25	0.17
			SB	B	19	0.54	C	28	0.51

4.6 Site Access and Circulation

Figure 4.4 shows the proposed site access locations and internal circulation. Willowcreek-Lansing Lane Subdivision is planning to construct one site access on Lansing Lane and connect to Stony Brook Way to the west.

Site access spacing on Lansing Lane, a collector street, is governed by CHD4 policy. According to the CHD4 intersection and approach policy, the minimum urban roadway spacing on a major collector street is:

- 500 feet local or private road spacing on the same side of through roadway
- 250 feet local or private road spacing on the opposite side of through roadway
- 350 feet driveway spacing for a minor generator

The proposed access on Lansing Lane meets the minimum 500-foot local road spacing requirements on Lansing

The proposed internal roadways are local streets with front-on housing. All internal local roadways are expected to carry less than 1,000 vehicles per weekday.

The proposed site access intersections were evaluated for turn lanes based on NCHRP Report 457 turn-lane guidelines. Turn lane warrant worksheets are included in the appendix. No turn lanes are warranted under 2025 build-out total traffic conditions. **Table 4.4** summarizes the site access intersection operations. The proposed site access intersections are anticipated to meet minimum operational thresholds as a full-movement intersection under 2025 total traffic conditions.

Table 4.4 – Site Access Intersection Operations – 2025 Build-Out Year Total Traffic

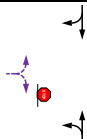
Intersection		Control / Lane Site Improvements	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
				LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
3	Site Access and Lansing Ln		EB	B	12	0.13	B	13	0.10
			NB	A	-	-	A	-	-
			SB	A	9	0.01	A	8	< 0.01

Figure 4.4 – Site Access and Circulation



5.0 2030 HORIZON YEAR BACKGROUND TRAFFIC CONDITIONS

5.1 Roadway Network

For the 2030 horizon year background traffic impact analysis, the study area roadways and intersections are assumed to remain the same as the 2023 existing conditions, except for Landruff Lane. Landruff Lane is expected to be constructed with the in-process developments in the vicinity of the site south of SH 44 as discussed in the previous section.

5.2 Background Traffic

Background traffic growth from 2025 to 2030 was estimated by extrapolating the 2023 existing traffic counts with the following annual growth rates:

- SH 44 – 3.0%
- Purple Sage Road – 6.9%
- Lansing Lane – 3.3%

The annual traffic growth rate for SH 44 is based on COMPASS forecasts between 2022 and 2040. COMPASS forecasts are included in the appendix. In addition, in-process developments in the vicinity of the site, Mint Farm Subdivision, is expected to contribute off-site traffic to the study area intersections and were included in background traffic. **Figure 5.1** summarizes the 2030 peak hours background traffic at the study area intersections.

Intersection Operations

To determine the 2030 background traffic operations, the study area intersections were analyzed with the existing intersection control and lane configuration. Copies of the analysis reports are included in the appendix. **Table 5.1** summarizes the intersection capacity analysis results. Based on traffic analysis results, one study area intersection is anticipated to exceed minimum operational thresholds under 2030 background traffic conditions:

- Lansing Lane and SH 44 intersection

Table 5.1 – Intersection Operations – 2030 Horizon Year Background Traffic

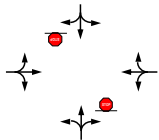
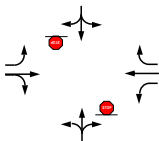
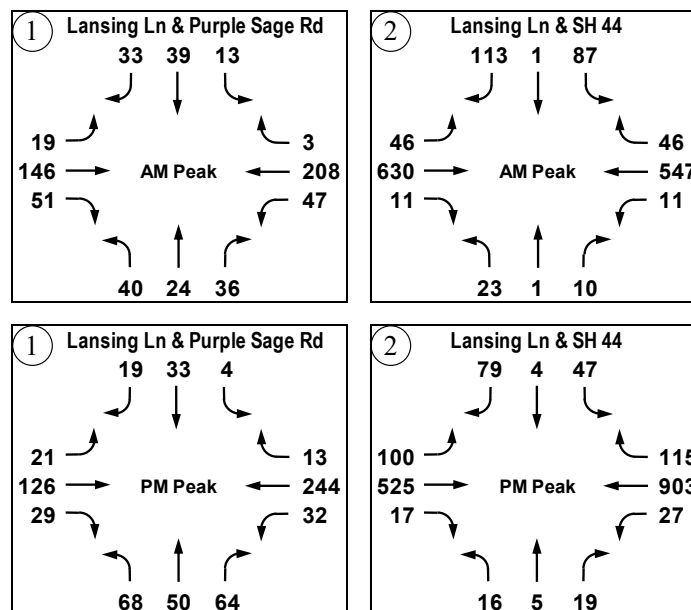
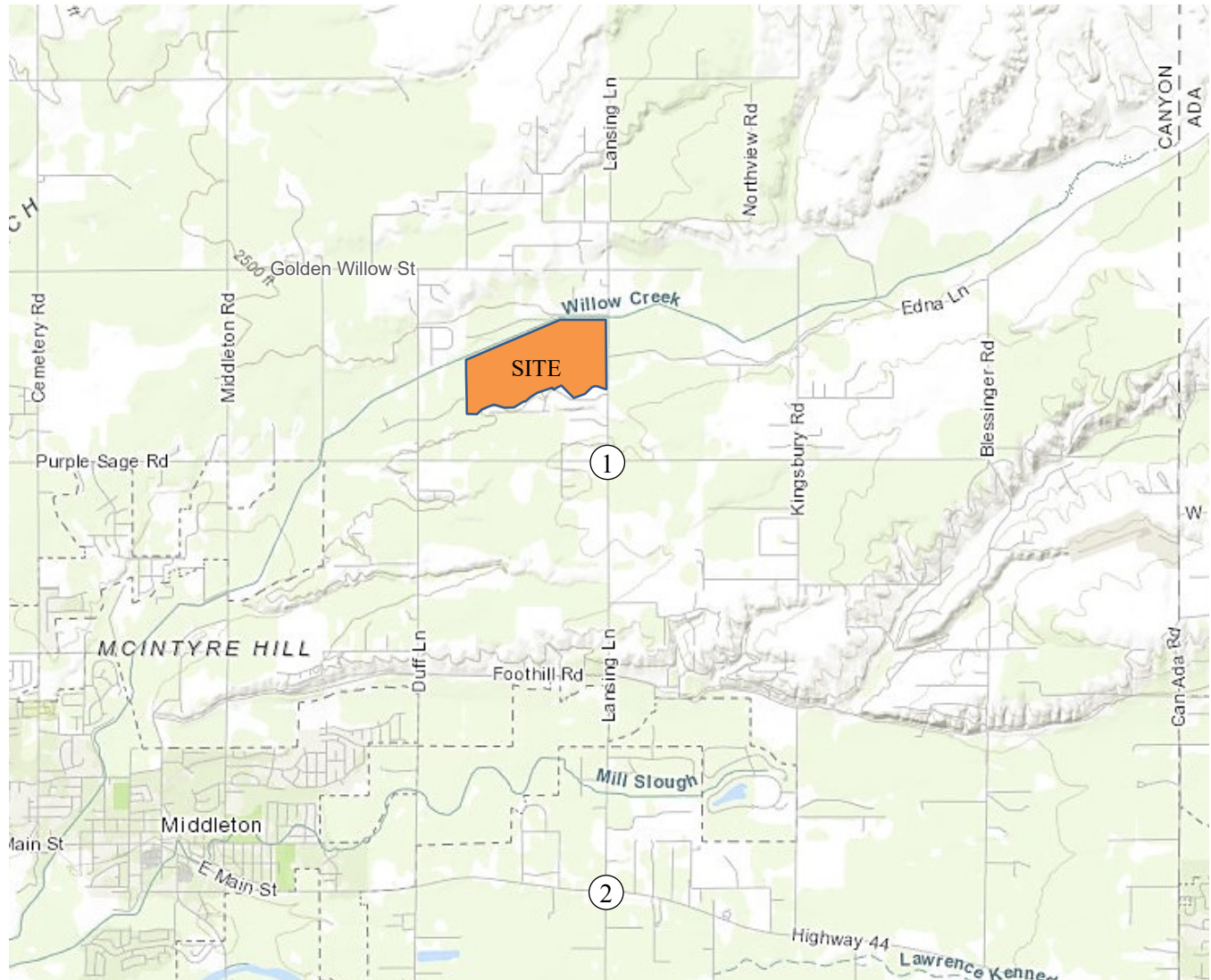
Intersection	Control / Lane	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and Purple Sage Rd		EB	A	8	0.02	A	8	0.02
		WB	A	8	0.04	A	7	0.02
		NB	C	16	0.25	C	17	0.40
		SB	B	15	0.20	B	13	0.12
② Lansing Ln and SH 44		EBL	A	9	0.06	B	12	0.16
		EBTR	-	-	-	-	-	-
		WBL	A	9	0.01	A	9	0.03
		WBT	-	-	-	-	-	-
		WBR	-	-	-	-	-	-
		NB	F	63	0.38	F	147	0.69
		SB	F	165	1.16	F	> 300	1.41

Figure 5.1 – 2030 Horizon Year Peak Hour Background Traffic



5.3 Intersection Mitigation

Lansing Lane and Purple Sage Road Intersection

The Lansing Lane and Purple Sage Road intersection is anticipated to meet CHD4 minimum operational thresholds analyzed with the existing intersection control and lane configurations with 2030 background traffic. Additionally, no turn lanes are warranted based on NCHRP Report 457 turn lane guidelines. Therefore, no improvements are needed to mitigate 2030 background traffic operations.

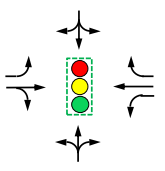
Lansing Lane and SH 44 Intersection

The Lansing Lane and SH 44 intersection is anticipated to exceed ITD minimum operational thresholds as an unsignalized intersection with existing lanes. The northbound and southbound approaches are anticipated to operate at LOS F with v/c ratios exceeding 1.00 in the peak hours, exceeding the ITD threshold. The following improvements are needed to mitigate 2030 background traffic operations:

- Temporary traffic signal with existing lanes

Table 5.2 summarizes the intersection mitigation analysis results. Installing a temporary traffic signal is expected to mitigate the intersection operations.

Table 5.2 – Lansing Lane and SH 44 Intersection – 2030 Background Traffic - Mitigation

Intersection		Control / Lane Mitigation	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
				LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
1	Lansing Ln and SH 44		Intersection	B	16	0.70	B	14	0.75
			EBL	A	10	0.15	B	14	0.36
			EBTR	B	15	0.84	A	8	0.50
			WBL	B	11	0.05	A	6	0.05
			WBT	B	15	0.75	B	16	0.88
			WBR	A	9	0.08	A	7	0.13
			NB	B	19	0.10	C	31	0.22
			SB	C	22	0.57	C	33	0.55

6.0 2030 HORIZON YEAR TOTAL TRAFFIC CONDITIONS

6.1 Roadway Network

For the 2030 horizon year total traffic impact analysis, the study area roadways and intersections are assumed to remain the same as the 2023 existing conditions. The development is expected to improve Lansing Lane along the site frontages and construct one site access on Lansing Lane.

6.2 Site Traffic

Site traffic trip generation, modal split, distribution, and assignment are expected to remain the same as discussed in the previous section. No changes to the site traffic are expected between 2025 and 2030.

6.3 Total Traffic

The build-out site traffic was added to the 2030 background traffic as determined above to obtain the 2030 horizon year total traffic. **Figure 6.1** summarizes the estimated 2030 peak hour total traffic at the study area intersections. The proportionate share of the site traffic of 2030 total traffic at each study area intersection is:

- Lansing Lane and Purple Sage Road intersection
 - AM peak=8.1%
 - PM peak=9.9%
- Lansing Lane and SH 44 intersection
 - AM peak=2.4%
 - PM peak=2.6%

6.4 Intersection Operations

To determine the 2030 total traffic operations, the study area intersections were analyzed with the existing intersection control and lane configuration. Copies of the analysis reports are included in the appendix. **Table 6.1** summarizes the intersection capacity analysis results. One study area intersection is anticipated to exceed minimum operational thresholds under 2030 total traffic conditions:

- Lansing Lane and SH 44 intersection

6.5 Intersection Mitigation

Lansing Lane and Purple Sage Road Intersection

The Lansing Lane and Purple Sage Road intersection is anticipated to meet CHD4 minimum operational thresholds analyzed with the existing intersection control and lane configurations with 2030 total traffic. Additionally, no turn lanes are warranted based on NCHRP Report 457 turn lane guidelines. Therefore, no improvements are needed to mitigate 2030 total traffic operations.

Lansing Lane and SH 44 Intersection

The Lansing Lane and SH 44 intersection is anticipated to exceed ITD minimum operational thresholds as an unsignalized intersection with existing lanes. The northbound and southbound approaches are anticipated to operate at LOS F with v/c ratios exceeding 1.00 in the peak hours, exceeding the ITD threshold. The following improvements are needed to mitigate 2030 total traffic operations:

- Temporary traffic signal with existing lanes

Table 6.2 summarizes the intersection mitigation analysis results. Installing a temporary traffic signal is expected to mitigate the intersection operations.

Figure 6.1 – 2030 Horizon Year Peak Hour Total Traffic

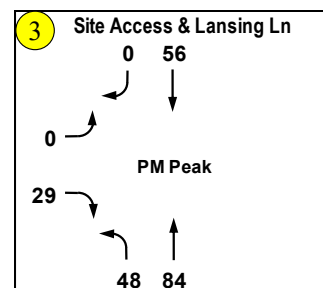
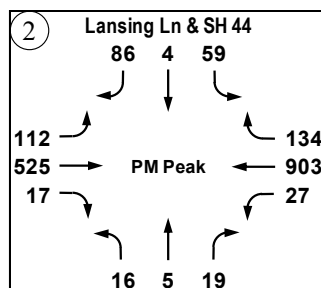
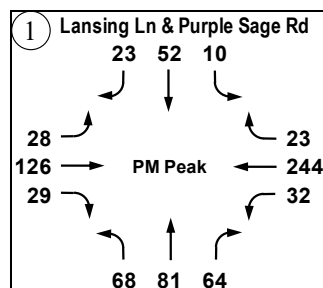
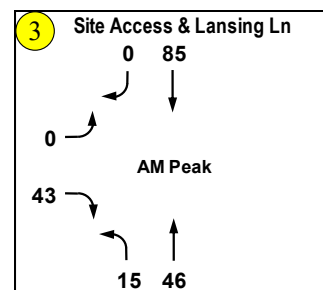
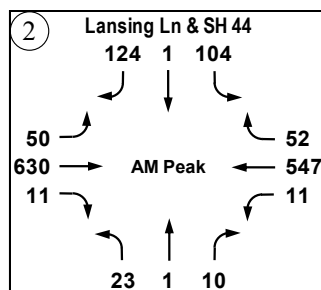
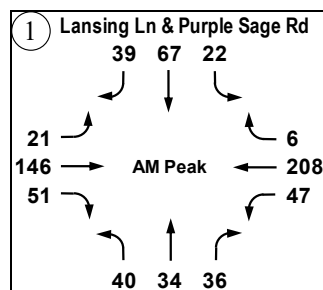
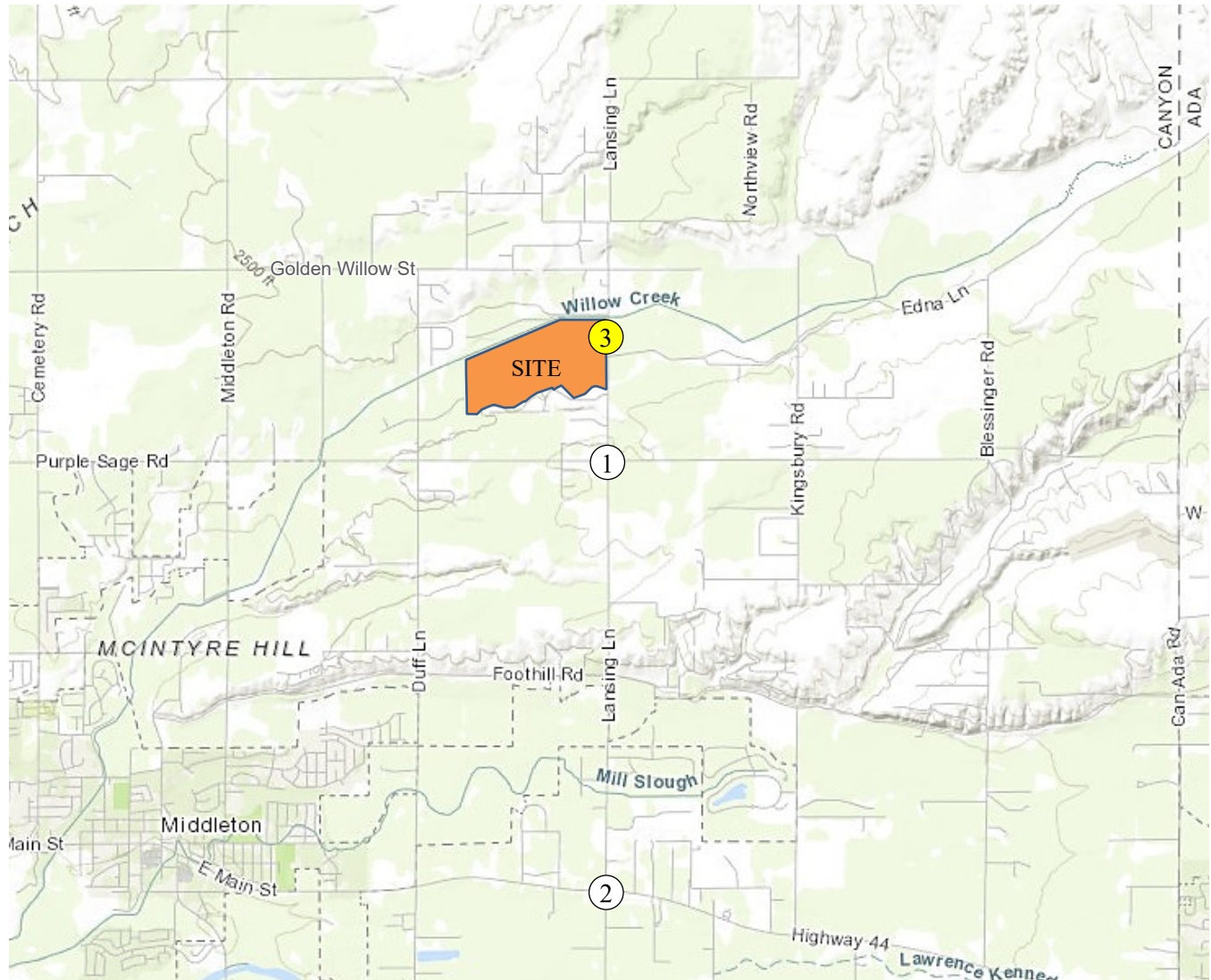


Table 6.1 – Intersection Operations – 2030 Horizon Year Total Traffic

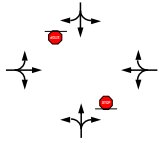
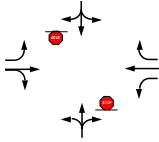
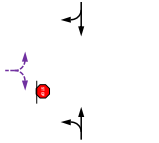
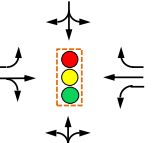
Intersection	Control / Lane	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and Purple Sage Rd		EB	A	8	0.02	A	8	0.03
		WB	A	8	0.04	A	8	0.02
		NB	C	18	0.30	C	21	0.50
		SB	C	17	0.33	C	15	0.21
② Lansing Ln and SH 44		EBL	A	9	0.06	B	12	0.18
		EBTR	-	-	-	-	-	-
		WBL	A	9	0.01	A	9	0.03
		WBT	-	-	-	-	-	-
		WBR	-	-	-	-	-	-
		NB	F	69	0.41	F	171	0.75
③ Site Access and Lansing Ln		SB	F	249	1.38	F	> 300	1.78
		EB	A	9	0.05	A	9	0.03
		NB	A	7	0.01	A	7	0.04
		SB	-	-	-	-	-	-

Table 6.2 – Lansing Lane and SH 44 Intersection – 2030 Total Traffic - Mitigation

Intersection	Control / Lane Mitigation	Intersection or Lane Group	AM Peak Hour			PM Peak Hour		
			LOS	Delay [s/veh]	v/c Ratio	LOS	Delay [s/veh]	v/c Ratio
① Lansing Ln and SH 44		Intersection	B	17	0.71	B	15	0.78
		EBL	B	11	0.17	B	16	0.42
		EBTR	B	16	0.85	A	9	0.50
		WBL	B	12	0.05	A	7	0.06
		WBT	B	16	0.76	B	17	0.88
		WBR	A	10	0.09	A	8	0.16
		NB	B	19	0.09	C	31	0.21
		SB	C	23	0.61	C	35	0.59

APPENDIX A: Traffic Counts

APPENDIX B: 2023 Synchro Reports

APPENDIX C: In-Process Development

APPENDIX D: 2025 Background Synchro Reports

APPENDIX E: 2025 Total Synchro Reports

APPENDIX F: 2030 Background Synchro Reports

APPENDIX F: 2030 Total Synchro Reports

APPENDIX H: Turn Lane Guidelines Worksheets

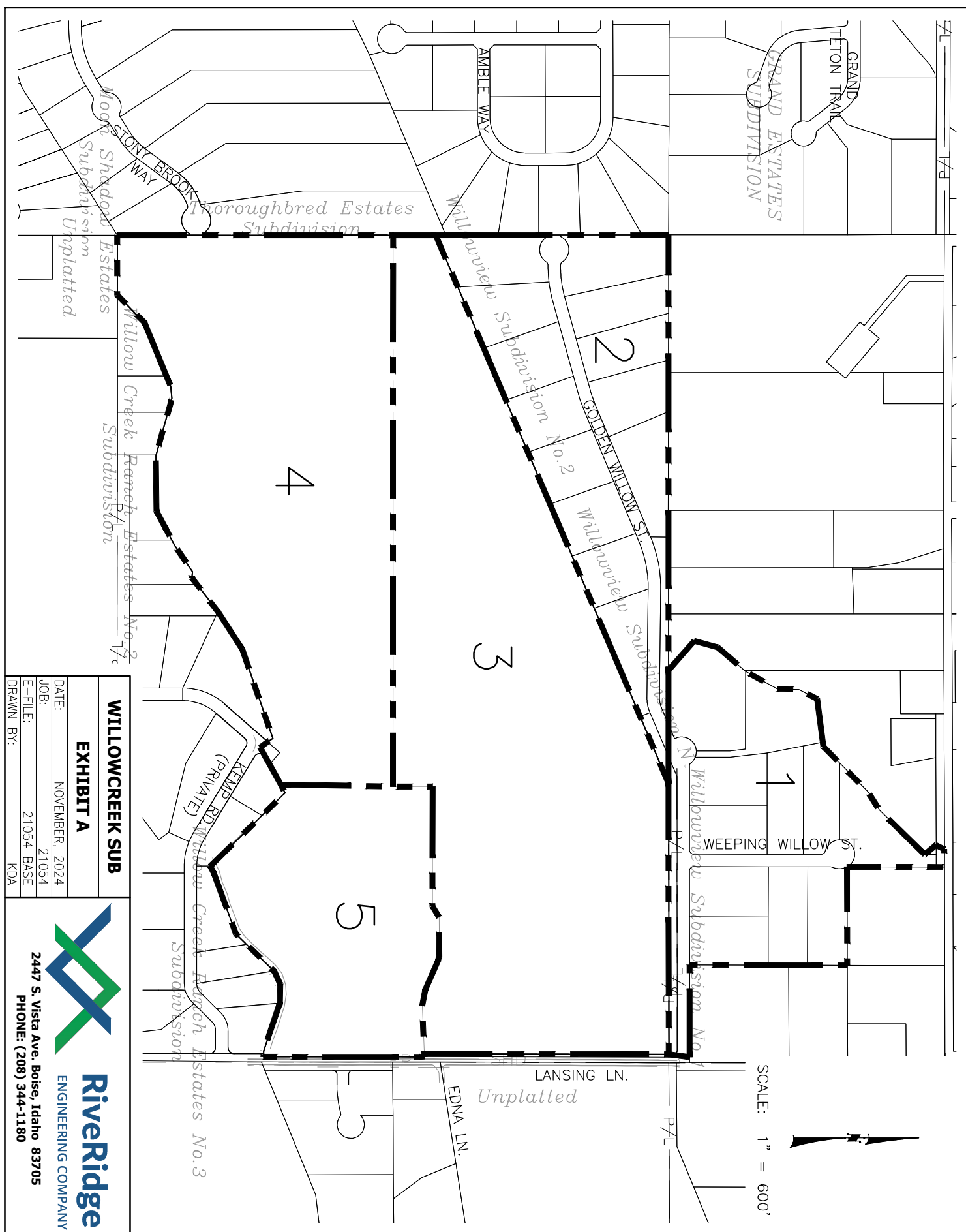


Exhibit 3
EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# CR2022-0016

Hearing date: December 5, 2024

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R37511**PARCEL INFORMATION REPORT**

4/29/2024 9:06:20 AM

PARCEL NUMBER: R37511**OWNER NAME: CARTER FAMILY LIVING TRUST****CO-OWNER: CARTER JOSEPH EDWARD TRUSTEE****MAILING ADDRESS: 25455 N LANSING LN MIDDLETON ID 83644****SITE ADDRESS: 25455 LANSING LN****TAX CODE: 0310000****TWP: 5N RNG: 2W SEC: 28 QUARTER: NE****ACRES: 84.75****HOME OWNERS EXEMPTION: No****AG-EXEMPT: Yes****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: AG / AGRICULTURAL****HIGHWAY DISTRICT: CANYON HWY****FIRE DISTRICT: MIDDLETON FIRE****SCHOOL DISTRICT: MIDDLETON SCHOOL DIST****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: AE \ X \ AE FLOODWAY: FLOODWAY FIRM PANEL: 16027C0275F****WETLAND: Riverine****NITRATE PRIORITY: NE CANYON CO.****FUNCTIONAL Classification: Major Collector****INSTRUMENT NO. : 2022051538****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 28-5N-2W NE TX 02657 IN NE,SE,SW LS SUBS****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.

R37510112 PARCEL INFORMATION REPORT

4/29/2024 9:05:14 AM

PARCEL NUMBER: **R37510112**

OWNER NAME: **MDC LLC**

CO-OWNER:

MAILING ADDRESS: **7270 N TREE HAVEN PL MERIDIAN ID 83646**

SITE ADDRESS: **0 GOLDEN WILLOW ST**

TAX CODE: **0310000**

TWP: **5N** RNG: **2W** SEC: **28** QUARTER: **NE**

ACRES: **79.79**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURAL**

HIGHWAY DISTRICT: **CANYON HWY**

FIRE DISTRICT: **MIDDLETON FIRE**

SCHOOL DISTRICT: **MIDDLETON SCHOOL DIST**

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: **AE \ X \ AE** FLOODWAY: **FLOODWAY FIRM PANEL:**
16027C0275F

WETLAND: **NOT In WETLAND**

NITRATE PRIORITY: **NE CANYON CO.**

FUNCTIONAL Classification: **Major Collector**

INSTRUMENT NO. : **2009010690**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **28-5N-2W NE WILLOWVIEW SUB NO 2 LT 15 BLK 1**

PLATTED SUBDIVISION: **WILLOWVIEW SUB NO 2**

SMALL CITY ZONING:

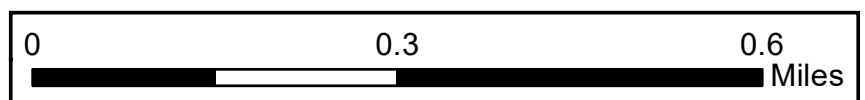
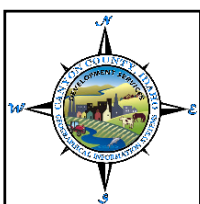
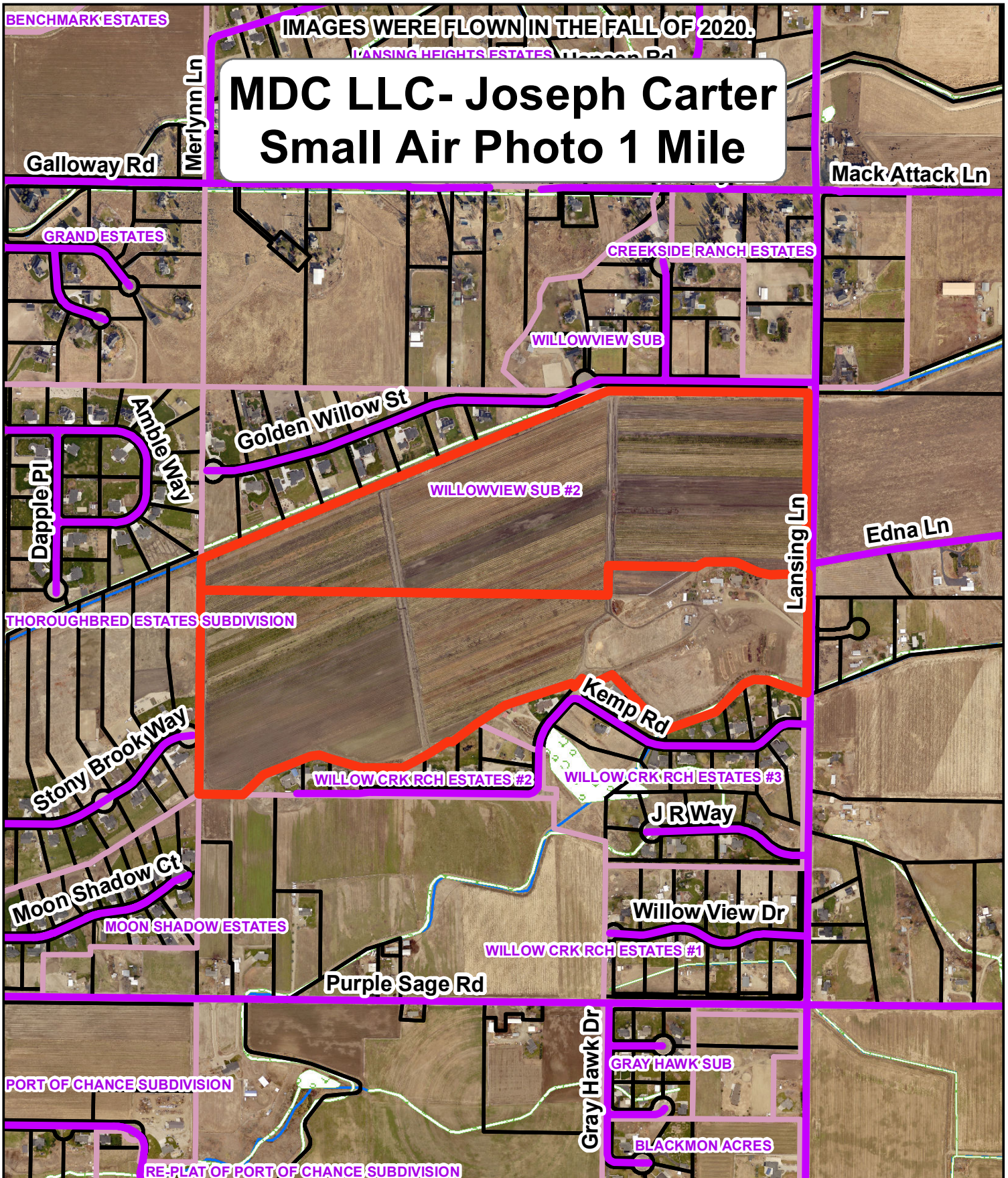
SMALL CITY ZONING TYPE:



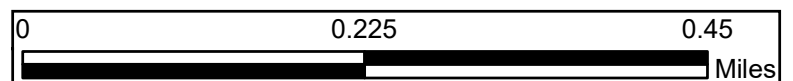
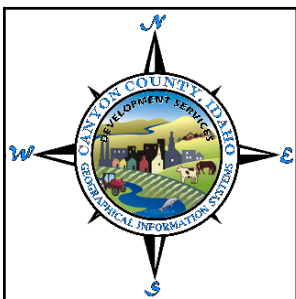
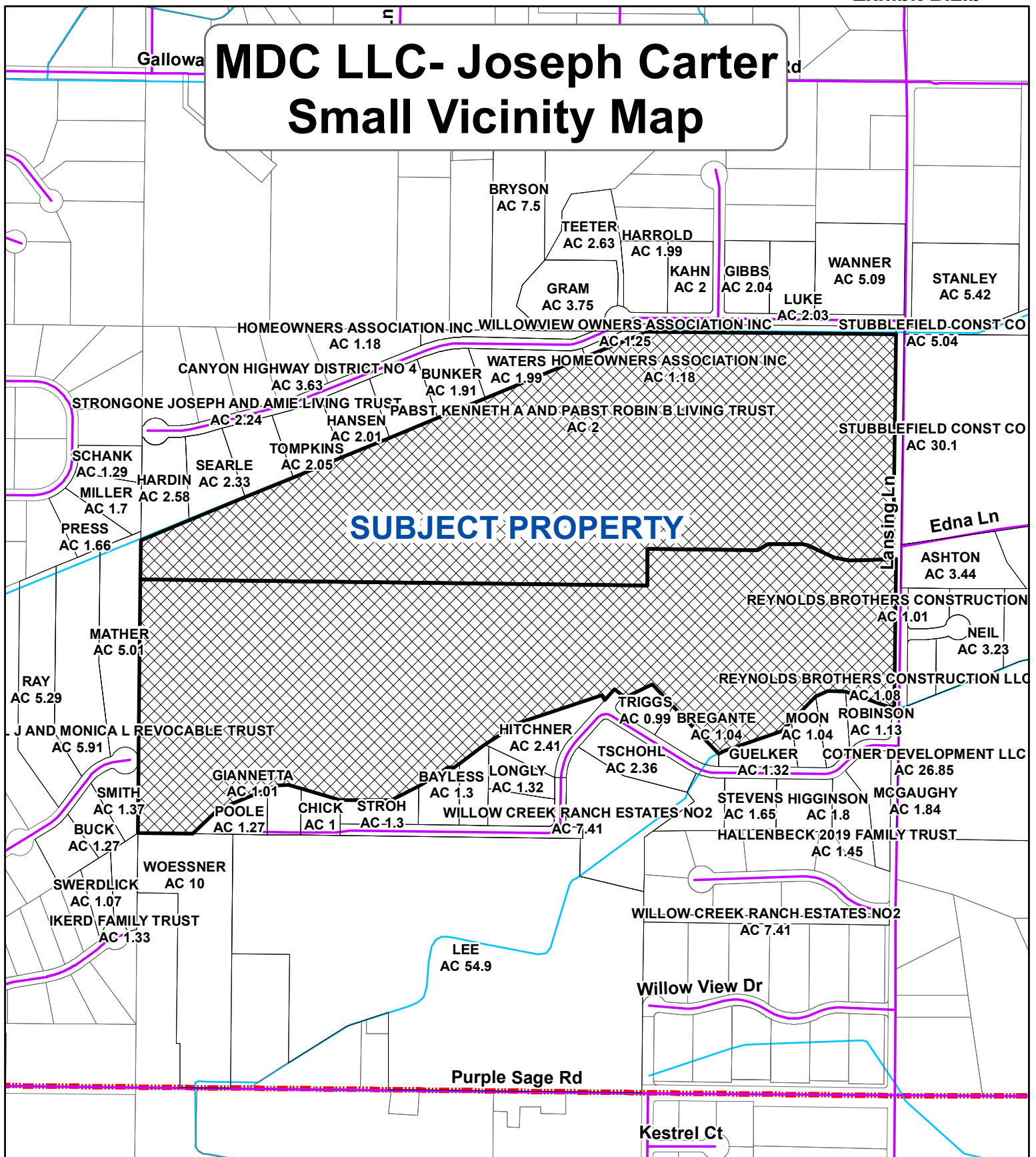
DISCLAIMER:

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.

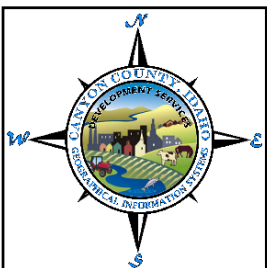
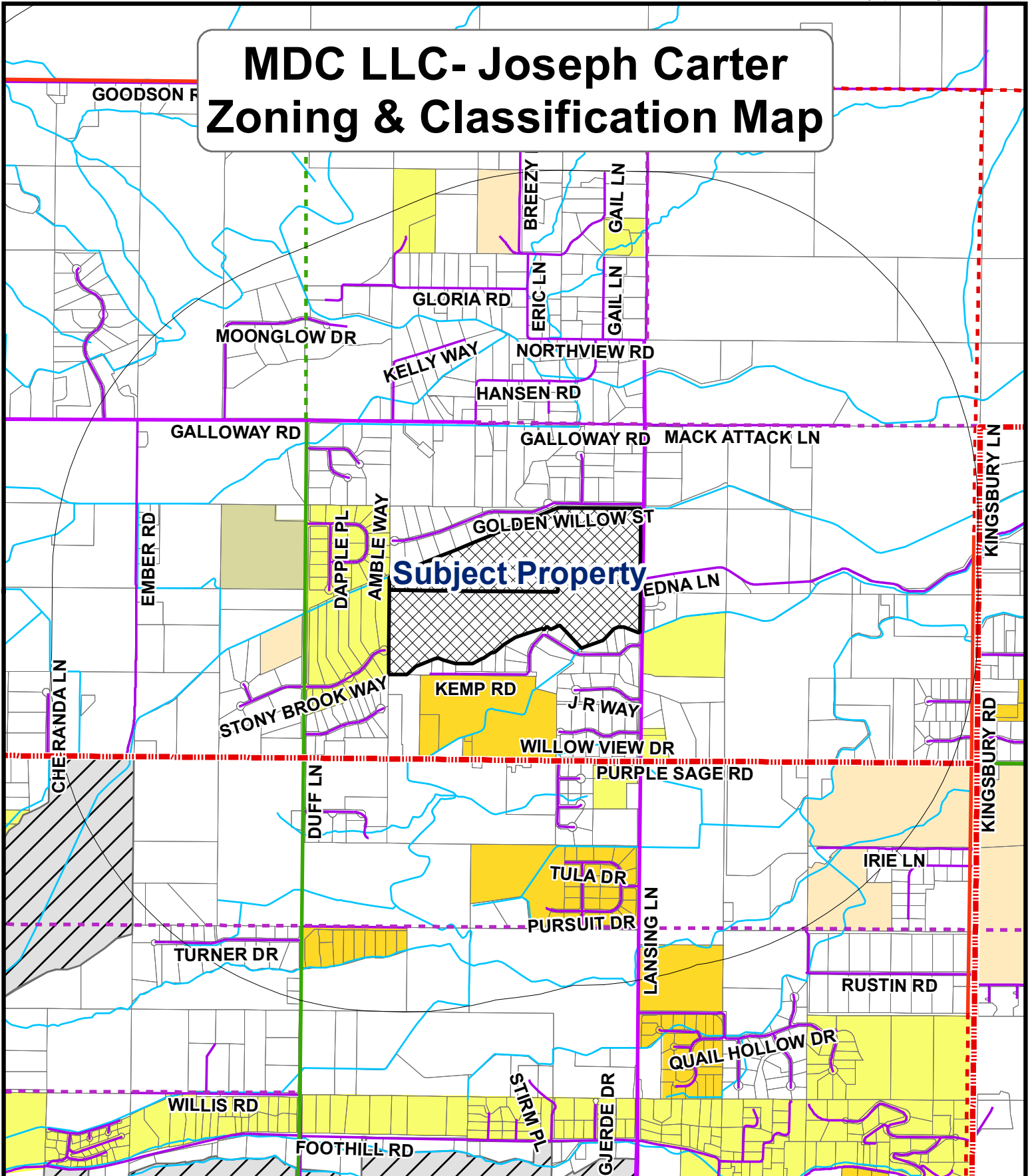
CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM
THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.



MDC LLC- Joseph Carter Small Vicinity Map



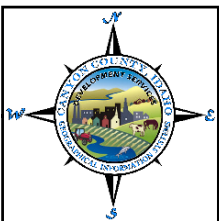
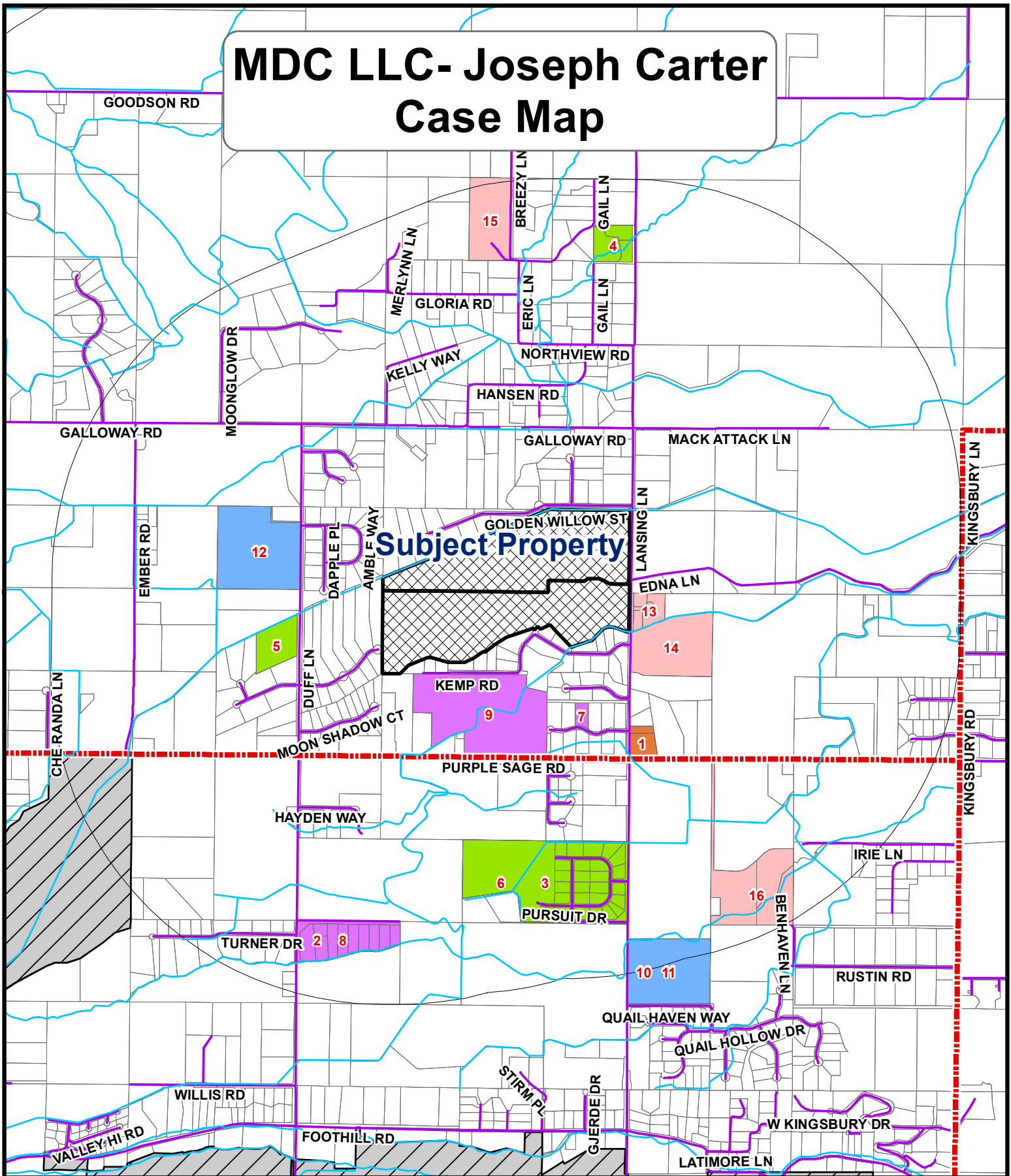
MDC LLC- Joseph Carter Zoning & Classification Map



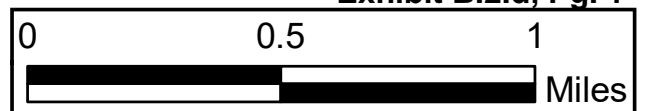
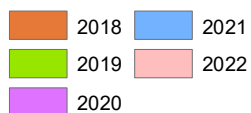
ZONING				
RR	R2	CR-C2	C	AG
CR-RR	C1	M1		
R1	CR-C1	CR-M1		
CR-R1	C2	M2		



MDC LLC- Joseph Carter Case Map

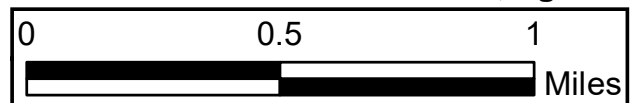
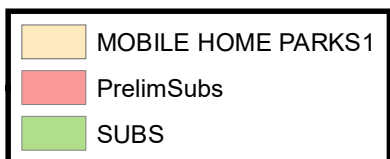
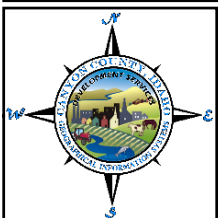
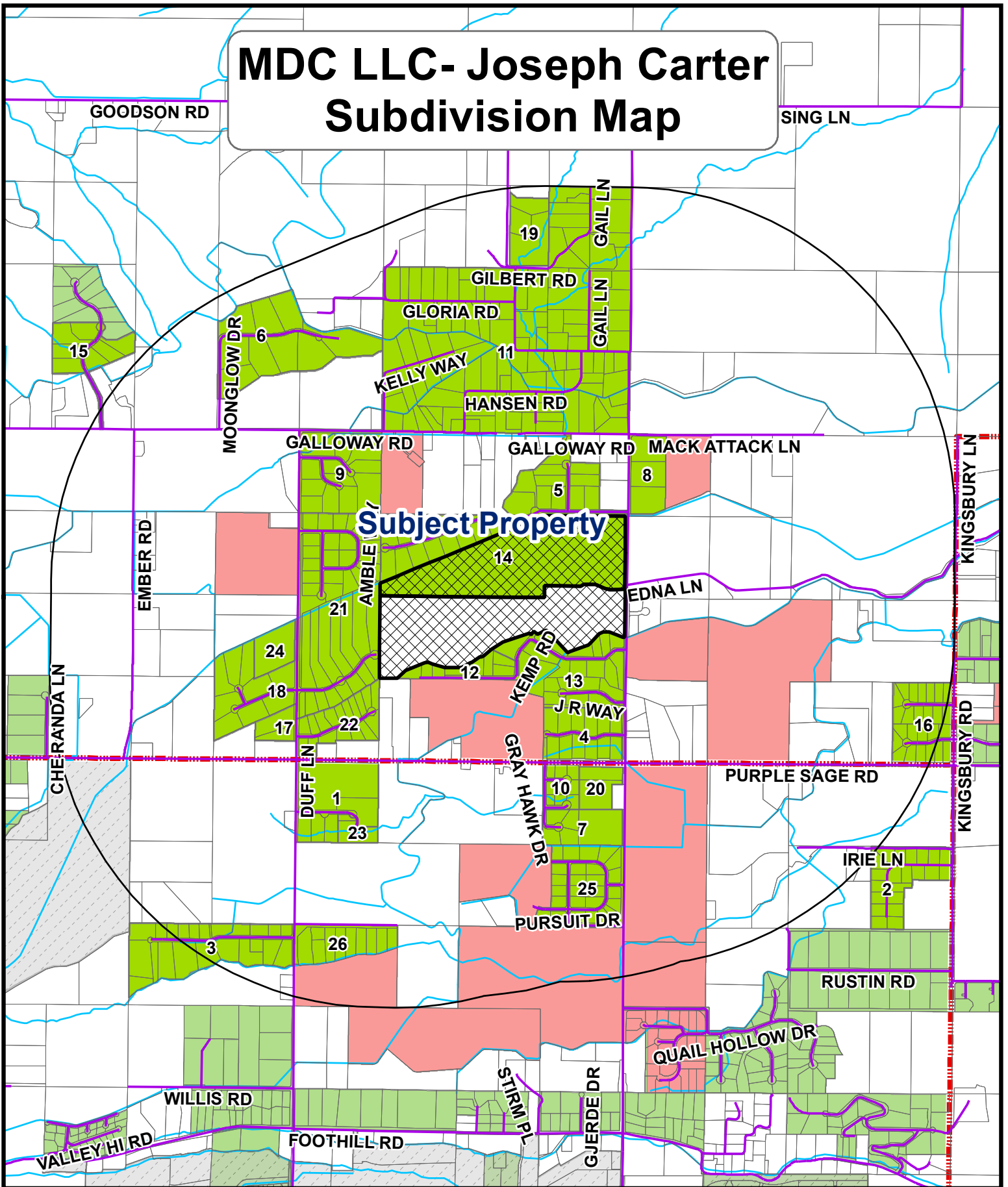


YEAR



CASE SUMMARY				
ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2018-0006	AG to RR	Edward Vance	APPROVED
2	RZ2018-0016	AG to R1	Tucker, Julie	APPROVED
3	RZ2018-0026	Rezone RR to R1	Lansing Investments Partners, LLC	APPROVED
4	CR2018-035	AG To CR-RR	Tom & Karl Points	APPROVED
5	CR2018-0010	AG to CR-RR	White, Matthew	APPROVED
6	SD2019-0025	Cascade Hill Sub	Cascade Hills Sub	APPROVED
7	CU2019-0025	CUP Special Events Facility	CU2019-0025	APPROVED
8	SD2020-0007	Meadow Bluff Estates	Meadow Bluff Estates	APPROVED
9	SD2020-0003	Oaklee Estates Sub	Oaklee Estates Sub	APPROVED
10	SD2021-0008	Plat - C4 sub	C4 Callister, LLC	APPROVED
11	CR2021-0010	Rezone AG to R1	Callister, LLC	APPROVED
12	RZ2021-039	Rezone AG to CR-R1	Kelley	APPROVED
13	RZ2021-0012	Rezone AG to R1	Reynolds Brothers, LLC	DENIED
14	RZ2021-0034	Rezone A to RR	Cotner John	APPROVED
15	RZ2021-0049	Rezone from AG to CR-RR	Lippert	APPROVED
16	RZ2021-0036	Rezone AG to CR-R1	Richards/ Larsen	APPROVED

MDC LLC- Joseph Carter Subdivision Map



SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE		
26	1050.39	399	2.63		
NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE		
12	551.93	232	2.38		
NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM	
99	5.38	2.00	0.57	84.75	
NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM	

