



Planning and Zoning Commission
Hearing Date: August 7, 2025
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: SD2024-0011

APPLICANT/REPRESENTATIVE: Western Consulting Group, Kurt Norrell

PROPERTY OWNER: Cory & Cristine Codr

APPLICATION: Preliminary