PLATTED SUBDIVISIONS

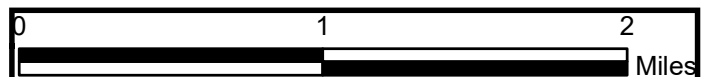
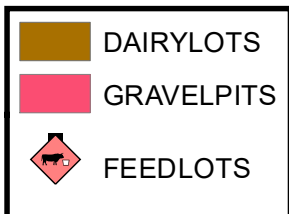
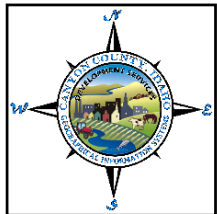
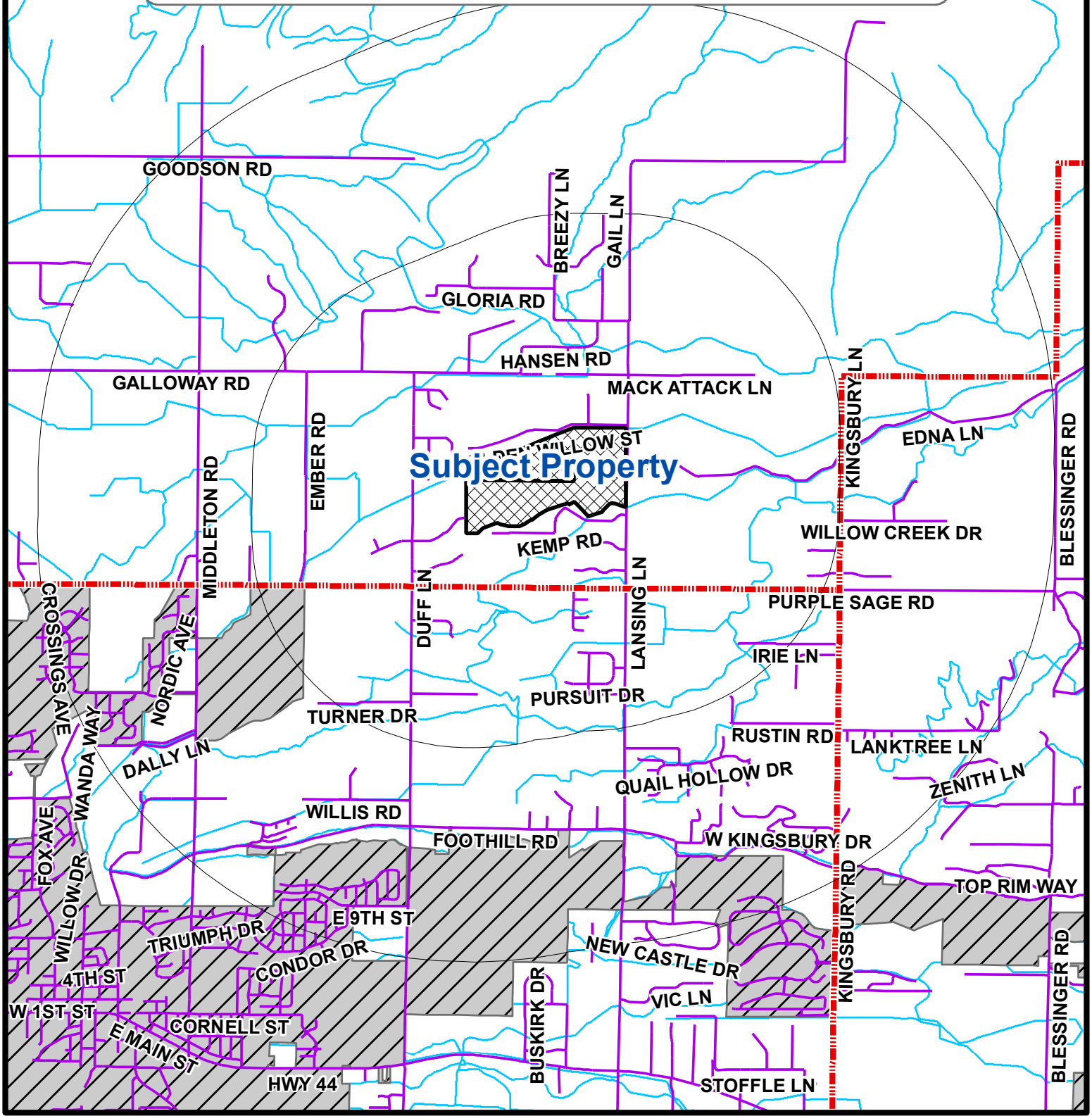
SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
PORT OF CHANCE SUBDIVISION	1	5N2W33	35.01	6	5.83	COUNTY (Canyon)	2001
SAGE RUN ESTATES	2	5N2W34	26.02	21	1.24	COUNTY (Canyon)	2001
TURNER'S SKY LINE SUB	3	5N2W32	47.52	23	2.07	0	1972
WILLOW CRK RCH ESTATES #1	4	5N2W28	26.90	16	1.68	COUNTY (Canyon)	1993
WILLOWVIEW SUB	5	5N2W28	29.88	14	2.13	COUNTY (Canyon)	2005
BENCHMARK ESTATES	6	5N2W20	53.74	10	5.37	COUNTY (Canyon)	1991
BLACKMON ACRES	7	5N2W33	16.84	5	3.37	COUNTY (Canyon)	2004
CREEKSIDE RANCH ESTATES	8	5N2W27	17.42	3	5.81	COUNTY (Canyon)	2003
GRAND ESTATES	9	5N2W28	40.05	14	2.86	COUNTY (Canyon)	2000
GRAY HAWK SUB	10	5N2W33	10.01	9	1.11	COUNTY (Canyon)	2003
LANSING HEIGHTS ESTATES	11	5N2W21	280.80	89	3.16	COUNTY (Canyon)	1973
WILLOW CRK RCH ESTATES #2	12	5N2W28	11.94	8	1.49	COUNTY (Canyon)	1998
WILLOW CRK RCH ESTATES #3	13	5N2W28	42.38	22	1.93	COUNTY (Canyon)	2004
WILLOWVIEW SUB #2	14	5N2W28	113.75	16	7.11	COUNTY (Canyon)	2006
PHEASANT LANDING #1	15	5N2W20	20.19	8	2.52	COUNTY (Canyon)	2006
KINGSBURY MEADOWS SUBDIVISION	16	5N2W27	30.00	25	1.20	COUNTY (Canyon)	2007
TATONKA BISON SUB	17	5N2W29	6.81	2	3.40	COUNTY (Canyon)	2007
STONY BROOK SUB	18	5N2W29	31.30	9	3.48	COUNTY (Canyon)	2009
SAMSON'S TRAIL SUBDIVISION	19	0	15.56	0	#DIV/0!	COUNTY (Canyon)	2008
REPLAT OF PONY MEADOW SUBDIVISION	20	5N2W33	9.26	2	4.63	COUNTY (Canyon)	2021
THOROUGHbred ESTATES SUBDIVISION	21	5N2W28	91.62	40	2.29	COUNTY (Canyon)	2014
MOON SHADOW ESTATES	22	5N2W33	21.33	18	1.18	COUNTY (Canyon)	2007
RE-PLAT OF PORT OF CHANCE SUBDIVISION	23	5N2W33	4.99	2	2.49	COUNTY (Canyon)	2016
WHITE RANCH ESTATES	24	5N2W29	9.77	1	9.77	COUNTY (Canyon)	2019
CASCADE HILLS SUBDIVISION NO. 1	25	5N2W33	36.68	26	1.41	COUNTY (Canyon)	2021
MEADOW BLUFF ESTATES SUBDIVISION	26	5N2W33	20.62	10	2.06	COUNTY (Canyon)	2021

SUBDIVISIONS IN PLATTING

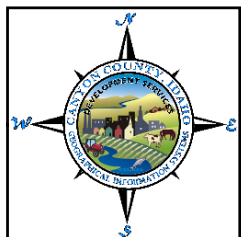
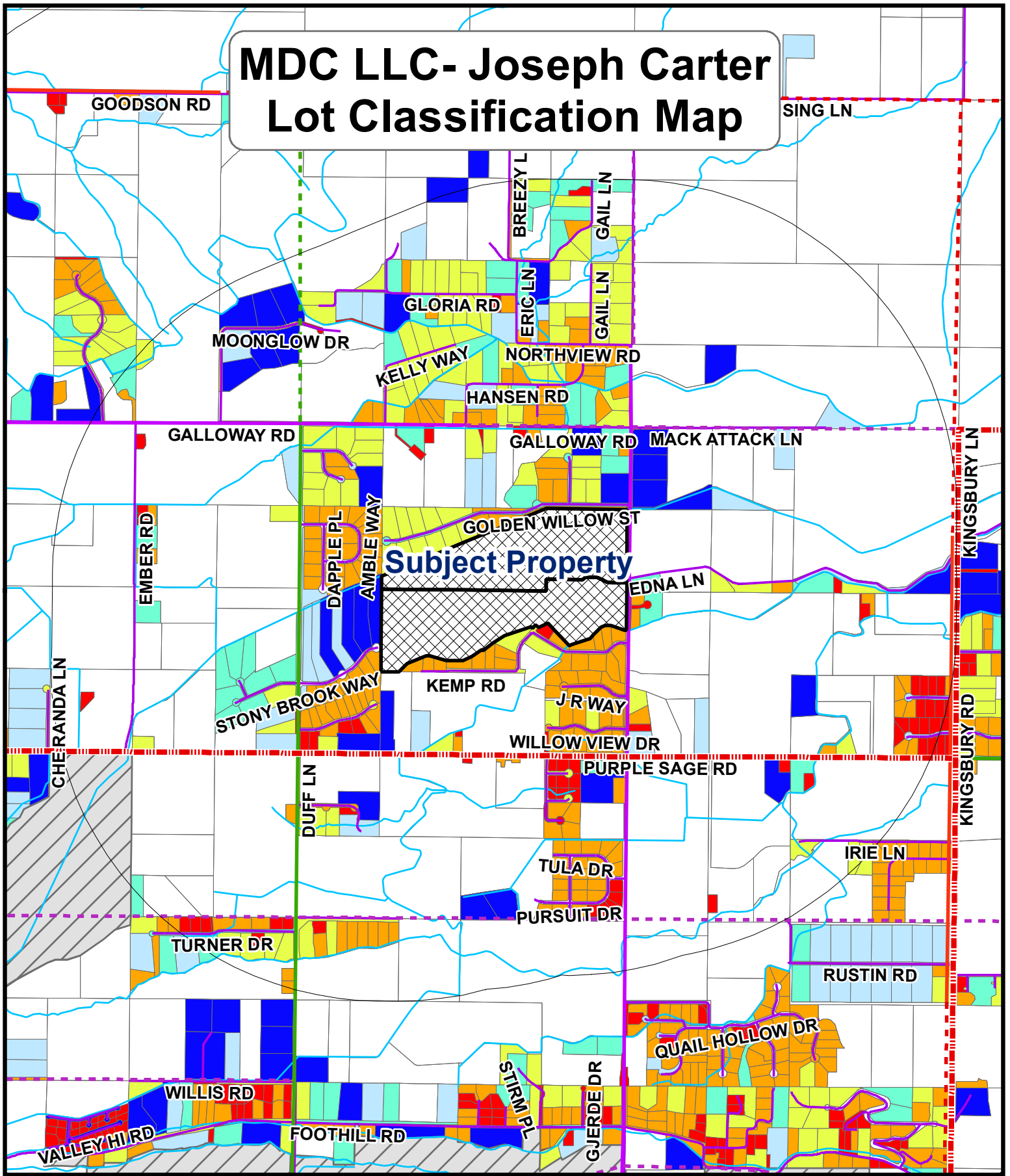
SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE		
Hawk View Estates	26.75	12	2.23		
Farmingion Hills	186.65	82	2.28		
C4 Sub	31.43	24	1.31		
Hidden Valley	17.42	4	4.35		
Mint Farms Estate	90.57	57	1.59		
Cascade Hills Sub No.2	0.00	26	0.00		
Easy Flyer	15.86	13	1.22		
Oaklee Estates	54.90	36	1.53		
Falcon Rim Sub	37.81	26	1.45		
C-5 Sub	86.41	34	2.54		

MOBILE HOME & RV PARKS

MDC LLC- Joseph Carter Dairy, Feedlot, and Gravel Pit Map



MDC LLC- Joseph Carter Lot Classification Map

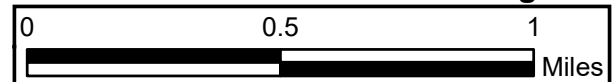


Legend

0.0 - 1.0
1.1 - 2.0
2.1 - 3.0
3.1 - 4.0
4.1 - 5.0
5.1 - 6.0

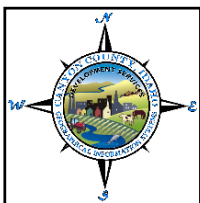
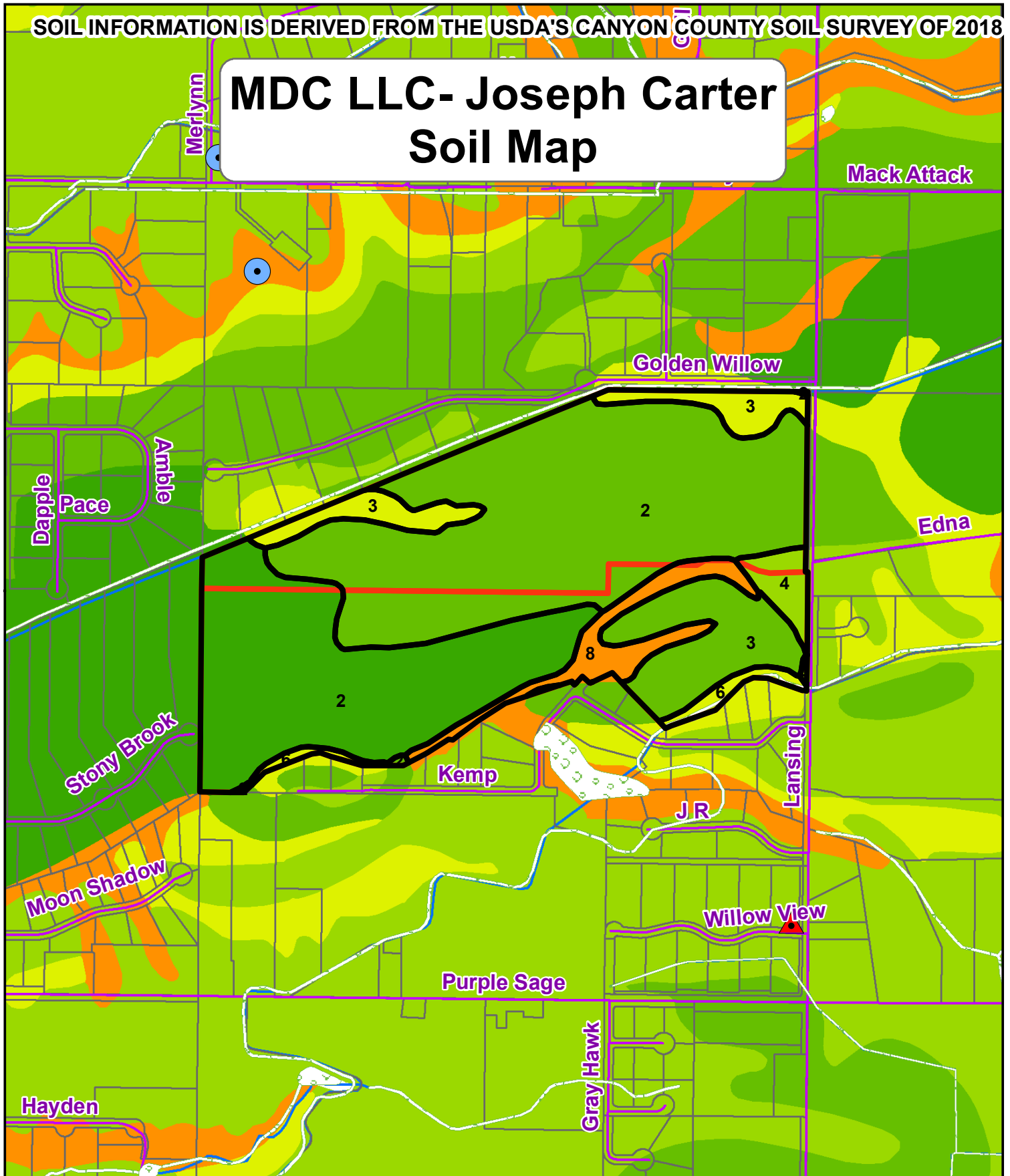
- Interstate
- Expressway
- Proposed Expressway
- Principal Arterial
- Proposed Principal Arterial
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Proposed Collector

Exhibit B.2.g



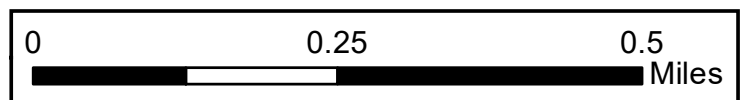
SOIL INFORMATION IS DERIVED FROM THE USDA'S CANYON COUNTY SOIL SURVEY OF 2018

MDC LLC- Joseph Carter Soil Map

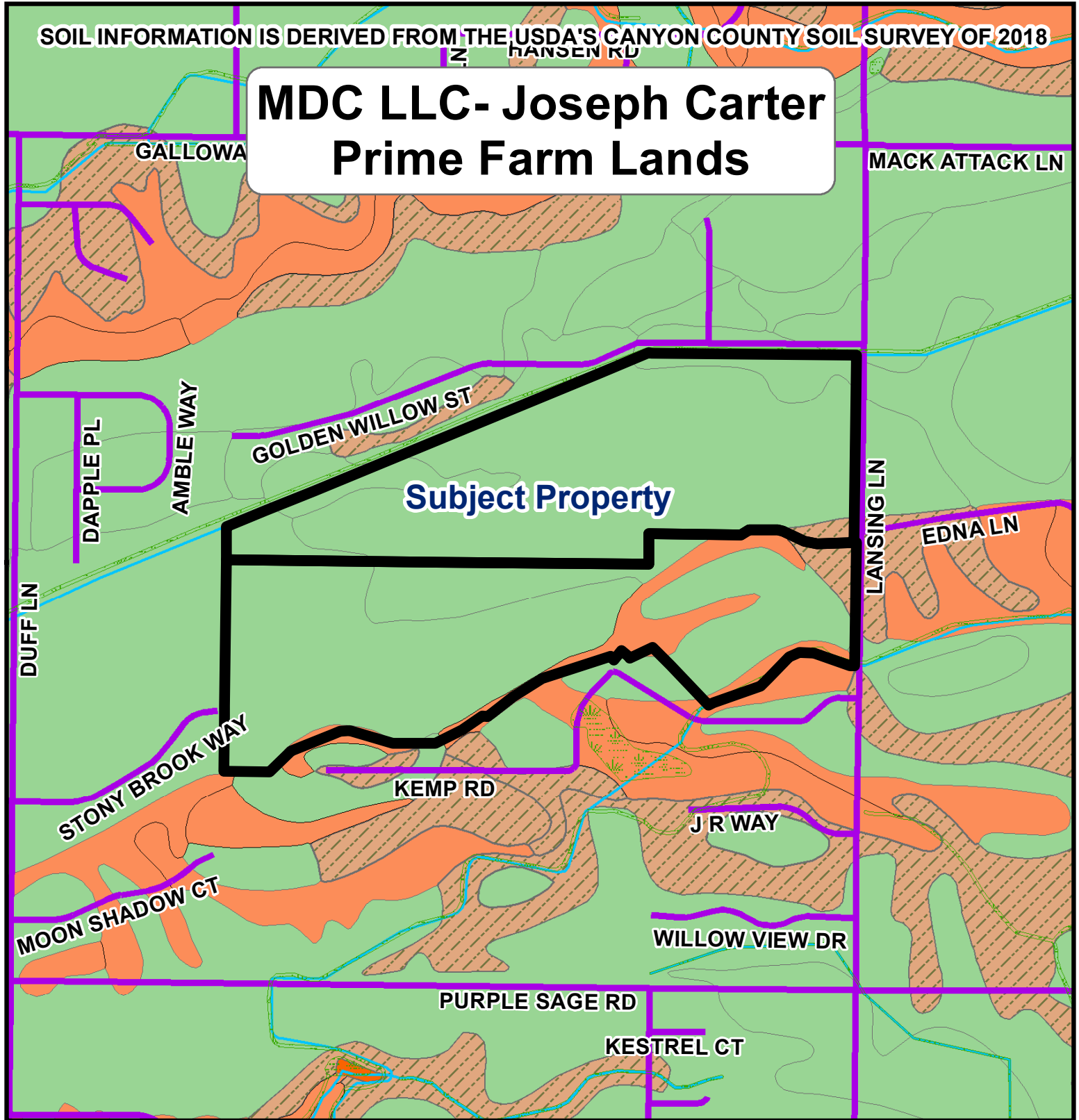


- 0.005000 - 2.000000
- 2.000001 - 5.000000
- 5.000001 - 10.000000
- ▲ 10.000001 - 49.800000

- GEO-THERMAL LOCATIONS
- Wetlands

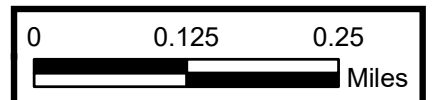
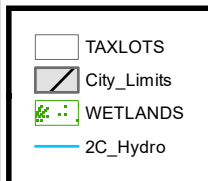


MDC LLC- Joseph Carter Prime Farm Lands



SOILS

- Farmland of statewide importance
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if irrigated and reclaimed
- Not prime farmland
- Water/Gravel Pit/ Rock outcrop/ Riverwash/ Terrace Escarpments
- Prime farmland if irrigated
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and reclaimed



SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
2	BEST SUITED SOIL	9626.76	0.22	0.13%
6	LEAST SUITED SOIL	40685.04	0.93	0.57%
3	MODERATELY SUITED SOIL	208870.20	4.80	2.91%
4	MODERATELY SUITED SOIL	156380.40	3.59	2.18%
6	LEAST SUITED SOIL	86815.08	1.99	1.21%
2	BEST SUITED SOIL	2097283.32	48.15	29.26%
8	LEAST SUITED SOIL	356190.12	8.18	4.97%
3	MODERATELY SUITED SOIL	5793.48	0.13	0.08%
3	MODERATELY SUITED SOIL	660238.92	15.16	9.21%
2	BEST SUITED SOIL	1001.88	0.02	0.01%
3	MODERATELY SUITED SOIL	198546.48	4.56	2.77%
2	BEST SUITED SOIL	3346104.96	76.82	46.68%
		7167536.64	164.54	100%

FARMLAND REPORT

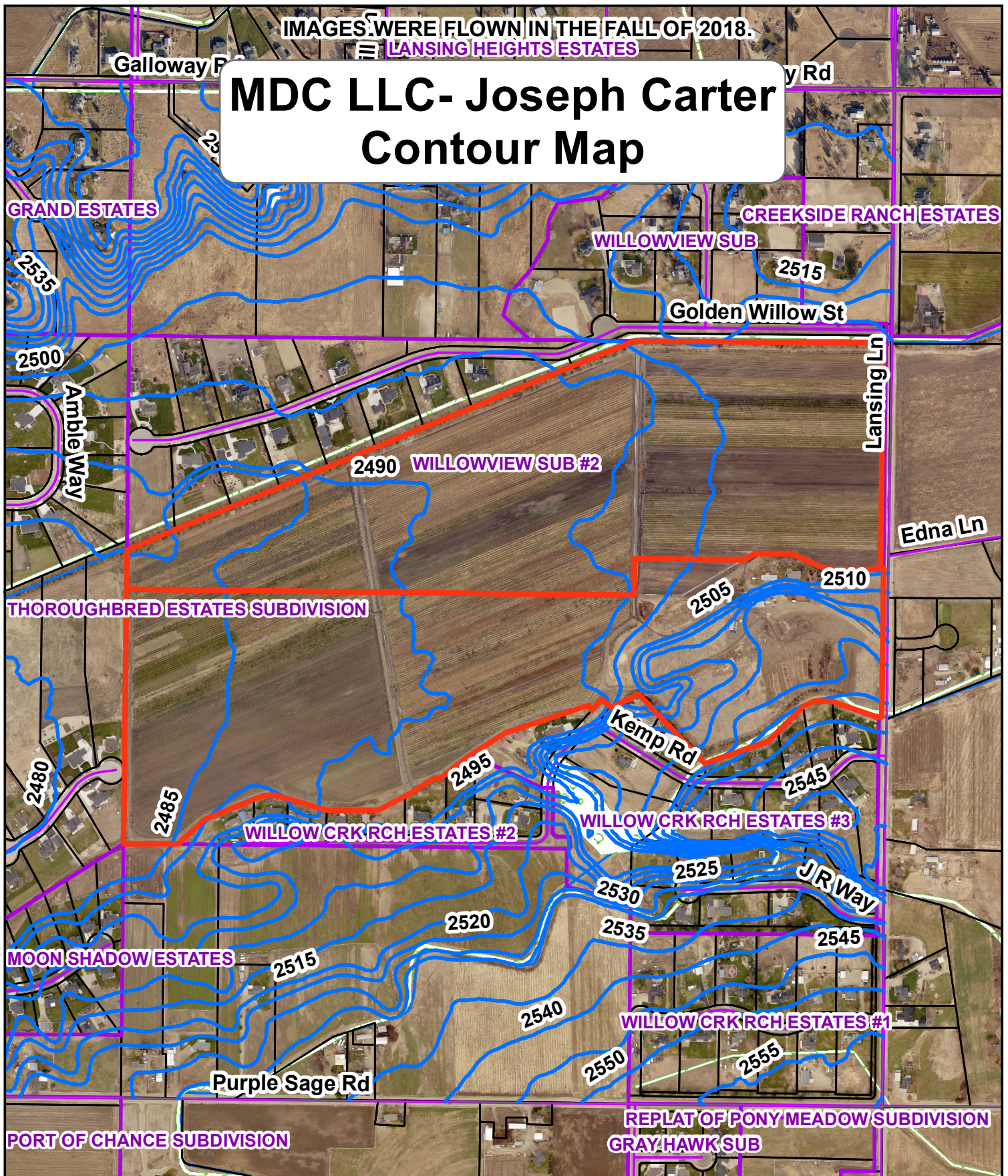
SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
DtB	Prime farmland if irrigated	9626.76	0.22	0.13%
PtD	Not prime farmland	40685.04	0.93	0.57%
No	Prime farmland if irrigated	208870.20	4.80	2.91%
EVC	Farmland of statewide importance, if irrigated	156380.40	3.59	2.18%
EVD	Not prime farmland	86815.08	1.99	1.21%
Ha	Prime farmland if irrigated	2097283.32	48.15	29.26%
LtE	Not prime farmland	356190.12	8.18	4.97%
ESB	Prime farmland if irrigated	5793.48	0.13	0.08%
PhB	Prime farmland if irrigated	660238.92	15.16	9.21%
Ha	Prime farmland if irrigated	1001.88	0.02	0.01%
No	Prime farmland if irrigated	198546.48	4.56	2.77%
DtA	Prime farmland if irrigated	3346104.96	76.82	46.68%
		7167536.64	164.54	100%

SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

IMAGES WERE FLOWN IN THE FALL OF 2018.

LANSING HEIGHTS ESTATES

MDC LLC- Joseph Carter Contour Map

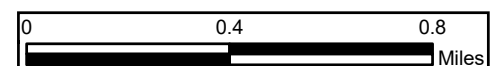
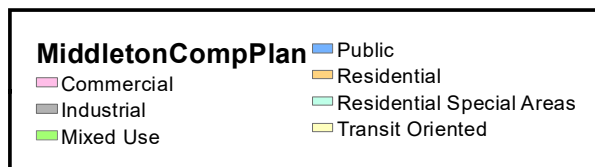
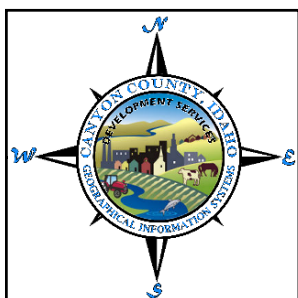
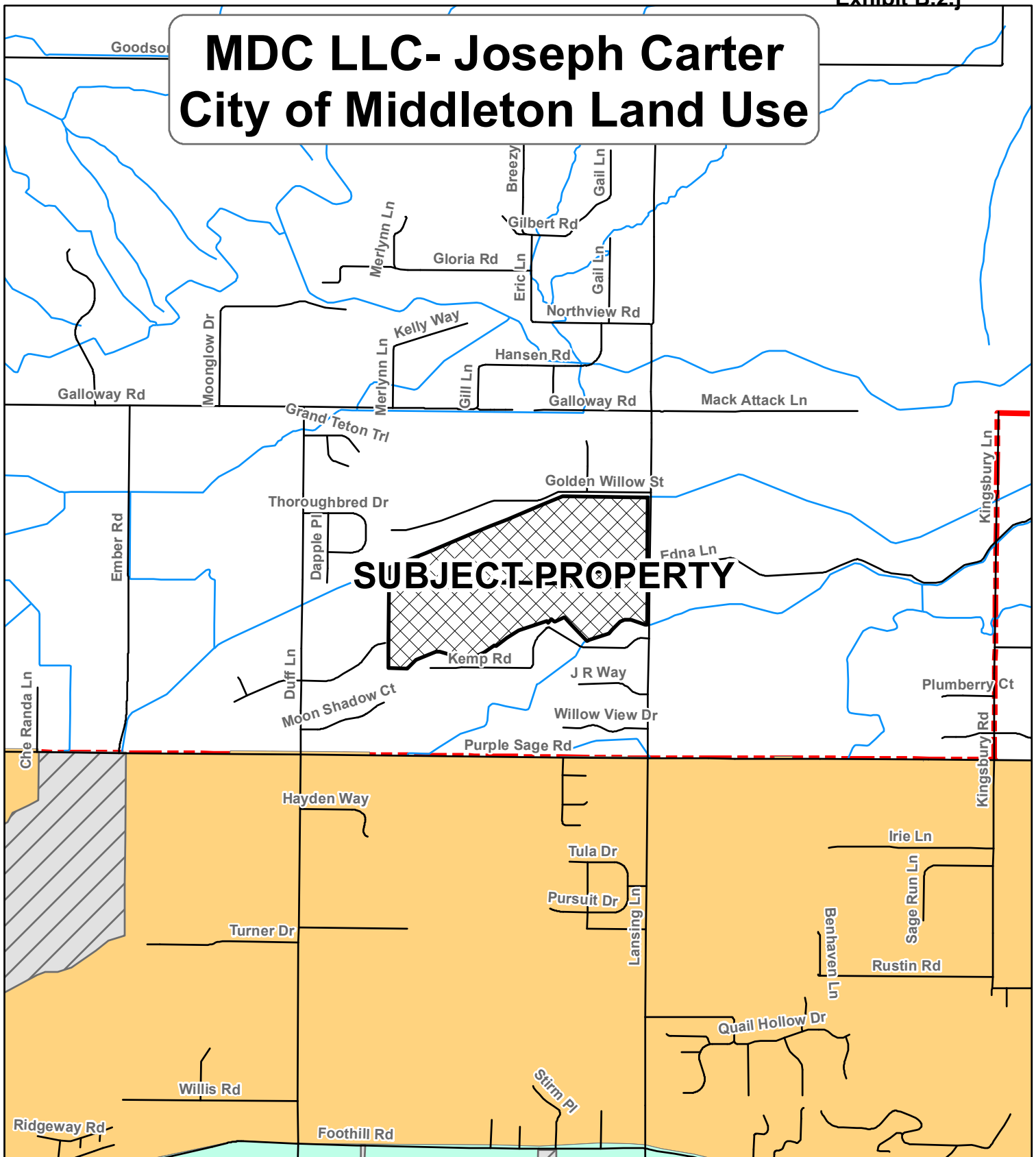


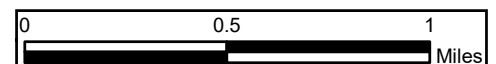
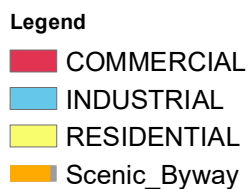
Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

0 200 400 600
Feet

MDC LLC- Joseph Carter City of Middleton Land Use

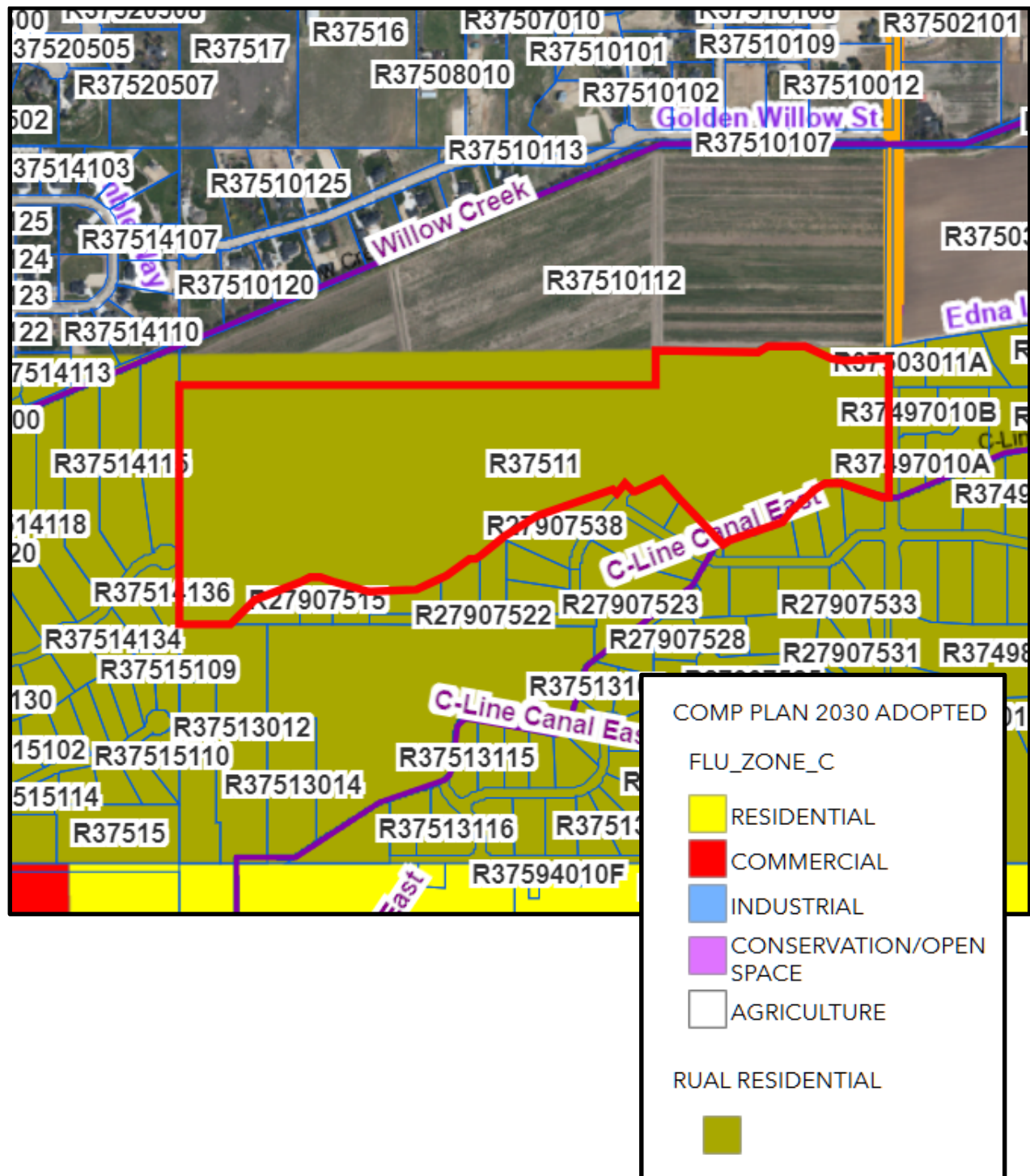




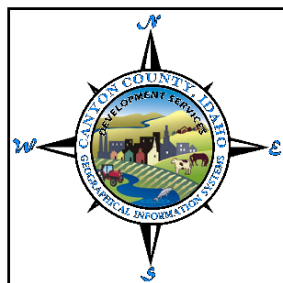
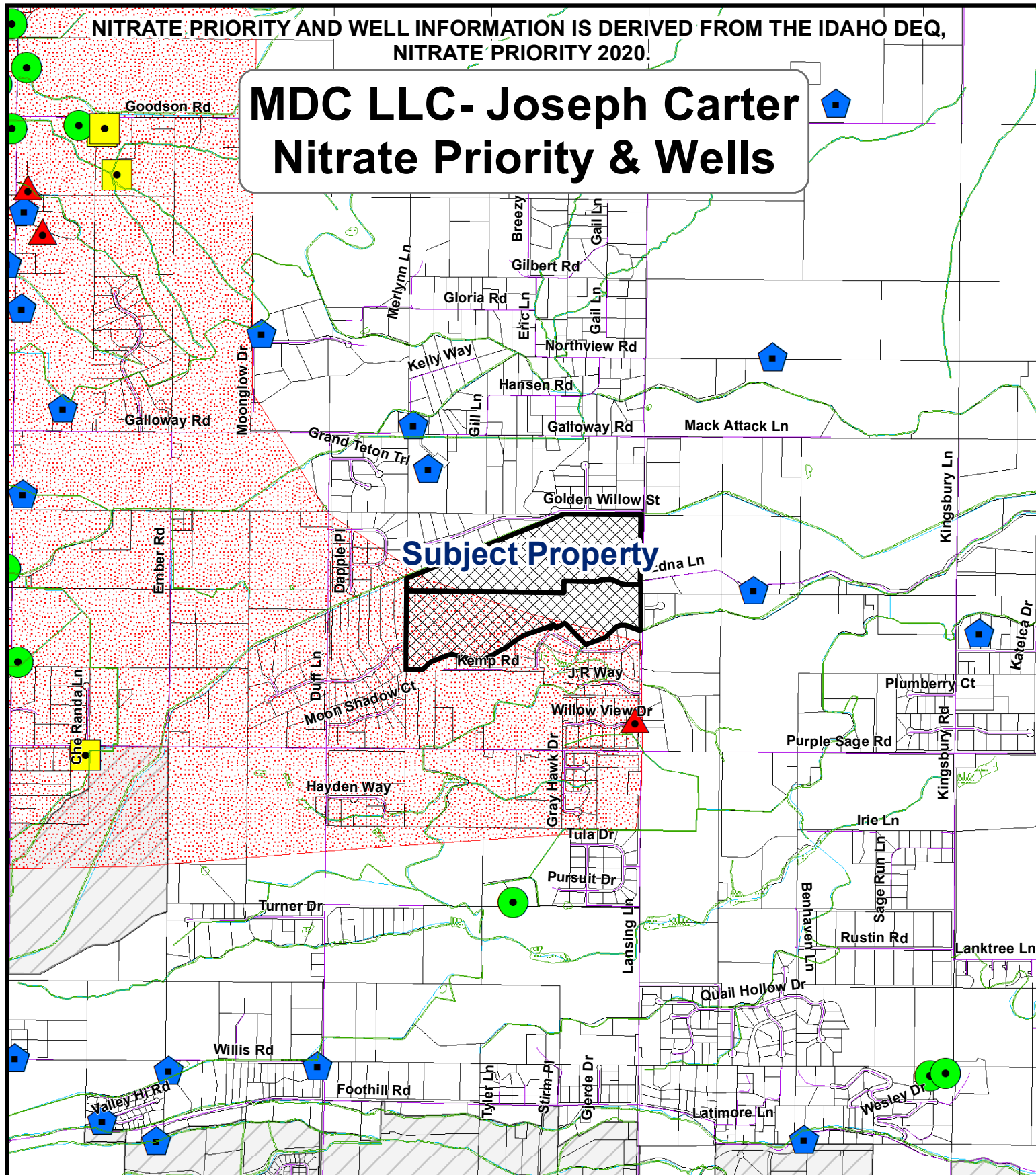
MDC LLC- Joseph Carter

Future Land Use map

2030



MDC LLC- Joseph Carter Nitrate Priority & Wells



DEQ WELLS
N03_MGL

GEO-THERMAL LOCATIONS

WETLANDS

NITRATE_PRIORITY

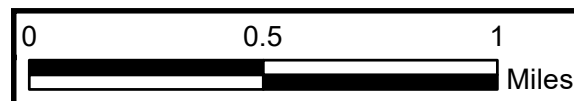
 0.005 - 2.00

 2.00 - 5.00

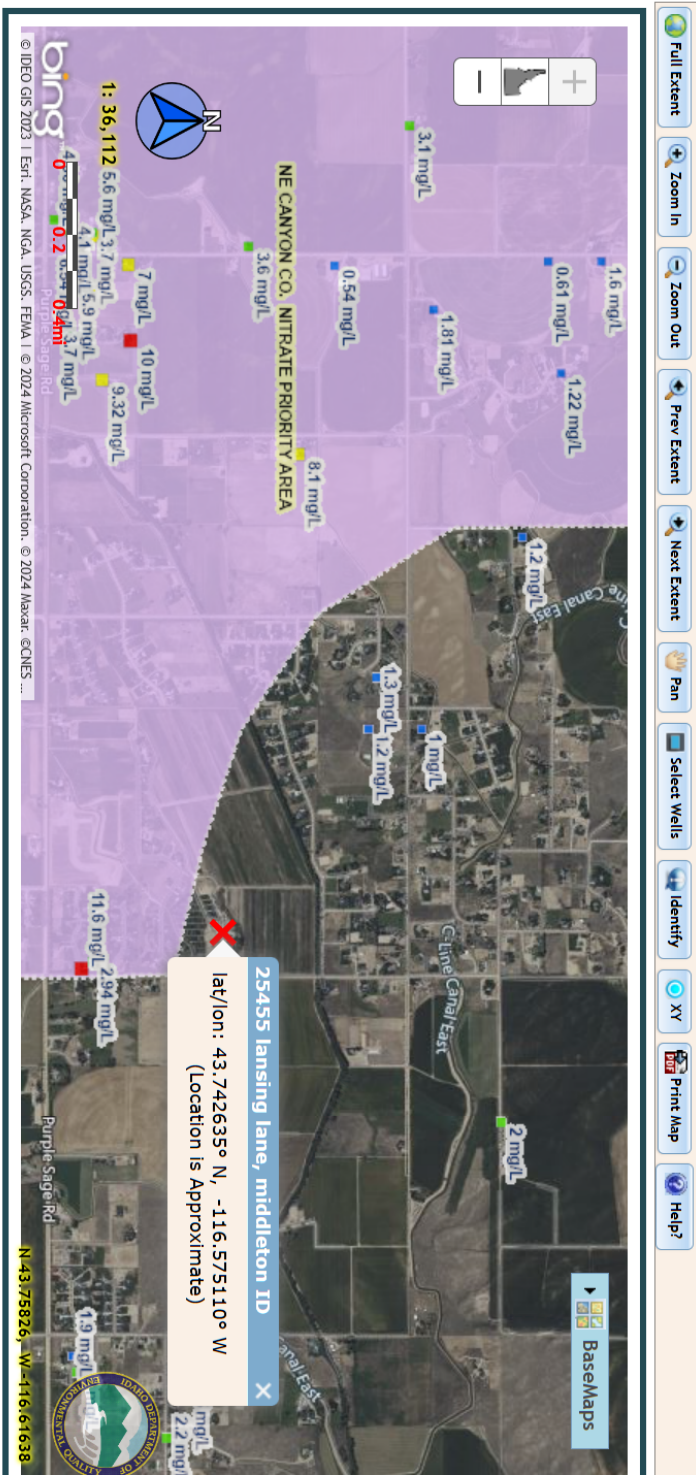
● 5.00 - 10.00

 10.00 - 49.80

Exhibit B.2.m, Pg. 1



- Map Search **Map Layers**
- ☒ Map Contents
 - ☒ Idaho Cities/Towns
 - ☒ Nitrate Monitoring Wells (2020)
 - ☒ < 1.99 mg/l
 - ☒ 2.00 - 4.99 mg/l
 - ☒ 5.00 - 9.99 mg/l
 - ☒ >= 10.0 mg/l
 - ☒ Nitrate Monitoring Wells (2014)
 - ☒ Source Water Delineations
 - ☒ Nitrate Priority Areas (2020)
 - ☒ Nitrate Priority Areas (2014)
 - ☒ Ground Water Reports
 - ☒ Land Cover 2020 (10m-Esri)
 - ☒ BaseMaps
 - ☒ US Boundaries-Cities
 - ☒ US-Roads/Streets
 - ☒ ESRI Shaded Relief
 - ☒ ESRI Topography
 - ☒ Virtual Earth Imagery (BING Maps)
 - ☒ Virtual Earth Roads (BING Maps)



Nitrate Priority Areas

Select and zoom to the Nitrate Priority Areas by NAME or by RANK. (Top Left)

After zooming to the Nitrate Priority Area, Use the Identify or Select Wells Tool and click on the map to view additional Information.



IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY

About ▾ Air ▾ **Water ▾** Waste ▾ Offices ▾ Permits ▾ Public Information ▾ INL Oversight ▾



uranium.”

Nitrate

Uranium

Arsenic

Nitrate is one of the most widespread ground water contaminants in Idaho. Nitrate is a compound containing nitrogen, an element which is a vital component of foods and fertilizers. It's also an essential nutrient for plant growth. Nitrate comes from a variety of sources such as plants and other organic matter that return nitrate to the soil as they decompose. Septic sewer systems, waste from animal feedlots, and nitrogen-based fertilizers also release nitrate to the environment.

Nitrate that is not used by plants can build up in and move through the soil. Precipitation, irrigation, and sandy soils allow nitrate to percolate downward into ground water.

Nitrate is just one of the potential ground water contaminants in Idaho, and the presence of nitrate may be an indicator of other potential water quality problems.

✓ Health Effects of Nitrate

High levels of nitrate in drinking water are associated with adverse health effects in humans and livestock and adversely affect fish and surface waters.

People can be exposed to nitrate through food and water. In most populations, short-term exposure to even fairly large amounts of nitrate produces no immediate health effects. However, sensitive populations (e.g., babies, people in poor health, and the elderly) can be susceptible to problems from short-term nitrate exposure. Infants younger than six months are especially sensitive to nitrate poisoning, which may result in serious illness or death.

Livestock, such as cattle and sheep, also can be poisoned by high levels of nitrate (over 100 mg/L). Learn more on our [Contaminants in Drinking Water](#) web page.

✓ Testing for Nitrate

As a private well owner, it is your responsibility to make sure that your water is safe to use by testing for contaminants. It is recommended that you test your water for nitrate at least once per year. A certified lab or your local health district may be able to test your well water for contaminants. Staff will tell you how to collect your water sample and the costs for the tests. Contact your [local health district](#) for information on testing your well water.

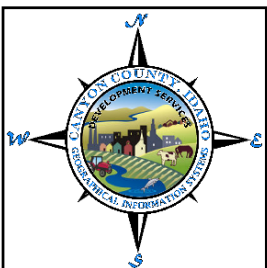
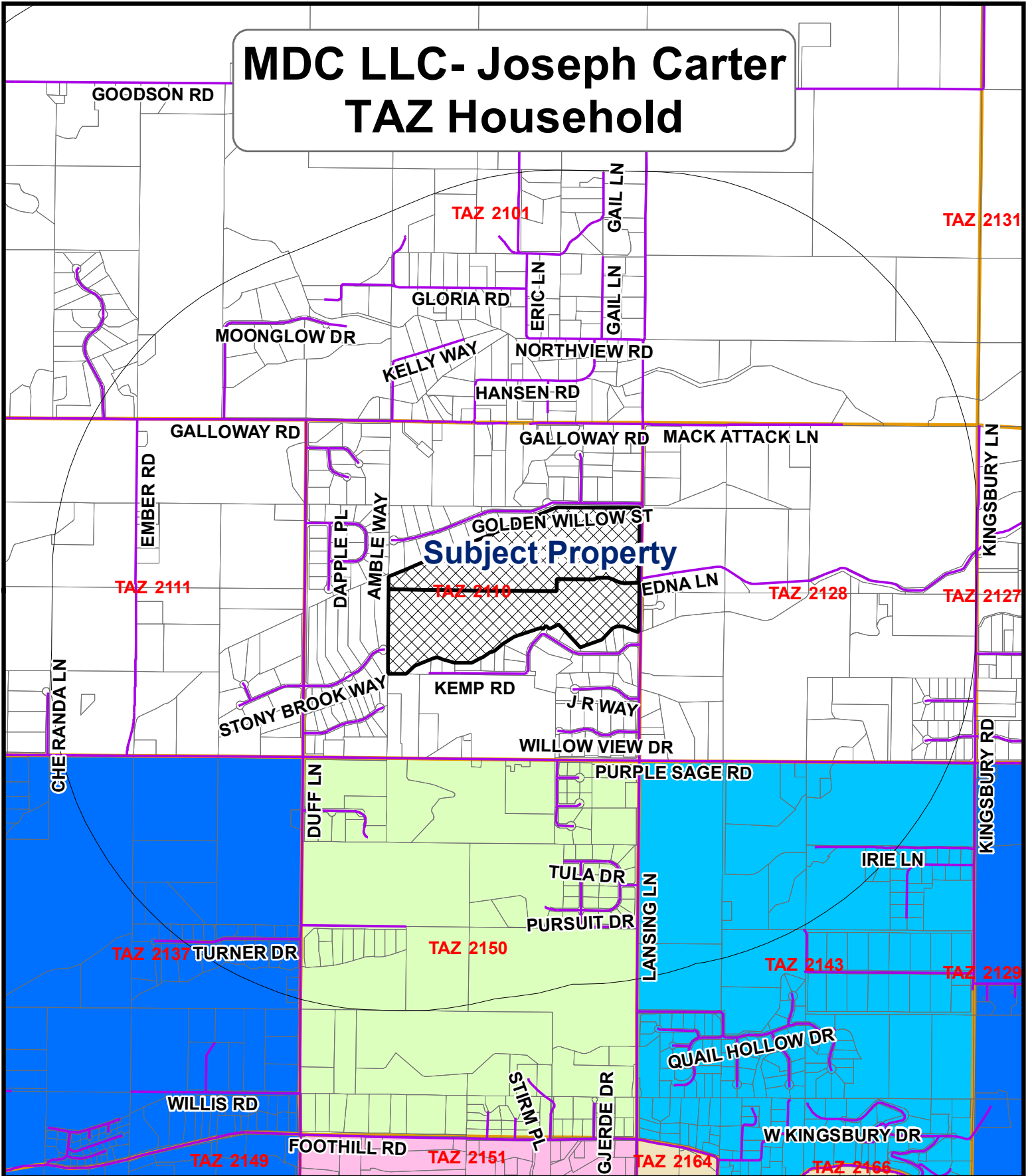
✓ Nitrate Standard

The [Idaho Ground Water Quality standard](#) ¹ and the EPA drinking water standard for public water systems is 10 parts per million (or 10 milligrams per liter (mg/L)). The standard applies to public water systems, but private well owners should adhere to it as well.

✓ Nitrate Priority Areas

DEQ developed a [list of degraded](#) ground water areas that ranks the nitrate-degraded areas (referred to as nitrate priority areas) based on the severity of the degradation. DEQ uses specific [nitrate priority scoring](#) criteria as the basis for the ranking, including population, existing water quality, water quality trends, and other factors. The data used to rank areas are updated regularly.

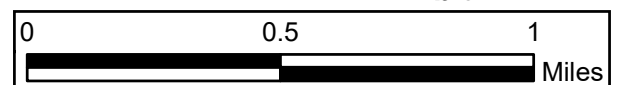
MDC LLC- Joseph Carter TAZ Household



House Hold 2025-2050

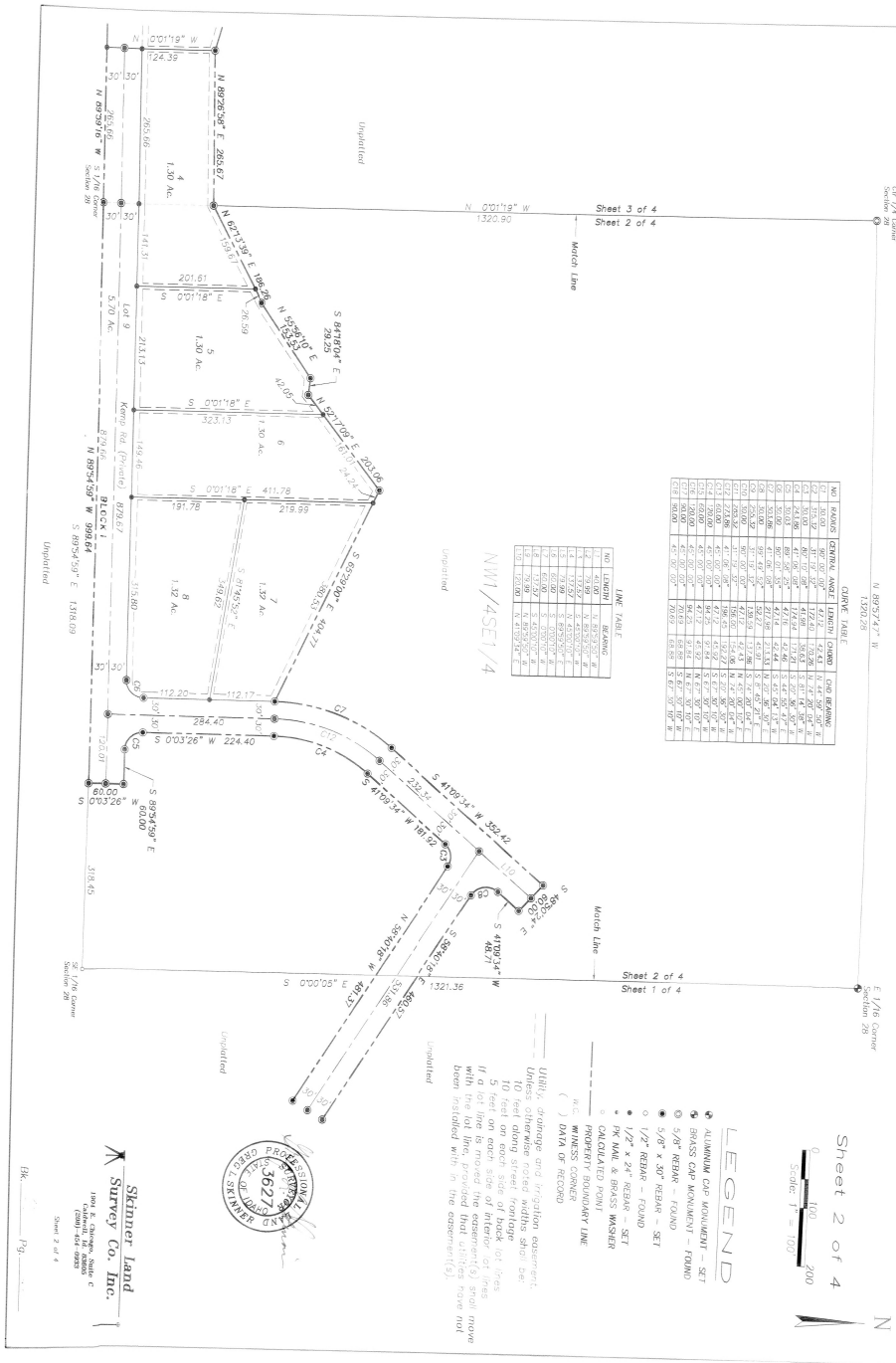
4 - 50	251 - 500
51 - 150	501 - 750
151 - 250	751 - 1263

Exhibit B.2.n





Willow Creek Ranch Estates No. 2
A PORTION OF THE NE1/4SE1/4, NW1/4SE1/4 AND THE NE1/4SW1/4 OF SECTION 28
TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CANYON COUNTY, IDAHO
1998



W 1/16 Cornes
Section 2B

S 89°57'51" E
1319.87

Ct 1/4 Corner
Section 28

This Department recognizes Section 22-4503, Idaho Code, to Farm, which states: "No agricultural operation or any apurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or any apurtenance to it."

NE1/4SW1/4

NO	LENGTH	BEARING
L1	60.00	N 89° 59' 16" W
L2	42.43	S 45° 00' 44" W
L3	30.80	N 0° 01' 19" W
L4	75.00	N 89° 58' 41" E
L5	75.00	N 89° 58' 41" E
L6	50.75	N 0° 01' 19" W
L7	16.97	N 89° 59' 16" W
L8	30.00	S 0° 00' 44" W

NO	RADIUS	CENTRAL ANGLE	LENGTH	CHORD	CHD BEARING
C1	26.00	89° 57' 57"	43.97	39.59	S 45° 00' 18" E
C2	28.00	90° 02' 03"	44.00	39.61	N 44° 58' 42" E

- ALUMINUM CAP MONUMENT - SET
- BRASS CAP MONUMENT - FOUND
- 5/8" REBAR - FOUND
- 5/8" x 30" REBAR - SET
- 1/2" REBAR - FOUND
- 1/2" x 36" REBAR - SET
- PK MAIL & BRASS WASHER
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- WITNESS CORNER
- DIAL OF RECORD

Utility, drainage and irrigation assessment.
 Unless otherwise noted, widths shall be:
 10 feet along street frontage
 5 feet on each side of back lot lines
 If the lot is not wide enough to allow the driveway to move
 with the lot line, provided that utilities have not
 been installed within the easement(s).

Sheet 3 of 4



LEGEND

- ALUMINUM CAP MONUMENT - SET
 - BRASS CAP MONUMENT - FOUND
 - 5/8" REBAR - FOUND
 - 5/8" x 30" REBAR - SET
 - 1/2" REBAR - FOUND
 - 1/2" x 24" REBAR - SET
 - PK NAIL & BRASS WASHER
 - CALCULATED POINT
- PROPERTY BOUNDARY LINE

W.C. WITNESS CORNER
() DATA OF RECORDUtility, drainage
Inland, otherwise

Utility, drainage and irrigation easement.

10 feet along street frontage
10 feet on each side of back lot lines
5 feet on each side of interior lot lines
If a lot line is moved the easement(s) shall move with the lot line, provided that utilities have not been installed within the easement(s).



**Skinner Land
Survey Co. Inc.**

1904 K. Chicago, Suite
Caldwell, Id. 83605
(208) 354-0001

Sheet 3 of 4

Ek. Pg.

OWNERS CERTIFICATE

We, the Kemp Family Trust, and Stephen Darnell and Pauline Darnell, husband and wife, do hereby certify that we are the owners of Willow Creek Ranch Estates No. 2 as more particularly described in the legal description below, to-wit: that it is our intent that this plat be recorded for the purpose of establishing a permanent record on this plat are intended only for the right and purposes set forth and no structures, other than the buildings, hangars or existing improvements are to be erected within the boundaries of the lots shown on this plat, and no subdivision is to be made within with paragraph 1, section 50-1334 of the Idaho Code.

This parcel is a portion of the NE 1/4 SE 1/4, the NW 1/4 SE 1/4 and the NE 1/4 SW 1/4 of Section 28, Township 5 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

COMMENCE at the southwest corner of said NE 1/4 SE 1/4, a distance of 442.51 feet;

thence North 0° 00' 10" East along the east boundary of said NE 1/4 SE 1/4 a distance of 442.51 feet;

thence North 89° 50' 50" West a distance of 40.00 feet to the NW 1/4 PMN;

thence northwesterly 42.12 feet along the arc of a curve to the left having a central angle of 90° 00' 00", a radius of 30.00 feet, and a long chord which bears North 44° 50' 50" West a distance of 42.43 feet;

North 89° 50' 50" West a distance of 73.99 feet;

thence northwesterly 42.12 feet along the arc of a curve to the left having a central angle of 45.00°, a radius of 60.00 feet, and a long chord which bears North 45° 00' 10" West a distance of 43.92 feet;

South 45° 00' 10" West a distance of 133.57 feet;

thence northwesterly 139.59 feet along the arc of a curve to the left having a central angle of 45° 00' 00", a radius of 120.00 feet, and a long chord which bears South 67° 30' 10" West a distance of 91.84 feet;

North 89° 50' 50" West a distance of 561.76 feet;

thence northwesterly 139.59 feet along the arc of a curve to the left having a central angle of 31° 10' 32", a radius of 315.52 feet, and a long chord which bears North 74° 20' 04" West a distance of 170.26 feet;

thence North 58° 40' 18" West a distance of 481.57 feet;

thence southwesterly 41.98 feet along the arc of a curve to the left having a central angle of 80° 10' 00", a radius of 30.00 feet, and a long chord which bears South 61° 14' 38" West a distance of 38.61 feet;

thence South 41° 09' 34" West a distance of 181.92 feet;

thence southwesterly 174.94 feet along the arc of a curve to the left having a central angle of 41° 08' 08", a radius of 243.86 feet, and a long chord which bears South 20° 38' 30" West a distance of 171.21 feet;

thence South 0° 03' 20" West a distance of 294.40 feet;

thence southwesterly 42.16 feet along the arc of a curve to the left having a central angle of 49° 58' 25", a radius of 30.00 feet, and a long chord which bears South 45° 52' 49" West a distance of 42.46 feet;

thence South 89° 54' 50" East a distance of 60.00 feet;

thence South 0° 03' 20" West a distance of 60.00 feet to a point on the north boundary of said NW 1/4 SW 1/4;

thence North 89° 54' 50" West along said south boundary a distance of 999.64 feet to the southeast corner of said NE 1/4 SW 1/4;

thence North 89° 50' 10" West along the south boundary of said NE 1/4 SW 1/4 a distance of 1034.16 feet;

thence North 45° 52' 49" East a distance of 182.23 feet;

thence North 67° 34' 22" East a distance of 528.25 feet;

ACKNOWLEDGMENT

We it is remembered that on this 20th day of Sept - 1998, personally appeared Mary M. Kemp, Successor Trustee who is known to me to be the person whose name is subscribed to the foregoing plat, and in witness whereof, I have hereunto set my hand and notated said day first above written.

Mary M. Kemp
Notary Public for Idaho
My Comm. expires 10-03-2003



Willow Creek Ranch Estates No. 2

thence North 84° 28' 21" East a distance of 57.57 feet;

thence South 74° 17' 30" East a distance of 203.86 feet;

thence North 89° 26' 58" East a distance of 265.67 feet;

thence North 62° 13' 58" East a distance of 186.26 feet;

thence North 60° 56' 10" East a distance of 153.53 feet;

thence South 84° 18' 04" East a distance of 294.25 feet;

thence North 52° 17' 09" East a distance of 203.06 feet;

thence South 65° 29' 00" East a distance of 404.77 feet;

thence northwesterly 212.08 feet along the arc of a curve to the left having a central angle of 41° 08' 08", a radius of 303.86 feet, and a long chord which bears North 00° 30' 30" East a distance of 213.53 feet;

thence North 41° 09' 34" East a distance of 352.42 feet;

thence South 42° 50' 24" East a distance of 60.00 feet;

thence South 41° 09' 34" West a distance of 483.71 feet;

thence northwesterly 52.97 feet along the arc of a curve to the left having a central angle of 89° 49' 42", a radius of 30.00 feet, and a long chord which bears South 6° 45' 21" East a distance of 45.91 feet;

thence South 58° 40' 18" East a distance of 480.57 feet;

thence southwesterly 139.59 feet along the arc of a curve to the left having a central angle of 31° 10' 32", a radius of 255.52 feet, and a long chord which bears North 67° 30' 10" East a distance of 45.92 feet;

thence Northwesterly 42.12 feet along the arc of a curve to the left having a central angle of 31° 10' 32", a radius of 315.52 feet, and a long chord which bears North 67° 30' 10" East a distance of 45.92 feet;

thence North 45° 00' 10" East a distance of 133.57 feet;

thence northwesterly 94.20 feet along the arc of a curve to the right having a central angle of 80° 10' 00", a radius of 30.00 feet, and a long chord which bears North 67° 30' 10" East a distance of 91.84 feet;

thence South 89° 50' 50" East a distance of 133.57 feet;

thence northwesterly 42.12 feet along the arc of a curve to the left having a central angle of 90° 00' 00", a radius of 30.00 feet, and a long chord which bears North 44° 50' 50" West a distance of 42.43 feet;

thence North 89° 50' 50" East a distance of 186.26 feet;

thence southwesterly 139.59 feet along the arc of a curve to the left having a central angle of 31° 10' 32", a radius of 255.52 feet, and a long chord which bears North 67° 30' 10" East a distance of 45.92 feet;

thence Northwesterly 42.12 feet along the arc of a curve to the left having a central angle of 31° 10' 32", a radius of 315.52 feet, and a long chord which bears North 67° 30' 10" East a distance of 45.92 feet;

ACKNOWLEDGMENT

We it is remembered that on this 20th day of Sept - 1998, personally appeared Stephen Darnell and Pauline Darnell, who are known to me to be the persons whose names are subscribed to the foregoing plat, and in witness whereof, I have hereunto set my hand and notated said day first above written.

Stephen Darnell
Notary Public for Idaho
My Comm. expires 10-03-2003



APPROVAL OF COUNTY SURVEYOR

I, Dennis A. King, County Surveyor, do hereby certify that I have examined the plat of Willow Creek Ranch Estates No. 2 and find it conforms with the requirements of Idaho State Code.

Dennis A. King
DAS
10/5/98

SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this plat are hereby removed according to the letter to be read on the with the County Recorder or the agent having the custody of approval.

Donna J. Harnett
10-24-98
Southwest District Health Department

APPROVAL OF CANYON HIGHWAY DISTRICT NO. 4

The Highway District has no responsibility for the streets shown on this plat. The plat is approved for recording and the plat is approved together with dedication of Right-of-Way and evidence that 20th streets meet current District standards for construction.

Donna J. Harnett
23 May 1998
Chairman

SURVEYOR'S CERTIFICATE

I, Craig L. Shaver, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat is a true and correct copy of the original plat and that the owner certificate and the affidavit plat, was drawn from an actual survey made by me and accurately represents the points thereon.

I hereby certify that I made this survey under the direction of the owner thereof and that the survey is in conformity with the State of Idaho Codes relating to plats and subdivisions.



APPROVAL OF CANYON COUNTY COMMISSIONERS

Mike L. Shaver
10-24-98
Chairman

APPROVAL OF CANYON COUNTY PLANNING AND ZONING

Michael L. Shaver
3 Dec 1998
Chairman

CERTIFICATE OF COUNTY TREASURER

I, Tracye Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, am the requirements of 16-50-1308, do hereby certify that the property included in this proposed subdivision have been paid in full. The certificate is valid for the next thirty (30) days only.

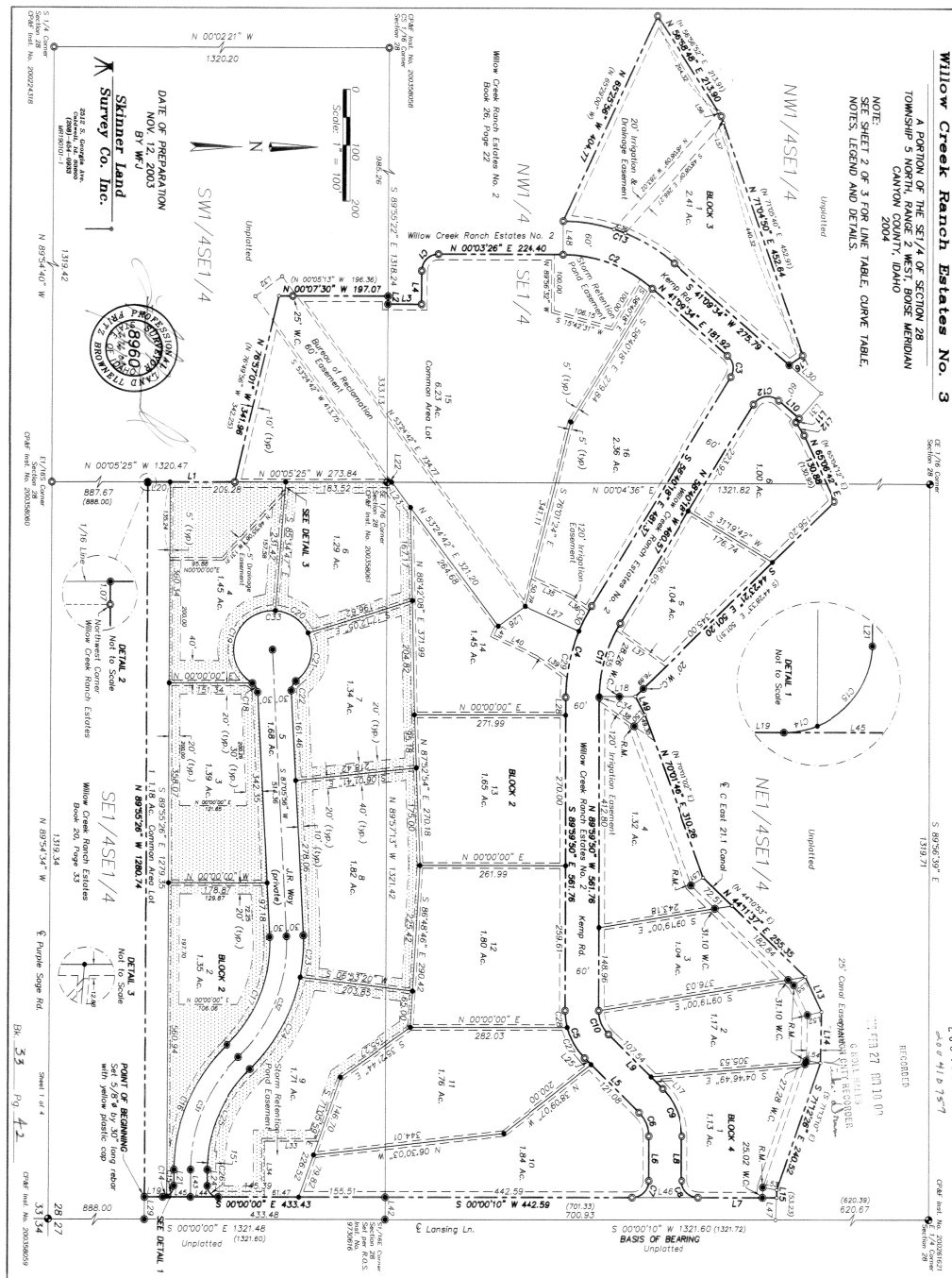
Tracye Lloyd
12/15/98
County Treasurer

ACKNOWLEDGMENT

We it is remembered that on this 17th day of September 1998, personally appeared I, W. Shivers, President, Capital Corporation, who are known to me to be the persons whose names are subscribed to the foregoing plat, and in witness whereof, I have hereunto set my hand and notated said day first above written.

W. Shivers
Notary Public for Idaho
My Comm. expires 11-01-2001





OWNER'S CERTIFICATE

We, the undersigned, being the owners of the land described in the legal description below, state that it is our intention to include said property in this subdivision plot, and that we do for ourselves, our heirs, devisees, successors and assigns. The easements and no structures other than those for Utility, Drainage and Irrigation purposes are to be erected within limits of the easements. Also, we hereby certify that this subdivision is in compliance with paragraph 1, of the enabling act, and that the plat will not be served by any water system common to one (1) or more of the lots, but will be served by individual wells.

This parcel is a portion of the SE 1/4 of Section 28, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the southeast corner of the SE 1/4 SE 1/4 of said Section 28;

thence North 00° 00' 00" West along the east boundary of said SE 1/4 SE 1/4 a distance of 888.00 feet to the northeast corner of Willow Creek Ranch Estates on file in Book 26, Page 53, Office of the Recorder, Canyon County, Idaho.

thence North 89° 55' 26" West along the north boundary of said Willow Creek Ranch Estates a distance of 40.00 feet to the TRUE POINT OF BEGINNING;

thence continuing North 89° 55' 26" West along said north boundary a distance of 1280.74 feet (of record 1278.64 feet) to a point on the west boundary of said SE 1/4 SE 1/4;

thence North 00° 05' 25" West along said west boundary a distance of 138.96 feet;

thence North 76° 57' 01" West a distance of 341.96 feet (of record North 76° 49' 56" West a distance of 342.25 feet);

thence North 00° 07' 30" West a distance of 193.07 feet to a point on the north boundary of said SE 1/4 SE 1/4 of said Section 28, also being the south boundary of the SW 1/4 SE 1/4 of said Section 28, also being the south boundary of Lot 9, Block 1 of Willow Creek Ranch Estates No. 2 on file in Book 26, Page 22, Office of the Recorder, Canyon County, Idaho.

thence South 89° 55' 22" East along the north boundary of said SW 1/4 SE 1/4 a distance of 14.67 feet;

thence traversing the easterly boundary of said Lot 9 as follows:

North 00° 03' 26" East a distance of 59.72 feet (of record 60.00 feet);

North 89° 52' 52" West a distance of 60.00 feet;

along a curve to the right having a central angle of 90° 05' 27", a radius of 14.67 feet, an arc length of 14.67 feet, to a long chord which bears North 44° 55' 37" West a distance of 42.46 feet;

North 00° 03' 26" East a distance of 224.40 feet;

thence leaving said easterly boundary and bearing North 89° 56' 38" West a distance of 60.00 feet to a point of curvature on the westerly boundary of said Lot 9;

thence North 65° 25' 56" West along the northerly boundary of Lots 7 and 6 of said Willow Creek Ranch Estates No. 2 a distance of 404.77 feet;

thence leaving said northerly boundary and bearing North 56° 58' 48" East a distance of 353.43 feet to a point on the northerly boundary of said Lot 9, also being the south boundary of said Lot 9, Block 1 of Willow Creek Ranch Estates No. 2 on file in Book 26, Page 22, Office of the Recorder, Canyon County, Idaho;

thence North 71° 04' 50" East a distance of 452.64 feet (of record 452.91 feet);

thence South 55° 16' 31" East a distance of 29.77 feet to a point on the northwestern boundary of said Lot 9;

thence North 41° 09' 34" East along said northwestern boundary a distance of 76.63 feet;

thence South 48° 50' 24" East along the northerly boundary of said Lot 9 a distance of 60.00 feet to a point on the northerly boundary of Instrument No. 9730616;

thence traversing said northerly boundary as follows:

Willow Creek Ranch Estates No. 3

South 49° 24' 05" East a distance of 9.04 feet;

North 57° 18' 33" East (of record North 57° 38' 44" East) a distance of 27.62 feet;

North 65° 06' 42" East (of record North 65° 04' 12" East) a distance of 130.88 feet;

South 44° 23' 21" East a distance of 501.20 feet (of record South 44° 28' 33" East a distance of 501.51 feet);

North 62° 17' 06" East (of record North 62° 16' 22" East) a distance of 37.20 feet;

North 70° 01' 46" East (of record North 70° 01' 02" East) a distance of 310.26 feet;

North 44° 11' 37" East (of record North 44° 10' 53" East) a distance of 255.35 feet;

North 65° 11' 38" East (of record North 65° 10' 54" East) a distance of 69.09 feet;

South 88° 45' 03" East (of record South 88° 45' 59" East) a distance of 91.19 feet;

South 71° 12' 26" East (of record South 71° 13' 10" East) a distance of 240.52 feet;

South 87° 55' 13" East (of record South 87° 55' 57" East) a distance of 13.87 feet;

thence traversing said northerly boundary and bearing South 00° 00' 10" West parallel boundary of the SE 1/4 SE 1/4 of said Section 28;

thence leaving said northerly boundary and bearing South 00° 00' 10" West parallel boundary of said SE 1/4 SE 1/4 of said Section 28;

thence South 00° 00' 00" East parallel with the east boundary of said SE 1/4 SE 1/4 of said Section 28, also being the south boundary of the SW 1/4 SE 1/4 of said Section 28, also being the south boundary of Lot 9, Block 1, also being the TRUE POINT OF BEGINNING;

thence North 00° 00' 00" West along the east boundary of said SE 1/4 SE 1/4 of said Section 28;

thence North 89° 55' 26" West a distance of 40.00 feet;

thence North 00° 00' 00" West parallel with the east boundary of said SE 1/4 SE 1/4 of said Section 28, also being the south boundary of the SW 1/4 SE 1/4 of said Section 28, also being the south boundary of Lot 9, Block 1, also being the TRUE POINT OF BEGINNING;

thence North 00° 00' 10" East parallel with the east boundary of said NE 1/4 SE 1/4 of said Section 28, also being the south boundary of said Lot 9, Block 1, also being the TRUE POINT OF BEGINNING;

thence traversing said southerly boundary as follows:

along a curve to the left having a central angle of 90° 00' 00", a radius of 30.00 feet, an arc length of 47.13 feet and a long chord which bears North 44° 59' 50" West a distance of 42.43 feet;

North 89° 58' 50" West a distance of 79.99 feet;

along a curve to the left having a central angle of 45° 00' 00", a radius of 60.00 feet, an arc length of 47.12 feet and a long chord which bears South 67° 30' 10" West a distance of 45.92 feet;

South 45° 00' 10" West a distance of 137.57 feet;

along a curve to the left having a central angle of 45° 00' 00", a radius of 60.00 feet, an arc length of 47.13 feet and a long chord which bears South 67° 30' 10" West a distance of 45.92 feet;

North 89° 59' 50" West a distance of 561.76 feet;

along a curve to the left having a central angle of 31° 19' 32", a radius of 315.32 feet, an arc length of 172.40 feet and a long chord which bears North 74° 20' 04" West a distance of 170.26 feet;



Willow Creek Ranch Estates No. 3

CERTIFICATE OF COUNTY TREASURER

I, Trace Lloyd, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C. 50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes in full, property included in this proposed subdivision have been paid in full.

This certificate is valid for the next thirty (30) days only.

Trace Lloyd
County Treasurer (s) 2-23-04
Date

SURVEYOR'S CERTIFICATE

I, Fritz Brownell, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat of Willow Creek Ranch Estates No. 3 as described in the owners' actual survey made under my direct supervision and accurately represents the points thereon.

I further certify that this survey was made at the request of the owner thereof and that the survey is in conformity with the State of Idaho Codes relating to plats and subdivisions.



CERTIFICATION AND APPROVAL OF CANYON HWY. DISTRICT
Canyon Highway District has no responsibility for the streets shown on this plat, unless and until a petition has been received and approved together with a dedication of rights-of-way and evidence that said streets meet current Highway District Standards for Construction.

Fritz A. Brownell
Chairman 8 January 2004
Date

CERTIFICATION AND APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, in the event of a health emergency, shall not be a basis for denial of a certificate of disapproval.

Brian C. Leitch
Southwest District Health Department 1-7-04
Date

CERTIFICATION AND APPROVAL OF CANYON COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this 12th day of February, 2004 by the Canyon County Planning and Zoning Commission.

[Signature]
Chairman

CERTIFICATION AND APPROVAL OF CANYON COUNTY COMMISSIONERS

Accepted and approved this 28th day of February, 2004 by the Canyon County Commissioners, Canyon County, Idaho.

Walter B. Burt
Chairman



By Claudia Arnold, Deputy Clerk

North 56° 40' 18" West a distance of 481.37 feet;
along a curve to the left having a central angle of 80° 10' 08" a radius of 30.00 feet, on arc length of 41.97 feet and a long chord which bears South 81° 14' 38" West a distance of 38.63 feet to a point on the easterly boundary of said Lot 5;
thence traversing said easterly boundary as follows:
South 41° 09' 34" West a distance of 181.92 feet;
along a curve to the left having a central angle of 41° 08' 08" a radius of 243.86 feet, on arc length of 174.94 feet and a long chord which bears South 20° 36' 30" West a distance of 171.21 feet;
thence having said westerly boundary and bearing North 89° 56' 38" West a distance of 60.00 feet to a point on the westerly boundary of said Lot 5;
thence traversing said westerly boundary as follows:
along a curve to the right having a central angle of 41° 06' 08" a radius of 303.86 feet, on arc length of 217.97 feet and a long chord which bears North 20° 36' 30" East a distance of 213.53 feet;
North 41° 09' 34" East a distance of 352.42 feet to a point on the northeasterly boundary of said Lot 9;
thence traversing said northeasterly boundary as follows:
South 48° 50' 24" East a distance of 60.00 feet;
South 41° 09' 34" West a distance of 48.71 feet;
along a curve to the left having a central angle of 99° 49' 52" a radius of 30.00 feet, on arc length of 32.28 feet and a long chord which bears South 08° 45' 21" East a distance of 45.91 feet;
South 58° 40' 18" East a distance of 460.57 feet;
along a curve to the left having a central angle of 32° 33' 22" a radius of 255.32 feet, on arc length of 139.59 feet and a long chord which bears South 74° 20' 04" East a distance of 137.86 feet;
South 89° 59' 50" East a distance of 561.76 feet;
along a curve to the left having a central angle of 45° 00' 00", a radius of 60.00 feet, on arc length of 47.12 feet and a long chord which bears North 67° 30' 10" East a distance of 43.92 feet;
North 45° 00' 10" East a distance of 137.57 feet;
along a curve to the right having a central angle of 45° 00' 00", a radius of 120.00 feet, on arc length of 94.24 feet and a long chord which bears North 67° 30' 10" East a distance of 91.84 feet;
South 89° 59' 50" East a distance of 79.99 feet;
along a curve to the left having a central angle of 45° 00' 00", a radius of 60.00 feet, on arc length of 47.12 feet and a long chord which bears North 67° 30' 10" East a distance of 42.43 feet to a point which lies 40.00 feet west of the east boundary of said NE 1/4 SE 1/4;
South 00° 00' 10" West parallel with the east boundary of said NE 1/4 SE 1/4 a distance of 120.00 feet to the TRUE POINT OF BEGINNING.

This parcel contains 39.43 acres, more or less.

Theresa Kemp
Mary Kemp, Successor, Kemp Family Trust



ACKNOWLEDGMENT
On this 28th day of December, 2003 before me, *Aaron D. Mills*, a Notary Public for the State of Idaho, personally appeared the undersigned, a notary public in and for said state, personally appeared the person whose name is subscribed to the within plat, and acknowledged to me that she executed the same as such Successor, Kemp Family Trust.
In witness whereof, I have hereunto set my hand and notarial seal the day last first written.

Aaron D. Mills
Notary Public for the State of Idaho
Commission Expires 12/31/2006



WILLOWVIEW SUBDIVISION NO. 2

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 21 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1505, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DISTRICT HEALTH DEPARTMENT, REHS DATE

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO ON

Mark Baker
CHAIRPERSON

Deborah Baker
CLERK

8-3-06
DATE

8-3-06
DATE



APPROVAL OF PLANNING AND ZONING COMMISSIONERS

I, THE UNDERSIGNED, CHAIRMAN IN AND FOR CANYON COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE COUNTY PLANNING AND ZONING COMMISSIONERS HELD ON THE 24 DAY OF April, 2006, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Mark Baker
CHAIRMAN, PLANNING AND ZONING COMMISSIONERS

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1505 DO HEREBY CERTIFY THAT THE SUBDIVISION HAS BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

James Cleveland
COUNTY TREASURER

Aug 30, 2006
DATE

APPROVAL OF COUNTY SURVEYOR

I, THE UNDERSIGNED, COUNTY SURVEYOR IN AND FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT IN ACCORDANCE WITH IDAHO CODE, TITLE 50, CHAPTER 9 RELATIVE TO PLATS AND MONUMENTS.

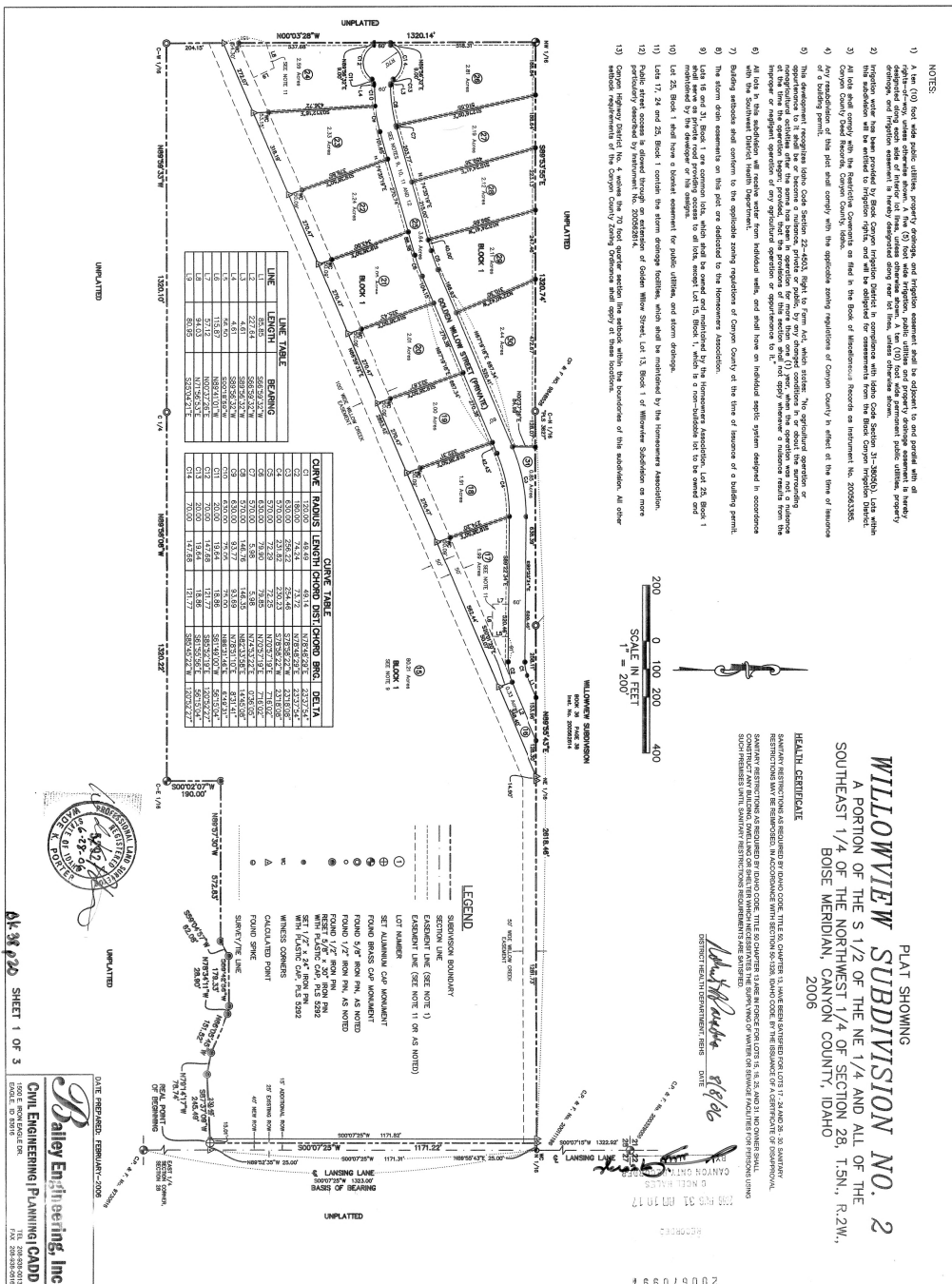
Debbie H. H. H.
CANYON COUNTY SURVEYOR

APPROVAL OF CANYON HIGHWAY DISTRICT #4

CANYON HIGHWAY DISTRICT NO. 4 DOES HEREBY ACCEPT THIS PLAT IN ACCORDANCE WITH THE PROVISIONS OF I.C. § 50-112. PRIVATE STREETS DEPICTED ON THIS PLAT ARE NOT MAINTAINED BY OR UNDER THE JURISDICTION OF THE HIGHWAY DISTRICT. THERE IS NO LEGAL OBLIGATION OR ASSURANCE THAT THE PRIVATE STREETS WILL BE ACCEPTED AS PUBLIC STREETS IN THE FUTURE.

Debbie H. H. H.
CHIEF PERSON

pk 31 p20 SHEET 3 OF 3



CERTIFICATE OF OWNERS

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS, THAT OAKLEAF DEVELOPMENT CO., INC., AN IDAHO CORPORATION, IS THE OWNER OF THE PROPERTY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND ALL OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALL LOCATED IN SECTION 28, TOWNSHIP 6 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE SECTION CORNER COMMON TO SECTIONS 21, 22, 27 AND 28, T. 5 N., R. 2 W., B.M.

THEENCE, ALONG THE SECTION LINE COMMON TO SAID SECTIONS 27 AND 28, ALSO BEING THE CENTRELINE OF LANING LANE, 8' 0" 7' 16" 1322.92 FEET TO A SPIKE IN A BRIDGE DECK MARKING THE NORTH 1/4 SECTION CORNER COMMON TO SAID SECTIONS 27 AND 28;

THEENCE, CONTINUING ALONG SAID SECTION LINE S 0°07'25" W 1171.31 FEET TO A POINT, FROM WHICH A BRASS CAP MARKING THE 1/4 SECTION CORNER COMMON TO SAID SECTIONS 27 AND 28 BEARS S 0°07'25" W 151.89 FEET DISTANT.

THENCE, LEAVING SAID SECTION LINE, N 89°52'35" W, 25.00 FEET TO AN ALUMINUM CAP ON THE EXISTING WEST RIGHT-OF-WAY LINE OF SAID LANISING LANE, ALSO BEING THE REAL POINT OF BEGINNING;

THENCE, LEAVING SAID WEST RIGHT-OF-WAY LINE, S 87°37'08" W 245.49 FEET TO AN IRON PIN

THENCE, N 79°14'17" W 76.74 FEET TO AN IRON PIN

THENCE, N 66°05'45" W 151.52 FEET TO AN IRON PIN

THENCE, N 78°34'11" W 28.90 FEET TO AN IRON PIN

THENCE, S 89°42'56" W 179.33 FEET TO AN IRON PIN

THENCE, S 59°04'07" W 62.08 FEET TO AN IRON PIN,

THENCE, N 89°57'30" W 572.83 FEET TO AN IRON PIN ON THE EAST 1/16 SECTION LINE OF SAID SECTION 28

THENCE, ALONG THE EAST 1/16 SECTION LINE OF SAID SECTION 26, S 07°02'07" W 190.00 FEET TO A G.L.O. BRASS CAP MARKING THE CENTER-EAST 1/16 SECTION CORNER OF SAID SECTION 26;

THENCE, LEAVING THE EAST 1/4 SECTION LINE OF SAID SECTION 28 AND ALONG THE EAST-WEST CENTER 1/4 SECTION LINE OF SAID SECTION 28, N 89°58'08" W 1320.22 FEET TO AN IRON PIN MARKING THE CENTER 1/4 SECTION CORNER OF SAID SECTION 28;

THENCE, CONTINUING ALONG THE EAST-WEST CENTER 1/4 SECTION LINE OF SAID SECTION 28, N 89°59'33" W 1320.10 FEET TO AN IRON PILE MARKING THE CENTER-WEST 1/16 SECTION CORNER OF SAID SECTION 28;

THEENCE, LEAVING THE EAST-WEST CENTER 1/4 SECTION LINE OF SAID SECTION 28 AND ALONG THE WEST 1/16 SECTION LINE OF SAID SECTION 28, N 0°03'28" W 1320.14 FEET TO A O.L.O. BRASS CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 28;

THEENCE, LEAVING THE WEST 1/16 SECTION LINE OF SAID SECTION 28 AND ALONG THE NORTH 1/16 SECTION LINE OF SAID SECTION 28, S 89°53'56" E, 1320.74 FEET TO AN IRON PIN MARKING THE CENTER-NORTH 1/16 SECTION CORNER OF SAID SECTION 28;

THENCE, CONTINUING ALONG THE NORTH 1/16 SECTION LINE OF SAID SECTION 20, N 89°55'43"E 2618.46 FEET TO A POINT MARKING THE INTERSECTION OF THE NORTH 1/16 SECTION LINE OF SAID SECTION 28 AND THE WEST RIGHT-OF-WAY LINE OF SAID LANSING LANE;

THENCE, LEAVING THE NORTH 1/16 SECTION LINE OF SAID SECTION 28 AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID LANSING AVENUE S 0°07'25" W 1171.22 FEET TO THE REAL POINT OF BEGINNING;

SAID PARCEL CONTAINS 113.81 ACRES, MORE OR L

SIDE PARCEL IS SUBJECT TO THE RIGHT-OF-WAY OF THE WILLOW CREEK WASTEWAY, SAID RIGHT-OF-WAY BEING 50.00 FEET ON EACH SIDE OF THE CENTERLINE OF SAID WILLOW CREEK WASTEWAY (FOR A TOTAL RIGHT-OF-WAY OF 100.00 FEET) AS IT CROSSES THE SUBJECT PARCEL;

SAID PARCEL ALSO BEING SUBJECT TO ANY EASEMENTS, OR OTHER RIGHT-OF-WAYS, OF RECORD OR IN USE

IT IS THE INTENTION OF THE UNDERSIGNED TO HEREBY, IN THE ABOVE DESCRIBED PROPERTY IN THIS PLAT AND TO DEDICATE TO THE PUBLIC, THE PUBLIC STREETS AS SHOWN ON THIS PLAT, THE EASEMENTS AS SHOWN ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC. HOWEVER, THE RIGHT TO USE SAID EASEMENTS IS HEREBY PERPETUALLY RESERVED FOR PUBLIC UTILITIES AND SUCH OTHER USES AS DESIGNATED WITHIN THIS PLAT, AND NO PERMANENT STRUCTURES ARE TO BE ERRECTED WITHIN THE LINES OF SAID EASEMENT. ALL LOTS IN THIS PLAT WILL HAVE INDIVIDUAL WATER WELLS.

OAKLEAF DEVELOPMENT CO., INC.

Doug Carrahan
DOUG CARRAHAN, PRESIDENT

CERTIFICATE OF SURVEYOR

I, WADE K. PORTER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAN AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

WADE K. PORTER

P.L.S. NO. 5292



CERTIFICATE OF ACKNOWLEDGMENT

s.

COUNTY OF CANYON)

ON THIS 14 DAY OF June, 2006 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DOUG CARNAHAN, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF OAKLEAF DEVELOPMENT CO., INC. AS FURTHER CORROBORATED, THAT CORROBORATED THAT PERSONS WERE THE AUTHORIZED SIGNERS OF THIS INSTRUMENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

11093

Case Vener

NOTARY PUBLIC FOR IDAHO
RESIDING IN Boise, IDAHO

Boise, IDAHO



APPROVED Mr. Colston, Fire Dept
Randy 7/20/00

DATE PREPARED: FEBRUARY-2000

Valley Engineering, Inc.
CIVIL ENGINEERING | PLANNING | CADD
1500 E. IRON EXPLD DR.
EAGLE, UT 83936
TEL. 208-938-0013
FAX 208-938-0516

WILLOWVIEW SUBDIVISION NO. 2

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 21 HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE REIMPOSED IN ACCORDANCE WITH SECTION 50-1203, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

DISTRICT HEALTH DEPARTMENT, REHS DATE

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

THE FOREGOING PLAT WAS DULY ACCEPTED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO ON

Mark Baker
CHAIRPERSON

Deborah Baker
CLERK

8-3-06
DATE

8-3-06
DATE



APPROVAL OF PLANNING AND ZONING COMMISSIONERS

I, THE UNDERSIGNED, CHAIRMAN IN AND FOR CANYON COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE COUNTY PLANNING AND ZONING COMMISSIONERS HELD ON THE 24 DAY OF April, 2006, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Mark Baker
CHAIRMAN, PLANNING AND ZONING COMMISSIONERS

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1001 DO HEREBY CERTIFY THAT THE SUBDIVISION HAS BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

James D. Baker
COUNTY TREASURER

Aug 30, 2006
DATE

APPROVAL OF COUNTY SURVEYOR

I, THE UNDERSIGNED, COUNTY SURVEYOR IN AND FOR CANYON COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT IN ACCORDANCE WITH IDAHO CODE, TITLE 50, CHAPTER 9 RELATIVE TO PLATS AND MONUMENTS.

Deborah Baker
COUNTY SURVEYOR 7-12-06

APPROVAL OF CANYON HIGHWAY DISTRICT #4

CANYON HIGHWAY DISTRICT NO. 4 DOES HEREBY ACCEPT THIS PLAT IN ACCORDANCE WITH THE PROVISIONS OF I.C. § 50-1012. PRIVATE STREETS DEPICTED ON THIS PLAT ARE NOT MAINTAINED BY OR UNDER THE JURISDICTION OF THE HIGHWAY DISTRICT. THERE IS NO LEGAL OBLIGATION OR ASSURANCE THAT THE PRIVATE STREETS WILL BE ACCEPTED AS PUBLIC STREETS IN THE FUTURE.

Deborah Baker
CHIEF PERSON

pk 31 p20 SHEET 3 OF 3



Canyon County Board of County Commissioners

Spencer Kofoed – Rezone - PH2014-17

Development Services Department

Findings of Fact

1. The applicant is requesting to rezone approximately 91.55 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone.
2. The subject property, Parcel No. R37514 is located at 25532 Duff Lane, Middleton, Idaho, in a portion of the NW ¼ of Section 28, T5N, R2W, BM.
3. The subject property is located within Canyon Highway District, Middleton Fire Department, Middleton School District, and Black Canyon Irrigation District.
4. The subject property is not located within an Area of City Impact.
5. The subject property is designated as "residential" on the Canyon County 2020 Future Land Use Map.
6. Substantial subdivision improvements currently exist on the subject property. The roads and irrigation system were completed as well as power and phone utilities.
7. The subject property is located within an AE floodzone and a portion of the property is located in the Floodway.
8. The Planning & Zoning Commission recommended approval of the rezone on June 5, 2014.

Conclusions of Law

For case file PH2014-17, the Board of County Commissioners find and conclude the following regarding the Standards of Review for rezone CCZO 12-008 § (07-06-05):

A. Is the proposed zone change generally consistent with the Comprehensive Plan?

Conclusion: Yes. The proposed zone change is consistent with the Comprehensive Plan.

Finding: Yes. The proposed zone change is consistent with the applicable Comprehensive Plan goals & policies:

1. Property Rights Policy No. 1- *"No person shall be deprived of private property without due process of law."*
2. Population Policy No. 3 – *"Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses."* The subject property is adjacent on all sides to existing platted subdivisions. Although there are some agricultural uses in the area, approval of the rezone will not be incompatible as there is existing residential development in the area.
3. 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."* The subject property is in an area where there are residential and agricultural uses.
4. Land Use Goal No. 6 – *"Designate areas where rural type residential development will likely occur and recognize areas where agricultural development will likely occur."* The subject property is designated as "residential" on the Canyon County Future Land Use Map.
5. 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."* The subject property is located within Middleton Fire District.
6. Community Design Policy No. 9 – *"Encourage pressurized irrigation systems using non-potable water where reasonably possible (Idaho Code 67-6537)"*

Spencer Kofoed
PH2014-17

Findings of Fact, Conclusions of Law, & Order

B. When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation?

Conclusion: The proposed zone is reflective of the comprehensive plan designation of residential.

Finding: The proposed zone is reflective of the Comprehensive Plan designation of residential. In making a determination whether or not the proposed residential designation is more appropriate than the current agricultural zone is dependent on whether the proposed zone will negatively impact the surrounding land uses in the area. No evidence has been provided that the proposed residential designation will have a negative impact on surrounding land uses. The subject property is adjacent to existing platted subdivisions (Exhibit 7).

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

Conclusion: The proposed use is compatible with existing land uses.

Finding: The proposed rezone is compatible with surrounding land uses, which are a mix of residential and agricultural. The subject property is adjacent to four existing platted subdivisions (Exhibit 7). The addition of residential zoning in this area would be commensurate to the existing residential development in the area.

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

Conclusion: The proposed use will not negatively affect the character of the area.

Finding: The proposed use will not negatively affect the character of the area. The property is adjacent to existing residential development and the proposed use would introduce a similar use to the area (Exhibit 7). No mitigation measures are proposed at this time.

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

Conclusion: Adequate facilities and services will be available to accommodate the use.

Finding: Adequate facilities and services will be provided to accommodate the proposed use at the time of development. The applicant is proposing individual domestic wells and individual septic systems. A pressurized irrigation system will be utilized for the development.

F. Does legal access to the subject property for the development exist or will it exist at the time of development.

Conclusion: Legal access to the subject property exists via Duff Lane.

Finding: The property currently has access to Duff Lane via two access points for the proposed subdivision as shown on the applicant's site plan and the small aerial photo (Exhibits 3 & 4).

G. Does the proposed development require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The proposed development will not require road improvements to provide adequate access.

Finding: The proposed development will not require road improvements to provide adequate access to and from the subject property. Therefore, no mitigation measures are proposed.

H. Will the proposed zone change amendment impact essential public services and facilities, such as, schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts?

Conclusion: The proposed zone change amendment will not impact essential public services and facilities.

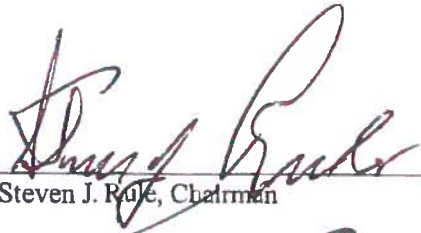
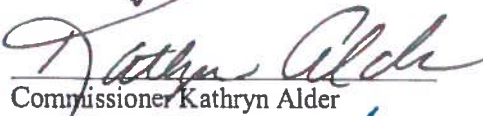
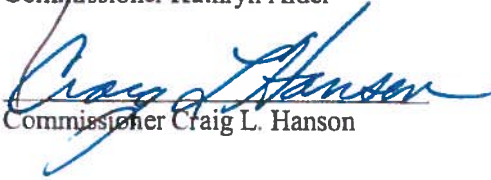
Finding: Middleton School District, Canyon County Sheriff, Middleton Fire Department, and Canyon County Ambulance were notified of the request and did not provide responses to indicate that the proposed zone change would have a negative impact. Therefore, the proposed zone change amendment will not impact essential public services and facilities, and no measures are proposed to mitigate impacts.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein the Board of County Commissioners **approve** Case # PH2014-17, to **Rezone** Parcel No. R37514, approximately 91.55 acres from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone.

APPROVED this 7th day of July, 2014.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY,**

	Yes	No	Did Not Vote
 Steven J. Rule, Chairman	<u>✓</u>	_____	_____
 Commissioner Kathryn Alder	<u>✓</u>	_____	_____
 Commissioner Craig L. Hanson	<u>✓</u>	_____	_____

Attest: Chris Yamamoto, Clerk

By:  Deputy

Spencer Kofoed
PH2014-17

Findings of Fact, Conclusions of Law, & Order

PLAT OF

NW 1/2 OF THE SW 1/4 AND THE SW 1/4 OF THE NW 1/4
OF SECTION 28 T.5N., R.2W., B.M., CANYON COUNTY, IDAHO

2014

[illegible]

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pg#5 MBROWN
PLAT
ENGINEERING

Exhibit B.7, Pg. 1

NOTES

1. UNLESS OTHERWISE SHOWN, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, STREET LIGHTS, IRRIGATION AND LOT DRAINAGE OVER THE TEN (10) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
2. UNLESS OTHERWISE SHOWN, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE TEN (10) FEET ADJACENT TO ALL REAR LOT LINES.
3. UNLESS OTHERWISE SHOWN, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ALL INTERIOR LOT LINES.
4. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION.
5. BUILDING SETBACKS IN THIS SUBDIVISION SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING ORDINANCE IN EFFECT AT THE TIME OF THE ISSUANCE OF THIS BUILDING PERMIT OR AS SPECIFICALLY APPROVED.
6. ALL LOT, PARCEL AND TRACT SIZES SHALL MEET DIMENSIONAL STANDARDS ESTABLISHED IN THE APPLICABLE ZONING ORDINANCE OR AS SPECIFICALLY APPROVED.
7. LOTS 1, 22, AND 23 BLOCK 1, AND LOT 1 BLOCK 3, ARE TO BE COMMON AREAS LOTS OWNED AND MAINTAINED BY THE THURGOODERED TRACT OWNERS. THESE AREAS ARE TO BE USED FOR USE AS STATED WITHIN THE RESTRICTIVE COVENANTS FOR THE THURGOODERED TRACT. THE RESTRICTIONS FOR THESE AREAS ARE SET FORTH IN THE RESTRICTIVE COVENANTS FOR THE THURGOODERED TRACT, SUBDIVISION LOTS 23, BLOCK 1, AND LOT 1, BLOCK 3, ARE ENCLOSED BY A PUBLIC STORM DRAINAGE EASEMENT OVER THE ENTIRE LOT.
8. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS IN CANYON COUNTY.
9. MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY.
10. RESTRICTIVE COVENANTS WILL BE IN EFFECT FOR THIS SUBDIVISION.
11. THE OWNER SHALL COMPLY WITH THE IDAHO CODE SECTION 31-3605 OR IT'S PROVISIONS THAT APPLY TO IRRIGATION WATER. EACH LOT WILL BE ASSESSED AND SERVED BY BLACK CANYON IRRIGATION COMPANY.
12. A PORTION OF LOTS 10 THRU 12, LOTS 14 THRU 24, BLOCK 1, AND LOTS 1 THRU 8, BLOCK 3, FALL WITHIN FLOOD ZONE "AE", AS SHOWN ON MAP NO. 1602200725F OF THE FLOOD INSURANCE RATE MAP, BEARING AN EFFECTIVE DATE OF MAY 24, 2011.

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50 CHAPTER 13 HAVE BEEN SATISFIED FOR LOTS 2 THRU 21, AND 24 THRU 28, BLOCK 1; LOTS 1 THRU 4, BLOCK 2; LOTS 2 THRU 8, BLOCK 3. SANITARY RESTRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH SECTION 50-1306, IDAHO CODE, BY ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.

SOUTHWEST DISTRICT HEALTH DEPARTMENT

DATE: 10/10/14

LEGEND

- REAL POINT OF BEGINNING 5/8" PLS 11118
- FOUND BRASS CAP (AS NOTED)
- CALCULATED POINT
-
-
- SET 3/8"x30" REBAR WITH PLASTIC CAP
- FOUND 5/8" REBAR - PLS 11118, UNLESS NOTED
- BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- LOT LINE
- EASEMENT LINE
- EXISTING PARCEL LOT LINE
- FLOODWAY - IN FLOOD ZONE AE
- FLOWWAY - PARCEL 160270275E
- FLOODPLAIN - IN FLOOD ZONE AE
- FROM FEPA PANEL 160270275E

SCALE IN FEET

0 150 300 600 900

300

SCALE IN FEET

Exhibit B.7



TRADITION CUSTOM HOMES, INC.
DEVELOPER
MIDDLETON, IDAHO

BRIGGS ENGINEERING, INC.
CONSULTING ENGINEERS
BOISE, IDAHO

07 SHEET 1 OF 5
140303-PLUMB - 10/08/2014

07

19

PLAT OF THOROUGHbred ESTATES SUBDIVISION 2014

CURVE TABLE

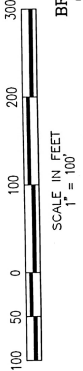
NUMBER	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C23	314.16	200.00	90°00'00"	200.00	N 45°04'14" W	282.84
C24	314.16	200.00	90°00'00"	200.00	N 44°55'46" E	282.84
C25	61.28	230.00	15°15'59"	30.82	N 07°42'13" W	61.10
C26	100.00	230.00	24°54'40"	50.80	N 27°47'33" W	99.21
C27	100.00	230.00	24°54'40"	50.80	N 32°42'13" W	99.21
C28	100.00	230.00	24°54'40"	50.80	N 77°35'54" W	99.21
C29	267.04	170.00	90°00'00"	170.00	N 45°04'14" W	240.42
C30	267.04	170.00	90°00'00"	170.00	N 44°55'46" E	240.42
C31	83.40	230.00	20°46'37"	42.17	N 79°32'28" E	82.95
C32	100.00	230.00	24°54'40"	50.80	N 31°47'09" E	99.21
C33	100.00	230.00	24°54'40"	50.80	N 31°47'09" E	99.21
C34	77.88	230.00	19°24'02"	39.32	N 09°37'47" E	77.51
C35	19.64	20.00	56°15'04"	10.69	S 28°11'46" E	18.86
C36	108.48	70.00	88°47'46"	68.54	S 11°55'25" E	97.95
C37	174.26	70.00	142°38'05"	207.01	S 76°12'29" E	132.02
C38	74.61	70.00	61°04'16"	41.29	S 25°38'41" W	71.13
C39	19.84	20.00	56°15'04"	10.69	N 25°03'18" E	18.86

LINE TABLE

NUMBER	BEARING	DISTANCE
15	N 64°12'34" E	33.31
16	S 42°10'05" E	72.70
17	N 57°03'57" E	47.50
18	N 44°55'46" E	28.28
19	S 45°04'14" E	28.28
20	N 44°55'46" W	28.28
21	S 45°04'14" E	28.28
22	S 45°04'14" E	42.43
23	S 45°04'14" E	42.43
24	S 89°51'42" E	30.00
25	S 89°51'42" E	40.00

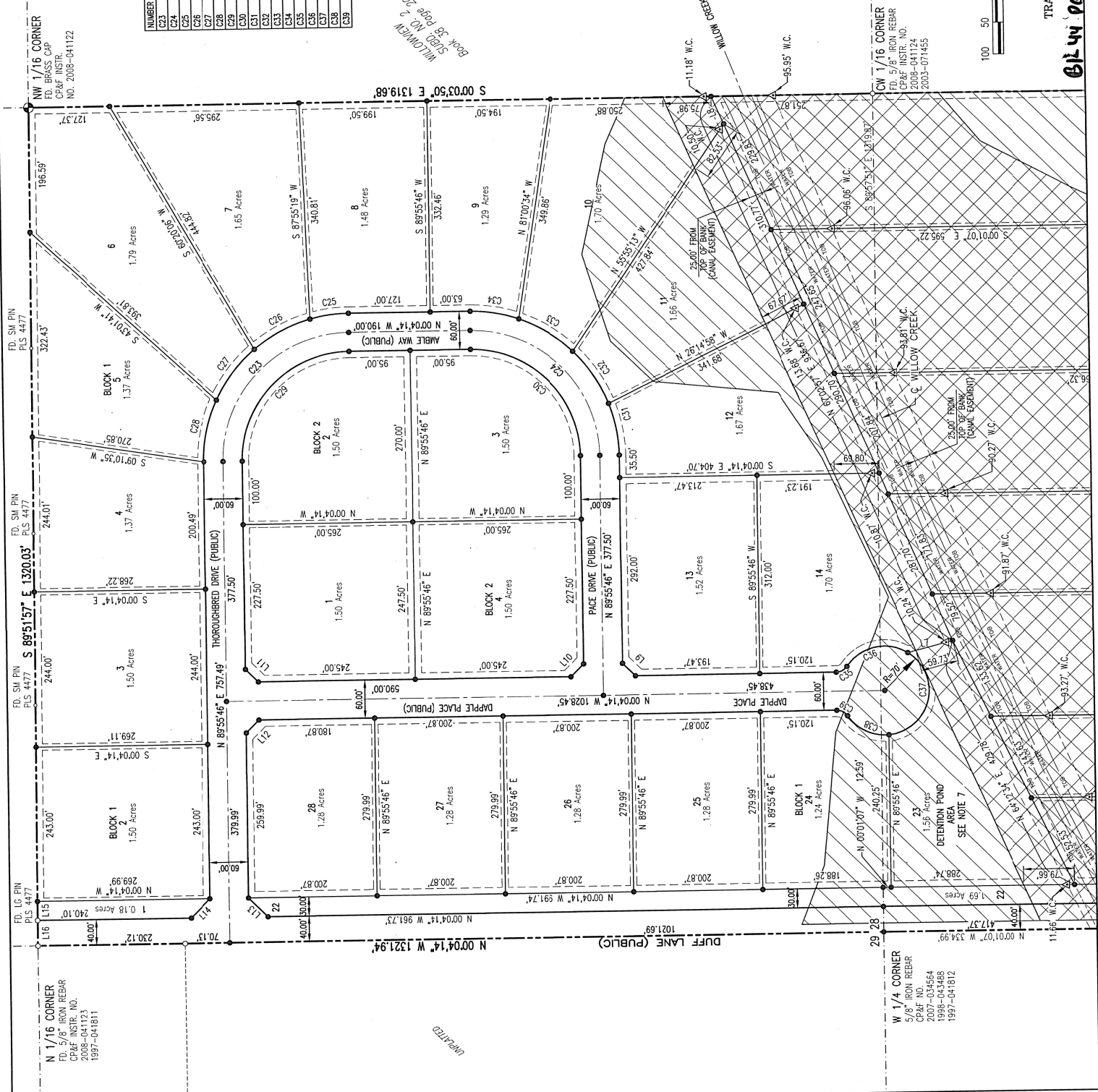
LEGEND

- REAL POINT OF BEGINNING FOUND 5/8" PLS 11118
- FOUND BRASS CAP (AS NOTED)
- CALCULATED POINT
- SET 5/8"x30" REBAR WITH PLASTIC CAP
- FOUND 5/8" REBAR - PLS 11118, UNLESS NOTED
- SET WITNESS CORNER (N.C.)
- BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- LOT LINE
- EASEMENT LINE
- EXISTING PARCEL LOT LINE
- FLOODWAY - IN FLOOD ZONE AE FROM FEMA PANEL 160270275F
- FLOODPLAIN - IN FLOOD ZONE AE FROM FEMA PANEL 160270275F



BRIGGS ENGINEERING, INC.
CONSULTING ENGINEERS
BOISE, IDAHO
SHEET 2 OF 5
140503-PLDWG - 10/09/2014

TRADITION CUSTOM HOMES, INC.
DEVELOPER
BL 44 96-07



PLAT OF THOROUGHbred ESTATES SUBDIVISION 2014

CURVE TABLE

NUMBER	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	281.63	500.00	37°19'20"	144.68	N 73°50'43" E	277.92
C2	111.69	300.00	21°19'54"	56.50	N 47°02'36" E	111.05
C3	254.01	250.00	53°37'53"	128.37	N 67°11'36" E	223.56
C4	121.81	150.00	13°10'04"	61.17	N 83°23'51" E	121.54
C5	176.72	530.00	19°08'15"	89.19	N 67°15'41" E	175.90
C6	19.64	20.00	56°15'04"	10.69	N 65°50'05" E	16.86
C7	137.45	70.00	112°30'07"	104.77	N 37°42'33" E	116.41
C8	19.64	20.00	56°15'04"	10.69	N 29°35'02" E	16.86
C9	122.86	330.00	27°19'54"	62.15	N 47°02'36" E	122.15
C10	131.93	220.00	34°21'34"	68.02	N 53°33'26" E	129.96
C11	23.19	20.00	66°25'19"	13.09	N 76°03'08" E	21.91
C12	131.94	70.00	107°39'40"	96.34	N 83°09'42" E	133.26
C13	8.50	8.00	60°29'41"	4.70	N 59°34'08" W	8.10
C14	8.50	8.00	60°29'41"	4.70	N 59°34'08" W	8.10
C15	155.10	70.00	125°18'47"	133.37	S 68°11'49" W	174.36
C16	17.02	20.00	48°45'24"	9.06	S 49°55'08" W	16.33
C17	165.31	260.00	37°55'11"	96.19	S 55°20'14" W	161.95
C18	100.52	270.00	27°19'54"	50.85	S 47°02'36" W	99.84
C19	19.64	20.00	56°15'04"	10.69	S 65°05'05" W	16.86
C20	137.44	70.00	112°30'07"	104.77	S 37°42'33" W	116.41
C21	19.64	20.00	56°15'04"	10.69	S 29°35'02" W	16.86
C22	264.73	470.00	32°16'20"	135.98	S 73°50'43" W	261.24

LINE TABLE

NUMBER	BEARING	DISTANCE
L0	S 89°59'28" E	69.97'
L1	N 44°55'53" E	42.43'
L2	S 89°59'28" E	1.88'
L3	S 89°59'28" E	1.88'
L4	S 45°01'07" E	42.43'
L5	N 64°32'29" E	34.69'

LEGEND

- REAL POINT OF BEGINNING FOUND 5/8"
- PLS 11118
- FOUND BRASS CAP (AS NOTED)
- CALCULATED POINT
- SET 5/8"x30" REBAR WITH PLASTIC CAP
- FOUND 5/8" REBAR - PLS 11118, UNLESS NOTED
- SET WITNESS CORNER (N.C.)
- BOUNDARY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- LOT LINE
- EASEMENT LINE
- EXISTING PARCEL LOT LINE
- FLOODWAY - IN FLOOD ZONE AE
- FROM FEMA PANEL 16027C0275F
- FLOODPLAIN - IN FLOOD ZONE AE
- FROM FEMA PANEL 16027C0275F



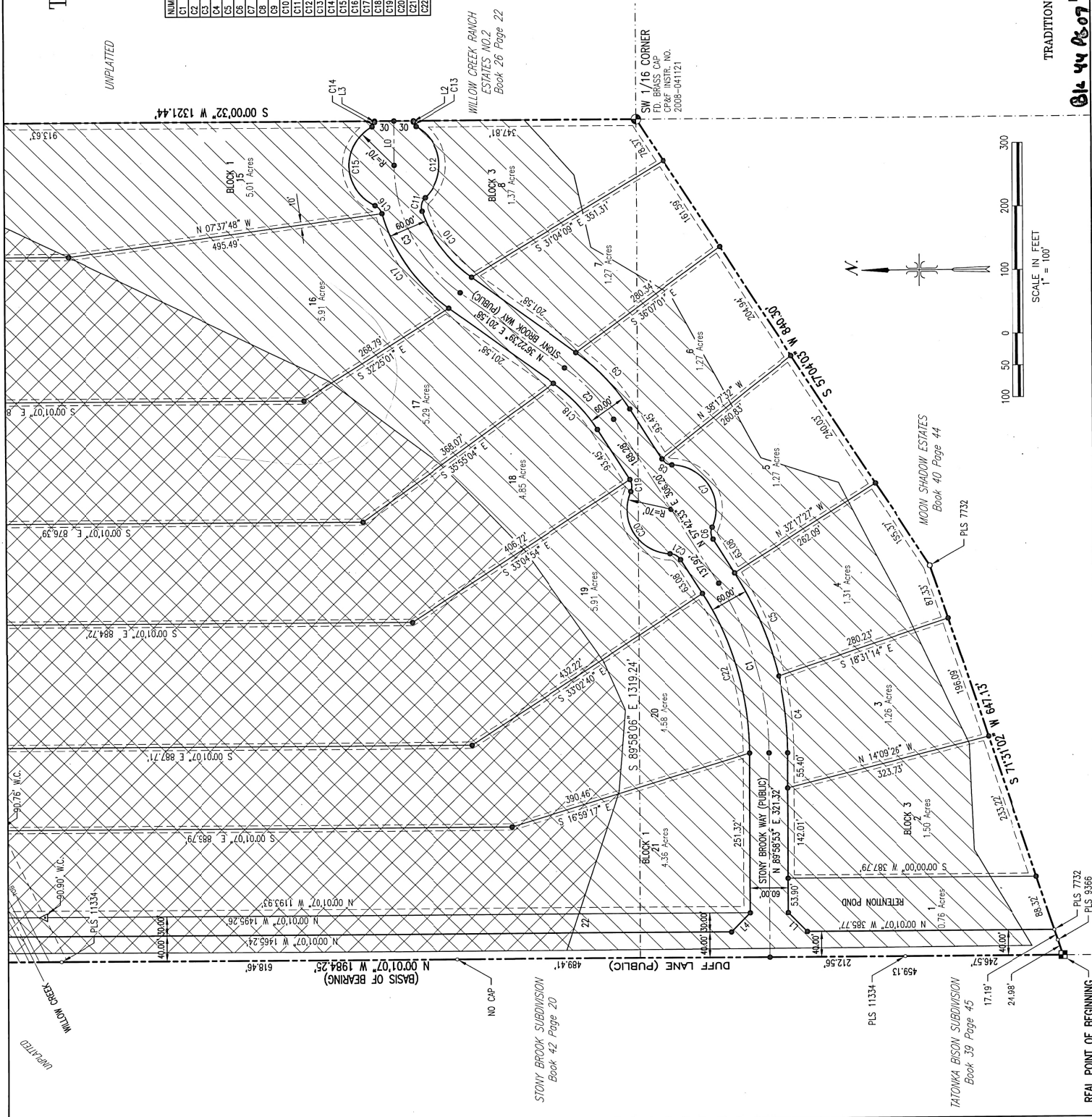
BRIGGS ENGINEERING, INC.
CONSULTING ENGINEERS
BOISE, IDAHO

TRADITION CUSTOM HOMES, INC.
DEVELOPER

BOISE, IDAHO

014 44 0607

SHEET 3 OF 5
14553-PLD05 - 10/09/2014



THOROUGHBRED ESTATES
SUBDIVISION

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS:
THAT TRADITION CUSTOM HOMES, INC., AN IDAHO CORPORATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF IDAHO, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE REAL PROPERTY PLATTED HEREON AND THAT IT IS ITS INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS SUBDIVISION PLAT. THE OWNER ALSO HEREBY CERTIFIES THAT THIS PLAT COMPLES WITH IDAHO CODE 50-1334 (1). THE INDIVIDUAL LOTS DESCRIBED IN THE PLAT WILL NOT BE SERVED BY ANY WATER SYSTEM COMMON TO ONE (1) OR MORE LOTS, BUT WILL BE SERVED BY INDIVIDUAL WELLS.

A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 28, T.5N., R.2W, B.M., CANYON COUNTY, IDAHO; THENCE N 00°01'07" W 658.82 FEET ALONG THE WEST LINE OF THE SOUTHWEST 1/4 TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;

THENCE CONTINUING ALONG SAID WEST LINE, N 00°01'07" W 1984.25 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 28;

THENCE N 00°04'14" W 1321.94 FEET ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 28 TO THE NORTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 (NORTH 1/16 CORNER);

THENCE S 89°51'57" E 1320.03 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 (NORTHWEST 1/16 CORNER) OF SAID SECTION 28;

THENCE S 00°03'50" E 1319.68 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4 (CENTER WEST 1/16 CORNER) OF SAID SECTION 28;

THENCE S 00°00'32" W 1321.44 FEET ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 28 TO A POINT, SAID POINT BEING THE SOUTHWEST 1/16 CORNER;

THENCE S 57°04'03" W 840.30 FEET TO A POINT;

THENCE S 71°31'02" W 847.13 FEET TO THE REAL POINT OF BEGINNING OF THIS SUBDIVISION;

SAID SUBDIVISION CONTAINS 91.65 ACRES, MORE OR LESS.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC AND THE EASEMENTS INDICATED ON SAID PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT TO USE SAID EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES AND FOR ANY OTHER USES AS DESIGNATED HEREON, AND NO PERMANENT STRUCTURES ARE TO BE ERCTED WITHIN THE LINES OF SAID EASEMENTS.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 2nd DAY OF October, 2014.

TRADITION CUSTOM HOMES, INC.


SPENCER W. KOFORD
PRESIDENT


ACKNOWLEDGMENT

COUNTY OF CANYON)
STATE OF IDAHO) SS

ON THIS 2nd DAY OF October, 2014, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED SPENCER W. KOFORD, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT OF TRADITION CUSTOM HOMES, INC., THAT EXECUTED THE INSTRUMENT OR THE PERSON WHO EXECUTED THE INSTRUMENT ON BEHALF OF SAID CORPORATION, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.




NOTARY PUBLIC FOR IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES: 4-19-18

CERTIFICATE OF SURVEYOR

I, DEAN W. BRIGGS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND SHOWN HEREIN, HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS, AND THE CORNER PERPETUATION AND FLING LAW.




DEAN W. BRIGGS, P.L.S.# 3619

THOROUGHbred ESTATES
SUBDIVISION

APPROVAL OF BOARD OF COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THE 20 DAY OF October 2014 BY
THE BOARD OF COUNTY COMMISSIONERS OF CANYON COUNTY, IDAHO.



Dan Allen
CHAIRMAN
CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

Chris Yamamoto, Clerk B. Cavan, Deputy
SECRETARY
CANYON COUNTY BOARD OF COUNTY COMMISSIONERS

ACCEPTANCE OF CANYON HIGHWAY
DISTRICT NO. 4 COMMISSIONERS

CANYON HIGHWAY DISTRICT NO. 4 DOES HEREBY ACCEPT THIS PLAT, AND THE DEDICATED
PUBLIC STREETS, HIGHWAYS AND RIGHTS-OF-WAY AS ARE DEPICTED ON THIS PLAT, IN
ACCORDANCE WITH THE PROVISIONS OF I.C. § 54-1312.

[Signature]
CHAIRMAN
CANYON HIGHWAY DISTRICT NO. 4

DATE 09/29/14

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR CANYON COUNTY,
IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT
COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND VACATIONS.

[Signature] 10/2/14
CANYON COUNTY SURVEYOR
DAVID R. KINZIE TS/PLS 26573

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF CANYON,
STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY
CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES
FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN
FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

[Signature]
COUNTY TREASURER
10-10-14
DATE

APPROVAL OF CANYON COUNTY PLANNING AND ZONING

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE PLANNING AND ZONING
COMMISSION OF CANYON COUNTY, IDAHO ON THE 2 DAY OF October 2014

[Signature]
CANYON COUNTY PLANNING AND ZONING COMMISSION

COUNTY RECORDERS CERTIFICATE

INSTRUMENT NO. _____
STATE OF IDAHO } SS
COUNTY OF CANYON }
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF _____ M. THIS
_____ DAY OF _____ AT _____ MINUTES PAST _____ O'CLOCK, _____
IN MY OFFICE AND WAS DULY RECORDED
IN BOOK _____ OF PLATS AT PAGES _____ AND _____

DEPUTY _____
EX-OFFICIO RECORDER _____
FEE: _____





Canyon County Board of County Commissioners

Dale and Kathy Lee Rezone A to R1, RZ-PH2016-65

Development Services Department

April 5, 2017

Findings of Fact, Conclusions of Law, and Order

Rezone approximately 61 acres from Agricultural to Single Family Residential

Findings of Fact

1. The applicant is requesting to rezone approximately 61 acres, from "A" (Agricultural) to "R1" (Single Family Residential). (Exhibit 4)
2. The subject properties, R37513/ R37513-013/R37513-013A/ R37513-014 are currently zoned "A" (Agricultural) (Exhibit 14).
3. The subject property is designated Residential on the Comprehensive Plan Future Land Use Map. (Exhibit 3)
4. The subject property is not located within an area of city impact.
5. There are currently two residences and five accessory buildings on the subject property. (Exhibit 2)
6. The existing residence has legal access to Purple Sage Road. (Exhibit 5)
7. The subject property is located within the Canyon Highway District, Middleton Fire District, Middleton School District and Black Canyon Irrigation District.
8. The record includes all testimony, the staff report, exhibits, and documents in case file No. RZ-PH2016-65.
9. The original parcel currently consists of 4 (four) residential parcels. Any more divisions of the subject property will require platting.
10. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on 12/02/16, Newspaper notice was provided on 12/16/16, property owners within 300' were notified by mail on 12/06/16, and the property was posted on 12/19/16. Agency notice and property owner notice was provided on 3/08/16, Newspaper notice was provided on March 9, 2016 and the property was posted on March 21, 2017.
11. The Planning and Zoning Commission **recommended denial** of the rezone on February 2, 2017 (Exhibit 25)

Conclusions of Law

For this request the Planning and Zoning Commission finds and concludes the following regarding the Standards of Review for a Zoning Amendment (§07-06-05):

1. Is the proposed zone change generally consistent with the comprehensive plan?

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

Finding: The Canyon County 2020 Comprehensive Plan Future Land Use Map has the subject property designated as residential (Exhibit 3). The proposed rezone from Agricultural to Single Family Residential is consistent with the Future Land Use Map and with multiple goals and policies of the 2020 Canyon County Comprehensive Plan including but not limited to:

- Property Rights Policy No. 1- *"No person shall be deprived of private property without due process of law."*
- Property Rights Policy No. 8- *"Promote orderly development that benefits the public good and protects the individual with a minimum of conflict."*
- Property Rights Policy No. 11- *"Property owners shall not use their property in a manner that negatively impacts upon the surrounding neighbors or neighborhoods."*

- The Land Use Component: *“Residential development should be encouraged in or near areas of city impact or within areas that demonstrate a development pattern of residential land uses.”* There are 27 platted developments near the subject property and it is within one mile of Middleton City limits. (Exhibit 13).
- Land Use Component Goal No. 2- *“To provide for the orderly growth and accompanying development of the resources within the county that is compatible with the surrounding 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.”*

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

Conclusion: The proposed zone change is more appropriate than the current zoning designation.

Finding: Approximately 57% of the acreage of the subject parcels are considered *not prime farm ground* (Exhibit 12). These parcels are designated as Residential on Canyon County’s Future Land Use Map (Exhibit 3). Household growth in this part of the County is expected to grow from 611 to 826 by 2040 (Exhibit 9-11). A designation of R1 (Single Family Residential) could accommodate the future growth in this area as mentioned by the Community Planning Association of Southwest Idaho (COMPASS) (Exhibit 9). Since much of the area is not well suited for Agriculture, and the evident population growth expected to occur in this area, and alignment with the Canyon County Future Land Use Map, a rezone to a residential zone is appropriate.

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

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

Finding: The surrounding uses are a mix of agriculture and residential type uses. As evident on the Canyon County Future Land Use map, this area north of the City of Middleton is expected and planned for a large residential area to help accommodate the projected growth over the next 30 years. Within a mile of the subject property there are 27 platted subdivisions with 398 lot having an average size of 2.89 acres (Exhibit 13). As shown in the Lot Classification Map, the subject properties are directly adjacent to 1.0 to 2.0 acre parcels on the North and East side. A trend of residential designation is shown through two recently approved rezones (Exhibit 17-20) in the past five years.

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

Conclusion: The proposed use will not negatively affect the character of the area and no mitigation is proposed or warranted at this time.

Finding: The subject property is located in a residential/agricultural area. There are 27 platted subdivisions within a mile of the property and there is residential development immediately adjacent to the north, east and west of the subject parcels (Exhibit 13).

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed use?

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

Finding: The developer shall meet agency requirements at the time of development.

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

Conclusion: Yes, legal access to the subject property exists onto Purple Sage Road (public)

Finding: The roadway, Purple Sage is classified as minor arterial on the Functional Classification maps adopted by Canyon Highway District No. 4 (CHD4). Purple Sage Road is considered an urban arterial road because it is less than one mile from the Middleton City Limits. Middleton City Code 6-3-2 (D)(1) identifies Purple Sage Road having a 50 foot half road width and a total road right of way of 100 ft. (Exhibit 6). Canyon Highway District (CHD4) requested that any future development be limited to a single public road collector access to Purple Sage Road. The existing residential properties within the subject area should obtain access from internal roads and all access points to Purple Sage Road be abandoned. These internal streets should be improved to public road standards and be dedicated to the public upon completion. CHD4 requested that stub streets be provided to parcels adjacent to the subject property. Additionally, CHD4 requested that proposed rezone has the potential to generate over 500 trips per day which would meet the threshold for a required Traffic Impact Study (TIS) (Exhibit 5).

7. Does the proposed development require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will not cause undue interference with existing or future traffic patterns as proposed (Exhibit 6).

Finding: The property owner will be required to meet Canyon Highway District No. 4 requirements at the time of development (Exhibit 5).

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

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

Finding: The proposed use will not require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the property.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein the Board of County Commissioners approves of Case # RZ-PH2016-65, a request to rezone parcel R37513/ R37513-013/R37513-013A/ R37513-014, approximately 61 acres, from "A" (Agricultural) zoned property to "R1" (Single Family Residential) zone.

APPROVED this 5 day of April, 2017.

	Yes	No	Did Not Vote
 _____ Tom Dale, Chairman	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Pam White	<input checked="" type="checkbox"/>	_____	_____
 _____ Commissioner Steven J. Rule	<input checked="" type="checkbox"/>	_____	_____

Attest: Chris Yamamoto, Clerk

By: 

Deputy

Date: 4-5-17

W1/4 Cor.
Sec 28
Illegal Bent
CRF Inst. No.
200734564

PLAT OF
OAKLEE ESTATES SUBDIVISION NO. 1
LOCATED IN A PORTION OF THE
SW1/4 SE1/4 OF SECTION 28,
T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
2024

BK 51 Pg 16

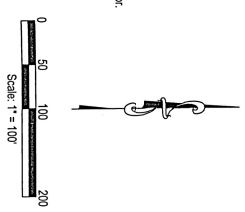
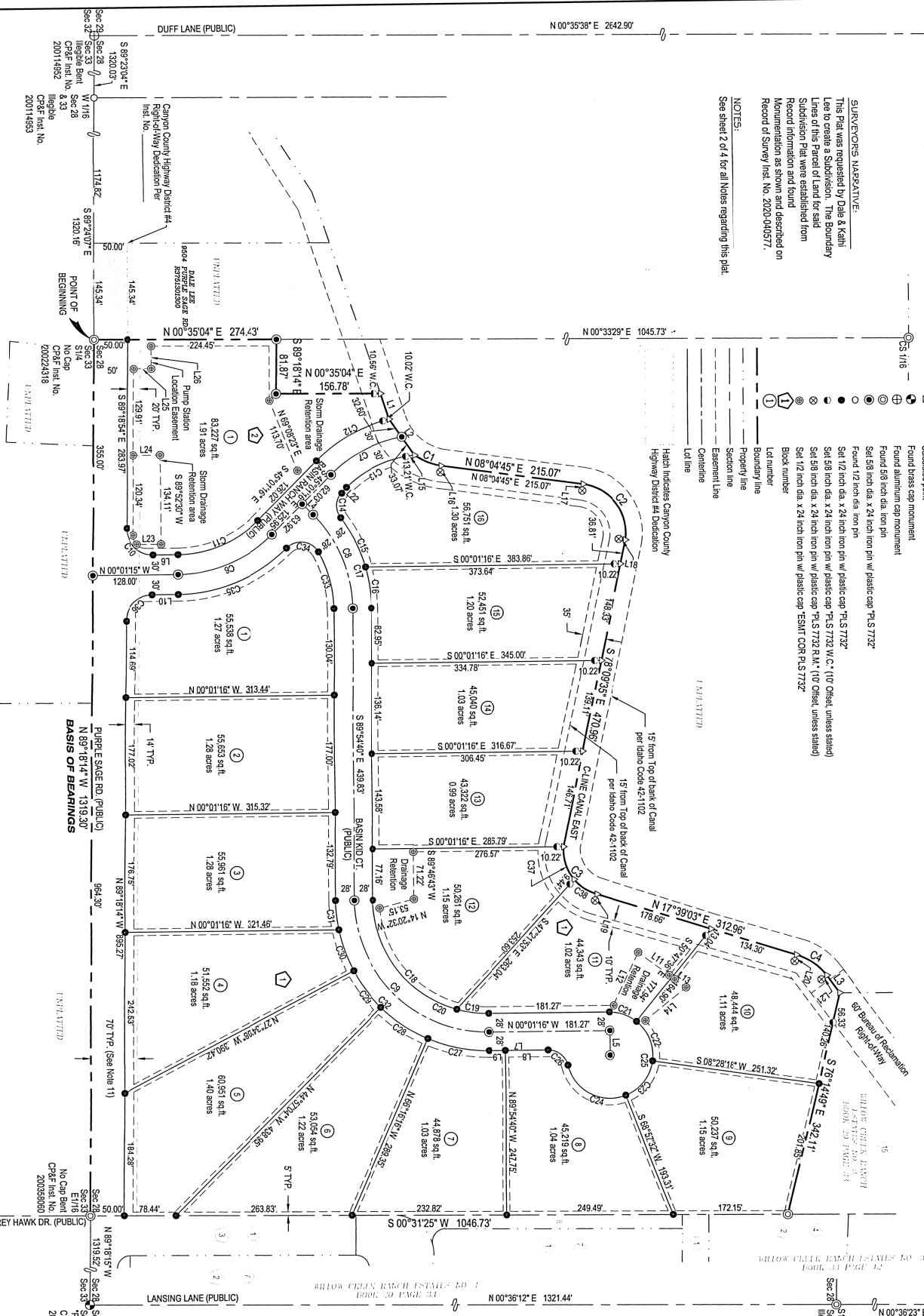
SURVEYORS' NARRATIVE:
This Plat was requested by Dale & Kaiti Lee to create a Subdivision. The Boundary Lines of this Parcel of Land for said Subdivision Plat were established from Record Information and found Monumentation as shown and described on Record of Survey Inst. No. 2020-040577.

NOTES:
See sheet 2 of 4 for all Notes regarding this plat.

LEGEND

- Calculated point
- Found brass cap monument
- Found aluminum cap monument
- Found 5/8 inch dia. iron pin
- Found 1/2 inch dia. iron pin
- Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732
- Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732
- Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732 (10' Offset, unless stated)
- Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732 R.M. (10' Offset, unless stated)
- Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap TSM COR PLS 7732
- Block number
- Lot number
- Boundary line
- Property line
- Section line
- Easement Line
- Centerline
- Lot line

Hatch indicates Canyon County Highway District #4 Dedication



2024-015356
RECORDED
05/21/2024 11:07 AM
RICK HOGBOAM
CANYON COUNTY RECORDER
PLAT LIBRARY
SUBDIVISION MARKER
\$11.00

PROFESSIONAL SURVEYOR
STATE OF IDAHO
7732
RICHARD K. HOGBOAM

COMPASS LAND SURVEYING, PLLC
623 11th Avenue South
Nampa, ID 83651
JN 3919 SHEET 1 OF 4 04/23/2024

PLAT OF
OAKLEE ESTATES SUBDIVISION NO. 1
LOCATED IN A PORTION OF THE
SW1/4 SE1/4 OF SECTION 28,
T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
2024

BK 51 PG 18

NOTES:

- Any Resubdivision of this Plat shall Comply with the Applicable Zoning Regulations in Effect at that time.
- Building Setbacks and Dimensional Standards in this Subdivision shall conform to the Applicable Zoning Regulations at the time of Resubdivision, or as Allowed by the Current Zoning and Regulations set forth by Canyon County. Setbacks not shown for Clarity.
- Lots in this Subdivision will be Served by Individual Septic Systems.
- Lots in this Subdivision will be Served by Individual Wells per IDWR Specifications/Requirements.
- Oaklee Estates Home Owners Association will Provide an Irrigation System to each Lot and will be Owned and Maintained by the Oaklee Estates Home Owners Association. Irrigation Water is Being Provided from Black Canyon Irrigation District in Compliance with Section 31-3305(B). Lots within this Subdivision will be Entitled to Irrigation Water Rights and will be Obligated for Assessments from Black Canyon Irrigation District.
- A Permanent Easement for Public Utilities, Drainage and Irrigation is hereby Designated as follows, Unless otherwise Dimensioned:
 - 10' along Subdivision Boundary, unless otherwise shown.
 - 10' along the Frontage of each Lot, Public Right-of-Way or Private road.
 - 10' along the Rear Lot Lines, unless otherwise noted.
 - 5' along each side of the interior Lot Lines.
 - This Development Recognizes Section 22-4503, Idaho Code, Right to Farm Act, which states: No Agricultural Operation, Agricultural Facility or Expansion thereof shall be or become a nuisance, Private or Public, by any changed Conditions in or about the Surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the Operation, Facility or Expansion was not a nuisance at the time it began or was constructed. The Provisions of this Section shall not apply when a nuisance results from the improper or negligent Operation of an Agricultural Operation, Agricultural Facility or expansion thereof.
 - Lot 11 through Lot 12, Block 1, and Lot 1, Block 2 have a storm drain retention easement as shown hereon.
 - The Homeowner's Association, Underlying Property Owner, or adjoining Property Owner is Responsible for all Storm Drainage Facilities Outside of the Public Right of Way, including all routine and heavy maintenance.
 - No direct Lot Access to Purple Sage Road.
 - No Permanent Structures shall be Located any closer than Seventy Feet (70') to any Section Line or Quarter Section Line which is Reserved for a Future Road (Ord. 10-006, 6-16-2010).
 - Right of Way Dedication Area as shown hereon will be Dedicated to and Owned and Maintained by the Highway District No. 4.
 - The C-Line Canal East has an Irrigation Right-of-Way, 15' North and South to the Top of the Bank.
 - Lot 1, Block 2 is subject to a pump station easement and two drainage retention area easements. The Homeowner's Association will be responsible for all maintenance for said areas.
 - The Homeowner's Association or adjacent property owner is responsible for maintaining any and all amenities (lawns, sprinklers, sidewalks, landscaping, etc.) approved by the District to be within the public right-of-way.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 71°48'10" E	40.60'
L2	N 55°12'30" E	66.67'
L3	N 53°14'20" E	32.65'
L4	N 44°38'44" E	22.69'
L5	N 69°38'44" E	37.00'
L6	N 00°01'16" W	37.00'
L7	N 00°01'16" W	88.62'
L8	N 00°01'16" W	63.70'
L9	N 00°01'16" W	24.92'
L10	N 00°01'16" W	38.87'
L11	N 35°53'11" E	58.10'
L12	N 44°38'44" W	67.71'
L13	N 38°53'11" E	21.00'
L14	S 58°17'20" E	78.22'
L15	S 09°38'28" E	13.86'
L16	N 81°45'15" W	10.00'
L17	N 81°41'28" W	10.00'
L18	N 09°14'49" E	10.00'
L19	N 71°40'55" W	10.00'
L20	N 73°48'05" W	10.00'
L21	N 35°35'37" W	10.00'
L22	S 45°01'16" E	6.88'
L23	N 00°00'00" E	36.58'
L24	S 00°00'00" E	40.41'
L25	N 00°00'00" E	28.53'
L26	N 80°00'00" W	33.99'

CURVE TABLE			
CURVE	LENGTH	RADIUS	CENTRAL ANGLE
C1	43.19'	92.78'	28°34'02"
C2	117.41'	73.14'	89°31'44"
C3	94.95'	70.20'	77°10'21"
C4	55.91'	92.67'	34°34'13"
C5			NOT USED
C6	167.08'	200.00'	46°00'03"
C7	122.67'	200.00'	35°49'28"
C8	167.46'	200.00'	46°06'36"
C9	314.54'	200.00'	90°06'36"
C10	63.32'	40.00'	90°42'22"
C11	133.52'	170.00'	46°00'00"
C12	127.40'	230.00'	31°44'49"
C13	104.23'	170.00'	35°75'11"
C14	42.79'	30.00'	81°43'52"
C15	63.60'	228.00'	21°00'35"
C16	62.89'	228.00'	18°46'47"
C17	146.47'	228.00'	38°46'26"
C18	222.29'	172.00'	74°02'48"
C19	48.22'	172.00'	16°03'46"
C20	270.51'	172.00'	90°06'36"
C21	44.50'	65.00'	38°15'35"
C22	61.24'	65.00'	89°15'07"
C23	68.62'	65.00'	60°29'22"
C24	111.46'	65.00'	98°14'58"
C25	291.83'	65.00'	26°71'35"
C26	40.44'	30.00'	77°13'45"
C27	94.51'	228.00'	23°45'01"
C28	84.84'	228.00'	21°19'12"
C29	68.17'	228.00'	17°22'56"
C30	65.85'	228.00'	16°33'53"
C31	44.21'	228.00'	17°05'35"
C32	358.58'	228.00'	90°06'36"
C33	89.75'	174.79'	28°25'12"
C34	55.53'	30.00'	105°39'50"
C35	161.52'	230.00'	46°13'07"
C36	62.33'	40.00'	89°16'57"
C37	53.02'	70.20'	43°16'11"
C38	41.54'	70.20'	33°54'10"



PLAT OF
OAKLEE ESTATES SUBDIVISION NO. 1

LOCATED IN A PORTION OF THE
SW1/4 SE1/4 OF SECTION 28,
T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
2024

CERTIFICATE OF OWNERS

Know all men by these presents that Dale and Kathi Lee, are the Owners of a Real Parcel of Land herein after described and it is their intention to include said Real Property in this Subdivision Plat.

A parcel of land being a portion of the SW 1/4 SE 1/4 of Section 28, Township 5 North, Range 2 West, Boise Meridian, Canyon County Idaho, more particularly described as follows:

BEGINNING at the South West corner of said SW 1/4 SE 1/4 (South 1/4 corner), which is being monumented with a found 5/8 inch diameter iron pin, from which the South East corner of said SW 1/4 SE 1/4 (East 1/16 corner common to sections 28 and 33), bears S. 89° 18' 14" E., a distance of 1319.30 feet;

Thence along the western boundary of said SW 1/4 SE 1/4, N. 00° 35' 04" E., a distance of 274.45 feet to a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence leaving said western boundary, S. 89° 18' 14" E., a distance of 81.87 feet a set 5/8 inch diameter iron pin stamped "CLS PLS 7732";

Thence parallel with the western boundary of said SW 1/4 SE 1/4, N. 00° 35' 04" E., a distance of 156.78 feet to the centerline of the "C-Line Canal East", from which a 5/8 inch diameter iron pin Witness Corner stamped "WC PLS 7732" bears S. 00° 35' 04" W., a distance of 10.56 feet;

Thence along the centerline of said "C-Line Canal East" the following courses and distances:

Thence N. 71° 48' 10" E., a distance of 40.68 feet;

Thence N. 55° 27' 36" E., a distance of 66.67 feet to the beginning of a non tangent curve left;

Thence a distance of 43.19 feet along the arc of said curve left, having a radius of 92.76 feet, a central angle of 26° 40' 42", the long chord of which bears N. 23° 09' 34" E., a distance of 42.80 feet;

Thence tangent to said curve, N. 08° 04' 45" E., a distance of 215.07 feet to the beginning of a non tangent curve right;

Thence a distance of 117.41 feet along the arc of said curve right, having a radius of 75.14 feet, a central angle of 86° 31' 44", the long chord of which bears N. 53° 09' 45" E., a distance of 105.83 feet;

Thence tangent to said curve, S. 78° 09' 35" E., a distance of 470.95 feet to the beginning of a non tangent curve left;

Thence a distance of 94.55 feet along the arc of said curve left, having a radius of 70.20 feet, a central angle of 77° 10' 21", the long chord of which bears N. 55° 21' 39" E., a distance of 67.57 feet;

Thence tangent to said curve, N. 17° 39' 03" E., a distance of 312.95 feet to the beginning of a non tangent curve right;

Thence a distance of 55.91 feet along the arc of said curve right, having a radius of 92.67 feet, a central angle of 34° 34' 13", the long chord of which bears N. 34° 45' 22" E., a distance of 55.07 feet;

Thence tangent to said curve, N. 53° 44' 20" E., a distance of 32.85 feet to the southerly boundary of Willow Creek Ranch Estates No. 3 as on file in Book 33 of Plats at Page 42 in the Office of the Recorder of Canyon County, Idaho;

Thence along said southerly boundary, S. 78° 14' 49" E., a distance of 342.11 feet to a found 5/8 inch diameter iron pin with no cap marking the eastern boundary of said SW 1/4 SE 1/4 and being a portion of the western boundary of said Willow Creek Ranch Estates No. 3;

Thence along the eastern boundary of said SW 1/4 SE 1/4 which is also a portion of the western boundary of said Willow Creek Ranch Estates No. 3 and also being the western boundary of Willow Creek Ranch Estates No. 1 as on file in Book 20 of Plats at Page 33 in the Office of the Recorder of Canyon County, Idaho, S. 00° 31' 25" W., a distance of 1046.73 feet to a found 5/8 inch diameter iron pin with no cap marking the South East corner of said SW 1/4 SE 1/4 (East 1/16 corner common to sections 28 and 33);

Thence along the southerly boundary of said SW 1/4 SE 1/4, N. 89° 18' 14" W., a distance of 1319.30 feet to the POINT OF BEGINNING.

This parcel contains 24.44 acres more or less.

The Public Streets and rights-of-way shown on this Plat are dedicated to the public forever.

The Public Utility and Drainage Easements are not Dedicated to the Public, but the right of access to and use of Public Utility and Drainage Easements required to Service all Lots and Parcels within this Plat are Perpetually Reserved.

The Individual Lots Described in this Plat will not be served by any Water System common to one (1) or more of the Lots, but will be Served by Individual Wells.

In witness whereof, we have hereunto set our hands this _____ Day of _____, 20__.

Dale Lee 11 DEC 2023
Date

Kathi Lee 12/11/2023
Date

ACKNOWLEDGMENT
STATE OF IDAHO } SS
COUNTY OF CANYON

On this 11 day of December, the year 2023, before me, Dale Lee, personally appeared, known or identified to me to be an Owner that Executed the instrument.

In witness whereof, I have hereunto set my hand and notary seal the day last above written.

Notary Public for
Residing at
Commission expires 4/28/29



ACKNOWLEDGMENT
STATE OF IDAHO } SS
COUNTY OF CANYON

On this 11 day of December, the year 2023, before me, Kathi Lee, personally appeared, known or identified to me to be an Owner that Executed the instrument.

In witness whereof, I have hereunto set my hand and notary seal the day last above written.

Notary Public for
Residing at
Commission expires 4/28/29



CERTIFICATE OF SURVEYOR

I, Richard A. Gray do hereby Certify that I am a Professional Land Surveyor Licensed by the State of Idaho, and that this Plat as Described in the Certificate of Owners and the attached Plat, was Drawn from an actual Survey made on the ground, made by me or under my direct supervision and accurately represents the points Platted hereon, and is in Conformity with State of Idaho codes relating to Plats, Surveys and the Corner Perpetuation and filing act, Idaho Codes 55-1601 through 55-1612.



RICHARD A. GRAY LICENSE No. 7732

PLAT OF
OAKLEE ESTATES SUBDIVISION NO. 1

LOCATED IN A PORTION OF THE
 SW1/4 SE1/4 OF SECTION 28,
 T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
 2024



APPROVAL OF CANYON COUNTY COMMISSIONERS

I, the undersigned, Chairman of Canyon County Commissioners, Canyon County, Idaho, do hereby certify that at a regular meeting of the Commissioners held on the 21st day of May, in the year of 2024, this plat was duly accepted and approved.

Brad Holton
 Chairman
05-21-24
 Date

APPROVAL OF HIGHWAY DISTRICT NO. 4

Highway District No. 4 does hereby accept this plat, and the dedicated public streets, highways and rights-of-way as are depicted on this plat, in accordance with the provisions of Idaho Code 50-1312.

[Signature]
 Chairman
03-29-2024
 Date

CERTIFICATE OF CANYON COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor, in and for Canyon County, Idaho, do hereby certify that I have checked this Plat, and that it complies with the State of Idaho Code relating to Plats and Surveys.

[Signature]
4/23/24
 Canyon County Surveyor UNDER 24-50-1305 Date
DAVID E. KINBERG 783725 2659

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Canyon, State of Idaho, per the requirements of I.C. 50-1308, do hereby certify that any and all current and/or delinquent County Property Taxes for the property included in this proposed subdivision have been paid in full.
 This certificate is valid for the next thirty (30) days only.

[Signature]
 County Treasurer
04/30/2024
 Date



APPROVAL OF SOUTHWEST DISTRICT HEALTH DEPARTMENT

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of a certificate of disapproval.

[Signature]
 Southwest District Health Department, EHS
01/17/2024
 Date





Board of County Commissioners
John Cotner – Rezone - RZ2021-0034

Findings of Fact, Conclusions of Law, and Order
Zoning Map Amendment - RZ2021-0034

Findings of Fact

1. John Cotner is requesting a **Rezone** of approximately 26.85 acres from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The subject property, parcel no. R37498 is located on the east side of Lansing Ln., approximately 1384 ft. north of the intersection of Purple Sage Rd. and Lansing Ln., in a portion of the SW¼ of section 27, T5N, R2W, BM, Canyon County, Idaho.
2. The rezone is being considered concurrently with a preliminary plat (including irrigation and drainage) for Hawk View Estates (SD2021-0021). The proposed plat includes 12 residential lots.
3. The subject property is designated “residential” on the Canyon County Comprehensive Plan Future Land Use Map.
4. The property is not located in an area of city impact. The site is located approximately 1384 ft. north of Purple Sage Rd., which is the north boundary of Middleton’s Area of City Impact.
5. The subject properties are located within Canyon Highway District No. 4, Middleton Fire District, Middleton School District and Black Canyon Irrigation District.
6. A neighborhood meeting was conducted on April 26, 2021 pursuant to CCZO §07-10-15.
7. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on February 2, 2022. Newspaper notice was published on February 13, 2022. Property owners within 600’ were notified by mail on February 14, 2022. The property was posted on February 22, 2022.
8. The record includes all testimony at public hearings, the staff report, exhibits, and documents in Case File No. RZ2021-0034.

Conclusions of Law

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

1. Is the proposed zone change generally consistent with the comprehensive plan?

Conclusion: The proposed zone change is consistent with the future land use map, which identifies the property as residential. The proposed zone change aligns with the goals and policies contained within the 2020 Canyon County Comprehensive Plan.

Finding: The property is identified as “residential” on the Canyon County Future Land Use Map; The proposed zone change aligns with the following goals and policies contained within the 2020 Canyon County Comprehensive Plan:

Chapter 1. Property Rights

Policy 1. No person shall be deprived of private property without due process of law.

Policy 8. Promote orderly development that benefits the public good and protects the individual with a minimum of conflict.

Chapter 2. Population

Policy 3. Encourage future population to locate in areas that are conducive for residential living and that do not pose an incompatible land use to other land uses.

Chapter 4. Economic Development

Policy 7. Canyon County should identify areas of the county suitable for commercial, industrial, and residential development. New development should be located in close

proximity to existing infrastructure and in areas where agricultural uses are not diminished.

Chapter 5. Land Use

Land Use Goal 5. Achieve a land use balance, which recognizes that existing agricultural uses and non-agricultural development may occur in the same area.

Land Use Goal 6. Designate areas where rural type residential development will likely occur and recognize areas where agricultural development will likely occur.

Residential Land Use Policy 3. Encourage compatible residential areas or zones within the county so that public services and facilities may be extended and provided in the most economical and efficient manner.

Chapter 8. Public Services, Facilities and Utilities

Policy 3. Encourage the establishment of new development to be located within the boundaries of a rural fire protection district.

Chapter 9. Transportation

Policy 13. Ensure that all new development is accessible to regularly maintained roads for fire protection and emergency service purposes.

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

Conclusion: The proposed zone change is more appropriate than the current "A" (Agricultural) zone.

Finding: When considering the surrounding residential land uses, the proposed zone change is more appropriate than the current zoning designation. The subject property is within an area that contains residential zoning and uses. Within one (1) mile of the site there are 23 platted subdivisions with an average lot size of 2.52 acres. Within 600 ft. of the site the non-platted median lot size is 1.97 acres.

The request to rezone to "R-R" (Rural Residential) is commensurate with the average platted lot size as well as the median within the area.

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

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

Finding: When considering the surrounding residential land uses, the proposed zone change is more compatible. The subject property is within an area that contains residential zoning and uses. Within one (1) mile of the site there are 23 platted subdivisions with an average lot size of 2.52 acres. Within 600 ft. of the site the non-platted median lot size is 1.97 acres.

The request to rezone to "R-R" (Rural Residential) is commensurate with the average platted lot size as well as the median within the area.

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

Conclusion: The proposed use will not negatively affect the character of the area.

Finding: The proposed use will not negatively affect the character of the area as it is transitioning to rural residential uses. There are 23 subdivisions located within one (1) mile of the site. The platted lots have an average lot size of 2.52 acres, which, is commensurate with the "R-R" (Rural Residential) zoning that is being requested by the applicant. There are residential zoning districts located within close proximity of the site.

5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed use?

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 is required.

Finding: Individual septic systems are proposed for each residential lot. A level I Nutrient Pathogen Study was submitted for the project. The study concluded that Extended Treatment Package systems capable of achieving a nitrate concentration of 16 mg/l will be utilized to treat wastewater on proposed lots. The NP study was also reviewed by Southwest District Health and Idaho Department of Environmental Quality (DEQ). SWDH concluded the subdivision will likely not significantly impact ground water quality downgradient of the proposed sub division.

Individual domestic wells are proposed for each residential lot. A hydrology study completed by the applicant concluded that the addition of 11 new domestic wells will have no impact on current groundwater levels near the subdivision. The anticipated drawdown to existing wells in the area would be less than 0.1 feet within 1000 feet of the subdivision, and less than 0.03 feet at one mile from the subdivision.

Pressurized irrigation is proposed for the development (SD2021-0021) and is required as a condition of approval. Drainage will be addressed via the subdivision plat for this development.

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

Conclusion: The property has frontage on Lansing Lane, a public road.

Finding: The property has frontage on Lansing Lane, a public road. The conditions of preliminary plat approval have been provided (SD2021-0021) in accordance with comments by Canyon Highway District #4 (CHD4). Said conditions shall be met by the developer. The highway district is a signatory on the final plat which will ensure their requirements are met.

7. Does the proposed development require road improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns created by the proposed development? What measures have been taken to mitigate road improvements or traffic impacts?

Conclusion: The rezone of the subject property will not cause undue interference with existing or future traffic patterns as proposed.

Finding: The request does not create future development that would regenerate over 500 average daily trips. Therefore, CHD4 does not require a traffic impact study. CHD4 requires right of way dedication along Lansing Lane and improvements to be addressed at the time of platting.

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

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


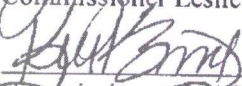
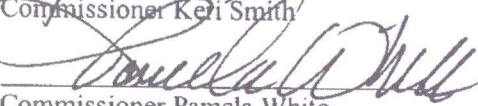
Finding: No evidence has been provided that the proposed use will require additional public funding to meet the needs created by the requested use and police, fire, and emergency medical services will be provided to the properties.

Order

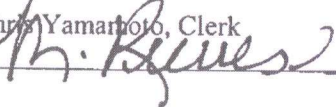
Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Canyon County Board of County Commissioners **approve** Case #RZ2021-0034, a zoning map amendment (rezone) from an "A" zone (Agricultural) to an "R-R" (Rural Residential) zone for Parcel No. R37498.

APPROVED this 15th day of March, 2022.

**BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY,**

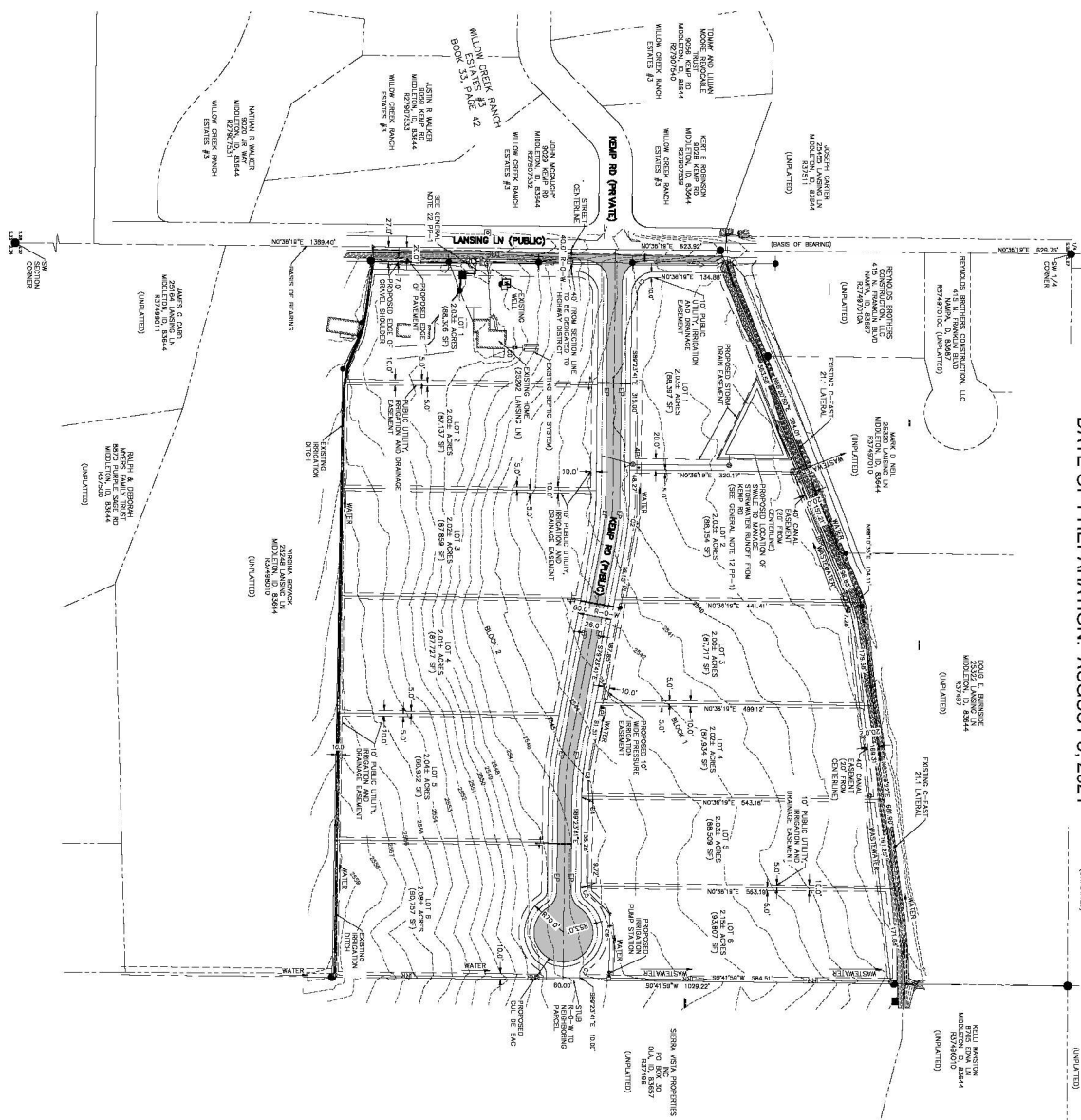
	Yes	No	Did Not Vote
 Commissioner Leslie Van Beek	<u>✓</u>	<u> </u>	<u> </u>
 Commissioner Keri Smith	<u>✓</u>	<u> </u>	<u> </u>
 Commissioner Pamela White	<u>✓</u>	<u> </u>	<u> </u>

Attest: Chris Yamamoto, Clerk

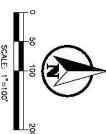
By: 
Deputy

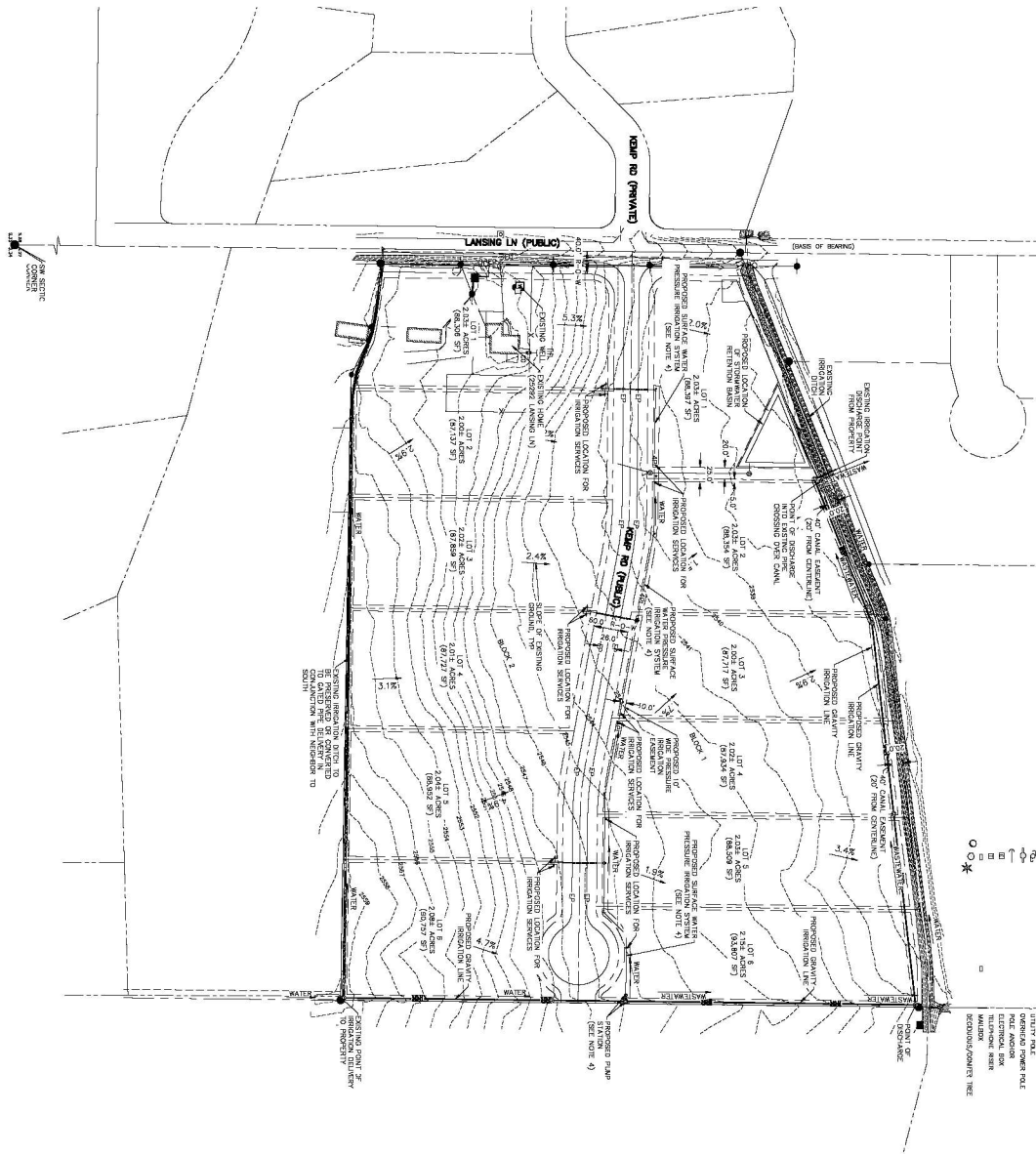
Date: 3/15/22

DATE OF PREPARATION: AUGUST 3, 2021



Curve Table				
Curve #	Length	Radius	Delta	Chord Length
C2	92.50	526.00	10.00	S84° 23' 41"E 92.29
C3	78.23	470.00	0.54	S84° 10' 01"E 78.20
C4	3.74	470.00	0.46	S89° 10' 01"E 3.74
C5	18.64	20.00	56.25	N62° 28' 47"E 18.66
C6	13.67	20.00	112.50	S89° 23' 41"E 13.61
C7	18.64	20.00	56.25	N62° 28' 47"E 18.66
C1	62.83	40.00	90.00	S84° 23' 41"E 96.57

[illegible]

[illegible]

- ## NOTES
- SEE SHEET 201-1 FOR ADDITIONAL NOTES, LEGEND AND TEMPORARY BENCHMARK LOCATIONS AND ELEVATIONS.
 - SEE SHEET 301-2 FOR PRELIMINARY PLAT, LOT, LAYOUT AND CONTIGUATION.
 - CONTRACTOR SHALL PROTECT ALL SURVEY MONUMENTS DURING CONSTRUCTION. ANY MONUMENT DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED BY A PROFESSIONAL LAND SURVEYOR AT THE EXPENSE OF THE CONTRACTOR.
 - THIS IS A PRELIMINARY RESERVATION PLAN INTENDED TO SHOW THE A GENERAL CONCEPT OF THE PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION PLANS WILL BE PREPARED AS PART OF FUTURE CONSTRUCTION DRAWINGS AT THE TIME OF FINAL PLATTING.
 - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF THE DRAIN STANDARDS FOR PUBLIC WORKS CONSTRUCTION (CIP-201).

REVISIONS

A	05/06/2021 - REVIEW
B	07/06/2021 - CHD4
C	08/03/2021 - COUNT



COTNER DEVELOPMENT
COMPANY, LLC
PO BOX 785
MERIDIAN, ID 83680
CONTACT: JOHN COTNER
PHONE: 208-941-9623

PRELIMINARY PLAT FOR
HAWK VIEW ESTATES SUBDIVISION
25292 LANSING LN
MIDDLETON, IDAHO 83644

DRAWN	SCALE
TCW	SHOWN
CHECKED	REVISION
LBW	C
DATE	
08/03/2021	
PROJECT	
21001	

**HAWK VIEW
ESTATES
SUBDIVISION
PRELIMINARY
IRRIGATION
PLAN**

SHEET
PP-3
3 of 3



AMENDED STAFF REPORT

CCZO 05-002

TO: CANYON COUNTY HEARING EXAMINER

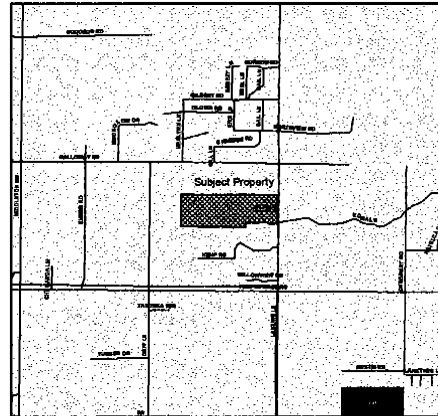
HEARING DATE: July 28, 2005

FILE NO.: CU2005-49

PARCEL NO.: R37511-010

APPLICANT: Oak Leaf Development
4042 W. Chinden Blvd.
Meridian, ID 83642

REPRESENTATIVE: Kerry Camahan
4042 W. Chinden Blvd.
Meridian, ID 83642



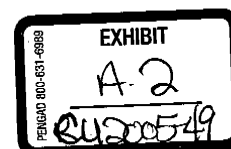
STATEMENT OF REQUEST

Oak Leaf Development, Inc. is requesting a Conditional Use Permit to divide approximately 113 acres into 14 residential lots in an "A" (Agricultural) Zone. The subject property is located on the north side of Willow Creek and further described as being on the west side of Lansing Lane, approximately ¼ mile south of the intersection of Galloway Road and Lansing Lane, Middleton, Idaho, in a portion of the NW ¼ and the NE ¼ of Section 28, T5N, R2W, BM.

PROPERTY HISTORY

The subject property incurred an administrative split (LS2004-580) in January 1998 creating two (2) parcels consisting of 1.30 acres and 1.30 acres. The balance of the subject parcel was adjusted into the farm. It appears that the farm was split in June, 1987 thus creating 113 acres; however Development Services Department has no record of said split.

Oak Leaf Development(wih)/Case #CU2005-49
Staff Report Prepared on August 22, 2005
Page 1 of 10



PROJECT DESCRIPTION

On **May 23, 2005**, the Development Services Department accepted an application from Oak Leaf Development and created file no. CU2005-49. **This request, if approved, will be required to be platted as governed by the Canyon County Subdivision Ordinance.**

The Applicant Proposes the Following:

Access:

- One (1) access will be extended from Willowview Subdivision No. 1.
- Private road (Golden Willow Street)
- No sidewalks, curbs or gutters are proposed.

Lots:

- 14 residential lots
- Lots will range in size, on the northwestern 34 acres, from 1.93 acres to 2.85 acres.
- 79 acres will remain in agricultural.

Irrigation:

- Underground piping will be installed for the irrigation system.
- All storm water will be retained on site.

Sewer and Water:

- Individual septic systems
- Individual domestic wells

Landscaping:

- Basic landscaping for screening where necessary.
- An attractive entrance will be in place.

AGENCY RESPONSES

- A. **Canyon County Weed and Gopher Control** (CCWGC) notes that they see a potential "Rush Skeleton" weed problem that will increase as the soil is developed. They are asking the owners to have a plan to control all noxious weeds. The CCWGC is also concerned that the new landowners may not be aware that the weeds in the easement along the Willow Creek are their responsibility (Exhibit C.1).
- B. **Canyon Highway District No. 4** states due to the layout of the existing subdivision within the section and topographic constraints, the District will waive the quarter section line right-of-way dedication and setback requirements for the north-south section line that bisects the proposed subdivision (Exhibit C.2).

C. Southwest District Health (SWDH) has stated several requirements and recommendations including but not limited to the following (Exhibit C.3):

- SWHD requires a pre-development meeting for subdivisions prior to application being submitted.
- An approved Subdivision Engineering Report (SER) prior to lifting sanitary restrictions.
- Require additional data in the Subdivision Engineering Report process concerning high seasonal ground water, bedrock from original grade and waste flow characteristics.
- A nutrient and pathogens study may be required.
- Recommend that the applicant receive approval for sewer and water prior to obtaining Preliminary approval as SWDH requirements may change the dynamics of the proposal (# of lots, location, etc.).

D. The Development Services Department has not received a response from the following agencies at the time the staff report was written:

- a. Canyon County EMS/Paramedics
- b. Canyon County Sheriff
- c. Middleton School District No. 134
- d. Middleton Fire District
- e. Black Canyon Irrigation District
- f. Qwest Communications
- g. Southwest District Health
- h. Idaho Power
- i. Natural Resources Conservation Service
- j. Farm Service Agency (Formerly ASCS)
- k. Idaho Department of Water Resources

RECOMMENDED FINDINGS OF FACT

After review of this application and file, the Development Services Department recommends the Hearing Examiner adopt the following Findings of Fact. If any of these Findings of Fact are deemed to be Conclusions of Law, they are incorporated into the Conclusions of Law section.

Site Characteristics

1. **Property size(s):** The subject property is approximately 34 113 acres.
2. **Existing Structures:** None.

Oak Leaf Development(wih)/Case #CU2005-49
Staff Report Prepared on August 22, 2005
Page 3 of 10

3. **Area of City Impact:** The subject property is approximately 2/3 mile north of the Middleton Area of City Impact.
4. **Existing Vegetation:** The subject property is currently utilized as pasture and a tree farm.
5. **Soil Information:** According to the Department of Agriculture Soil Conservation Service Soil Survey of Canyon Area (July 1972) and the Canyon County Comprehensive Plan (1995) under Agricultural Designations, the predominant soil type is **Draper Loam (DrA)** based on irrigation water rights being available to the subject property.

Soil Type	Slope	Class	Total on Property	Comprehensive Plan Designation
Draper Loam (DrA)	0-1%	II	62%	Best-suited
Notus Soils (No)	Unknown	IV	11%	Moderately-suited
Power Silt Loam (PhB)	1-3%	II	9%	Best-suited
Jenness Loam (JeB)	1-3%	II	5%	Best-suited
Harpt Loam (Ha)	Unknown	I	4%	Best-suited
Power Silt Loam (PhC)	3-7%	III	3%	Moderately-suited
Jenness Loam (JeC)	3-7%	III	3%	Moderately-suited
Power Silt Loam (PhA)	0-1%	I	1%	Best-suited
Lankbush-Power Complex (LhE)	12-30%	VI	1%	Least-suited
Elijah-Vickery Silt Loams (EvC)	3-7%	III	1%	Moderately-suited

Total best-suited soils: 81%
Total moderately-suited soils: 18%
Total least-suited soils: 1%

6. **Irrigation:** The subject property currently utilizes gravity flow irrigation.
7. **Access and Views:** The subject property has frontage onto a private road, Golden Willow Street and there are no obstructed vehicular views onto the public road.

Vicinity Characteristics

8. **Gravel Pits:** There are no gravel pits within one (1) mile of the subject property.

9. **Dairies:** There no dairies within one (1) mile of the subject property.

10. **Feedlots:** There is one (1) feedlot within two (2) miles of the subject property.

Owner	Address	Location	Size
Beck Ranch, Inc.	Edna Ln., Middleton	½ miles northeast	120 acres

11. **Existing Homes in the Area:** Approximately 116 of the 200 parcels (58%) within the set notification distance of ½ mile of the subject property have existing homes.

12. **Lot Size and Range:** The average lot size within ½ mile of the subject property is 7.47 acres and range in size from 0.1 acres to 114 acres.

13. **Platted Subdivisions:** There are 10 platted subdivisions within one (1) mile of the subject property for a total of 187 lots.

Subdivision	Lots	Avg. Lot Size	Location
Benchmark Estates	13	4.13 acres	¾ mile northwest
Blackmon Acres	5	3.18 acres	¾ mile south
Creekside Ranch Estates	3	5.24 acres	1/8 mile northeast
Grand Estates	14	2.50 acres	Adjacent to the northwest
Gray Hawk	9	0.78 acres	¾ mile south
Lansing Heights	88	2.82 acres	¼ mile north
Port of Chance	8	4.69 acres	¾ mile southwest
Willow Creek Ranch #1	16	1.55 acres	½ mile south
Willow Creek Ranch #2	9	1.32 acres	2/3 mile south
Willow Creek Ranch #3	22	1.71 acres	2/3 mile south

14. **Subdivisions in Platting:** There is one (1) subdivision in the platting stage within one (1) mile of the subject property for a total of 11 lots.

Subdivision	Lots	Avg. Lot Size	Location
Willowview Subdivision	11	2.72 acres	Adjacent to the north

15. **Comprehensive Plan Designation:** Agricultural

16. Flood Plain:

A Zone

- Structures shall have the top of the lowest floor elevated two (2) feet above adjacent grade.

17. Current Land Use:

Pasture and Tree Farm

18. Current Zoning:

"A" (Agricultural)

19. Surrounding Land Use and Zoning:

Direction	Land Use	Zoning
North	Willowview Sub, Agricultural lands & Sporadic homes	"A" (Agricultural)
South	Agricultural lands & Sporadic homes	"A" (Agricultural)
East	Agricultural lands & Sporadic homes	"A" (Agricultural)
West	Agricultural lands & Sporadic homes	"A" (Agricultural)

20. Services: The following agencies provide services to the subject property:

- a. **Emergency Services:** Canyon County EMS/Paramedics
Canyon County Sheriff
- b. **Fire District:** Middleton Fire District
- c. **Highway District:** Canyon Highway District No. 4
- d. **Irrigation District:** Black Canyon Irrigation District
- e. **School District:** Middleton School District No. 134
- f. **Utilities:** Idaho Power
Qwest Communications
- g. **Water & Septic:** Southwest District Health Department

Procedural History

- 21. On **July 18, 2005**, staff notified other agencies of this application and solicited their comments.
- 22. On **July 11, 2005**, persons owning property within ½ mile of the site were notified of the hearing by mail.
- 23. On **July 11, 2005**, notice of the hearing was published in the Idaho Press Tribune.
- 24. On or before **July 21, 2005**, notice of the public hearing was posted on the subject property.

RECOMMENDED CONCLUSIONS OF LAW

After review of this application and file, the Development Services Department recommends the Hearing Examiner adopt the following Conclusions of Law. If any of these Conclusions of Law are deemed to be Findings of Fact, they are incorporated into the Findings of Fact section.

1. Whether the proposed use is permitted in the zone by Conditional Use Permits.

Yes, 07-10-19 (3) (J)

2. A statement of the nature of the request

The applicant proposes to divide approximately 34 113 acres into 43 14 residential lots.

3. Whether the proposed use is consistent with the Comprehensive Plan

- a. Pages 75 and 76: Guidelines to be used in administering the plan.

- b. This request is consistent with the following Comprehensive Plan provisions:

1. Property Rights
 2. Population Policy 1
 3. Overall Land Use Policy 1
 4. Overall Land Use Policy 2
 5. Overall Land Use Policy 3
 6. Overall Land Use Policy 4
 7. Area of City Impact Policy 1
 8. Agricultural Lands Policy 3
 9. Transportation Objectives
 10. Housing Policies 1

- c. This request is not consistent with the following Comprehensive Plan provisions:

1. Property Rights
 2. Population Policy 3
 3. Population Policy 4
 4. Overall Land Use Policy 2
 5. Economic Development Policy 3
 6. Overall Land Use Policy 2
 7. Overall Land Use Policy 7

8. Agricultural Lands Policy 1
9. Area of City Impact Policy 1

4. Whether the proposed use will be injurious to other property in the immediate vicinity and/or will negatively change the essential character of the area.

If the project is developed as described in the applicant's Letter of Intent, then the proposed use may be injurious to land uses on other properties in the immediate vicinity and may not negatively change the essential character of the area.

5. Whether, if applicable, adequate water, sewer, irrigation and drainage and storm water drainage facilities and utility systems are to be provided to accommodate said use.

If the project is developed and operated as described in the applicant's Letter of Intent, then adequate sewer, drainage facilities, and utility systems will be provided to accommodate said use as described below.

- a. Sewer: Individual septic systems
- b. Water: Individual domestic wells
- c. Drainage: No changes are proposed
- d. Utilities: Currently available to the subject property.

The subject property is **not within** a nitrate priority area as determined by the Department of Environmental Quality.

Southwest District Health (SWDH) has stated several requirements and recommendations including but not limited to the following (Exhibit C.3):

- SWHD requires a pre-development meeting for subdivisions prior to application being submitted.
- An approved Subdivision Engineering Report (SER) prior to lifting sanitary restrictions.
- Require additional data in the Subdivision Engineering Report process concerning high seasonal ground water, bedrock from original grade and waste flow characteristics.
- A nutrient and pathogens study may be required.
- Recommend that the applicant receive approval for sewer and water prior to obtaining Preliminary approval as SWDH requirements may change the dynamics of the proposal (# of lots, location, etc.).

6. Whether legal access to the subject property for the development exists or will exist at the time of final plat.

Canyon Highway District No. 4 states due to the layout of the existing subdivision within the section and topographic constraints, the District will waive the quarter section line right-of-way dedication and setback requirements for the north-south section line that bisects the proposed subdivision (Exhibit C.2).

7. Whether there will be undue interference with existing or future traffic patterns.

The addition of 14 lots will add additional traffic to this area. However, this area appears to be in transition to residential.

8. Whether essential services are to be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and whether or not services will be negatively impacted by such use or will require additional public funding in order to meet the needs created by the requested use.

Canyon County Weed and Gopher Control (CCWGC) notes that they see a potential "Rush Skeleton" weed problem that will increase as the soil is developed. They are asking the owners to have a plan to control all noxious weeds. The CCWGC is also concerned that the new landowners may not be aware that the weeds in the easement along the Willow Creek are their responsibility (Exhibit C.1).

No other agencies have responded with any information regarding this request.

RECOMMENDED ORDER

If the Hearing Examiner denies the request, then staff recommends that the following be included as rationale and what actions the applicant might take, if any, to gain approval upon reapplication:

1. The application may benefit by waiting until City of Middleton expands the impact area to include the subject property per Canyon County Comprehensive Plan, Population Policy No. 3 and Areas of City Impact Policy No. 1.
2. The subject property consists of best- and moderately-suited soils and has irrigation water available to portions of it, and it is therefore defined as "developed" in the Canyon County Comprehensive Plan, Agricultural Lands Policy No. 1.

If the Hearing Examiner approves the request, then staff recommends that it be with 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. Include the following right to farm statement on the final plat:

RIGHT TO FARM STATEMENT

All properties shown on this plat are located in an agricultural zone. This is an area in which agricultural operations are ongoing and may include, but are not limited to, aerial spraying, the production of crops, the operation of feedlots, hog farms, dairies, and/or gravel pits. All of these activities may result in the production of noise and other inconveniences. They may involve lights or the use machinery in the nighttime hours or other inconveniences. All owners of property identified on this plat are prohibited from challenging the aforementioned operations if they are lawfully conducted.

3. The developer shall administer a Road User's Maintenance Agreement with all future landowners if the road is private. This document shall be recorded and a copy provided to Development Services.
4. A Water User's Maintenance Agreement shall be entered into and recorded for the newly created parcels.
5. The developer shall adhere to Canyon County's Flood Ordinance.
6. The applicant shall plat the subject property according to the Canyon County Zoning Ordinance, Article 17.
7. The project will commence within three (3) years and be completed within five (5) years.

Based on the Recommended Findings of Fact and Recommended Conclusions of Law, staff recommends the Hearing Examiner **approve** Oak Leaf Development's request for a conditional use permit with the aforementioned conditions.

Applicants Signature: _____

Date: _____

Oak Leaf Development(wih)/Case #CU2005-49
Staff Report Prepared on August 19, 2005
Page 10 of 10

Sent to Applicant 8/19/05

Exhibit 3
EXHIBIT C

Site Visit Photos: September 5, 2024

Planning & Zoning Commission

Case# CR2022-0016

Hearing date: December 5, 2024



CR2022-0016 - MDC, LLC/Carter

Site Visit: 9/5/2024

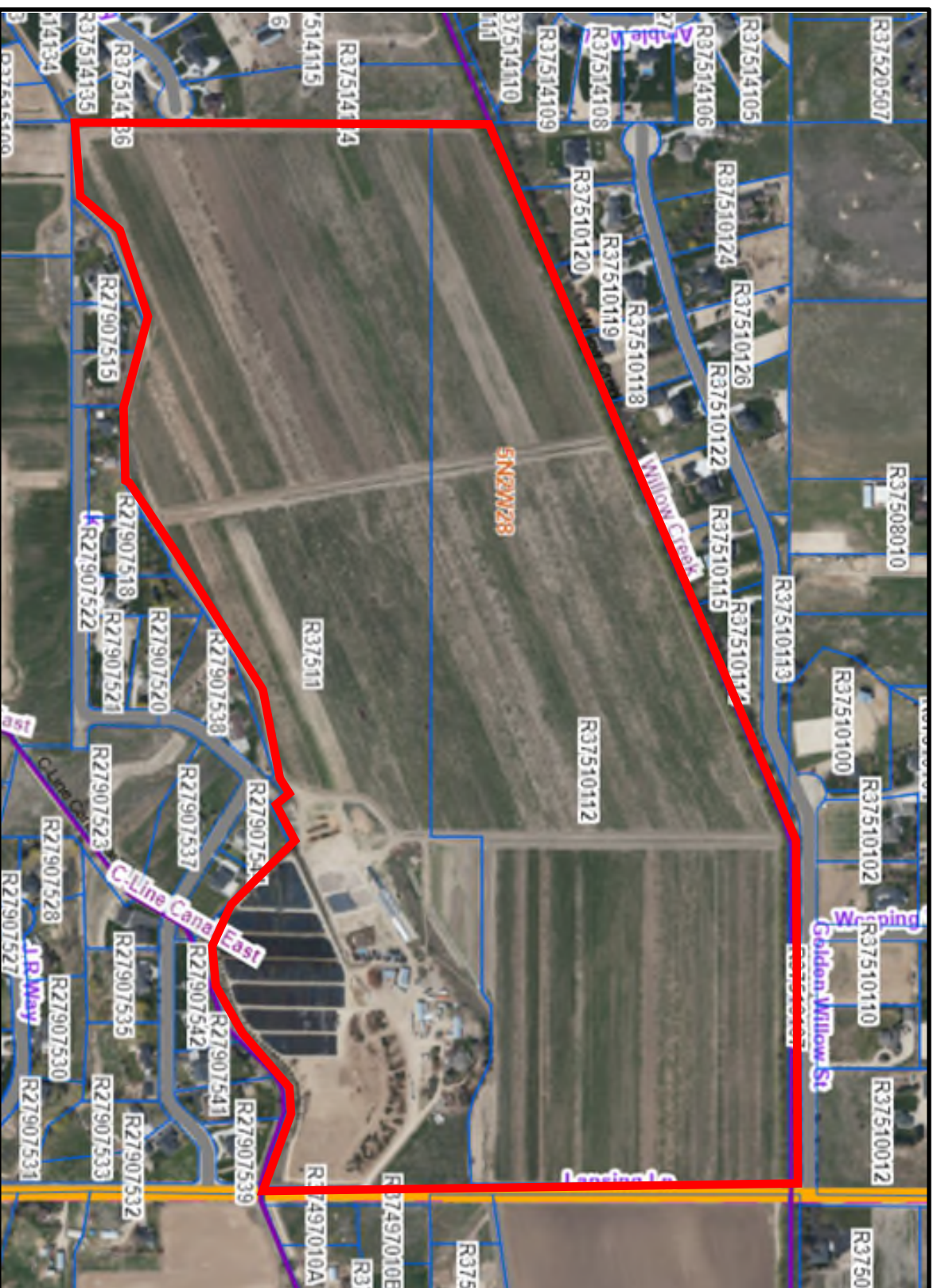












































Exhibit 3
EXHIBIT D

Agency Comments Received by November 25, 2024

Planning & Zoning Commission

Case# CR2022-0016

Hearing date: December 5, 2024

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

June 4, 2024

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Case No. CR2022-0016

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.

- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.

- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Rebecca Blankenau, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Aaron Scheff
Regional Administrator

c:

2021AEK



322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
 Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

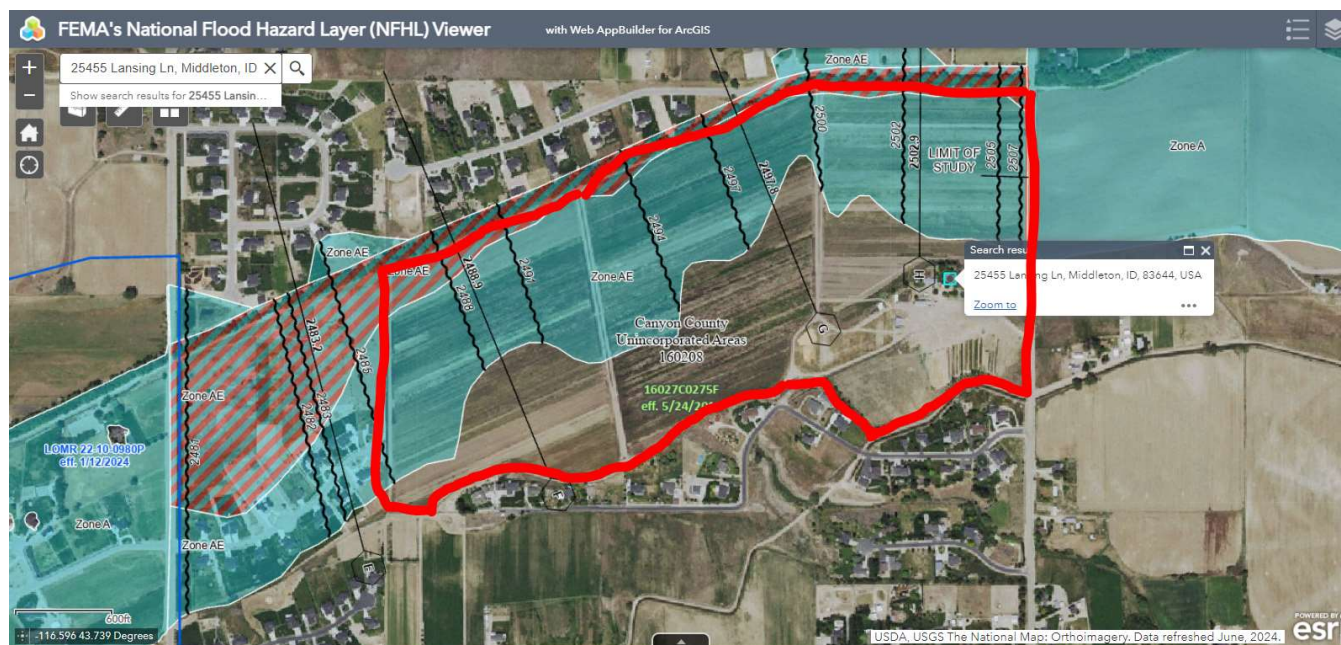
Director Mathew Weaver

November 6, 2024

Dan Lister, Planner
 Canyon County Development Services Dept.
 111 N 11th Avenue #310
 Caldwell, ID 83605

Re: CR2022-0016/RZ2021-0050, 25455 Lansing Lane, Middleton for a 164-acre parcel Rezone

Dear Mr. Lister,



The following NFIP regulations will apply to this proposed development:

Title 44 of the Code of Federal Regulations §60.3

Flood plain management criteria for flood-prone areas.

... Minimum standards for communities are as follows:

(a) ... the community shall:

(2) **Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law**, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;

(3) **Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding.** If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall

(i) **be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,**

- (ii) be constructed with materials resistant to flood damage,
- (iii) be constructed by methods and practices that minimize flood damages, and
- (iv) be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(4) Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that

- (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area,
- (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
- (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas

- (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and
- (ii) onsite waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) ... the community shall:

(1) **Require permits for all proposed construction and other developments including the placement of manufactured homes**, within Zone A on the community's FHBM or FIRM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FHBM or FIRM;

(4) Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to paragraph (b)(3) of this section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FHBM or FIRM meet the standards in paragraphs (c)(2), (c)(3), (c)(5), (c)(6), (c)(12), (c)(14), (d)(2) and (d)(3) of this section;

(5) Where base flood elevation data are utilized, within Zone A on the community's FHBM or FIRM:

- (i) **Obtain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new and substantially improved structures**, and
- (ii) Obtain, if the structure has been floodproofed in accordance with paragraph (c)(3)(ii) of this section, the elevation (in relation to mean sea level) to which the structure was floodproofed, and
- (iii) Maintain a record of all such information with the official designated by the community under §59.22 (a)(9)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Federal Insurance Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(c) ... the community shall:

(1) Require the standards of paragraph (b) of this section within all A1-30 zones, AE zones, A zones, AH zones, and AO zones, on the community's FIRM;

(2) **Require that all new construction and substantial improvements of residential structures within Zones A1-30, AE and AH zones on the community's FIRM have the lowest floor (including basement) elevated to or above the base flood level**, unless the community is granted an exception by the Federal Insurance Administrator for the allowance of basements in accordance with §60.6 (b) or (c);

(3) Require that all new construction and substantial improvements of non-residential structures within Zones A1-30, AE and AH zones on the community's firm (i) have the lowest floor (including basement) elevated to or above the base flood level or, (ii) together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(4) Provide that where a non-residential structure is intended to be made watertight below the base flood level,

(i) a registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of paragraph (c)(3)(ii) or (c)(8)(ii) of this section, and

(ii) a record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained with the official designated by the community under §59.22(a)(9)(iii);

(5) **Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.** Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(6) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites

(i) Outside of a manufactured home park or subdivision,

(ii) In a new manufactured home park or subdivision,

(iii) In an expansion to an existing manufactured home park or subdivision, or

(iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation

such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation collapse and lateral movement.

(10) Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(12) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A-1-30, AH, and AE on the community's FIRM that are not subject to the provisions of paragraph (c)(6) of this section be elevated so that either

- (i) The lowest floor of the manufactured home is at or above the base flood elevation, or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

(13) Notwithstanding any other provisions of §60.3, a community may approve certain development in Zones A1-30, AE, and AH, on the community's FIRM which increase the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator.

(14) Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, or
- (iii) Meet the permit requirements of paragraph (b)(1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph (c)(6) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(d) ... the community shall:

- (1) Meet the requirements of paragraphs (c) (1) through (14) of this section;
- (2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;
- (3) **Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;**
- (4) Notwithstanding any other provisions of §60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the

requirements for such revisions as established under the provisions of §65.12, and receives the approval of the Federal Insurance Administrator.

Should you or staff have any questions this subdivision development please do not hesitate to contact Peter Jackson, State NFIP Coordinator, peter.jackson@idwr.idaho.gov or myself.

Thank you,

Maureen O'Shea

Maureen O'Shea, CFM
Floodplain Specialist

Cc via email:

Dalia Alnajjar, Floodplain Manager

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

November 25, 2024

Canyon County Development Services Department
111 North 11th Avenue, Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Conditional Rezone. Parcel R37511 & R37510112.
Case No. CR2022-0016
Applicant: MDC, LLC/ Joesph Carter
Planner: Dan Lister

The properties are located at 25455 Lansing Lane, Middleton ID. The Black Canyon Irrigation District (District) has the following comments regarding this proposed land use change:

According to District records, the parcels subject to the proposed land use change do receive irrigation water from the District. In addition, the C.E. 21.1 lateral runs along the southern property boundary of Parcel R37511 and the C.E. 21.1-0.9 lateral runs along the eastern property boundary of Parcel R37511. The Willow Creek Wasteway is located along the northern property boundary of Parcel R37510112.

*****Prior to District concurrence of the conditional use permit:**

1. Based on our records, the District has not received a New Project Application Form for the conditional use permit and development agreement. The District requests the Applicant to complete the development intake form found on the District's website (<https://blackcanyonirrigation.com/development>).
2. District mapping indicates that the C.E. 21.1 lateral is located adjacent to the southern property boundary of Parcel R37511 and has a historical 15-foot easement from top of the canal bank. The Applicant will need to prepare and provide to the District a legal description and exhibit for the easement along the C.E. 21.1 lateral. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho. This will be attached to District standard easement language and recorded with Canyon County.
3. District mapping also indicates that the C.E. 21.1-0.9 lateral (along eastern property boundary) and piped section has a historical 50-foot easement (25-feet from centerline). The Applicant will need to prepare and provide to the District a legal description and exhibit for the easement along the C.E. 21.1-0.9 lateral. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho. This will be attached to District standard easement language and recorded with Canyon County.

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

4. District mapping also indicates that the Willow Creek Wasteway (along northern property boundary of Parcel R37510112) has a historical 100-foot easement (50-feet from centerline). The Applicant will need to prepare and provide to the District a legal description and exhibit for the easement along the Willow Creek Wasteway. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho. This will be attached to District standard easement language and recorded with Canyon County.

General Comments:

- Any and all **maintenance road rights-of way, lateral rights-of way, and drainage rights-of way** will need to be protected (including the restriction of all encroachments). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Bureau), once approved by the District, to cross over or under any existing lateral, pipe any lateral, or encroach, in any way, the rights-of way of the District or the Bureau.
- The District will require a signed license agreement be in place prior to any changes being made to the sections of the C.E. 21.1 lateral and Willow Creek Wasteway, and any appurtenant irrigation facilities that are affected by the proposed land changes not listed in this letter.
- The District will require that all construction meets District development standards. Furthermore, the District may require additional modifications to ensure irrigation water is made available to patrons as this proposed project proceeds.
- The District recommends that fencing is installed along the District's C.E. 21.1 lateral and Willow Creek Wasteway easement.
- Construction shall not negatively impact existing District's canals and infrastructure or prevent the delivery of irrigation water to each land entitled to receive irrigation water downstream.
- Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.
- All Development fees need to be paid in full to the District.

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

Thank You,



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

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

August 5, 2022

Canyon County Development Services Department
111 North 11th Ave. Suite 140
Caldwell, ID 83605
(208) 454-7458

RE: Conditional Rezone. Parcels R37511, R37510112
Case No. CR2022-0016
Applicant: Joseph Carter
Planner: Juli McCoy

The parcels are located at 25455 Lansing Lane, Middleton Idaho.

The Black Canyon Irrigation District (District) has the following initial comments regarding this proposed land use change.

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). Also, 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 the Reclamation.

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.

Furthermore, as long as this property has irrigation water attached to it, an irrigation system with an adequate overflow needs to be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water.

Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.

The District and Reclamation will require a signed agreement be in place prior to any changes being made to the sections of the Willow Creek Wasteway, C.E. 21.1-0.9, C.E. 21.1, and any appurtenant irrigation facilities that are affected by the proposed land changes not listed in this letter. NOTE: The District and Reclamation will require that this section be piped meeting all District and Reclamation standards. Furthermore, the District and Reclamation may require additional modifications to ensure irrigation water is made available to patrons as this proposed project proceeds.

All of the above requirements shall be met, including any others that arise during future review. 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 using this form for their proposed project to help identify any additional project requirements.

Thank You,

Donald Popoff

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

Dan Lister

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Thursday, May 30, 2024 6:48 AM
To: Dan Lister
Cc: Amber Lewter
Subject: [External] RE: Agency Notification CR2022-0016 MDC LLC / Doug Carnahan

Good Morning, Dan!

After careful review of the transmittal submitted to ITD on May 8, 2024, regarding CR2022-0016 MDC LLC / Doug Carnahan (Willow Creek Subdivision), the Department has no comments or concerns to make at this time. Due to this development being greater than 2.5 miles north of SH-44, minor impact can be anticipated.

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

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Wednesday, May 8, 2024 8:57 AM
To: 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'lriccio@hwydistrict4.org' <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@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>; 'brentc@brownbuscompany.com' <brentc@brownbuscompany.com>; 'gis@compassidaho.org' <gis@compassidaho.org>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; 'webmaster@valleyregionaltransit.org' <webmaster@valleyregionaltransit.org>; Brian Crawford <Brian.Crawford@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Nichole Schwend <Nichole.Schwend@canyoncounty.id.gov>; 'Richard Sims' <middletown.rich@gmail.com>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Stephanie Hailey <Stephanie.Hailey@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'john.graves@fema.dhs.gov' <john.graves@fema.dhs.gov>; 'westerninfo@idwr.idaho.gov' <westerninfo@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov'



August 24, 2022

Canyon County Board of Commissioners and Planning & Zoning Commission
111 N. 11th Street
Caldwell, Idaho 83605
Attention: Juli McCoy, Planner c/o zoninginfo@canyoncounty.id.gov

MDC, LLC
c/o RiveRidge Engineering
Attention: Kent Adamson, P.E.
RE: CR2022-00016

**Conditional Rezone from Agricultural to C-R-R Residential
Canyon County Parcels R37511 & R37510112 aka 25455 Lansing Lane**

Dear Commissioners:

Canyon Highway District No. 4 (CHD4) has reviewed the application for Conditional Rezone of the above described parcels R37511 & R37510112 from Agricultural to C-R-R Residential and offers the following comments on the proposed use:

General

The subject property consists of 2 parcels totaling approximately 165 acres, located west of Lansing Lane approximately 1/2 mile north of Purple Sage Rd in the SE ¼ Section 28 T5N R2W. The applicant is proposing development of a 75-lot rural subdivision.

The subject property has approximately 1,940-feet of frontage on Lansing Lane along the easterly boundary, has a stub connection to Stony Brook Way, a local public road established by Thoroughbred Estates Subdivision along the westerly property boundary. The subject property is located approximately 4,200-ft from Middleton city limits, and is considered urban for the purposes of development under CHD4 standards.

Lansing Lane is classified as a major collector on the functional classification maps adopted by CHD4 and Canyon County. Existing right-of-way width for Lansing Lane is a 25-foot right-of-way along both subject parcels, and an additional 15-foot right-of-way (for 40-feet total) along Parcel 37510112. Ultimate right-of-way width for a major collector is 40-foot half width, measured from the section line.

Outparcels (Not applicable to this request)

Access

Existing access to the subject property appears to consist of a private driveway serving Parcel R37511. This access has been used for the existing residence, and agricultural operations which currently entail a tree farm. An unimproved field approach to Lansing Lane may also exist at the northeast corner of the site.

Access for future residential development of the subject property should be planned via one or more public or private road approaches to Lansing Lane. Intersection sight distance may be restricted by the hill crest along the southerly portions of the site frontage, and should be confirmed in the field prior to fixing access locations. Any new public or private road access should provide a minimum of 500-feet of separation to public or private roads, and 210-feet from existing driveways to meet urban access spacing standards. Direct lot access to Lansing Lane is not permitted.

A public road connection extending between existing Stony Brook Way (in Thoroughbred Estates Subdivision) on the westerly boundary and Lansing Lane on the east boundary is generally desirable from a transportation and emergency response perspective. Access to more than one collector or arterial roadway is advantageous to avoid nuisance issues such as road construction, and can be very important during natural disasters such as floods or fires, or for other emergency response actions. CHD4 would encourage development of a public road connection between Lansing Lane and Stony Brook Way to support these public needs, provided that adequate traffic calming measures can be included to reduce pass-through traffic and limit vehicle speeds.

Transportation Impacts:

The proposed 75 residential lots is anticipated to generate more than 700 new trips per day, and more than 70 peak hour trips, which exceeds the thresholds of 500 trips/50 peak hour trips requiring a traffic impact study. A TIS should be performed for the proposed development, to be submitted with the preliminary plat application. A scoping meeting including CHD4 is required prior to commencing the TIS. At a minimum, the TIS should evaluate the trip generation and distribution from the site; the proportionate share of trips from the site at the Lansing/Purple Sage and Lansing/SH 44 intersections; capacity at the two intersections at buildout; the suitability of proposed access locations (sight distance, access spacing); and the need for auxiliary turn lanes on Lansing Lane to serve the site. Traffic impacts from the proposed development will be mitigated through right-of-way dedication, public road improvements, and development impact fees.

Section Line Setbacks

The subject property is subject to a section line setback per Canyon County Code 07-19-10 along the easterly boundary (Lansing Lane), and along the east-west $\frac{1}{4}$ section line of Section 28 T5N R2W (generally the boundary between the two subject parcels). CHD4 will consider a waiver of the setback along the east-west $\frac{1}{4}$ section line during preliminary plat approval, as a public collector road does not appear to be warranted along this alignment. A local road connection between Lansing and the westerly site boundary appears to be adequate for traffic needs given the proposed and surrounding land uses.

CHD4 does not oppose the requested zoning changes, but 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

CC: Roberta Stewart, Middleton City Planning & Zoning Official
File: Lansing Lane- CR2022-0016 MDC, LLC _Willow Creek Subdivision

Dan Lister

From: Juli McCoy
Sent: Tuesday, July 19, 2022 1:32 PM
To: 'Roberta Stewart'
Cc: Doug Carnahan; Jennica Reynolds; Stephanie Hailey; Devin Krasowski
Subject: RE: [External] RE: Willowcreek conditional Rezone, Case Number CR2022-0016

Ms. Stewart,

Thank you for providing this information! I have also included our engineering team on this email so they are aware of the need to include this in the plat applications for this project.

Let me know if I can assist you with anything more!

Juli

From: Roberta Stewart <rstewart@middletoncity.com>
Sent: Tuesday, July 19, 2022 11:30 AM
To: Juli McCoy <Juli.McCoy@canyoncounty.id.gov>
Cc: Doug Carnahan <doug@thecarnahans.com>; Jennica Reynolds <jreynolds@middletoncity.com>
Subject: [External] RE: Willowcreek conditional Rezone, Case Number CR2022-0016

Hello Ms. McCoy: this is to confirm that Doug Carnahan has been working with the City for a number of weeks on a pre-annexation agreement for a proposed County subdivision near Lansing Lane. The parties do not want to execute the pre-annexation agreement until the County approves Mr. Carnahan's rezone application and he is well on his way to submitting a preliminary plat application. Once the preliminary plat application is submitted to the County, the City would want the pre-annexation agreement to be part of the Preliminary Plat application and ultimately the final plat application. Please keep us informed of the preliminary plat and final plat applications to ensure that the Pre-Annexation agreement terms are included in the County's future approvals. Thank you,

Roberta L. Stewart

PLANNING & ZONING OFFICIAL
City of Middleton, Planning & Zoning
1103 W. Main St.
P.O. Box 487
Middleton, ID 83644

Tele - (208) 585-3133
Fax – (208) 585-9601
rstewart@middletoncity.com

www.middleton.id.gov



From: Doug Carnahan <doug@thecarnahans.com>
Sent: Tuesday, July 19, 2022 11:04 AM
To: Juli McCoy <Juli.McCoy@canyoncounty.id.gov>
Cc: Roberta Stewart <rstewart@middletoncity.com>
Subject: Willowcreek conditional Rezone, Case Number CR2022-0016

I have filed an application with Canyon County to request a conditional rezone and if the rezone is granted, I wish to enter into a pre annexation and utility corridor agreement with the City of Middleton.

The City of Middleton has said they have interest in us entering into this agreement and we have jointly developed agreement documents. We concluded the best way to proceed was to execute the agreement after we received a rezone approval and we had a final plat to record.

Roberta Stewart, the Planning and Zoning Official for the City of Middleton is copied on this message and will confirm our mutual intent.

Thank you for your assistance in this matter.

Doug Carnahan on behalf of MDC,LLC.



Middleton School District #134

Every Child Learning Every Day

Middleton School District #134--Public Hearing Notice Response

General Response for New Development

Middleton School District has multiple schools that are over or near . **Currently Middleton School District has 2 of our 3 elementary schools over capacity. Heights Elementary is at 144% of capacity with five (5) portable units totaling 10 classrooms. Mill Creek Elementary is at 118% of capacity with six (6) portable classroom units totaling 12 classrooms.** We are nearing capacity, but have not superseded at this point, at our high school (91%) and middle school (85%). As it stands now there is an immediate need for additional facilities in our school district, primarily at the elementary grades. However, we have significant concerns of the continued growth and our ability to meet the future facility needs of our district at the secondary level (Middleton Middle School and Middleton High School).

We have completed 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.

The district, while making use of portable classrooms, in the interim, to fulfill its mandate to educate all students in the district, ultimately needs a new elementary school, or permanent facilities. The primary method for obtaining the needed funding is through the bonding process that must be passed by a supermajority vote of district patrons.

CR2022-0016, Canyon County

Elementary students living in the subdivision as planned would be in the attendance zone for Mill Creek Elementary School, which, as stated previously, is above capacity, as well as Middleton Middle School and Middleton High School. With the 76 proposed lots we anticipate approximately 38 - 53 students will need educational services provided by our district. This equates to roughly 2-3 new classrooms of students across elementary and secondary 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. It is important that the developer include plans for appropriate spacing for bus stops. Typically busses do not enter subdivisions.

The developer contacted the school district during their development process and brainstormed ideas of how they might be able to provide support for the district in their school construction process, though no formal agreement was settled upon.

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

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

Marc C. Gee, Superintendent

June 7, 2024

Exhibit D.7

Middleton School District Office: 5 S. Viking Ave, Middleton, ID 83644

Phone: 208-585-3027

Marc C. Gee, Superintendent

Lisa Pennington, Asst. Superintendent

Alicia Krantz, Business Manager

mgee@msd134.org

lpennington@msd134.org

akrantz@msd134.org

Canyon County Soil Conservation District
2208 E. Chicago Ste A, Caldwell Idaho 83605

To: Canyon County Development Service Department
111 North 11th Ave., Ste 310, Caldwell Idaho

Attention: Daniel Lister

Case No. CR 2022-0016
Applicant Rive Ridge Engineering Co.

Thanks you for sending Canyon County Soil Conservation District (SCD) a zoning request. The acreage amounts on the maps are an estimate. Percentages of soils are rounded to a whole number.

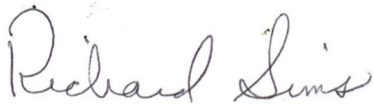
It is: CR2022-0016, applicant RiveRidge Engineering Co.

Comments from Canyon County SCD:

CR2022-0016, applicant RiveRidge Engineering Co.-78% is Class II and is the best suited productive soils in Canyon County with few limitations. 14% is Class III and has moderate limitations and appropriate management practices can make any irrigated soil productive. 3% is Class IV, 1% is Class VI and 4% does not have a classification. We do NOT recommend a land use change.

Richard Sims signing for:

Mike Swartz
Chairman Soil Conservation District

A handwritten signature in cursive script that reads "Richard Sims".



United States
Department of
Agriculture

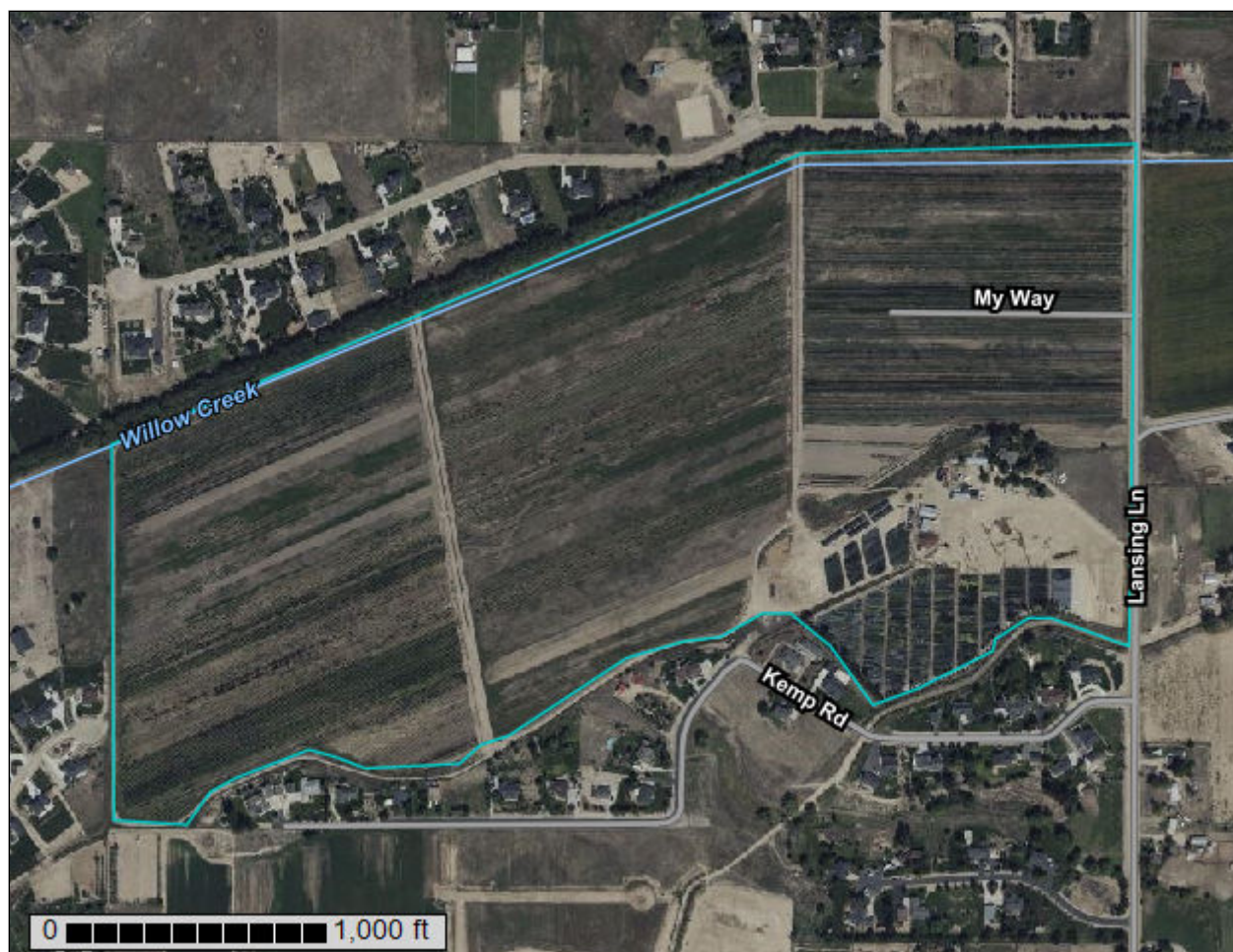
NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Canyon Area, Idaho**

CR2022-0016 RiveRidge Eng Co.



May 11, 2024

Exhibit D.8, Pg. 2

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface	2
Soil Information for All Uses	5
Suitabilities and Limitations for Use.....	5
Land Classifications.....	5
Irrigated Capability Class (2022-0016 RiveRidge Eng. Co).....	5

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Irrigated Capability Class (2022-0016 RiveRidge Eng. Co)

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Custom Soil Resource Report

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

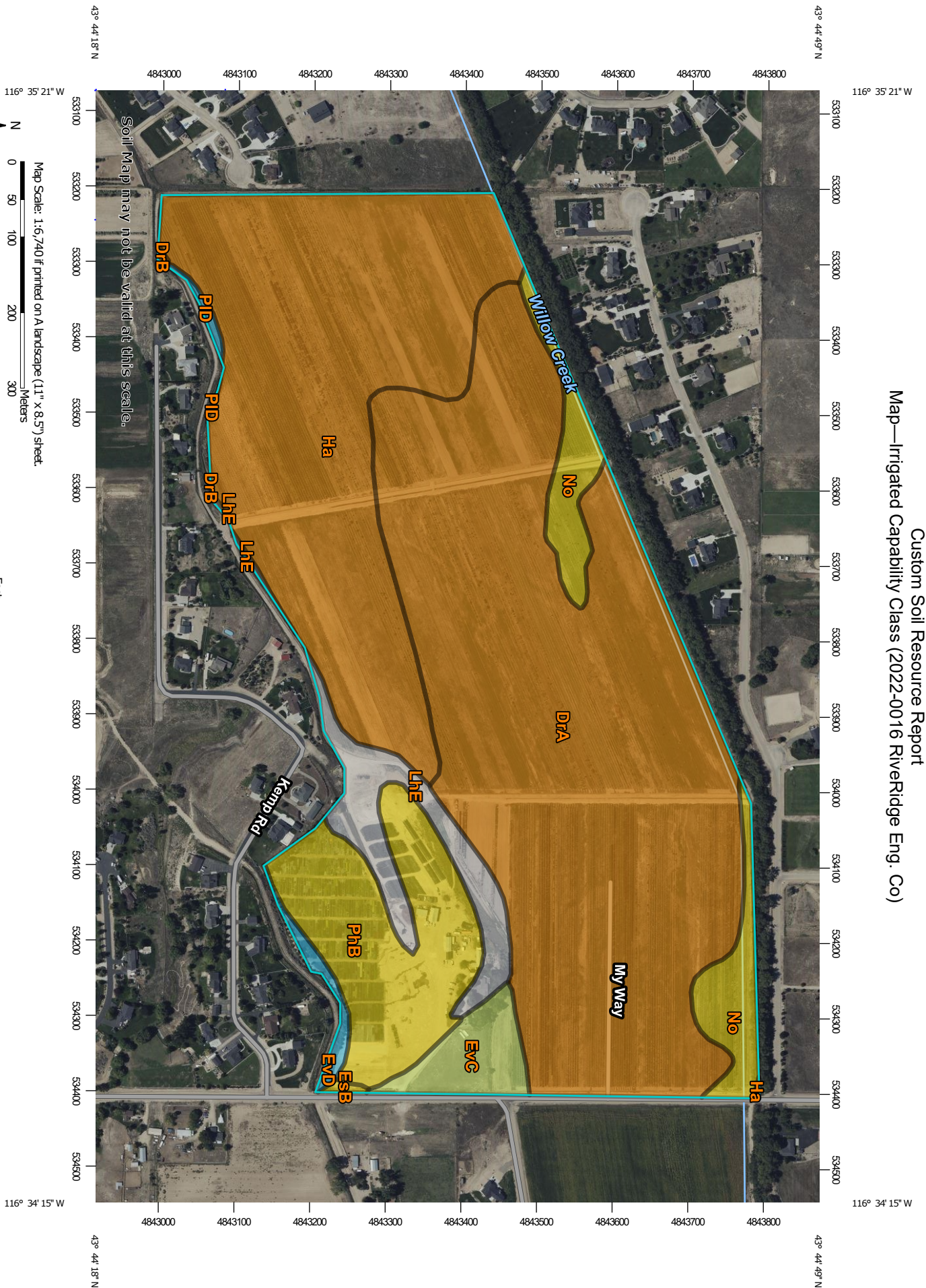
Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.



































Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Custom Soil Resource Report Map—Irrigated Capability Class (2022-0016 RiverRidge Eng. Co)



MAP LEGEND

Area of Interest (AOI)		Capability Class - III
		Capability Class - IV
Soils		Capability Class - V
Soil Rating Polygons		Capability Class - VI
		Capability Class - VII
		Capability Class - VIII
		Not rated or not available
		
		
		
		
		
Water Features		
		Streams and Canals
Transportation		
		Rails
		Interstate Highways
		US Routes
		Major Roads
		Local Roads
Background		
		Aerial Photography
Soil Rating Lines		
		Capability Class - I
		Capability Class - II
		Capability Class - III
		Capability Class - IV
		Capability Class - V
		Capability Class - VI
		Capability Class - VII
		Capability Class - VIII
		Not rated or not available
Soil Rating Points		
		Capability Class - I
		Capability Class - II

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Canyon Area, Idaho
Survey Area Data: Version 20, Aug 31, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Irrigated Capability Class (2022-0016 RiveRidge Eng. Co)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
DrA	Draper loam, 0 to 1 percent slopes	2	75.4	48.0%
DrB	Draper loam, 1 to 3 percent slopes	2	0.1	0.0%
EsB	Elijah-Chilcott silt loams, 1 to 3 percent slopes	3	0.2	0.1%
EvC	Elijah-Vickery silt loams, 3 to 7 percent slopes	4	3.9	2.5%
EvD	Elijah-Vickery silt loams, 7 to 12 percent slopes	6	1.0	0.7%
Ha	Harpt loam	2	46.7	29.7%
LhE	Lankbush-Power complex, 12 to 30 percent slopes		6.8	4.4%
No	Notus soils	3	7.6	4.8%
PhB	Power silt loam, 1 to 3 percent slopes	3	15.1	9.6%
PID	Power-Lankbush silt loams, 7 to 12 percent slopes	6	0.3	0.2%
Totals for Area of Interest			157.0	100.0%

Rating Options—Irrigated Capability Class (2022-0016 RiveRidge Eng. Co)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Dan Lister

From: Doug Critchfield <critchfieldd@cityofnampa.us>
Sent: Tuesday, November 5, 2024 1:16 PM
To: Dan Lister
Subject: [External] RE: Full Political CR2022-0016 MDC LLC

Dan – Nampa has no comments on this proposal. Thanks - Doug



Doug Critchfield, Principal Planner, ASLA

O: 208.468.5406, F: 208.468.5439

500 12th Ave. S., Nampa, ID 83651

[Planning and Zoning](#) - [Like us on Facebook](#)

[Citizen's Guide to Planning](#) – Learn More About Planning!

NAMPAReady

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

Sent: Tuesday, November 5, 2024 11:47 AM

To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'p&Z@cityofcaldwell.org' <p&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; Robyn Sellers <sellersr@cityofnampa.us>; Kristi Watkins <watkinsk@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Clerks <clerks@cityofnampa.us>; Char Tim <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'info@parmacityid.org' <info@parmacityid.org>; 'mayor@parmacityid.org' <mayor@parmacityid.org>; 'planning@parmacityid.org' <planning@parmacityid.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'Brian Graves' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'horner.marci@westada.org' <horner.marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdiillon@wilderschools.org' <jdiillon@wilderschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'Alan Perry' <aperry@cityofcaldwell.org>; 'homedalefd@gmail.com' <homedalefd@gmail.com>; 'tlawrence@kunafire.com' <tlawrence@kunafire.com>; 'khinkle@kunafire.com' <khinkle@kunafire.com>; 'marsingfiredistrict@yahoo.com' <marsingfiredistrict@yahoo.com>; 'marsingruralfire@gmail.com' <marsingruralfire@gmail.com>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'kenny.hoagland@melbafire.id.gov' <kenny.hoagland@melbafire.id.gov>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'johnsonre@nampafire.org' <johnsonre@nampafire.org>;

Dan Lister

From: Amber Lewter
Sent: Wednesday, November 6, 2024 12:25 PM
To: Dan Lister
Subject: FW: [External] RE: Full Political CR2022-0016 MDC LLC

From: Gretchen Flores <GFlores@nmid.org>
Sent: Wednesday, November 6, 2024 9:08 AM
To: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Subject: [External] RE: Full Political CR2022-0016 MDC LLC

Amber,

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application as it lies outside of our district boundaries. All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, NMID will need to review drainage plans. The developer must comply with Idaho Code 31-3805.

Please feel free to contact me with any further questions

From: Amber Lewter <Amber.Lewter@canyoncounty.id.gov>
Sent: Tuesday, November 5, 2024 11:47 AM
To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'p&Z@cityofcaldwell.org' <p&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.com' <jhutchison@middletoncity.com>; 'jreynolds@middletoncity.com' <jreynolds@middletoncity.com>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.com' <rstewart@middletoncity.com>; 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'badgerd@cityofnampa.us' <badgerd@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfieldd@cityofnampa.us' <critchfieldd@cityofnampa.us>; 'clerks@cityofnampa.us' <clerks@cityofnampa.us>; 'timc@cityofnampa.us' <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'info@parmacityid.org' <info@parmacityid.org>; 'mayor@parmacityid.org' <mayor@parmacityid.org>; 'planning@parmacityid.org' <planning@parmacityid.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'jshoemaker@blm.gov' <jshoemaker@blm.gov>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'Brian Graves' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'horner.marci@westada.org' <horner.marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdillon@wilderschools.org'

Exhibit 3
EXHIBIT E

Public Comments Received by November 25, 2024

Planning & Zoning Commission

Case# CR2022-0016

Hearing date: December 5, 2024

Dan Lister

From: Aubrey Walker <gmsjrw@gmail.com>
Sent: Thursday, June 16, 2022 2:35 PM
To: chopper@canyonhd4.org; Dan Lister
Subject: [External] Opposition to Access onto Kemp Road
Attachments: Willow Creek-Lansing Lane Sub-Canyon Co.pdf

Hello, my name is Aubrey Walker. I live at 9059 Kemp Road, Middleton, Idaho which is adjacent to the proposed Willowcreek/Lansing Lane Subdivision. The attached subdivision concept plan shows a roadway connection onto Kemp Road.

I am writing this to express strong opposition to any roadway or driveway connection onto Kemp Road. As you know, Kemp Road is a private road. We had our annual HOA meeting this week, and all those present unanimously and STRONGLY agree that the HOA would NOT allow access onto Kemp Road. We ask that the roadway connection be removed from future plans.

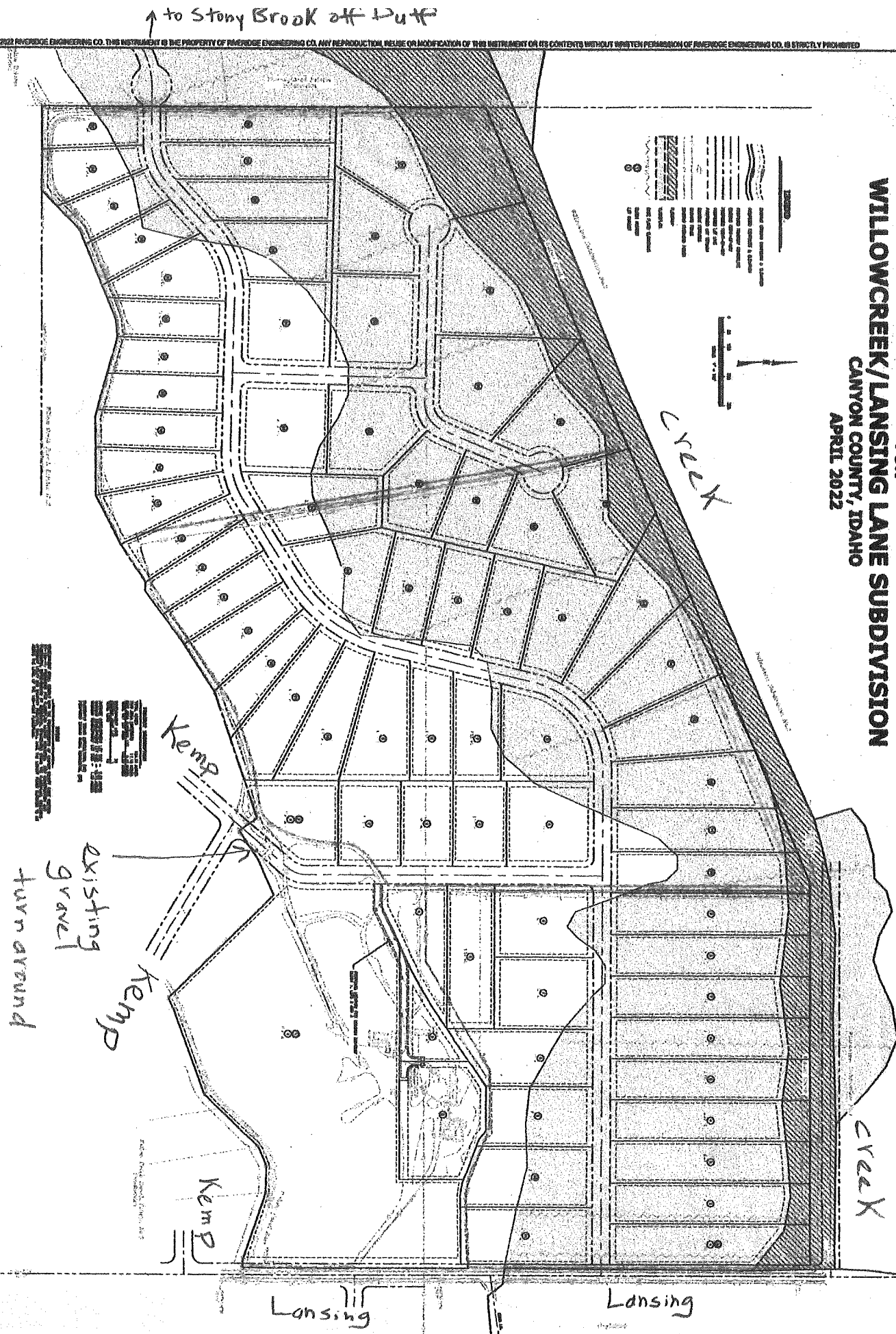
Thank you.

Aubrey Walker

CONCEPT PLAN FOR PROPOSED AG TO RR CONDITIONAL REZONE

WILLOWCREEK/LANSING LANE SUBDIVISION

FOR
CANYON COUNTY, IDAHO
APRIL 2022



WILLOWCREEK/LANSING LANE SUBDIVISION

CONDITIONAL REZONE APPLICATION

RiverRidge
ENGINEERING COMPANY
2447 E. Vista Ave.
Boise, Idaho 83706
(208) 344-5100
www.rvridge.com

Dan Lister

From: ASHLEY QUENZER <ashley_quenzer@live.com>
Sent: Thursday, November 7, 2024 6:36 PM
To: Dan Lister
Subject: [External] MDC LLC. / Doug Carnahan, Case # CR2022-0016

November 7, 2024

To Planning and Zoning Commissioners,

This email is in regards to MDC LLC. / Doug Carnahan, Case no. CR2022-0016. I understand this is an ideal spot to develop with flat open land. However, I grew up across the creek about a quarter mile down the road. I was raised on a farm that my parents still own.

I understand that the subdivision will most likely be developed; however, I would like to request that the lot sizes try to maintain the character of the farmland surrounding it. I have witnessed many new homes with people that move in that do not respect the farmland and the life it brings. People constantly complain about the smells, cows mooing, tractors waking people up from early morning work, tractors on the road causing people to yield to them, the list goes on.

I would like to propose that the lot size be a minimum of 10 acres, as well as, a building envelope of 1 acre. This will still allow development while trying to preserve this character that has been here for so many years. I was born and raised here for 37 years. I have seen new people move to the country while trying to push farmers out. They hurt the farmers by taking them to court, ranting, and complaining about their way of life, though the farmers have been here way longer than myself.

I urge you to please consider my request to conserve Middleton as an open country with farmland character, to maintain this character as much as possible. If this request is approved, the building envelope of 1 acre will still be developed but the rest of land can be conserved with larger lot sizes, as well as, limit the traffic with farmers and their equipment and problems that could arise.

Thank you for your time, and I appreciate the request for this approval.

Sincerely,

Ashley Quenzer

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

TO: Canyon County Development Services Department

From: Brian and Cynthia Wanner, 25851 Lansing In

RE: Case CR2022-0016

In response to the letter received concerning the development and rezone of parcels R37511 and R37510112. This rezone states that a total of 164 acres will be developed into 76 residential lots. We, as long-time residents of the area, have a few concerns.

First, this will require each lot to have an individual well, along with an additional irrigation well for the subdivision. I would like to know what hydrology studies have been done to show there will be no drop in the water table that would affect the surrounding residences with the addition of 77 new wells. Idaho and this area in particular, is currently #1 in the country in water table decline due to rapid development.

<https://www.usgs.gov/special-topics/water-science-school/science/groundwater-decline-and-depletion#:~:text=Excessive%20pumping%20can%20overdraw%20the,drying%20up%20of%20wells>

Second, this will add a considerable amount of traffic to Lansing In, an already highly traveled road. Has there been any traffic studies done showing the impact of vehicle trips on Lansing In, and the already existing problem trying to enter highway 44, which currently has over 15000 VTPD. Will this require a remodel of the HWY 44 Lansing intersection with traffic lights and turn lanes?

Third, with the failure to pass school, ambulance, and fire bonds, what studies have been done to show the impact on services for existing residences in the area?

Thank You for taking the time to address our concerns.

Brian and Cynthia Wanner

25851 Lansing In

Brian (208) 271-6303

Brianwanner1967@outlook.com

Dan Lister

From: Cheryl Palange <cherylpalange@gmail.com>
Sent: Monday, November 25, 2024 11:17 AM
To: Dan Lister
Subject: [External] Willow Creek Subdivision R37511 & R37510112 CR2022-0016

Dear Daniel,

This email is in response to the above-referenced conditional rezone application.

I live down the hill from the proposed development at Lansing and Meadow Park. While the average 2-acre design of Willow Creek (WC) is certainly more appropriate for the area than Farmington Hills that came before you earlier this year, I am concerned about the impact on infrastructure: heavily traveled roads, unsafe intersections, overcrowded schools, and underfunded fire/EMS.

1) Miraculously, the traffic reports in these applications always seem to indicate little to no impact, but those of us who drive Lansing daily know better.

- The intersection of Lansing & Purple Sage is already bad. Lansing above Meadow Park is a speed zone with stop signs only for the drivers on Lansing at Purple Sage. A light or 4-way stop may be needed to improve safety of that intersection with the addition of these homes.
- Putting 65% of the WC traffic on Lansing (Figure 4.1) is even more concerning given the amount of traffic already on Lansing today combined with the numerous construction vehicles supporting the build of thousands of homes approved by the City of Middleton off Duff Road. As you recall from the Farmington Hills application, heavy construction traffic is barred on Duff down near 44 due to the limited weights on the 2 canal bridges, so they use Lansing and Middleton for access.
- While the intersection of Lansing and 44 is one of many designed for a traffic light at some point, putting more stress on this intersection with more vehicles as well as the 'alternative route' of Lansing/Purple Sage without mitigating them is irresponsible.

2) The impact to schools was highlighted during the Farmington Hill application. These homes are designed to attend the same already impacted schools of Mill Creek, MMS and MHS, along with the thousands of entitled homes being built off Duff Lane. City of Middleton passed the [school capacity Ordinance 693](#) in April 2024 to address overcrowding in Middleton schools. While I realize this application is not before City of Middleton, it seems irresponsible to continue building homes when infrastructure (schools, fire/EMS) is not being supported. And while a donation of 100 trees to the schools is nice, it will not help with overcrowding.

3) As we are all painfully aware [all fire/EMS bond measures failed in the November election](#), leaving us with empty fire stations and long response times. If this project moves forward, please consider that without hydrants or sprinklers in these homes, they have little chance of surviving a fire.

Thank you,

--

Cheryl Palange
cherylpalange@gmail.com
925.989.6452
9155 Pursuit Dr., Middleton

Dan Lister

From: Chloe Mackay <chloefrench925@gmail.com>
Sent: Monday, November 25, 2024 9:59 AM
To: Dan Lister
Cc: Chloe Mackay
Subject: [External] Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9953 Stony Brook Way.

Stony Brook is a dead-end road with just 14 homes. Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is already unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles, residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS." Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and all the residents on this small street.

Additional traffic from the proposed subdivision of 76 homesites would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook. This is both a capacity and safety issues for our kids and residents.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to convert and utilize Stony Brook as a through road. The alternatives exist, for instance via Lansing.

Thank you,

Chloe Mackay
925-519-3325
Chloefrench925@gmail.com

Dan Lister

From: Chloe Mackay <chloefrench925@gmail.com>
Sent: Monday, November 25, 2024 9:59 AM
To: Dan Lister
Cc: Chloe Mackay
Subject: [External] Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9953 Stony Brook Way.

Stony Brook is a dead-end road with just 14 homes. Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is already unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles, residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS." Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and all the residents on this small street.

Additional traffic from the proposed subdivision of 76 homesites would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook. This is both a capacity and safety issues for our kids and residents.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to convert and utilize Stony Brook as a through road. The alternatives exist, for instance via Lansing.

Thank you,

Chloe Mackay
925-519-3325
[Chloefrench925@gmail.com](mailto:chloefrench925@gmail.com)

Dan Lister

From: Christine Hitchner <meatspittle@gmail.com>
Sent: Monday, November 25, 2024 2:39 PM
To: Dan Lister
Subject: [External] Case CR2022-0016 MDC, LLC/Joseph Carter parcels R37511 and R37510112 25455 Lansing Lane, Middleton, ID

Dear Mr. Lister,

We live at 9308 Kemp Road in Middleton on 2.41 acres. Our north property line borders the south boundary of parcel R37511 for a **distance of approximately 214 yards.**

The application requests a conditional rezone of the two parcels which total 162 acres (+/-). In 2016, Joe and Carla Carter purchased the growing operations of Jayker Wholesale Grower Nursery and renamed it as Willow Creek Wholesale Nursery. The two combined parcels have been used for growing deciduous and evergreen trees and upright junipers. Each year we have enjoyed watching the harvesting of the trees as they are loaded onto flatbed trailers to be transported to subdivisions and commercial properties in nine states.

The arrival and planting of the new "baby" trees has always been a welcome sight. The tree farm is both home and hunting ground for kestrels, hawks, raccoons, skunks, foxes, quail, owls and small birds.

From the Canyon County Comprehensive Plan 2030 Chapter 4 Land Use and Community Design:

"Maintain a balance between residential growth and agriculture that protects the rural character."

"Planning, zoning and land-use decisions should balance the community's interests and protect private property rights."

"Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy."

"Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life."

Those are just four of the goals, policies and actions that I've included in this letter. There are likely several more that would apply.

The concept plan for the proposed AG to RR conditional rezone for the subdivision would have tremendous impact. If it's approved, the additional ingress/egress would punch through Stony Brook off Duff Lane. Stony Brook is a dead end street. The volume of traffic would greatly increase. The creek on the northern boundary of the two parcels is a flood zone. The amount of backfill needed to raise the elevation would likely send flood water to the street and homes on Golden Willow. The concept plan calls for mostly one acre parcels. A total of **seventeen** of them back up to our property line along with six other homeowners on Kemp Road. That's a very big impact on our quality of life.

Lansing Lane is a two-lane road that runs north and south from Highway 44 (aka State Street). There is no traffic signal at that intersection. It is a well-traveled area with both fatal and major injury collisions occurring on a regular basis. The grade on Lansing Lane from Foothill is very steep. It is already hazardous coming south on Lansing Lane to Foothill Road due to a line of sight issue because of the grade. More vehicular traffic on an already inadequate roadway equals more collisions.

We're all on private wells and septic in this area.

Currently being developed off of Lansing Lane:

Oaklee Estates Subdivision: 36 building lots

Cascade Hills Subdivision: 52 building lots

Quail Haven phase one: 26 building lots

Quail Haven phase two: 25 building lots

Hawk View Estates: 12 building lots

That means more private wells pulling from the underground aquifers, more septic systems, more daily road usage, more school age children for schools that are beyond capacity and more construction noise and road damage. The need for additional fire, medical and police personnel and equipment continues to increase with little or no relief in sight. (We voted in favor of the additional tax levy to increase staffing and equipment needs.)

The tree farm has been thriving for several years. Drive anywhere in the Treasure Valley and you can see new subdivisions that are landscaped with young trees, shrubs and bushes. The tree farm is important in so many ways. Please preserve the agriculture and environment as it currently is.

Sincerely,

Christine Hitchner

Lindsay Thompson

9308 Kemp Rd, Middleton, ID 83644

Dan Lister

From: Craig Hardin <hardin.craig@gmail.com>
Sent: Monday, November 25, 2024 12:33 PM
To: Dan Lister
Subject: [External] Proposed Lansing Lane Tree Farm Concerns.

Mr. Dan Lister
Canyon County Zoning

Mr. Lister,

My wife and I live off of Lansing Lane in Canyon County. Our address is 9713 Golden Willow Street. The back of our property borders Willow Creek and the existing tree farm. We have the following concerns regarding changing the zoning from Agriculture to Rural Residential to allow 76 building lots on this 164 acre property.

1) Septic tank seepage based on 76 additional septic tanks that will contaminate Willow Creek, Boise River, Snake River and Main Stem of the Federal Columbia River System. This includes migratory Salmon and Steelhead runs. This Lansing Lane/Willow Creek septic tank matter will be presented to the Idaho Department of Environmental Quality (DEQ) for review and evaluation. This 164 acres is within the existing flood plane so there is definitely a high level of environmental risk associated with this proposed zoning change. Canyon County has to become a better steward of the remaining vacant county property. Continuing to consider another 76 septic systems is not an environmentally sound land use decision.

2) Currently Willow Creek is prime habitat for eagles, owls, hawks, prairie falcons and a host of other wildlife species. Rezoning the 164 acres would result in the loss of this valuable Canyon County habitat. This loss of habitat will also be presented to Idaho Department of Environmental Quality (DEQ).

3) Traffic increase. Traffic studies show that these 76 proposed homes would result in 700 average automobile trips per day utilizing the existing county/state highway infrastructure. Lansing Lane connects to Purple Sage or Highway 44. This county/state road infrastructure is already beyond capacity standards. Adding this amount of daily automobile traffic to the existing traffic pattern is nonsensical.

4) Middleton Elementary School Crowding. There are currently **Six** Modular Classrooms in the parking lot of Mill Creek Elementary School on Middleton Road. Allowing 76 proposed new homes on this 164 acres will only exacerbate the existing school crowding situation. A long term school crowding solution needs to be reached for all K-12 Grades before considering additional student growth.

We look forward to attending the Public Hearing on Thursday, December 5th at 06:30 p.m.

Regards - Brenda and Craig Hardin

360-909-8272.

Dan Lister

From: Dan Lister
Sent: Tuesday, November 19, 2024 11:00 AM
To: 'Jill Jenkins'
Subject: RE: [External] CR2022-0016 MDC, LLC/Joseph Carter

Jill,

Per CCZO Section 07-01-15, a neighborhood meeting, inviting property owners within 600 feet, is only required prior to application submittal. Once submitted, any application amendments do not require a new neighborhood meeting. The application requires two public hearings which include agency, property owner, newspaper, and notice posted on-site. Idaho State law only requires property owners within 300' to be noticed (Section 67-6509). However, Canyon County notices property owners within 600' feet.

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.

From: Jill Jenkins <j3swppp@gmail.com>
Sent: Tuesday, November 19, 2024 10:54 AM
To: Dan Lister <Daniel.Lister@canyoncounty.id.gov>
Subject: [External] CR2022-0016 MDC, LLC/Joseph Carter

Hi Dan;

I am writing in reference to Case CR2022-0016 MDC, LLC/Joseph Carter request for a conditional rezone of parcels R37511 & R37510112 from "A" to "CR-R-R" Notice up for public hearing December 5, 2024.

In looking at the application documents, I noticed that a neighborhood meeting was held on 5/11/2022 and no recent neighborhood meetings have been held since that date. There have been many changes since 2022 regarding protection of agriculture land as well as issues of school overcrowding in Middleton, lack of road improvements on Lansing from Purple Sage to Highway 44, lack of funding for fire and ambulance which was recently turned down again, lack of municipal services in the area requiring wells and septic leech fields which DEQ has determined will pose a threat to our underground water reserves when there are large number of homes in one area, just to name a few of the issues.

In addition, I feel that a project this large (76 new homes) in a rural setting should require that notice be given to neighbors within at least a half mile of the project in order to adequately provide a good representation of impacted land owners.

Can you let me know if there is a requirement for a neighborhood meeting to be held within a certain period of time before a public meeting is to be held? Otherwise, are the developers thinking they are grandfathered in by some rights I am not aware of?

Thank you and I look forward to your response.

Jill Jenkins
J3 LLC
(208) 724-4576

Dan Lister

From: 4arnie <4arnie@comcast.net>
Sent: Monday, November 25, 2024 1:09 PM
To: Dan Lister
Subject: [External] Case# CR2022-0016 - Concerns

Hello Daniel

This note is concerning the proposed rezoning of AG to RR (164.5 acres) on 25455 Lansing Ln Case# CR2022-0016.

First, I appreciate the land owners diligence proposing an avg of 2 acres but it falls short in several areas. I'm not opposed to developments as long as its character mirrors the immediate area which is open land with large lots. In this case the avg surrounding lot size is apprx 3 acres and this property is far north of Middle City limits. As you probably know the current property is a wholesale tree farm so maintaining productive farm land in this area is essential per the Canyon County Master Plan. Also, Middleton is chaotically out of control lacking infrastructure - schools at capacity (development of residential ordinance in place as of 2024), traffic and accidents especially at the nearby intersections (Lansing & Purple Sage/Foothill/Hwy44) and continued burden on emergency, medical, fire and police services (levies continue to not pass).

I'm not certain how Canyon County Commissioners could even consider this case to be approved especially given the 3,700 approved plats which are on in progress of being developed.

What is the intent for the developer to be in negotiations with the City of Middleton to annex the property? Farmington development (denied by BOCC) was trying the same tactic by a pre annexation agreement which is not why residents moved here - we don't want to be part of the city limits period! Plus this allows the city control to raise taxes and develop high density homes.

Would this free farm not be considered productive farm land that the State of Idaho and Canyon County want to preserve?

If a development were to be approved many of us prefer:

- 5 acres minimum per lot to maintain a balance of open space while allowing the property owner to build aligning to the character of the area described in the CC Master Plan. This area is designated AG, not RR (see the 2030 Adopted Master Plan Land Use master plan map). In addition, the avg lot size in the immediate area is apprx 3 acres. Minimum of 5 acres per lot reduce from 76 to 29 lots minimizing traffic, protect aquifer, reduce # of septic. Also, majority of the lots are barely over an acre. How can the proposed average min be 2 acres? Perhaps the formula includes streets and the 18 acre lot which increases the average? The math doesn't make sense and the density is more like R1.
- Preserve the Black Willow trees which span for miles along the north side of Willow Creek. This trees provide a healthy habitat for Eagles, Hawks, Owls, Ducks and many other species of birds along with many animal breeds. In addition, these trees should be adopted into the CCR's to be maintained by either the developments HOA and/or the new property owners
- New evergreen trees planted along the parapets of the 164 acres will create a buffer for the neighbors and keep the many birds that nest in the temporary tree farm trees.
- Some of us have heard, it is not confirmed that the remaining nursery on approx 20 acres is planned to become retail. If so, this will certainly increase traffic.
- All community water and irrigation pumps should be located in the middle of the subdivision to buffer noise

- Assurance that the conditions (ie lot size, zoning) for all building phases including future phases remain as originally approved (ie AG 5 acre minimum) - meaning developer can't go back later to request a higher density lot size for subsequent phases or future annexation.
- Assurance that well water will not be used to irrigate more than 1/2 acre per lot. This means the irrigation needs to be ample and/or well water is not used for landscapes. Hardscape with drought tolerate landscape will be essential. In addition all these requirements be included in CCR's.
- A large part of the tree farm is flood way and flood zone which requires possible grading of properties but how will this impact adjacent subdivisions and Willow Creek?

Sincerely,

Joseph Strognone
9617 Golden Willow St
Middleton, ID 83644

November 25, 2024

TO: Mr. Dan Lister, Case Planner
RE: Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9992 Stony Brook Way. As you may know, Stony Brook is a dead-end road with 14 homes.

Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused.

We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

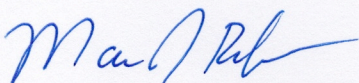
Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would vastly increase the current challenges we already face and it is wholly unnecessary. The change is also unnecessary as the proposed property has plenty of options that do not impact our community.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook.

We agree the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,



Marc J Rehberger
9992 Stony Brook Way
Middleton ID 83644

Dan Lister

From: SHANE MAIN <sandvmain@comcast.net>
Sent: Sunday, November 24, 2024 5:41 PM
To: Dan Lister
Subject: [External] Proposed subdivision CR2022-0016

November 23, 2024

To: Mr. Lister, Case Planner

RE: Subdivision Case CR2022-0016

Dear Mr. Lister,

We reside at 9969 Stony Brook Way, Middleton, ID. Stony Brook Way is a dead-end road with 14 homes.

My husband and I moved here in 2022, to move away from city life, traffic, etc. We specifically chose Stony Brook as there was a tree farm and cul-de-sac at the end of the road – so no through traffic and a very quiet area which is important to us as our children are grown and we are heading into retirement. There are no sidewalks or street lights on this street which makes it difficult to see after dark.

Changing Stony Brook from a cul-de-sac to a through road to accommodate a proposed subdivision would create a dangerous and unpleasant street for our family.

We would ask that the proposed subdivision not have a through street to Stony Brook so that we can continue to enjoy the neighborhood that we have grown accustomed to with no through traffic. This would greatly impact our way of life and safety.

Thank you for your consideration.

Sincerely,

Shane and Valeri Main

(253) 219-3974

sandvmain@comcast.net

November 22, 2024

RE: Case CR2022-0016

Dear Canyon County Developement Services,

We are writing in regards to the case number CR2022-0016 referenced above.

As retired fixed income home owners in this area, we fill that all development should be withheld and denied until adequate impact fees are completely accessed to the developers of the land from agricultural to rural residential.

We feel that developers should be required to pay for all areas of infrastructure that they impact. This is to include road intersections, Lansing and Duff to Hwy 44. These are dangerous intersections that have had several fatal wrecks while we have been residents in Middleton. These intersections will be highly impacted with further future developments. Developers also should be required to pay the increased cost for ambulances, fire and road safety. We believe after the last elections regarding the levies being denied, residents feel the same as us. Our property taxes should not be impacted for someone else who believes homes and land are worth over a million.

Again, as a home owner of Canyon County we feel all new construction needs to be denied until developers are required to pay the largest portion of impact fees needed for infrastructure such as road safety, schools, ambulance and fire.

Thank you in advance for considering and reveiwing our concerns.

Concerned citizens of rural Middleton; Rocky and Bobbi Yoneda

Dan Lister

From: Bobbi Jo Yoneda <yonedamom@yahoo.com>
Sent: Friday, November 22, 2024 8:01 AM
To: Dan Lister
Subject: [External] Case CR2022-0016
Attachments: Canyon Co Developement.rtf

Good morning Mr. Lister,

We are wanting to submit this letter as our public comment/written testimony regarding the case listed above.

Thank you in advance for your time.

Bobbi Yoneda

"Never be afraid of failure, it leads to the road of success"

Dan Lister

From: Melissa Buck <mdbuck79@gmail.com>
Sent: Monday, November 25, 2024 3:57 PM
To: Dan Lister
Subject: [External] Subdivision Case CR2022-0016

Dear Mr. Lister,

My name is Melissa Buck. My family and I reside at 9897 Stony Brook Way. We moved from Meridian in 2019 to get away from the growing overpopulation of the area. When we chose to build our house on Stony Brook Way, we factored in the large lot sizes and the small number of lots on our street. There are only 14 homes on Stony Brook Way. We also considered the quiet street and calmer way of life. I suffer from extreme anxiety and specifically chose a dead-end road, cul-de-sac neighborhood with no through traffic to reside as part of my mental health treatment.

While Stony Brook Way maintains to be fairly quiet, we already get bombarded with service and delivery trucks traveling the speed limit (which is 25 mph). Although the speed limit is 25 mph, and we were unable to get the County to decrease it to 15 mph, it is problematic for all of us who live on Stony Brook Way. There are no sidewalks which makes it already unsafe to walk along when big trucks are going 25 mph. Changing Stony Brook Way to a through road to accommodate the proposed subdivision would create even more traffic and make it even more unsafe for all of us who enjoy walking on Stony Brook Way and for the children that enjoy riding their bikes and scooters on it.

Furthermore, it is my understanding that the submitted traffic impact study solely considered access points at Lansing. No impact study to Stony Brook Way or the already extremely dangerous intersection of Duff and Purple Sage were included. This seems unjust.

I am requesting the proposed subdivision not be allowed to utilize Stony Brook as an access point and am pleading to keep Stony Brook Way a dead-end cul-de-sac.

Thank you for your time and consideration.

Best,
Melissa Buck
9897 Stony Brook Way
Middleton, ID 83644

Mr. Dan Lister, Case Planner

Daniel.lister@canyoncounty.id.gov

RE: Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9958 Stony Brook Way. Stony Brook is a dead-end road with 14 homes.

We moved here in 2020 with our small son who struggles with ADHD occasionally. Our son has a tendency to run out into the road and ride his bike back and forth to his friends. This being a thorough way to the subdivision would create significant danger for him. We specifically chose Stony Brook as we deemed this a safe area, free of high traffic.

Stony Brook is approximately 1500 feet. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe. At night we have had our mailbox completely obliterated by a driver, as it is very hard to see the road, because there is no street lighting. If a child or person was hurt as a result of this street being a through way, we feel the city would be responsible.

In 2021, myself along with other homeowners requested a reduced speed limit of 15MPH to a County Planner, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS".

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and force us to consider relocating, also potentially devaluing the property value.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,

Errika DeVall

208-405-6224

errika@riithink.com

Dan Lister

From: Errika DeVall <errika@riithink.com>
Sent: Monday, November 25, 2024 4:06 PM
To: Dan Lister
Subject: [External] Re: Tree Farm Subdivision Through Road

Also Daniel, I forgot to address in my letter that the impact study that was completed only considered LANSING as the access point and did not address or acknowledge our road - Stony Brook. An impact study MUST include all access roads.

Warm Regards,



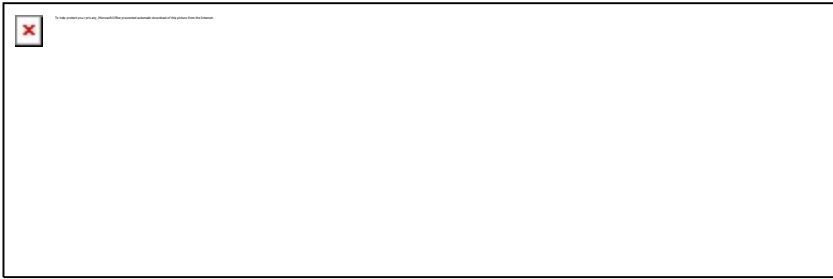
The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future. No employee of Riithink or InnerVoice Group, LLC has the authority to conclude any binding contract without an explicit written consent of their supervisor. Therefore, any will to enter into an agreement must be confirmed by an appropriate manager.

On Mon, Nov 25, 2024 at 4:01 PM Errika DeVall <errika@riithink.com> wrote:

Dear Daniel:

Please read my attached letter in response to the suggested through-way road into what will be a subdivision replacing the tree farm near Duff and Purple Sage. It is extremely important you read and understand the dangers of what is being proposed and how the city will create enormous liability for itself - as well as tremendous dangers for our children.

Warm Regards,



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future. No employee of Riithink or InnerVoice Group, LLC has the authority to conclude any binding contract without an explicit written consent of their supervisor. Therefore, any will to enter into an agreement must be confirmed by an appropriate manager.

Nov. 15. 2024

TO: Canyon County Dev. Service

Re: case MDC4C

Case NO CR 2022-0016

R 37510012

Letter sent to Sandra Wanner
regarding property at 25851 Lansing Ln
Middleton, ID.
83644

Concerns:

#1. Water Table for surrounding Home
owners -

Note Idaho is #1 in dropping
water table.

#2. Traffic

#3. Police - Fire - Schools.

#4. Taxes to support what's here
for new additions.

Thank you

Sandra L. Wanner

3052 S. Mc Cormick Ave

Boise, Idaho

83709

cell #
208-861-8884

Dan Lister

From: Rachell Wolfe <rachellruiz@gmail.com>
Sent: Monday, November 25, 2024 4:23 PM
To: Dan Lister
Subject: [External] Subdivision case CR2022-0016

TO: Mr. Dan Lister, Case Planner
RE: Subdivision Case CR2022-0016

Dear Mr. Lister,

My husband and our 3 children live at 9976 Stony Brook Way, Middleton ID. After an extensive 2 year search we chose Stony Brook Way because of the small number of houses, 14, on the street and so our children could play safely outside. They are often riding their bikes in the street or playing with the neighborhood children and use the [road.to](#) go from house to house, since there are no sidewalks.

The submitted traffic impact study only studied the impact this new subdivision would have on Lansing Ln. To date no study has been performed on impact to Stony Brook Way or the Duff/ Purple Sage intersection.

Stony Brook Way is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is already unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would greatly impact many people's quiet way of life. Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook Way.

We believe the property owner has the right to develop their land, but not at the expense of our families and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you for your time,

-Rachell Wolfe
rachellruiz@gmail.com
Cell: 714-600-2012

Dan Lister

From: Jeff Creamer <jeff@creamerfamily.com>
Sent: Monday, November 25, 2024 4:25 PM
To: Dan Lister
Subject: [External] Case CR2022-0016

TO: Mr. Dan Lister, Case Planner

RE: Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9921 Stony Brook Way. Stony Brook is a dead-end road with 14 homes.

We moved here in 2018 with our adult son who is on the Autistic spectrum. Our son has issues and anxiety with traffic, traffic noises and crowds. We specifically chose Stony Brook as a cul-de-sac to reduce his exposure to these triggers.

Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations.

Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and force us to relocate.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook. The submitted traffic impact study solely considered Lansing as the access point of the subdivision. No impact to Stony Brook and/or the Duff/Purple Sage intersection was studied.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,

Jeff and Michelle Creamer
9921 Stony Brook Way
208.805.2280

Dan Lister

From: korina Bennallack <k.bennallack@me.com>
Sent: Monday, November 25, 2024 4:38 PM
To: Dan Lister
Subject: [External] Stony Brook Way

Mr. Lister,

We reside at 9926 Stony Brook Way. Stony Brook is a dead-end road with 14 homes.

We moved here in 2019 with our two kids and love our home and property.

Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations. There was a fatal accident just a few weeks ago.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and force us to relocate.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,

Nick & Korina Bennallack
(208) 699-7731
K.bennallack@me.com

EMAIL TO: Daniel.lister@canyoncounty.id.gov

TO: Mr. Dan Lister, Case Planner
RE: Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9984 Stony Brook Way. Stony Brook is a dead-end road with 14 homes.

We moved here in 2016 and we specifically chose Stony Brook as a cul-de-sac to reduce traffic and retire in a quiet neighborhood.

Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and force us to relocate.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,

Mike and Monica Barber
Mjbarber2017@gmail.com

Dan Lister

From: Camilla Searle <searlecamilla@gmail.com>
Sent: Monday, November 25, 2024 4:51 PM
To: Dan Lister
Subject: [External] proposed rezoning of AG to RR (164.5 acres) on 25455 Lansing Ln Case# CR2022-0016

Mr. Lister,

This email is concerning the proposed rezoning of AG to RR (164.5 acres) on 25455 Lansing Ln Case# CR2022-0016.

My husband and I and our 6 kids moved out to this area on Willow Creek Road backing the tree farm almost 10 years ago. Our draw to the area was the openness and country feel to raise our family. We have approximately 3 acres that our home is on. We are very opposed to being annexed into the city of Middleton and having increased condensed housing going in all around us.

There has been an abundance of building without the developers/Middleton city taking responsibility for the consequences of such a drastic increase. This increase has led to overcrowding the schools, overcrowding the roads, and overcrowding the facilities. Before more of the same goes on, I feel like our city needs to take care of the people that are here.

Our children and schools need to take priority over cramming more people in and increasing taxes. The amount of portables outside of Mill Creek Elementary resembles a small city itself, really unacceptable.

The roads and the safety of our community needs to be looked after. I can't tell you how many accidents I've seen right there on Purple Sage and Lansing, Lansing and Highway 44, and the intersection of Duff and Highway 44, and many of them fatal.

The additional septic systems, wells, and the impact on the wildlife also needs to be considered. The existing families and habitat should take precedence.

Thank you for your time and taking our view into the matter.

Sincerely,

Camilla Searle

Dan Lister

From: Robert Smith <starigari@gmail.com>
Sent: Monday, November 25, 2024 2:07 PM
To: Dan Lister
Subject: [External] CR 2022-0016 DUFF / LANSING DEVELOPMENT

To whom it may concern,

My name is Robert Smith, my family and I reside on 9841 stony brook way. Very concerned about the road connecting from Lansing to Stony Brook through the tree farm. I suffer from PTSD. Loud noise, high traffic, and people are the cause to my triggers. We moved out here, specifically next to a tree farm to eliminate having two neighbors on each side. Having a subdivision built WITH a road connecting to a road with 14 homes would cause absolute chaos for the homeowners who reside on Stony Brook.

EXHIBIT 4

Agency Comments Received by March 3, 2025

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025



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

▪ Engineering Division ▪

February 18, 2025

RE: Case No. CR2022-0016 – CR2022-0016/RZ2021-0050

25455 Lansing Lane, Middleton/ 0 Golden Willow Street, Middleton

Dear Mr. Lister,

The Engineering Department has reviewed the application for Case No. CR2022-0016, in which the applicant is requesting a conditional rezone from Agricultural (A) to Conditional Rezone - Rural Residential (CR-R-R). The subject property is located within an X/AE- floodplain and AE floodway, as identified on the current FEMA Flood Insurance Rate Map (FIRM).

Engineering Concerns & Required Conditions

1. **Floodplain Development Permits:** Prior to any construction, the applicant must obtain all required Floodplain Development Permits and ensure compliance with county floodplain regulations.
2. **Elevation & Mitigation Measures:** Any new structures must be elevated above the Base Flood Elevation (BFE) and incorporate appropriate flood mitigation measures (flood vents, elevated utilities).
3. **No-Rise Certification (if applicable):** If any development is proposed within the floodway, a certified engineer must provide a No-Rise Certification demonstrating that the project will not impact base flood elevations.
4. **Stormwater Management Plan:** The applicant must submit a drainage plan demonstrating that stormwater runoff will not increase on adjacent properties.
5. **Access & Emergency Response:** The applicant must ensure that safe access and egress are available during flood events, in compliance with county emergency response requirements.
6. **Utility Considerations:** If septic systems are proposed, they must comply with floodplain regulations to prevent contamination during flood events.
7. **Future FEMA Map Revisions:** Any future Letter of Map Revision (LOMR) proposals must be coordinated with the county to accurately reflect modifications to the floodplain boundaries.



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

▪ Engineering Division ▪

Conclusion

The Engineering Department recommends that the applicant address these concerns before final approval of the rezone.

Sincerely,
Dalia Alnajjar
Engineering Supervisor

1445 N. Orchard St.
Boise ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

February 5, 2025

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Legal Notice CR2022-0016 / MDC LLC

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:
<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).

For questions, contact David Luft, Air Quality Manager, at 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
- Rock crushers, concrete batch plants, and hot mix asphalt plants are subject to DEQ air quality permitting requirements. Please see the following web site for additional information:
<https://www2.deq.idaho.gov/admin/LEIA/api/document/download/5204>

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan to the city/county for incorporation into the conditional use permit. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.

- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, and ponds. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Troy Smith
Regional Administrator

Dan Lister

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Wednesday, February 5, 2025 7:06 AM
To: Dan Lister
Subject: [External] FW: Legal Notice CR2022-0016 / MDC LLC
Attachments: NEW - BOCC Rezone full political agency notice.pdf

Good Morning Dan ,

Nampa Highway District #1 has no comment as it is not within our jurisdiction.

Thank you,

Eddy

Eddy Thiel
 ROW
eddy@nampahighway1.com
 4507 12th Ave. Rd. • Nampa, id 83686
 TEL 208.467.6576 • FAX 208.467.9916

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Tuesday, February 4, 2025 12:11 PM
To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'jreynolds@middletoncity.org' <jreynolds@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; 'sellersr@cityofnampa.us' <sellersr@cityofnampa.us>; 'watkinsk@cityofnampa.us' <watkinsk@cityofnampa.us>; 'BadgerD@cityofnampa.us' <BadgerD@cityofnampa.us>; 'addressing@cityofnampa.us' <addressing@cityofnampa.us>; 'critchfield@cityofnampa.us' <critchfield@cityofnampa.us>; 'clerks@cityofnampa.us' <clerks@cityofnampa.us>; 'timc@cityofnampa.us' <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'info@parmacityid.org' <info@parmacityid.org>; 'mayor@parmacityid.org' <mayor@parmacityid.org>; 'planning@parmacityid.org' <planning@parmacityid.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'bgraves@kunaschools.org' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'Horner.Marci@westada.org' <Horner.Marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; 'lisa.boyd@vallivue.org' <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdillon@wilderschools.org' <jdillon@wilderschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'homedalefd@gmail.com' <homedalefd@gmail.com>;

Dan Lister

From: Doug Critchfield <critchfieldd@cityofnampa.us>
Sent: Tuesday, February 4, 2025 4:46 PM
To: Dan Lister
Subject: [External] RE: Legal Notice CR2022-0016 / MDC LLC

Dan – Nampa has no comments about this proposal. Thank you. Doug



Doug Critchfield, Principal Planner, ASLA

O: 208.468.5406, F: 208.468.5439

500 12th Ave. S., Nampa, ID 83651

[Planning and Zoning](#) - [Like us on Facebook](#)

[Citizen's Guide to Planning](#) – Learn More About Planning!

NAMPAReady

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>

Sent: Tuesday, February 4, 2025 12:11 PM

To: 'rcollins@cityofcaldwell.org' <rcollins@cityofcaldwell.org>; 'P&Z@cityofcaldwell.org' <P&Z@cityofcaldwell.org>; 'dgeyer@cityofcaldwell.org' <dgeyer@cityofcaldwell.org>; 'jdodson@cityofcaldwell.org' <jdodson@cityofcaldwell.org>; 'mbessaw@cityofcaldwell.org' <mbessaw@cityofcaldwell.org>; 'amy@cityofcaldwell.org' <amy@cityofcaldwell.org>; 'alicep@cityofhomedale.org' <alicep@cityofhomedale.org>; 'jgreen@marsingcity.com' <jgreen@marsingcity.com>; 'mayor@cityofmelba.org' <mayor@cityofmelba.org>; 'cityclerk@cityofmelba.org' <cityclerk@cityofmelba.org>; 'jhutchison@middletoncity.org' <jhutchison@middletoncity.org>; 'jreynolds@middletoncity.org' <jreynolds@middletoncity.org>; 'mhobbs@middletoncity.org' <mhobbs@middletoncity.org>; 'rstewart@middletoncity.org' <rstewart@middletoncity.org>; Robyn Sellers <sellersr@cityofnampa.us>; Kristi Watkins <watkinsk@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Clerks <clerks@cityofnampa.us>; Char Tim <timc@cityofnampa.us>; 'notuscityclerk@gmail.com' <notuscityclerk@gmail.com>; 'info@parmacityid.org' <info@parmacityid.org>; 'mayor@parmacityid.org' <mayor@parmacityid.org>; 'planning@parmacityid.org' <planning@parmacityid.org>; 'snickel@staridaho.org' <snickel@staridaho.org>; 'wsevery@cityofwilder.org' <wsevery@cityofwilder.org>; 'casanderson@caldwellschools.org' <casanderson@caldwellschools.org>; 'nicmiller@cw.edu' <nicmiller@cw.edu>; 'ddenney@homedaleschools.org' <ddenney@homedaleschools.org>; 'bgraves@kunaschools.org' <bgraves@kunaschools.org>; 'tejensen@kunaschools.org' <tejensen@kunaschools.org>; 'nstewart@marsingschools.org' <nstewart@marsingschools.org>; 'sadams@melbaschools.org' <sadams@melbaschools.org>; 'Horner.Marci@westada.org' <Horner.Marci@westada.org>; 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'cstauffer@nsd131.org' <cstauffer@nsd131.org>; 'dleon@nsd131.org' <dleon@nsd131.org>; 'krantz@notusschools.org' <krantz@notusschools.org>; 'tkelly@parmaschools.org' <tkelly@parmaschools.org>; 'jenny.titus@vallivue.org' <jenny.titus@vallivue.org>; lisa.boyd <lisa.boyd@vallivue.org>; 'joseph.palmer@vallivue.org' <joseph.palmer@vallivue.org>; 'jdillon@wilderschools.org' <jdillon@wilderschools.org>; 'lrichard@cityofcaldwell.org' <lrichard@cityofcaldwell.org>; 'aperry@cityofcaldwell.org' <aperry@cityofcaldwell.org>; 'homedalefd@gmail.com' <homedalefd@gmail.com>; 'tlawrence@kunafire.com' <tlawrence@kunafire.com>; 'khinkle@kunafire.com' <khinkle@kunafire.com>; 'marsingfiredistrict@yahoo.com' <marsingfiredistrict@yahoo.com>; 'marsingruralfire@gmail.com' <marsingruralfire@gmail.com>; 'brian.mccormack@melbafire.id.gov' <brian.mccormack@melbafire.id.gov>; 'kenny.hoagland@melbafire.id.gov' <kenny.hoagland@melbafire.id.gov>; 'vislas@starfirerescue.org' <vislas@starfirerescue.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'eddy@heritagewifi.com' <eddy@heritagewifi.com>; Ron

Dan Lister

From: Marc Gee <mgee@msd134.org>
Sent: Tuesday, February 18, 2025 7:52 AM
To: Dan Lister
Subject: [External] School Response: CR2022-0016
Attachments: MSD #134 Response--CR2022-0016 Follow Up.pdf

Dan,

Please see this document for the case referred to in the subject line. We submitted a letter prior to the Planning and Zoning discussion on the case. Since that time the developer in question has approached the district with some ways they would like to help. The document has the original letter we sent and a follow-up with what the developer has agreed to help with in the district.

Please let me know if you have any questions.

--

Marc C. Gee
Superintendent
Middleton School District #134
Office: 208-585-3027
Email: mgee@msd134.org
Website: www.msd134.org

NOTICE: THIS ELECTRONIC MESSAGE TRANSMISSION CONTAINS INFORMATION WHICH MAY BE CONFIDENTIAL OR PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) OR ENTITY(IES) NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS INFORMATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS ELECTRONIC TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY THE SENDER AND DELETE THE COPY YOU RECEIVED.



Middleton School District #134

Every Child Learning Every Day

Middleton School District #134--Public Hearing Notice Response

General Response for New Development

Middleton School District has multiple schools that are over or near . Currently Middleton School District has 2 of our 3 elementary schools over capacity. Heights Elementary is at 144% of capacity with five (5) portable units totaling 10 classrooms. Mill Creek Elementary is at 118% of capacity with six (6) portable classroom units totaling 12 classrooms. We are nearing capacity, but have not superseded at this point, at our high school (91%) and middle school (85%). As it stands now there is an immediate need for additional facilities in our school district, primarily at the elementary grades. However, we have significant concerns of the continued growth and our ability to meet the future facility needs of our district at the secondary level (Middleton Middle School and Middleton High School).

We have completed 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.

The district, while making use of portable classrooms, in the interim, to fulfill its mandate to educate all students in the district, ultimately needs a new elementary school, or permanent facilities. The primary method for obtaining the needed funding is through the bonding process that must be passed by a supermajority vote of district patrons.

CR2022-0016, Canyon County

Elementary students living in the subdivision as planned would be in the attendance zone for Mill Creek Elementary School, which, as stated previously, is above capacity, as well as Middleton Middle School and Middleton High School. With the 76 proposed lots we anticipate approximately 38 - 53 students will need educational services provided by our district. This equates to roughly 2-3 new classrooms of students across elementary and secondary 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. It is important that the developer include plans for appropriate spacing for bus stops. Typically busses do not enter subdivisions.

The developer contacted the school district during their development process and brainstormed ideas of how they might be able to provide support for the district in their school construction process, though no formal agreement was settled upon.

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

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

Marc C. Gee, Superintendent

June 7, 2024

Middleton School District Office: 5 S. Viking Ave, Middleton, ID 83644

Marc C. Gee, Superintendent

Lisa Pennington, Asst. Superintendent
Manager

Phone: 208-585-3027

Alicia Krantz, Business

mgee@msd134.org

lpennington@msd134.org

akrantz@msd134.org

Exhibit 4.E



Middleton School District #134

Every Child Learning Every Day

Middleton School District #134 – Follow-Up Public Hearing Response CR2022-0016, Canyon County

February 2025

Dear Commissioners,

Thank you for the opportunity to provide follow-up comments regarding the proposed Willowcreek development referenced in my June 2024 response. I appreciate the collaborative spirit demonstrated by the developers and their willingness to engage in meaningful discussions with the Middleton School District. This ongoing dialogue reflects a shared interest in ensuring that the needs of our growing community are thoughtfully addressed.

As part of these discussions, the developers have proposed the following contributions:

1. A donation of \$50,000 worth of trees to enhance the district's new elementary school project and other district facilities as needed.
2. A financial contribution of \$150,000 to help mitigate the impact of additional students on our facilities.

In their regular school board meeting on February 10th, the Middleton School Board of Trustees unanimously approved the details of this agreement. These donations would provide valuable support as the district works to manage the challenges associated with increased enrollment. While these resources are part of a broader effort to address the needs of our schools, they represent a step forward in our collaborative efforts to ensure a sustainable future for the district.

The district remains committed to meeting the educational needs of all students and continues to use data from our demographic studies to plan for future growth. As noted previously, we anticipate that the proposed 73-lot subdivision could result in 38 to 53 additional students, equating to 2-3 new classrooms' worth of students across elementary and secondary grades.

As always, we respectfully request that the Canyon County Planning and Zoning Commission and County Commissioners take these factors into consideration as you deliberate on this application. The district will continue to work proactively with developers, local government, and the community to find sustainable solutions for the future.

Please feel free to reach out with any further questions or for additional information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Marc C. Gee', written in a cursive style.

Superintendent
Middleton School District

Middleton School District Office: 5 S. Viking Ave, Middleton, ID 83644
Marc C. Gee, Superintendent

Lisa Pennington, Asst. Superintendent
Manager

Phone: 208-585-3027
Alicia Krantz, Business

mgee@msd134.org
akrantz@msd134.org

lpennington@msd134.org

Exhibit 4.E

EXHIBIT 5

Public Comments Received by March 3, 2025

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025

Feb 17-25

RECEIVED

FEB 21 2025

RECEIVED

Canyon County
Development Services
Dept

CR2022-
Re: Case CR2022-0016-Deny-
parcel R37511 + R37510112 From "A"

I am the owner of the property
at 25851 Lansing Ln. We are concerned
about the above approval

- (1) Water table - on wells
- (2) Services for
 - (a) Schools - (some 4 days a week)
 - (b) Police
 - (c) Fire Department
 - (d) Traffic

The Taxpayers did not approve
bonds for improvement for the above.

Between Star. Middleton, Caldwell
services can't handle added growth.

It seems to me you are
putting "the cart before the horse"
People ^{homes} ahead of any available
services.

Thank You

Sandra L. Warner
3652 S. McCormick Ave.
Boise, Idaho 83709

Phone 208-861-8884
E. mail Sandra Warner @ gmail. com.

Dan Lister

From: Sue Todd <H159@msn.com>
Sent: Wednesday, February 26, 2025 8:56 AM
To: Dan Lister
Subject: [External] MDC LLC/Carter - CR2022-0016 (Tree Farm)

My name is: Sue Todd

I live at: 9564 Golden Willow Street, Middleton, ID 83644

Thank you for the opportunity to share my concerns. I am opposed to the conditional rezone of 164 acres from Agricultural (A) to Conditional Rezone - Rural Residential (CR-R-R) and development of 76 parcels for the following reasons:

1. Surrounding Area - As stated from the P&Zs recommendation of denial the average lot size in the immediate vicinity is 2.99 acres. The Tree Farm's first proposal comprised of many 1 to 1.4 acre lots with a few large lots including an 18 lot to artificially achieve a 2 acre minimum. If the larger lots are removed from the equation the avg lot is 1.7 acre. Driving around the area one will easily conclude the landscape is very rural with large lots comprised of farms, livestock and open space surrounded by agricultural land and wild life. An alternate and more realistic analysis of the immediate area (Duff to Kingsbury to Galloway to Purple Sage) results in the actual average lot size increase to over 3.29 acres which mirrors the character of the area. In addition, I understand the applicant filed during the 2020 master plan though the Commissioners must consider adverse impacts to the 2030 plan in which 50% of the proposed development is zoned AG vs RR.
2. Schools - Marc C, Gee, Middleton School district Superintendent specifically states in Exhibit D. 7 "overcapacity in Heights Elementary is at 144% of capacity w/five (5) portable units totaling 10 classrooms. Mill Creek Elementary is at 118% of capacity with six (6) portable classroom units totaling 12 classrooms and nearing capacity in middle/high schools and has we significant concerns of the continued growth and our ability to meet the future facility needs". 76 lots equates to approximately 38-53 more students. With 3,900 Middleton plats already approved in various stages of construction the reality is far worse. Bonds are the only solution to fund schools historically have not passed in Canyon County. Also, City of Middleton passed the school capacity Ordinance 693 i2024 to address overcrowding in Middleton schools. It seems irresponsible to rezone and continue building homes when infrastructure is not being supported. And while any donation is a start, it will not help with overcrowding until the schools are built.
3. Preserving Agricultural Lands - I have referenced several key points below which support the preservation of agricultural lands. In addition in Exhibit D.8 the Canyon County District of Soil Conservation states 78% of is Class II and is the best suited productive soils in Canyon County with few limitations. and does NOT recommend a land use change.

I am pro smart, thoughtful and strategic development though based on Canyon County's current infrastructure (schools, roadways, emergency services) and goals of the 2020 and 2030 Comprehensive Master Plan it should be an easy decision for the Board of Canyon County Commissioners to keep the zoning with larger lots in the range of 5 acres each which reduces the adverse impact while balancing the needs for building new homes and preserving our open productive lands and only commencing construction when the schools and infrastructure are in place.

Thank You,
 Sue Todd
 9564 Golden Willow Street, Middleton, ID 83644

Sources: 2020 COMPREHENSIVE PLAN - Page 34 – Several policies point to preserving agriculture:

1 Encouraging "the continued use of agricultural lands..". For the "economic benefits they provide..."

3 Encouraging "broad-based economic development programs that include natural resources such as agriculture"

5 The "County should not overdevelop and should retain agricultural lands/uses and control environmental impacts through conditions placed on subdivision plats and conditional use permits."

6 Encouraging "development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County."

7 The "County should identify areas...suitable for development" and it "should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished."

Page 36 .Chapter 5. LAND USE COMPONENT, discusses the importance of agriculture and natural resources to the county, cities and outlying communities, indicating 84% of the county is agricultural. It goes on to state that 2 decades ago the county lost 25% of its productive agricultural lands to development and the rapid urbanization had negatively impacted agricultural operations. But that farming provides economic stability to the county and the production of food and fiber serves a constant need for the economic base. Page 39 AGRICULTURE, "The County's policy is to encourage the use of these lands for agriculture..."and "the intent is to protect the best agricultural lands from inappropriate and incompatible development balanced against competing development needs." Recognizing "that agricultural uses contribute to our economic base, and... the retention of agricultural land should be encouraged." Page 40 POLICIES, Encourages "the protection of agricultural land for the production of food." And "Consider the use of voluntary mechanisms for the protection of agricultural land."

Dan Lister

From: Rob Cavanaugh <robjrc@aol.com>
Sent: Thursday, February 27, 2025 8:44 PM
To: Dan Lister
Cc: Pix Cavanaugh
Subject: [External] Case CR2022-0016, ReZoning of Parcels R37511 & R37510112 from "A" to "CR-R_R"

As a resident of a newly developed subdivision here at Quail Haven, my recommendation is to Deny the subject case for a period of 5 years until results from the impact to our community is assessed for the following reasons:

1.) Water Availability - Since a significant majority of water supply to the various new subdivisions in this vicinity is from well drilling, potential impact from a 76 residential home building project should not be undertaken until data can be analyzed from the impact of current development. As a community we do not want our critical water supply to be diminished like similar developments being proposed in South Lake Lowell in Nampa. Also, additional water requirements needed for the subject case will affect those south of Purple Sage. Longer term evaluation of the current aquifer capacities must be addressed after a reasonable time has elapsed after current subdivisions impact have been determined.

2.) Traffic Considerations - Currently access to the various businesses and services for our area is only possible from HWY 44 through North-South streets like Duff, Lansing or further West from other streets. Additional congestion from Lansing to HWY 44 will place additional strain on traffic attempting to turn right or left (even more so) onto HWY 44. There are already several safety issues with current traffic at these intersections where times of heavy eastbound or westbound traffic traveling 55MPH causes build up on Lansing and Duff. There have been several close calls I have witnessed when drivers attempt to get onto HWY 44. Unless there are plans to either add traffic lights at these intersections or develop additional North-South street access to HWY 44, we should not develop additional residential areas.

Again we recommend postponing the rezoning for a period of 5 years until the current demands from existing new developments are fully assessed.

THX for giving local residents the opportunity to provide feedback for these important issues. I can provide my current address if requested by your office.

Rob Cavanaugh

Dan Lister

From: Christine Hitchner <meatspittle@gmail.com>
Sent: Thursday, February 27, 2025 7:01 PM
To: Dan Lister
Subject: [External] MDC LLC/Carter - CR2022-0016

I am opposed to the conditional rezone of 164 acres from Agricultural (A) to Conditional Rezone - Rural Residential (CR-R-R) and development of 76 lots. This land is commonly referred to as the tree farm.

Middleton School District (MSD) has needed a new elementary school for several years. Since 2016, bond measures aimed at providing upgrades and easing overcrowding in the Middle School District have been rejected by voters. Another bond proposal, this one for \$19.8 million from taxpayers, will be on the ballot in May 2025. History has shown that voters will not approve this bond therefore the new elementary school will not be built. Developers are not obligated to pay more into infrastructure and community costs when they flood communities with large developments. Taxpayers do not want to be saddled with the financial burden to fund large capital projects such as building a new school.

Additionally, a flyer was recently mailed to local postal customers regarding this bond. In part it reads, "Donations from developers: 12-acre lot donated to school district, Additional \$250,000 cash donations." That cash donation is on MSD website as a document entitled, "Middleton School District #134 Donation Agreement (Cash, Cash Equivalents and Personal Property). Under "Agreement" 2.c "Time and Manner of Donation it reads in part, "The donation of the Cash Donation to the District shall be paid in a one (1) time payment promptly following the recording of the first final plat with the Project with the Canyon County, Idaho recorder (the "Donation Event")."

The cost of a new elementary school is approximately \$28 million. The schools are already utilizing portable classrooms due to overcrowding. Adding more students will put even more of a strain on the services such as the cafeterias, libraries, special education, counseling, administration, restrooms, bussing, etc. The cost of portable classrooms is \$300k to \$450k to get them purchased, installed and required site work done to accommodate them.

While a "donation" of \$250,000 seems like a nice gesture, **it is not a "donation". It is quid pro quo. This situation involves offering or promising something of value to a public official. In this situation, Canyon County (BOCC) is the "public official". The "something of value" is \$250,000. The "donation" is contingent upon an official act by the BOCC. That really does seem like a favor for a favor.**

Please do not approve the rezoning and development of 164 acres of prime agricultural land into 76 developable lots that are not compatible with the surrounding land uses and lot sizes. Please do not add to the overcrowding in the MSD schools.

Christine Hitchner
9308 Kemp Road, Middleton

Dan Lister

From: Marc Rehberger <marc.rehberger@gmail.com>
Sent: Sunday, March 2, 2025 8:00 PM
To: Dan Lister
Subject: [External] RE: Subdivision Case CR2022-0016

Dear Mr Lister,

As a resident of Middleton, located at 9992 Stony Brook Way, Middleton, ID 83644, I would like to register my frustration with the potential approval of the Tree Farm subdivision referenced above.

Stony Brook is a dead-end road with 14 homes and the traffic situation is already unsafe due to low visibility and speed issues. There are no sidewalks or streetlights and a request to reduce the speed limit was rejected by the County in 2021.

The proposed subdivision would change **the existing** Stony Brook **into** a through road connecting Duff.

The application includes a traffic study that considers the sole access to the subdivision via Lansing. No evaluation of any impact to Stony Brook or Duff was even considered. **This seems to be a miss by the developer. Without a proper study of an already dangerous situation much worse.**

The proposed subdivision is expected to generate 748 trips each day, with 40% headed west. It is reasonable to assume that most westbound traffic would exit the subdivision through Stony Brook to Duff instead of driving east through the subdivision to Lansing.

This would generate an additional 300 trips on Stony Brook daily. Since this would create a new through road connecting Lansing to Duff, it is also reasonable to assume additional trips would be generated by vehicles from outside the proposed subdivision using the new road.

Adding traffic from new residences from the proposed subdivision would create a tremendously unsafe and unacceptable environment to the existing neighborhood on Stony Brook Way.

We request the proposed subdivision utilize Lansing solely for entry/exit as that does not impact an existing neighborhood. If access is absolutely required for EMS, we propose the

installation of bollards or gating at the end of Stony Brook for EMS access only, consistent with the proposed access at Kemp. This is also consistent with the traffic study assumptions.

We believe the property owner has the right to develop their land, but not at the expense of the safety of the Stony Brook neighborhood.

Thank you for your consideration,

Marc & Rosemarie Rehberger
9992 Stony Brook Way
Middleton, ID 83644
208-600-4996

Dan Lister

From: Mike Barber <mjbarber2017@gmail.com>
Sent: Sunday, March 2, 2025 1:48 PM
To: Dan Lister
Subject: [External] Stony Brook Way

Hi Daniel

My wife and I wanted to write you a quick email to state our concerns with the new subdivision being proposed at the current tree farm location. We are not against the development of the property we are just strongly against the proposal of making our nice quiet street a through street to the new development. We have lots of children on our street and we do not want increased traffic or all that comes with that (speeding, accidents and increased potential of vehicle/children interactions).

Please use this email as our official comment on the project proposal.

Thanks

Mike and Monica Barber
208-766-3307 cell

"Always Positive"

Mike Barber

(208) 766-3307 cell

Dan Lister

From: Craig Hardin <hardin.craig@gmail.com>
Sent: Sunday, March 2, 2025 1:12 PM
To: Dan Lister
Subject: [External] CR2022-0016 Tree Farm Re-zoning Public Meeting.

Hello Neighbors,

On Dec 5, 2024 Canyon County Planning & Zoning recommended denial for rezoning the Tree Farm consisting of 164 acres from Agricultural (AG) to Rural Residential (RR). The developer was denied for 2 main reasons: 1) majority of the 76 lots were too small (some at 1 acre) and 2) schools are over capacity. The case now goes to the Board of Canyon Commissioners on **March 13th at 1:30pm** for a public hearing where the Commissioners can deny, approve and/or modify the development based on new findings, concessions by the developer and public testimony.

A small group of us representing surrounding subdivisions ask for your help to send written comments in preparation for the public hearing (this is in addition to the prior comments you may have sent in December). Public comment is imperative to ensure our voices are heard and community needs are met. Without it there is a strong probability of high density lots causing additional adverse impact on our schools, emergency services, roadway safety and overall infrastructure.

We have provided the sample letter or you to use and tailor to your needs. Feel free to add anything you feel best represents your position. For example the traffic study states an increase of 700 more cars per day. Alternately you can resend your prior letter stating you position remains as previously stated.

Please send your comments to Dan Lister (P&Z staff lead on this case) at daniel.lister@canyoncounty.id.gov by end of day March 3rd.

Regards,
 Joe Strongone

Greetings,

My name is: Craig Hardin

I live at: 9713 Golden Willow Street which is across Willow Creek from the existing Tree Farm. I attended the Galloway Road Re-zoning meeting and was deeply appalled by the Boards decision to approve that project. The Board Chairman should publicly apologize for his statement that the Middleton Elementary School over crowding problem is a School District matter to resolve. We all have a moral responsibility to educate our children in Canyon County. The Chairman and the Board are part of the problem, so turning their heads the other way does not make the problem go away.

Thank you for the opportunity to share my concerns. I am opposed to the conditional rezone of 164 acres from Agricultural (A) to Conditional Rezone - Rural Residential (CR-R-R) and development of 76 parcels for the following reasons:

1. Surrounding Area - As stated from the P&Zs recommendation of denial, the average lot size in the immediate vicinity is 2.99 acres. The Tree Farm's first proposal comprised of many 1 to 1.4 acre lots with a few large lots including an 18 acre lot to artificially achieve a 2 acre minimum. If the larger lots are removed from the equation the avg lot is 1.7 acre. Driving around the area one will easily conclude the landscape is very rural with large lots comprised of farms, livestock and open space surrounded by agricultural land and wild life. An alternate and

more realistic analysis of the immediate area (Duff to Kingsbury to Galloway to Purple Sage) results in the actual average lot size increase to over 3.29 acres which mirrors the character of the area. In addition, I understand the applicant filed during the 2020 master plan though the Commissioners must consider adverse impacts to the 2030 plan in which 50% of the proposed development is zoned AG vs RR.

2. School Overcrowding - Marc C, Gee, Middleton School district Superintendent specifically states in Exhibit D. 7 "overcapacity in Heights Elementary is at 144% of capacity with five (5) portable units totaling 10 classrooms. Mill Creek Elementary is at 118% of capacity with six (6) portable classroom units totaling 12 classrooms and nearing capacity in middle/high schools and has we significant concerns of the continued growth and our ability to meet the future facility needs". 76 lots equates to approximately 38-53 more students. With 3,900 Middleton plats already approved in various stages of construction the reality is far worse. Bonds are the only solution to fund schools historically have not passed in Canyon County. Also, City of Middleton passed the school capacity Ordinance 693 i2024 to address overcrowding in Middleton schools. It seems irresponsible to rezone and continue building homes when local infrastructure is not being supported. To continue approving projects like the Tree Farm will expand the existing Middleton School overcrowding problem. This problem will not be resolved until additional schools are built.

3. Preserving Agricultural Lands - I have referenced several key points below which support the preservation of agricultural lands. In addition in Exhibit D.8 the Canyon County District of Soil Conservation states 78% of is Class II and is the best suited productive soils in Canyon County with few limitations. And does NOT recommend a land use change.

4. Traffic Concerns/School Bus Problem - The proposal to extending the existing Stonybrook Road eastward to link up with Lansing Lane is a terrible proposal. Extending Stonybrook Road as part of this project would increase an existing traffic quagmire at the intersections of Purple Sage/Lansing Lane, Duff Lane/PurpleSage and Highway 44/Lansing Lane. The addition of 76 building lots in this area would equate to an overwhelming increase of daily automobile trips in this area (study estimated 700 daily trips). These local intersections are simply not designed for an influx of traffic of this magnitude. Existing school bus routes are overcrowded just like Middleton Elementary School. Students are sitting three students to a seat that are designed for only two students. When all bus seats are full the students are sitting on the bus floor. This is a clear safety violation and opens up a substantial liability matter if a bus accident should occur. Simply put: How can the Canyon County P7Z Board consider changing the Tree Farm property zoning when there are numerous existing infrastructure hurdles to overcome.

5. Septic Field/Flood Plain Concerns - There is an existing flood plain that borders Willow Creek drainage. If the Tree Farm project is Re-zoned and approved it would create a substantial septic field drainage matter. 76 building lots equate to 76 additional septic tank drain fields that would reside in the existing flood plain. Any septic leakage that flows from the existing flood plain would drain into Willow Creek that drains into the Boise River. As we are all aware the Boise River flows into the Snake River. Downstream from the Snake River lies the Main Stem Columbia River System that is the only migratory river path for indigenous runs of salmon and steelhead returning to Idaho. The liability that comes with an additional 76 flood plain based septic drain fields is enormous. Should Canyon County based septic contaminants ever degrade the water quality of three rivers mentioned above it would become a Federal water quality matter in a very short period of time. I do not think Canyon County and the State of Idaho have evaluated the inherent risks associated with water quality issues at the Federal government level.

I am pro smart, thoughtful and strategic development though based on Canyon County's current infrastructure (schools, roadways, emergency services) and goals of the 2020 and 2030 Comprehensive Master Plan it should be an easy decision for the Board of Canyon County Commissioners to keep the zoning with larger lots in the range of 5 acres each which reduces the adverse impact while balancing the needs for building new homes and preserving our open productive lands and only commencing construction when the schools and infrastructure are in place.

Thank You,

Craig Hardin

9713 Golden Willow Street

360-909-8272

Sources:2020 COMPREHENSIVE PLAN - Page 34 – Several policies point to preserving agriculture:

1 Encouraging “the continued use of agricultural lands..”. For the “economic benefits they provide...”

3 Encouraging “broad-based economic development programs that include natural resources such as agriculture”

5 The “County should not overdevelop and should retain agricultural lands/uses and control environmental impacts through conditions placed on subdivision plats and conditional use permits.”

6 Encouraging “development in a controlled, planned, and constructive manner, which will enhance, not destroy, the existing lifestyle and environmental beauty of Canyon County.”

7 The “County should identify areas...suitable for development” and it “should be located in close proximity to existing infrastructure and in areas where agricultural uses are not diminished.”

Page 36 .Chapter 5. LAND USE COMPONENT, discusses the importance of agriculture and natural resources to the county, cities and outlying communities, indicating 84% of the county is agricultural. It goes on to state that 2 decades ago the county lost 25% of its productive agricultural lands to development and the rapid urbanization had negatively impacted agricultural operations. But that farming provides economic stability to the county and the production of food and fiber serves a constant need for the economic base.**Page 39 AGRICULTURE**, “The County’s policy is to encourage the use of these lands for agriculture...”and “the intent is to protect the best agricultural lands from inappropriate and incompatible development balanced against competing development needs.” Recognizing “that agricultural uses contribute to our economic base, and... the retention of agricultural land should be encouraged.” **Page 40 POLICIES**, Encourages “the protection of agricultural land for the production of food.” And “Consider the use of voluntary mechanisms for the protection of agricultural land.”

Dan Lister

From: alabamjames@aol.com
Sent: Saturday, March 1, 2025 9:08 AM
To: Dan Lister
Subject: [External] CR2022-0016 Middleton

Mr. D. Lister,

This proposed development in Middleton will be a serious loss to our rural community. It will only result in more congestion and noise in the area. More overcrowding in our schools, and a bigger burden on our water supply and local services. We are both opposed to any such projects, as they do not enrich the community.

Sincerely,
Robert & Cindy James
9370 Kemp Rd.
Middleton, Idaho 83644

Dan Lister

From: One Nation under God Rhodes <rhodesmtn@gmail.com>
Sent: Monday, March 3, 2025 9:13 AM
To: Dan Lister
Subject: [External] Willow Creek Subdivision
Attachments: 1_1.9 acres.pdf; 2_5 acres.pdf

Honorable Commissioners,

I would like to take this opportunity to clarify some points regarding the properties in the Middleton area. I have heard developers in recent meetings claim that 1-acre lots are more desirable to buyers, but in my experience as a Realtor for the past 8 years in Canyon County, this does not align with the data I have observed.

Please find attached two screenshots from the MLS, dated February 24, 2025 for your reference.

- In the past 6 months, homes on 1 to 1.9-acre lots in Middleton were on the market for an average of 65 days, with 65 homes sold.
- In contrast, homes on 2 to 5-acre lots were on the market for an average of 53 days, with 12 homes sold.

While it is true that developers may see higher profits with smaller lot sizes, it's important to note that their profitability has not been adequately addressed in the 2020 Comprehensive Plan. As a community, it is not our responsibility to prioritize developer profits over the well-being of the area's infrastructure and its residents.


The city of Middleton has allowed developers to operate with a great deal of freedom, but this has often been at the expense of the infrastructure. I am not opposed to development, but I urge you, when reviewing the Willow Creek property or any other property within the Middleton Area of Impact, to carefully consider the long-term consequences.


Willow Creek claims to offer an "average" lot size of 2 acres, but this average is skewed by the inclusion of a few very large (18-acre) parcels, while the majority of the lots are just slightly over 1-acre parcels. I request that the lot size be set at a minimum of 3 acres in order to better align with the surrounding area and to ensure sustainable development.


We cannot continue to allow the construction of converting farmland to small lots without considering the strain it places on the community's resources, particularly in terms of wells and septic systems. The growing demand for these systems cannot be sustained with such small lot sizes.


Thank you for your time and thoughtful consideration of this matter.

Sincerely,
Denise Rhodes



**HOME**

**SEARCH**


**LISTING**


Home **Market Monitor** **Residential** ×


Criteria **Map Search** **Default MLS (29)** + New Search


Checked All Email Share Save Print Export

	TOTAL		HIGH	LOW	AVG	MED
STING COUNT:	29	DAYS ON MARKET:	354	0	65	41




HOME


SEARCH


LISTINGS

me

Market Monitor

Residential ×


Criteria


Map Search


Default MLS (12)


+ New Search


checked


 All


 Email

 Share ▼

 Save ▼

 Print ▼

 Export ▼



	TOTAL		HIGH	LOW	AVG	MED
ING COUNT:	12	DAYS ON MARKET:	301	3	53	16

Dan Lister

From: MIKE SHORES <mike2246453@yahoo.com>
Sent: Saturday, March 1, 2025 7:32 AM
To: Dan Lister
Subject: [External] ARGUMENTS AGAINST CASE#CR2022-0016 REZONE OF PARCELS R37511 & R37510112
Attachments: ARGUMENTS AGAINST NEW HOMES ON LANSING LANE.docx

Attached are a few arguments against this proposal.

I fly in the same day as the meeting and will do my best to attend, my wife Trina Shores will also attempt to be there.

I hope some of these points can help defeat this proposal

James Shores
Homeowner

----- Forwarded Message -----

From: "mailer-daemon@yahoo.com" <mailer-daemon@yahoo.com>
To: "mike2246453@yahoo.com" <mike2246453@yahoo.com>
Sent: Saturday, March 1, 2025 at 07:24:29 AM MST
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<daniel.lister@canyoncountty.id.gov>:

No mx record found for domain=canyoncountty.id.gov

----- Forwarded message -----

I am the homeowner at 25088 Lansing Lane.

Attached are a few arguments against this proposal.

I fly in the same day as the meeting and will do my best to attend, my wife Trina Shores will also attempt to be there.

I hope some of these points can help defeat this proposal

James Shores
Home owner

Opponents of CASE #CR2022-0016, which proposes the construction of 76 new homes on Lansing Lane in Middleton, Idaho, may present several concerns:

1. **Traffic and Infrastructure Strain:** The addition of 76 homes could significantly increase traffic on Lansing Lane and surrounding roads, potentially leading to congestion and heightened wear on infrastructure.
2. **Environmental Impact:** Developing this area may disrupt local ecosystems, affecting wildlife habitats and natural landscapes.
3. **Consistency with Comprehensive Planning:** The proposed development should align with Middleton's comprehensive plan, considering factors like land use, community character, and long-term growth strategies.
4. **Community Character:** Introducing a large subdivision could alter the existing rural or semi-rural character of the area, impacting the lifestyle of current residents.
5. **Public Services Demand:** An influx of new residents may place additional demands on public services such as schools, emergency services, and utilities, potentially straining existing resources.
6. **Economic Considerations:** There may be concerns about property values, tax implications, and the economic impact on the community, both positive and negative.

Opposition to the proposed development of 76 new homes on Lansing Lane in Middleton, Idaho, centers on several key concerns:

1. **Traffic Safety and Congestion:** The intersection of State Highway 44 (SH44) and Lansing Lane has been the site of serious accidents, including a fatal crash in July 2021. Residents fear that adding more homes will increase traffic, exacerbating safety risks and congestion on these already burdened roads.

isp.idaho.gov

2. **Strain on Public Services:** Middleton's schools and public services are reportedly operating at or beyond capacity. The influx of new residents from additional housing developments could overwhelm these systems, leading to diminished quality of education and public safety services.

change.org

3. **Loss of Rural Character:** The area surrounding Lansing Lane is predominantly rural, characterized by agricultural lands and homes on large parcels. Residents argue that high-density developments are incompatible with this setting and would irreversibly alter the community's rural charm.

change.org

4. **Environmental and Infrastructure Concerns:** There are worries about the environmental impact of such developments, including potential strain on local infrastructure like water and sewage systems, as well as the loss of open spaces and wildlife habitats.

These concerns reflect a desire among residents to preserve the safety, character, and sustainability of their community in the face of rapid development.

Safety and Family Concerns Against CASE #CR2022-0016

1. **Traffic Dangers & Increased Accidents**
 - Lansing Lane and SH-44 have a history of serious accidents, including a fatal crash in July 2021.
 - Increased traffic from 76 new homes would worsen congestion and heighten safety risks for families, pedestrians, and schoolchildren.
2. **School Overcrowding & Child Safety**
 - Middleton's schools are already at or over capacity, and more families would add pressure to an overstretched education system.
 - Overcrowding can lead to reduced quality of education and less individualized attention for children.
3. **Emergency Response Delays**
 - More traffic and population growth could slow emergency response times for fire, police, and medical services.
 - Families rely on quick emergency response times, which could be compromised by an increase in residents without proper infrastructure expansion.
4. **Loss of Safe, Family-Friendly Environment**
 - The area is currently rural and family-oriented, with open spaces for children to play safely.
 - High-density housing could introduce noise, crime, and reduced neighborhood cohesion, affecting family well-being.

These concerns highlight the potential risks to family safety and quality of life if the development proceeds.

Economic and Agricultural Concerns Against CASE #CR2022-0016

1. **Strain on Local Economy & Services**
 - Middleton's infrastructure, including roads, schools, and emergency services, may not be equipped to handle the financial burden of rapid growth.
 - Increased demand for public services without proportional tax revenue could lead to higher taxes or reduced service quality for current residents.
2. **Impact on Local Farmers & Agricultural Land**
 - The development would convert farmland into residential housing, reducing available land for agriculture and impacting local farmers' livelihoods.

- Loss of farmland could also contribute to higher food prices and reduced local agricultural production.
- 3. **Property Value Uncertainty**
 - While some may expect rising home values, high-density developments can sometimes lower property values for existing homeowners due to increased traffic, noise, and congestion.
 - Rural homeowners may see a decline in demand for larger properties as the area becomes more suburbanized.
- 4. **Increased Cost of Living**
 - Higher demand for utilities, water, and public services may result in rising costs for residents.
 - Local businesses might face challenges adjusting to a rapidly growing population without the necessary infrastructure improvements.

These economic and agricultural concerns emphasize the potential negative financial and land-use impacts of the proposed development.

Reasonable but Expensive Alternatives to CASE #CR2022-0016

1. **Lower-Density Development**
 - Instead of 76 homes, a reduced number of larger lots (e.g., 1–2 acres per home) would maintain the rural character while still allowing controlled growth.
 - This would help preserve open space and minimize traffic congestion.
2. **Improved Infrastructure Before Development**
 - Require road expansions, traffic lights, and safety measures at SH-44 and Lansing Lane before approving new housing.
 - Ensure schools, emergency services, and utilities are upgraded to support new residents.
3. **Designated Agricultural-Residential Zoning**
 - Implement zoning policies that allow limited housing while protecting farmland and agricultural operations.
 - Encourage “agrihoods” – communities that integrate small-scale farming with residential living.
4. **Master-Planned Communities with Self-Sufficient Amenities**
 - If high-density housing is inevitable, require developers to include parks, walking paths, community centers, and possibly a new school or emergency station.
 - This would reduce strain on existing Middleton infrastructure.
5. **Impact Fees & Developer Contributions**
 - Mandate developers to fund infrastructure improvements, rather than placing the financial burden on current residents through higher taxes.
 - Require contributions to schools, road safety upgrades, and public services.

These alternatives could help balance growth with community needs, but they come with higher costs and longer timelines for implementation.

Deal-Breaking Arguments Against CASE #CR2022-0016

1. **Severe Traffic & Safety Hazards** 🚦 ⚠️
 - The SH-44 and Lansing Lane intersection is already a high-risk area, with documented fatal accidents.
 - Adding potentially **150+ new vehicles** from 76 homes will **dramatically increase congestion and accident risks**, putting families in danger.
2. **School System Cannot Handle More Students** 🎒 🏫
 - Middleton's schools are already at or over capacity, and no clear plan exists to expand them before approving this development.
 - Overcrowded schools reduce education quality and student safety.
3. **Emergency Services Will Be Overwhelmed** 🚒 🚑 🚓
 - More homes mean longer response times for police, fire, and medical services.
 - In life-or-death situations, these delays could cost lives.
4. **Irreversible Loss of Farmland & Rural Character** 🌾 🚗
 - Once farmland is lost to housing, it **cannot be replaced**, permanently damaging Middleton's agricultural economy.
 - High-density housing is incompatible with the town's rural identity.
5. **Infrastructure is NOT Ready** 🏠 🚧
 - Roads, utilities, and public services **are not equipped** to handle rapid growth.
 - Approving development **before upgrading infrastructure** will create **long-term financial burdens** for taxpayers.

These deal-breaking issues highlight why this development is **too risky and unsustainable** for Middleton. 🏠

Reasonable but Astronomically Expensive Changes to Kill the Deal

1. **Massive Road & Intersection Overhaul** 🚦 🚧
 - Require a full redesign of **SH-44 and Lansing Lane**, including new traffic signals, turning lanes, roundabouts, or even an overpass to ensure safety.
 - Estimated cost: **\$10M+** (likely beyond what the developer can afford).
2. **New School Construction Before Approval** 🏫 📋
 - Demand that a **brand-new elementary or middle school** be built and funded **before** any homes are occupied.
 - Estimated cost: **\$30M+**, making the project financially impractical.
3. **Mandate Low-Density Housing (5+ Acre Lots Per Home)** 🌾 🏠
 - Require each home to sit on at least **5 acres**, preserving the rural landscape and reducing traffic impact.
 - This would **cut the number of homes by 80%**, making the development unprofitable.
4. **Developer-Funded Fire & Police Substation** 🚒 🚓

- Require the developer to **fund and staff** a new fire and police substation to ensure emergency response times remain fast.
 - Estimated cost: **\$10M+ plus ongoing salaries**—an enormous financial burden.
5. **Strict Agricultural Land Preservation Offsets** 🦋 🚗
- Demand the developer purchase and permanently protect an equal amount of farmland elsewhere in the county.
 - This would **double land costs**, likely making the project infeasible.

By implementing these extreme but justifiable requirements, the development would become too costly to proceed, effectively **killing the deal without outright rejecting it**. 🚧 💰

Legitimate Safety Reasons to Kill CASE #CR2022-0016

1. **High-Risk Intersection with Fatal Crash History** 🚦 ⚠️
 - The SH-44 and Lansing Lane intersection has a documented history of severe accidents, including fatalities.
 - Increased traffic from 76 new homes will **elevate the risk of deadly crashes**, especially without major road upgrades.
2. **Lack of Adequate Emergency Response Coverage** 🚒 🚓 🚑
 - Middleton’s fire, police, and EMS services are already stretched thin.
 - More homes without new emergency resources will **increase response times**, leading to potential loss of life in fires, medical emergencies, and crimes.
3. **Dangerous Road Infrastructure Not Designed for Growth** 🛣️ 🏠
 - Lansing Lane is a **rural road not built for high traffic volumes**.
 - Without significant improvements, the increased number of vehicles will **cause more accidents and road hazards**.
4. **School Overcrowding Creates Student Safety Risks** 🚌 🏫
 - Overfilled schools lead to **crowded hallways, limited supervision, and unsafe learning environments**.
 - Bus routes and drop-off areas may become congested and hazardous for children.
5. **Pedestrian & Cyclist Safety at Risk** 🚶 🚲
 - There are **no sidewalks or safe crossings** on Lansing Lane or nearby roads.
 - More residents, including children, will be forced to walk or bike in unsafe conditions, increasing the likelihood of pedestrian accidents.
6. **Potential for Increased Flooding & Drainage Issues** 🌧️ 🏠
 - Converting farmland into dense housing **alters natural drainage**, increasing flood risks.
 - Poor stormwater management can create hazardous road conditions and **foundation damage to homes**.
7. **Fire Hazards from High-Density Development** 🔥 🏠
 - Rural fire departments rely on **limited water resources** (e.g., wells or tanker trucks).

- Closely packed homes without proper hydrant infrastructure **increase fire spread risk**, making it harder for firefighters to respond effectively.

These safety concerns present **genuine, documented risks** that justify rejecting the development on **public safety grounds**. 🚒

4o

Financial and Farm Impacts of CASE #CR2022-0016

Financial Impacts 💰

1. **Increased Tax Burden on Current Residents** 📈🏠
 - Middleton’s existing infrastructure **cannot support** 76 more homes without major upgrades (roads, schools, emergency services).
 - If developers do not fully fund these improvements, **taxpayers will bear the cost** through higher property taxes or service fees.
2. **Decreased Property Values for Rural Homeowners** 📉
 - High-density housing developments can reduce the value of surrounding rural properties.
 - Homeowners who bought large lots for **peace, privacy, and open space** may see their investments decline.
3. **Strain on Public Services & Utilities** 🏠🔧
 - More homes mean **higher demand for water, sewage, electricity, and road maintenance**.
 - The city may **struggle to keep up**, leading to increased utility costs and potential service disruptions.
4. **Traffic-Related Economic Losses** 🚗⌚
 - More congestion on SH-44 and Lansing Lane could lead to **longer commute times**, reducing productivity.
 - Local businesses may suffer if traffic makes the area **less accessible** to customers.

Farm & Agricultural Impacts 🌾


1. **Permanent Loss of Farmland** 🏠🚧
 - Once converted to housing, **farmland is gone forever**—reducing local agricultural production and food security.
 - Future farmers may struggle to find affordable land to continue operations.
2. **Disruption to Local Farmers** 🐮🌾
 - New residents may complain about **normal farm operations** (dust, noise, smells, late-night irrigation).
 - This can lead to **zoning restrictions or lawsuits** that hurt farmers' ability to operate.

3. Water Supply Strain

- Farming relies on stable water access, but new homes will **divert water** for residential use.
- Wells and irrigation systems may experience shortages, affecting crop yields and livestock care.

4. Loss of Agricultural Economy & Jobs

- Farming supports **local jobs, suppliers, and markets**.
- As farmland disappears, related industries (equipment suppliers, feed stores, farm labor) **may suffer economic losses**.

These financial and agricultural consequences highlight **serious risks** that could negatively impact Middleton's long-term stability. 

4o

Expenses CASE #CR2022-0016 Could Cause the City and Residents

1. Infrastructure & Road Upgrades

- Widening Lansing Lane and SH-44 to handle increased traffic: **\$5M–\$10M+**
- New traffic signals, turn lanes, and safety improvements: **\$1M–\$3M**
- Road maintenance costs due to increased wear: **Ongoing annual costs**

2. Emergency Services Expansion

- Additional police officers, firefighters, and EMTs: **\$500K+ per year**
- New fire and police substation for faster response times: **\$10M+**
- More emergency vehicles and equipment: **\$1M–\$3M**

3. School Overcrowding & Expansion

- Cost of expanding existing schools or building a new one: **\$30M–\$50M+**
- More teachers, staff, and school buses: **\$2M–\$5M annually**
- Increased class sizes affecting education quality: **Long-term impact on community**

4. Utility & Public Service Upgrades

- Expanding water, sewer, and electrical grids to support new homes: **\$10M+**
- Increased strain on water supply, potentially leading to shortages or higher utility rates for all residents
- Stormwater drainage improvements to prevent flooding: **\$2M–\$5M**

5. Property Tax Increases & Long-Term Burden

- If developers don't fully fund these upgrades, **costs fall on taxpayers**

- Potential property tax increases: **5–15%+ over time**
- Higher cost of living due to increased demand for city resources

These **hidden costs** could turn what seems like "growth" into a **major financial burden** for current Middleton residents

Dan Lister

From: Jeff Creamer <jeff@creamfamily.com>
Sent: Monday, March 3, 2025 12:16 PM
To: Dan Lister
Subject: [External] Case CR2022-0016

TO: Mr. Dan Lister, Case Planner

RE: Subdivision Case CR2022-0016
BOCC Hearing date: 13 March 2025

Mr. Lister,

We reside at 9921 Stony Brook Way. Stony Brook is a dead-end road with 14 homes. The proposed subdivision would change Stony Brook to a through road connecting Duff to Lansing.

We moved to Stony Brook in 2018 with our adult son who is on the Autistic spectrum. Our son has issues and anxiety with traffic, traffic noises and crowds. We specifically chose Stony Brook as a cul-de-sac to reduce his exposure to these triggers, as we have always done.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unlivable situation for our family and force us to relocate.

The application includes a traffic study that considers the sole access to the subdivision via Lansing. No evaluation of any impact to Stony Brook or Duff was even considered.

Due to the winding nature of Stony Brook, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe due to low visibility and speed issues. A request to reduce the speed limit was rejected by the County in 2021.

The proposed subdivision expects to generate 748 new vehicle trips each day, with 40% travelling west. It is reasonable to assume that most westbound traffic would exit the subdivision through Stony Brook to Duff instead of driving east through the subdivision to Lansing. This would generate an additional 300 trips on Stony Brook daily.

Since this would create a new through road connecting Lansing to Duff, it is reasonable to assume additional trips would be generated by vehicles from outside the proposed subdivision using the new road. This could easily add hundreds of additional trips daily through the neighborhood.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood. Compromising a neighborhood of 14 homes for the convenience of 76 new ones is just unfair.

We request the proposed subdivision not be allowed access to Stony Brook as a through road. If access is absolutely required for EMS, we propose the installation of bollards or gating at the end of Stony Brook for EMS access only, consistent with the proposed access at Kemp. This is also consistent with the traffic study assumptions.

Thank you,

Jeff and Michelle Creamer

9921 Stony Brook Way
208.805.2280

Dan Lister

From: Rosemarie Rehberger <rose.rehberger@gmail.com>
Sent: Monday, March 3, 2025 1:15 PM
To: Dan Lister
Subject: [External] Subdivision Case CR2022-0016 - Tree Farm & Stony Brook Way

TO: Mr. Dan Lister, Case Planner

RE: Subdivision Case CR2022-0016

Mr. Lister,

We reside at 9992 Stony Brook Way - at the corner of Duff and Stony Brook - a dead-end road with 14 homes.

We moved here in 2021 expecting to enjoy our 4+ acre quiet slice of the country. My elderly parents now live with us and take walks on our quiet street. We specifically chose Stony Brook and this neighborhood because of how little traffic comes through Duff and past Stony Brook.

Stony Brook is approximately 1500 feet in length. Due to the winding nature of the road, sight lines are obstructed to approximately 500 feet at any given point. There are no sidewalks or streetlights, and the current traffic situation is unsafe to large amounts of traffic flow.

In 2021, homeowners met with a County Planner and requested a reduced speed limit of 15MPH, which was refused. We have had a number of close-calls with delivery/service vehicles and residents and kids at play or on bikes. Almost every time a driver is confronted, the response is similar to "I'm driving the speed limit and required to do so based on routing and GPS". Maximizing productivity in routes by maintaining speed limits is included in driver performance evaluations. Driving below limits results in negative evaluations.

Changing Stony Brook from a cul-de-sac to a through road to accommodate the proposed subdivision would create an unsafe situation for our family and hazardous driving conditions for those on our street.

Additional traffic from the proposed subdivision would create a tremendously unsafe and unacceptable environment in the existing neighborhood on Stony Brook.

We believe the property owner has the right to develop their land, but not at the expense of our family and safety of the Stony Brook neighborhood in general.

The previously submitted traffic impact study solely considered Lansing as the access point to the proposed subdivision. No impact to Stony Brook of the Duff/Purple Sage intersection was studied.

We request the proposed subdivision not be allowed to utilize Stony Brook and convert it to a through road.

Thank you,

Rosemarie Rehberger
9992 Stony Brook Way
Middleton ID 83644
208-717-5996

Dan Lister

From: Cheryl Palange <cherylpalange@gmail.com>
Sent: Monday, March 3, 2025 1:09 PM
To: Dan Lister
Subject: [External] Willow Creek Subdivision R37511 & R37510112 CR2022-0016

This email is in response to the above-referenced conditional rezone application before the BOCC March 13th.

I live down the hill from the proposed development at Lansing and Meadow Park. While the average 2-acre design of Willow Creek (WC) is certainly more appropriate for the area than Farmington Hills that came before you earlier this year, I am concerned about the lot sizes compared to the surrounding area; City of Middleton's continued annexation land grabs; and the impact on infrastructure: heavily traveled roads, unsafe intersections, overcrowded schools, and underfunded fire/EMS.

Lot sizes (Preliminary staff report criteria for rezone #3 and exhibit A-3):

The application is quite misleading in that it indicates average 2 acre lot sizes in an area where average lot sizes are 2.99 acres. However...

- Most lots -- 63% (48 of the 75) are less than 2 acres
- And only 37% of the lots are >2 acres

City of Middleton land grab:

- The Preliminary Staff Report section 6.2e (p. 17 of 19) indicates a recommendation to dedicate to City of Middleton a 20' wide utility corridor along the eastern edge of Lansing Lane. While I am not an annexation expert, if this dedicated corridor will allow City of Middleton to annex our 1+ acre rural residential properties (e.g. well and septic) up on the bluff s part in the future of an encirclement annexation strategy, I ask you to remove the dedication as part of any approval, along with the City of Middleton pre-annexation agreement that was in the preliminary submission. I recall Vice-Chairman Brian Sheets questioned both the pre-annexation and dedicated utility corridor need at the Planning and Zoning hearing, so I am surprised to see it carried forward in the summary recommendations. Residents on the bluff purchased our rural homes because we did not want to be in city limits and we prefer it to stay that way.

Infrastructure:

1) Miraculously, the traffic reports in these applications always seem to indicate little to no impact, but those of us who drive Lansing daily know better.

- The intersection of Lansing & Purple Sage is already bad. Lansing above Meadow Park is a speed zone with stop signs only for the vehicles travelling on Lansing at Purple Sage. A neighbor's german shepherd was recently struck and killed in a hit and run in this area. A light or 4-way stop may be needed to improve safety of that intersection with the addition of these homes.
- Putting 65% of the Willow Creek traffic on Lansing (Figure 4.1) is even more concerning given the amount of traffic already on Lansing today combined with the numerous construction vehicles supporting the build of thousands of homes approved by the City of Middleton off Duff Road. As you recall from the Farmington Hills application, heavy construction traffic is barred on Duff down near 44 due to the limited weights on the 2 canal bridges, so they use Lansing and Middleton for access.

- While the intersection of Lansing and 44 is one of many designed for a traffic light at some point, putting more stress on this intersection with more vehicles as well as the 'alternative route' of Lansing/Purple Sage without mitigating them is irresponsible. We've had too many fatality/near fatalities at Lansing / Duff and 44 -- including several in recent months.

2) The impact to schools was highlighted during the Farmington Hill application. These homes are designed to attend the same already impacted schools of Mill Creek, MMS and MHS, along with the thousands of entitled homes being built off Duff Lane. City of Middleton passed the [school capacity Ordinance 693](#) in April 2024 to address overcrowding in Middleton schools. While I realize this application is not before City of Middleton, it seems irresponsible to continue building homes when infrastructure (schools, fire/EMS) is not being supported. And while a donation of 100 trees to the schools is nice, it will not help with overcrowding.

3) As we are all painfully aware [all fire/EMS bond measures failed in the November 2024 election](#), leaving us with empty fire stations and long response times. If this project moves forward, please consider that without hydrants or sprinklers in these homes, they have little chance of surviving a fire. We understand our developer (Tyler Hess Properties) was supposed to include either hydrants or sprinklers at Cascade Hills, but got away with neither hydrants nor sprinklers.

Thank you,

--

Cheryl Palange
cherylpalange@gmail.com
925.989.6452
9155 Pursuit Dr., Middleton

--

Cheryl Palange
cherylpalange@gmail.com
925.989.6452

Dan Lister

From: Errika DeVall <errika@riithink.com>
Sent: Monday, March 3, 2025 1:47 PM
To: Dan Lister
Cc: Tony DeVall
Subject: [External] Subdivision Case CR2022-0016
Attachments: RE_ Subdivision Case CR2022-0016.pdf

Dear Dan Lister ,

I am reaching out to express my concerns regarding the proposed subdivision that would impact Stony Brook Way. As a resident and a mother, I am deeply worried about the safety of children in our neighborhood, including my 9-year-old son. The increased traffic, lack of sidewalks and streetlights, and past issues with speed regulation make this proposal a serious safety concern.

I have attached a letter outlining these concerns in more detail. Please review it and let me know if you have any questions.

Thank you for your time and consideration.

Warm Regards,



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future. No employee of Riithink has the authority to conclude any binding contract without an explicit written consent of their supervisor. Therefore, any will to enter into an agreement must be confirmed by an appropriate manager.

RE: Subdivision Case CR2022-0016

Errika DeVall

9958 W Stony Brook
Middleton, Idaho 83644

To Whom It May Concern,

I am writing to express my deep concern regarding the proposed subdivision that would convert Stony Brook into a through road connecting Duff to Lansing. As a resident of Stony Brook and a mother of a 9-year-old son, I am extremely worried about the increased traffic and the safety risks it will pose—especially for the children in our neighborhood.

Stony Brook is a dead-end road with 14 homes, and the current traffic situation is already dangerous due to poor visibility and excessive speeds. The street is not appropriately lit at night, and there are no sidewalks or streetlights to ensure pedestrian safety. In 2021, a request to reduce the speed limit was rejected by the County, further compounding these safety concerns.

The subdivision application includes a traffic study, but it only considers access via Lansing. There has been no evaluation of the impact on Stony Brook or Duff. The proposed development is expected to generate 748 trips per day, with 40% of traffic heading west. It is reasonable to assume that most westbound traffic would cut through Stony Brook to Duff rather than driving east to Lansing—resulting in an additional 300 trips per day on our already unsafe road. Additionally, by turning Stony Brook into a through road, this development would invite further traffic from outside the neighborhood, making the situation even worse.

The added traffic from the subdivision would create an extremely unsafe and unacceptable environment for current residents of Stony Brook Way. We strongly request that Lansing be the sole access point for entry and exit to the subdivision, as this would not impact an existing neighborhood. If an additional access point is deemed necessary for emergency vehicles, we propose the installation of bollards or gating at the end of Stony Brook, similar to the proposed access at Kemp. This aligns with the assumptions made in the traffic study and would help maintain neighborhood safety.

While we recognize the property owner's right to develop their land, this should not come at the cost of the safety and well-being of Stony Brook residents.

Additionally, the Middleton School District has reported that Mill Creek Elementary is currently operating at 118% capacity, Heights Elementary at 144% capacity, and both middle and high schools are nearing capacity. It seems highly irresponsible to approve rezoning and continued development when the necessary infrastructure—especially schools and emergency services—is already strained.

There are also other issues with the proposed subdivision, including its inconsistency with surrounding neighborhoods and lot sizes, potential well water depletion, school overcrowding, and increased EMS response times.

I urge you to reconsider the access plan and overall impact of this development. Please feel free to contact me with any questions.

Sincerely,
Errika DeVall
208.405.6224

Dan Lister

From: Jill Jenkins <j3swppp@gmail.com>
Sent: Monday, March 3, 2025 12:50 PM
To: Dan Lister
Subject: [External] MDC LLC/Carter - CR2022-0016 (Tree Farm)

I live at 8251 Edna Lane, Middleton, ID 83644. I am writing in opposition to the development of the 164 acre tree farm zoned agricultural off of Lansing and Edna Lane. The owners are proposing a rezone from Agricultural to Rural Residential in order to build 76 single family residential lots on this property.

The property is located outside of the area of impact and has no municipal services in the area. The owners are proposing water wells and sewage leach fields rather than bringing municipal services to the project. The Canyon County Engineer has already stated on previous projects that there is a cause for concern with cross-contamination from the septic leach fields to private wells in the area and also ground water. Willow Creek is a tributary to a Water of the U.S. and runs along the entire Northern border of the project which can be affected by the development as well.

We also have the problem of overcrowding of schools in the Middleton School District. My granddaughter attends Middleton Mill Elementary School. They have 6 portable classrooms right now which sit out on the playground and parking areas. They have no running water or bathrooms in the classrooms which make it very inconvenient for the kids, especially in Winter. With the lack of classrooms and small parking areas for student pickup and drop off, it has gotten to the point of crisis level.

Traffic has become a big concern in this area and it is only getting worse. We have had many traffic accidents and fatalities on Lansing and Purple Sage as well as Lansing and Highway 44. This project would add a huge volume of traffic to the area.

The voters have spoken and have voted down giving extra money to ambulance and fire services in the recent elections. I would rather see an increase on my property taxes go to help fix infrastructure and schools for the population we already have rather than to accommodate the new developments that we can't afford right now. Large impact fees could help alleviate some of the burden by putting the additional funding on the developers and new home buyers rather than the existing residents.

This project is not smart growth and it certainly does not take into account the economic as well as the environmental burdens of allowing large residential developments to build in rural areas that lack municipal services, schools, roadways, etc. to accommodate them.

Thank you for your attention to this matter.

Jill Jenkins
J3 LLC
(208) 724-4576

Dan Lister

From: 4arnie <4arnie@comcast.net>
Sent: Monday, March 3, 2025 2:34 PM
To: Dan Lister
Subject: [External] MDC LLC / Carter CR2022-0016

Mr Daniel Lister,

This is in regard to the conditional rezone of 164 acres from A to CR-R-R. Unfortunately our infrastructure cannot handle any more rezones and/or developments to be approved. The back log of nearly 4,000 Middleton plats in various stages of construction isn't accounted for in the equations from stakeholders and professional firms who conduct studies (MSD, ITD, FEMA, Soil Conservation, Fire, Paramedics, Domestic Water, Traffic Impact Study, etc)

We appreciate the P&Z recommendation to deny rezoning for two main reasons: lot size and overcrowded schools. The original lot size proposal equating to an average 2 acre per lot by the developer was unreasonable (included were several larger lots distorting the avg (one being 18 acres)) compared to approximately 3+ acres per lot which is more in line with the character of the area (open space with rollings hills, large homes, micro farms, productive farm lands and wildlife) complementing the 2020 and 2030 Canyon County Master Plan.

I also understand the developer proposed a donation of \$250k to the Middleton School District. This is a positive move but unfortunately it's a drop in the bucket compared to \$28 million required for one new elementary school which does not account for the operational costs (teachers, etc). We need several new schools not just one. We all hope the bond in May will pass though historically bonds and levies are usually vetoed. See Exhibit D.7 where the MSD outlines in Bold the schools over capacity.

In addition during the P&Z meeting the topic of annexation was discussed. Although the developer retracted the desire to work with the City of Middleton to annex, I would like to see this formally denied and documented in the final BOCC Actions document. County residents invested in this area because it's not in the area of impact and want to live in the rural.

Finally per the Traffic Study at full build-out, is estimated to generate approximately 784 trips per weekday. This is very problematic and unacceptable. See Table 4.1. The inadequate intersections at Lansing/Duff and Purple Sage and Hwy 44 are already heavily congested with regular accidents and deaths. How many lives (one is too many) need to be taken before Canyon County takes a serious stand?

I respectfully ask Canyon County officials consider the totality and accumulative adverse impact when approving developments case by case. For example in a recent approval of a nearby 20 acre parcel (CR202200022 & SD2022-0032) the P&Z recommended denial while the BOCC approved because the addition of 7 homes would minimally impact the schools. These case by case decisions are the exact reason Canyon County is busting at the seams.

Perhaps a smarter and more sustainable approach is to approve this rezone under the condition the lot size is in the 5 acre range (apprx 35 lots) and start construction once we have ample schools and infrastructure is in place.

Regards,
 Joe Strongone

Dan Lister

From: Paul <tsboise@gmail.com>
Sent: Monday, March 3, 2025 3:35 PM
To: Dan Lister
Subject: [External] Willowcreek/Lansing Lane Subdivision

Importance: High

Hi Daniel,

I would like to comment on the Willowcreek/Lansing Lane Subdivision.

I have a couple of concerns with the proposed plan as written. I just moved here from Ada county so I have the perspective of why I just moved here. Expansion is inevitable but I think it needs to be done responsibly.

The proposed subdivision has lots configurations which do not fit the housing in rural Canyon County. These are lots where the houses will be on top of each other and lots which are long and skinny which are mostly unusable land. I would like to see lots where the houses are separated by more land. There is the letter of the law and the spirit of the law. I think the law in Canyon County for lot size was meant to spread the houses out more and not to have the houses on top of each other with unusable space. This is an Ada county thing and does not fit in this or any rural neighborhood. I get it, If you spread out the houses, as they should be, and the developer has the room for, it cost more money to build roads and put in the necessary infrastructure, but that is the cost of doing business in rural Canyon County.

Also, the county needs to have the proper infrastructure in place before approving developments of this size. Again, I will use Ada county and particularly Boise as an example of cramming housing in every square inch of land where there is no infrastructure support. Canyon county does not need the traffic, utility or school issues which come with putting large developments in before the infrastructure is at least begun to take shape.

I appreciate the opportunity to provide comments on this project. I strongly pray this subdivision, as it is currently laid out and the current size, is not passes by the Canyon County Development Services.

Best Regards,

Paul Pelletier
25416 Lansing Ln
Middleton, ID 83644
208-863-4000

Dan Lister

From: Melissa Buck <mdbuck79@gmail.com>
Sent: Monday, March 3, 2025 2:42 PM
To: Dan Lister
Subject: [External] RE: Subdivision Case CR2022-0016

Dear Mr. Lister,

My name is Melissa Buck. My family and I reside at 9897 Stony Brook Way. We moved from Meridian in 2019 to get away from the growing overpopulation of the area. When we chose to build our house on Stony Brook Way, we factored in the large lot sizes and the small number of lots on our street. There are only 14 homes on Stony Brook Way. We also considered the quiet street and calmer way of life. I suffer from extreme anxiety and specifically chose a dead-end road, cul-de-sac neighborhood with no through traffic to reside as part of my mental health treatment.

While Stony Brook Way maintains to be fairly quiet, we already get bombarded with service and delivery trucks traveling the speed limit (which is 25 mph). Although the speed limit is 25 mph, and we were unable to get the County to decrease it to 15 mph, it is problematic for all of us who live on Stony Brook Way. There are no sidewalks which makes it already unsafe to walk along when big trucks are going 25 mph. Changing Stony Brook Way to a through road to accommodate the proposed subdivision would create even more traffic and make it even more unsafe for all of us who enjoy walking on Stony Brook Way and for the children that enjoy riding their bikes and scooters on it.

Furthermore, it is my understanding that the submitted traffic impact study solely considered access points via Lansing. No impact study to Stony Brook Way or the already extremely dangerous intersection of Duff and Purple Sage were included. This seems unjust.

Additionally, the proposed subdivision is expected to generate 748 trips each day, with 40% headed west. It is reasonable to assume that most westbound traffic would exit the subdivision through Stony Brook to Duff instead of driving east through the subdivision to Lansing. This would generate an additional 300 trips on Stony Brook daily. Since this would create a new through road connecting Lansing to Duff, it is also reasonable to assume additional trips would be generated by vehicles from outside the proposed subdivision using the new road.

Adding traffic from new residences from the proposed subdivision would create a tremendously unsafe and unacceptable environment to the existing neighborhood on Stony Brook Way.

We request the proposed subdivision utilize Lansing solely for entry/exit as that does not impact an existing neighborhood. If access is absolutely required for EMS, we propose the installation of bollards or gating at the end of Stony Brook for EMS access only, consistent with the proposed access at Kemp. This is also consistent with the traffic study assumptions.

I am requesting the proposed subdivision not be allowed to utilize Stony Brook as an access point and am pleading to keep Stony Brook Way a dead-end cul-de-sac.

Thank you for your time and consideration.

Best,
Melissa Buck
9897 Stony Brook Way
Middleton, ID 83644

Dan Lister

From: ALMA SHIELDS <ajshields@verizon.net>
Sent: Monday, March 3, 2025 2:55 PM
To: Dan Lister
Subject: [External] Subdivision Case CR2022-0016

Mr. Daniel Lister,

I had previously requested that your office consider our opposition to the proposed tree farm development case CR2022-0016. I had also requested that the speed limit on Stony Brook be reduced due to unsafe conditions. The speed limit request was rejected even though we have had several close calls with vehicles speeding and children playing outside. It would be very irresponsible of the BOCC if the proposed development is to continue without the consideration to school overcrowding, and the safety of Middleton children. This will also have a major impact on traffic. We have had many accidents on the intersections of Duff and Purple Sage, Lansing and Purple Sage and the many, many accidents to HWY 44 from Duff and Lansing.

I request that you please take a closer look at the issues of adding more homes and the many more problems it will create. We shouldn't let greed triumph over the semi rural lifestyle that will be negatively impacted by this development. I do believe that the property owner has the right to build and develop, but not to the detriment and safety of the current residents.

Thank you,

Alma and John Shields
208 718 8091
ajshields@verizon.net

EXHIBIT 6

Additional Supplemental Document Received by March 3, 2025

-

Board of County Commissioners

Case# CR2022-0016

Hearing date: March 13, 2025

Dan Lister

From: Elizabeth A. Koeckeritz <eak@givenspursley.com>
Sent: Saturday, February 22, 2025 11:57 AM
To: Dan Lister
Subject: [External] MDC LLC/Carter - CR2022-0016 [GP-DMS.011499.0020.FID1248708]

Hi Dan – I’m assisting Doug Carnahan and Joe Carter with this development. I’ve reviewed everything and overall it looks pretty good. I think that I only have a couple of questions on the Recommended Conditions:

2.f provides that a “permanent conservation easement shall be placed over the Willow Creek floodway and depicted on the plat to notify owners and limit improvements and structures from obstructing the floodway.” While my client absolutely agrees with protecting the floodway and making it a no-build area, I don’t think that a conservation easement is the correct mechanism to do it. Conservation easements are legal agreements between the landowner and a non-profit or trust to meet to certain conservation goals. And while that sounds great, there’s a whole body of Idaho code associated with it that makes it really hard in practice. Additionally, most non-profit entities aren’t willing to accept (and be responsible for) conservation easements with less than 50 acres of land. So we recommend that this term be amended to provide that “a no-build easement be placed over the Willow Creek Floodway to limit improvements and structures from obstructing the floodway.” I expect that plat note would then also except out the regular repair and maintenance of the pathway traversing Willow Creek.

2.i. provides that the developer shall provide 100 trees from the nursery to the school district. The developer has now agreed to provide the equivalent of 50k worth of trees and 150k to the school district. However, these donations need to be voluntary and cannot be included in the conditions of approval. If they are included within the conditions, then the developer loses the tax deductibility of the donations per IRS rules. There is a signed agreement between the School District and the Developer and that should be sufficient for this term. If you do not have a copy of this agreement, we can provide one.

Thanks so much.

Elizabeth

Elizabeth A. Koeckeritz

GIVENS PURSLEY LLP

601 W Bannock St, Boise, ID 83702

P.O. Box 2720 (83701)

main 208-388-1200

direct 208-388-1250

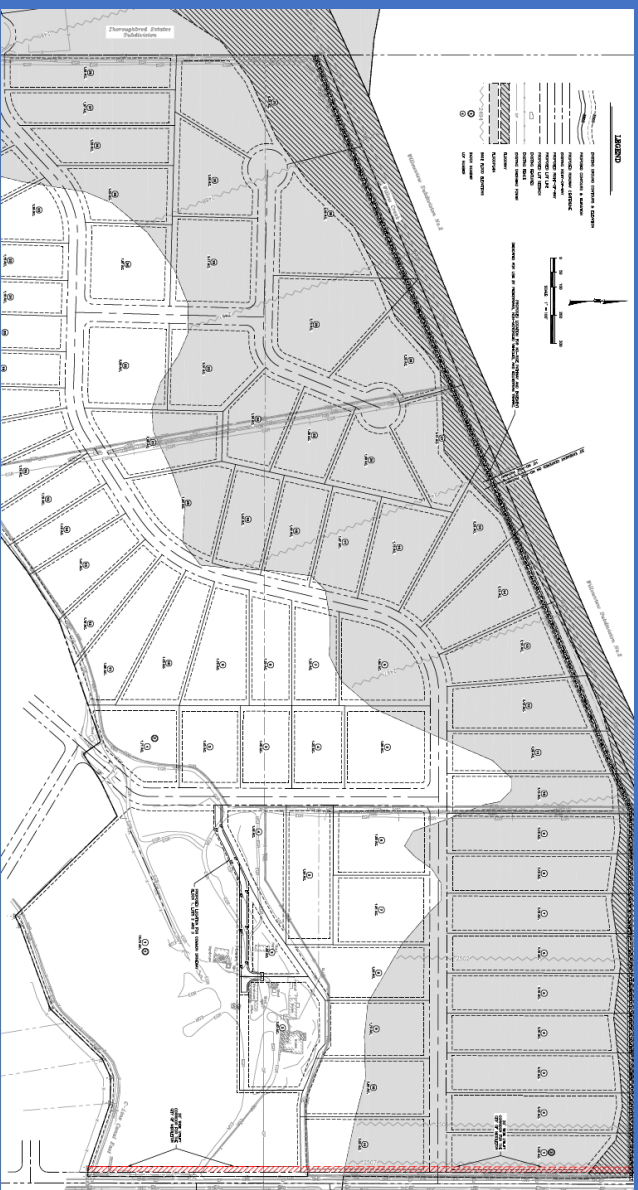
fax 208-388-1300

eak@givenspursley.com

www.givenspursley.com

CONFIDENTIALITY NOTICE: This communication is confidential and may contain privileged information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Willowcreek Conditional Rezone



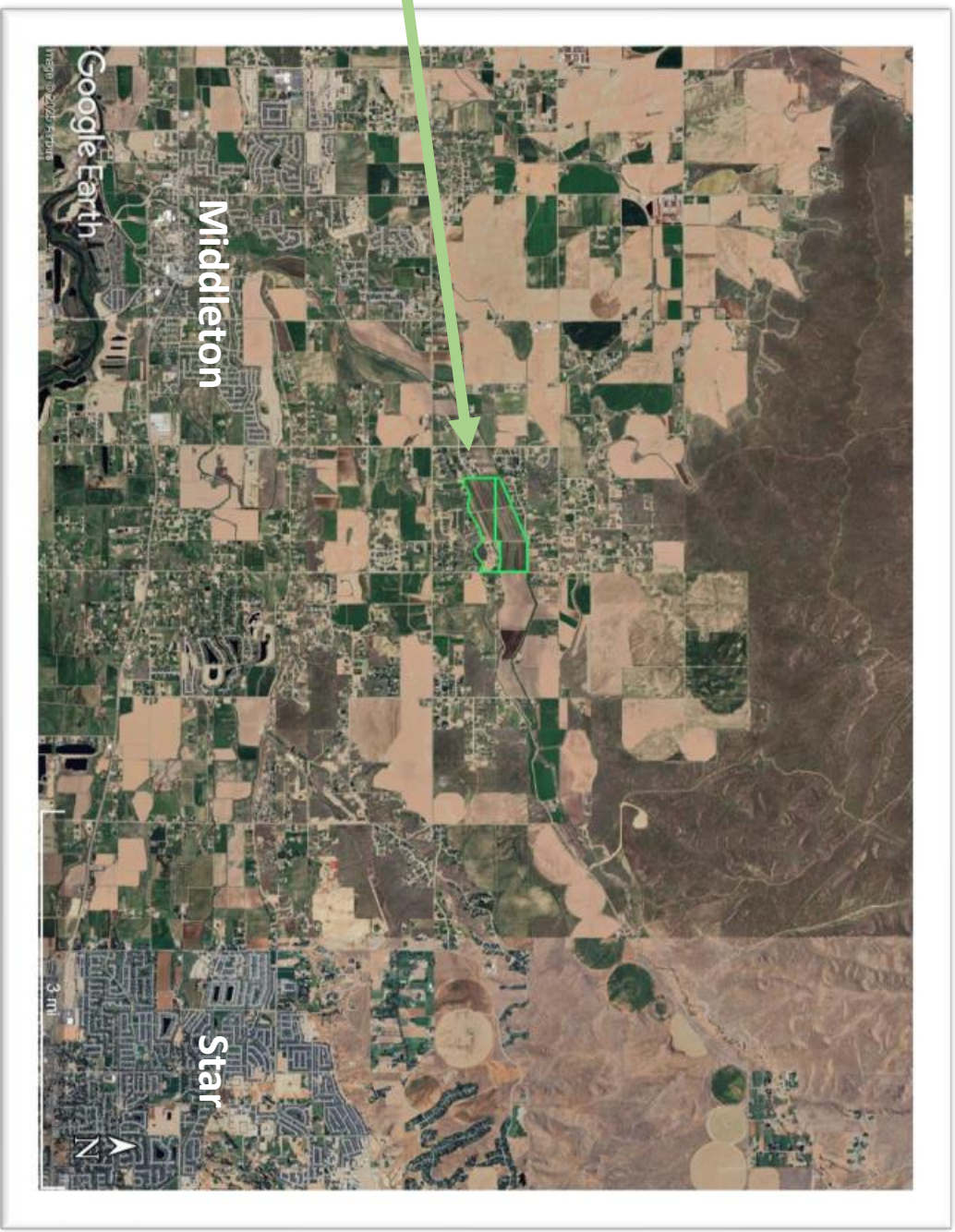
CR2022-0016

Canyon County, Idaho

Board of County Commissioners


March 13, 2025

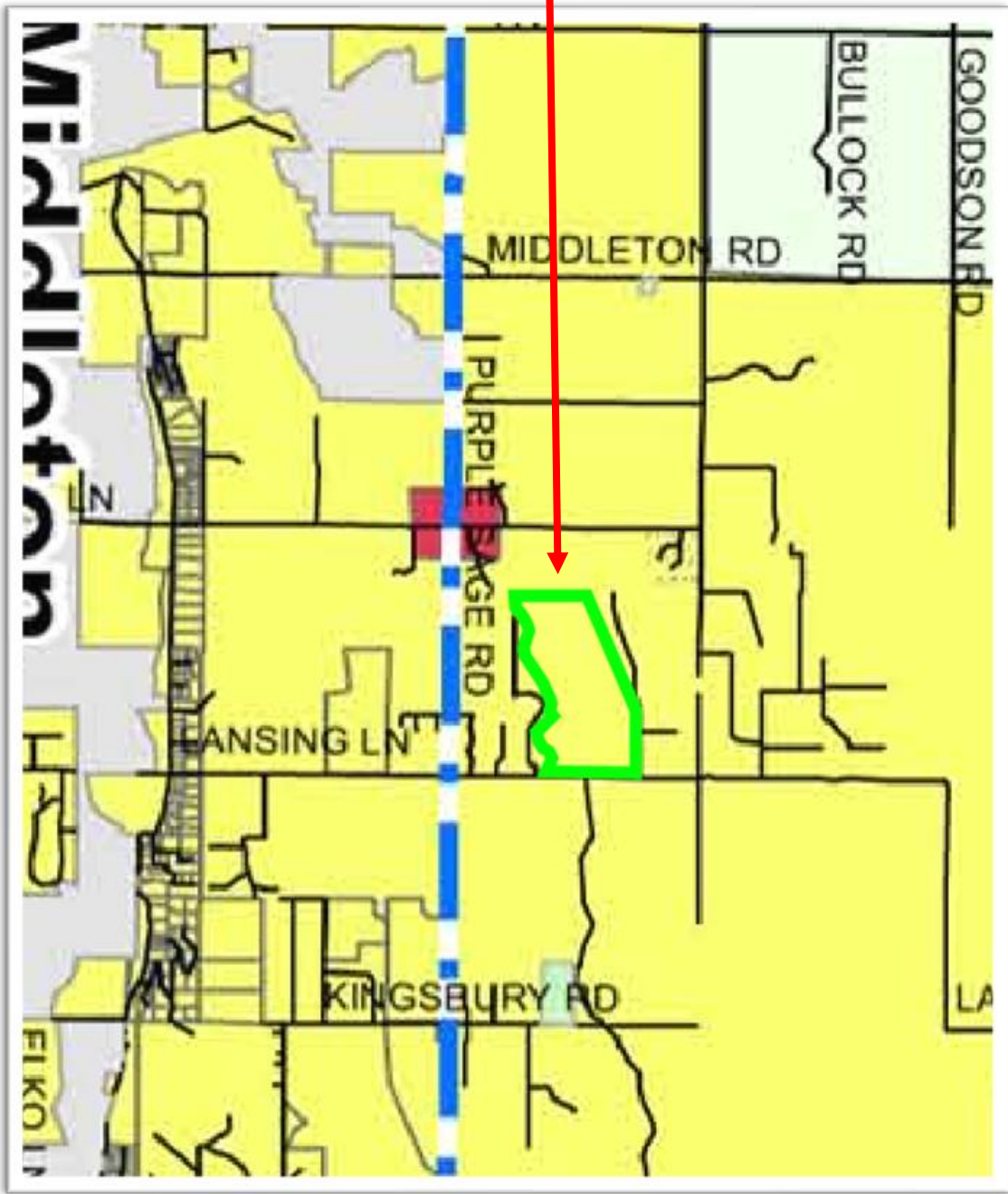
Vicinity Map



Future Land Use Map

LEGEND

	COMMERCIAL
	INDUSTRIAL
	RESIDENTIAL
	AGRICULTURE
	CITY LIMITS
	CURRENT IMPACT AREAS
	FEDERAL LANDS
	LANDFILL
	SCENIC BYWAY
	ROADS

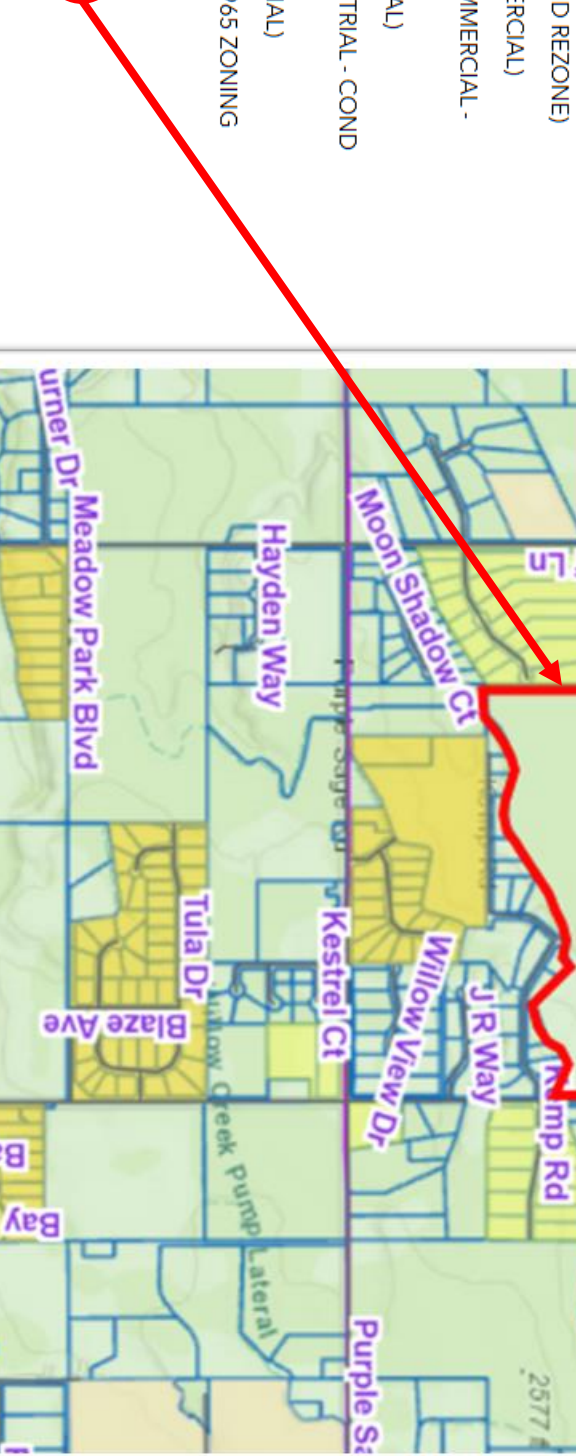


100%

- 100



AGRICULTURAL



Rural Residential

- The purpose of the R-R (Rural Residential) Zone is to encourage and guide growth in areas where a rural lifestyle may be determined to be suitable.
- 164.5 acres
- 75 single-family residential lots
- Average minimum lot size of 2 acres
- Meet all Canyon County Code standards



Exhibit 6.B

History

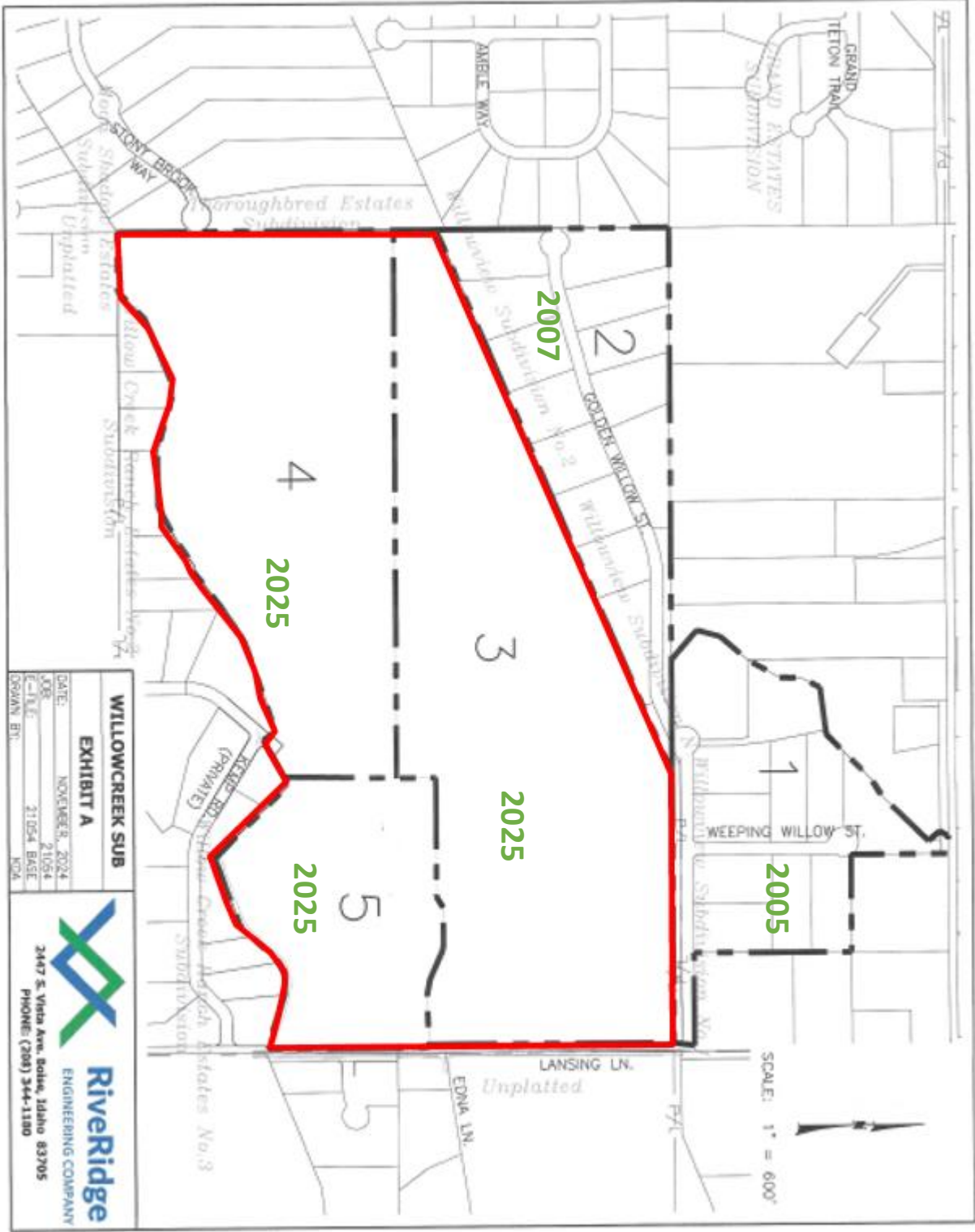


Exhibit 6.B

Government	Percentage
Current government	85%
Previous government	15%

**Exhibit 6.B**

February 2025

Dear Commissioners,

Thank you for the opportunity to provide follow-up comments regarding the proposed Willowcreek development referenced in my June 2024 response. I appreciate the collaborative spirit demonstrated by the developers and their willingness to engage in meaningful discussions with the Middleton School District. This ongoing dialogue reflects a shared interest in ensuring that the needs of our growing community are thoughtfully addressed.

As part of these discussions, the developers have proposed the following contributions:

1. A donation of \$50,000 worth of trees to enhance the district's new elementary school project and other district facilities as needed.
2. A financial contribution of \$150,000 to help mitigate the impact of additional students on our facilities.

In their regular school board meeting on February 10th, the Middleton School Board of Trustees unanimously approved the details of this agreement. These donations would provide valuable support as the district works to manage the challenges associated with increased enrollment. While these resources are part of a broader effort to address the needs of our schools, they represent a step forward in our collaborative efforts to ensure a sustainable future for the district.

AGREEMENT

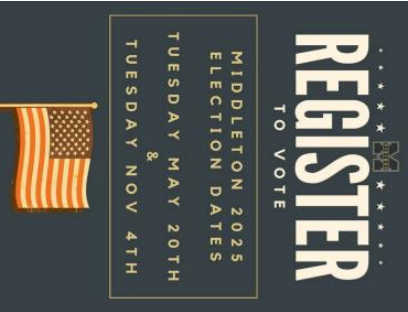
I. **Donated Property.** Subject to the terms and conditions of this Agreement, Donor agrees to transfer by gift or grant to District a one-time payment of ONE HUNDRED AND FIFTY THOUSAND DOLLARS (\$150,000.00) (the "Cash Donation") plus landscaping trees valued at FIFTY THOUSAND DOLLARS (\$50,000.00) (the "Landscaping Donation") for a cumulative donation valued at TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) (the Cash Donation and the Landscaping Donation together, the "Donated Property"). District covenants to use the Donated Property only for the following purposes: (i) to improve, renovate, or expand existing facilities; (ii) to construct new facilities in order to mitigate enrollment growth; or (iii) to purchase real property to be used as future school sites.

Schools

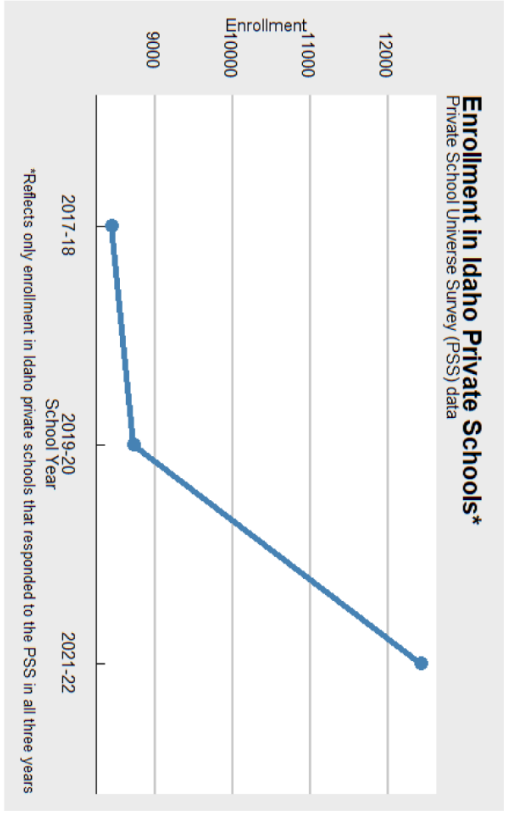
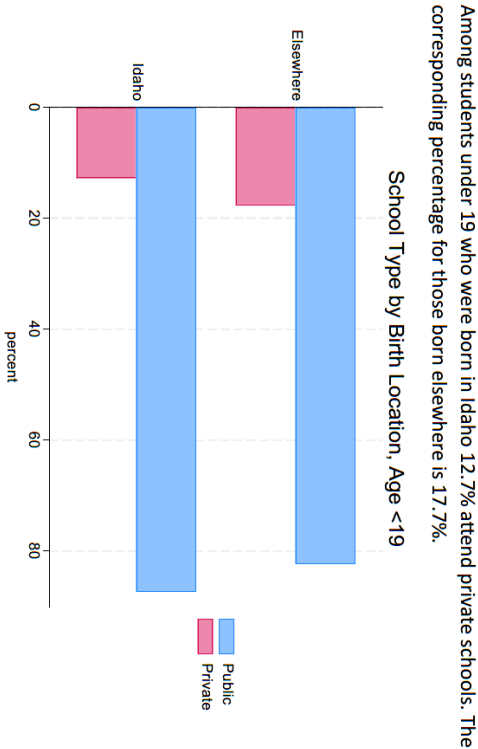
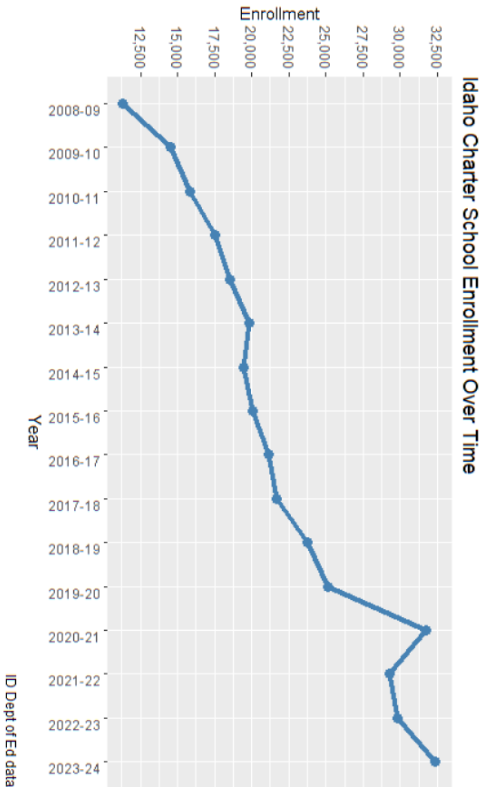
May: Middleton
Schools will receive
millions from
Idaho's new
facilities legislation

Governor Brad Little delivered an end-of-the-school-year surprise in May when he presented a super-large check, representing the estimated amount of money Middleton Schools will receive from state funds thanks to state legislation designed to help cover facilities costs.

Middleton School District's share of the \$1.5 billion fund is estimated to be about \$18,182,450.



Schools – Charter, Private, Homeschool



Roads

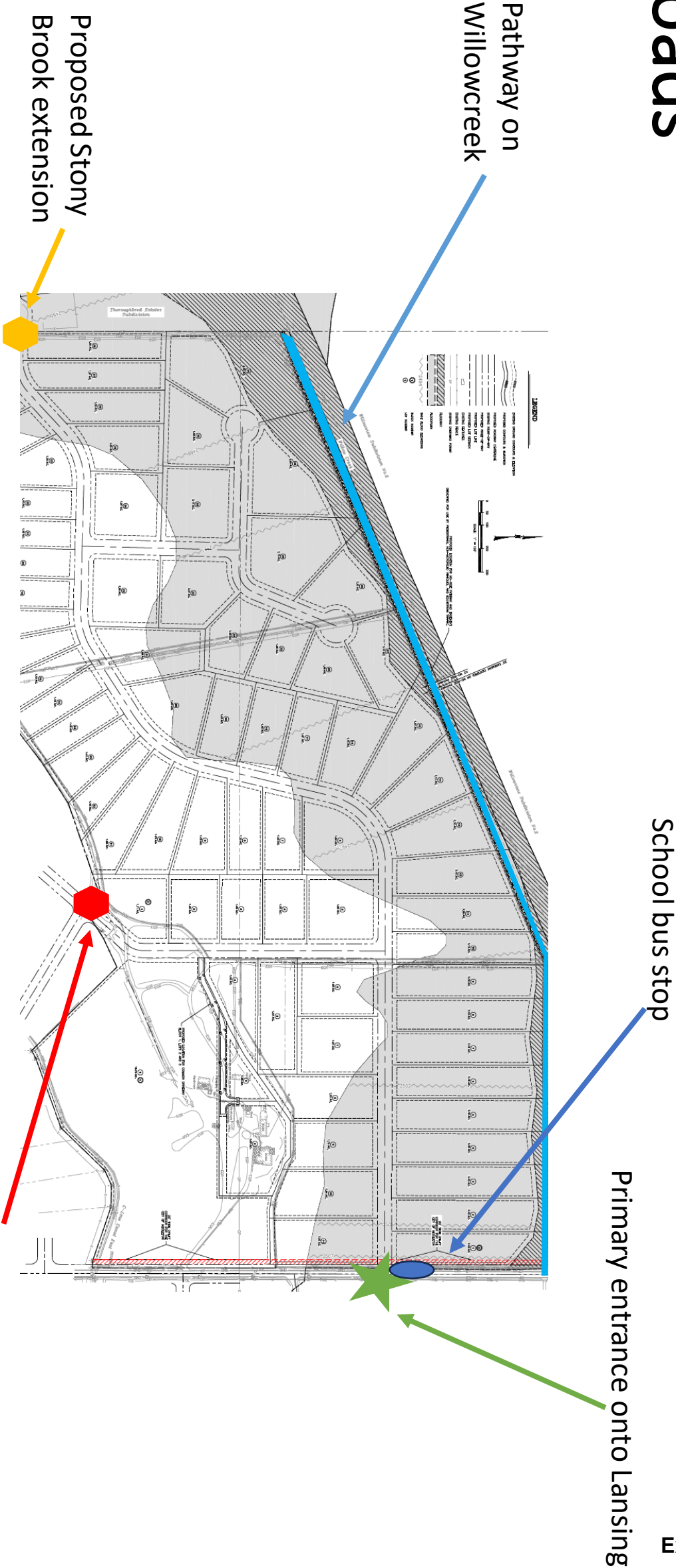
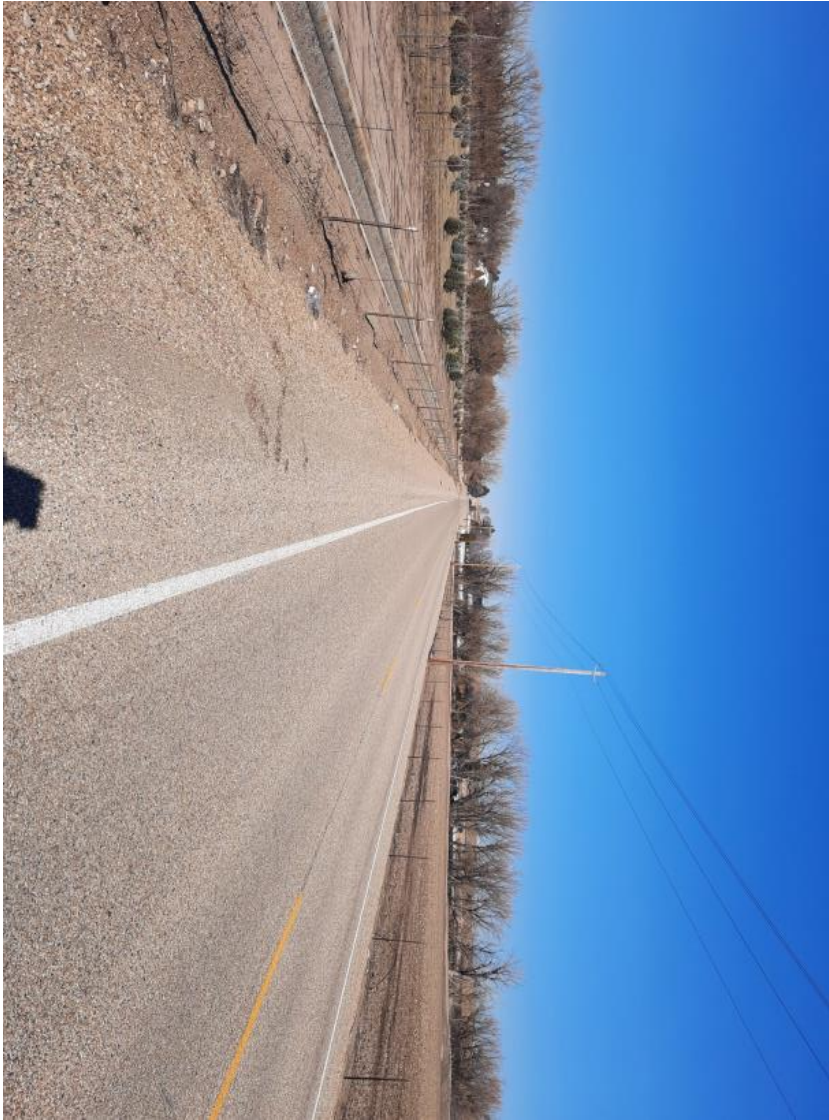


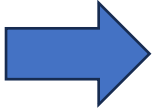
Exhibit 6.B



Site Line View at Entrance



Looking south



Looking north

Findings for Approval

- ✓ Generally consistent with Comp Plan
- ✓ More appropriate zone
- ✓ Compatible with surrounding land uses
- ✓ Does not negatively affect character of area
- ✓ Adequate facilities
- ✓ Mitigations for effect on public streets
- ✓ Legal access exists
- ✓ Mitigated impact to essential public services and facilities

Conditions of Approval

In agreement with all Conditions of Approval *except*:

- *Tree clarification: 50k worth of trees; not 100 trees.*
- *No formal conservation easement: will be conserved in perpetuity through no-build easement on plat.*



Request

We request approval of the Conditional Rezone.



Thank you



Soils

Over the years the property has lost much of its agricultural value due to the underlying soil types and the intensive nature of tree farming. We have seen declining yields with increased inputs of fertilizer and increased watering frequency. The soils are much more variable than the County's report indicates, and much of the soil is underlain with coarse sand, which is also not consistent with the County's report. Tree cultivation at this location is no longer productive or tenable.

The loss of 10 to 15 inches of topsoil has changed the essential nature of these soils. The presence of coarse sand closer to the surface has reduced the water holding capacity of the soils and significantly reduced their productivity. We have seen declining yields with increased inputs of fertilizer and increased watering frequency. Unfortunately, this land has lost much of its agricultural value.

Water

Community Water System

- deeper well – 300 feet
- separation from septic
- hydrants

6. Conclusion

The drawdown analysis suggests that the addition of 76 new domestic wells to the area or a single community production well will have a minimal impact on current groundwater levels in the vicinity of the proposed Subdivision. Drawdown impacts will be minimal provided that each lot utilizes surface water supplies for irrigation purposes.

Regardless of which well water supply option is used, each of the individual two-acre lots will include its own septic system. Greater than 90 percent of the non-irrigation diversions for domestic use are non-consumptive. As a result, water pumped for domestic purposes will be recharged back to the aquifer, reducing the already minimal impact of the additional wells.

Regional groundwater levels are stable or only slightly declining over the last 50 years.

Based on the information above, 76 new domestic wells or a single community production well at the proposed Willowcreek Subdivision will not negatively impact existing wells in the surrounding area.



Fire

Hydrants throughout subdivision

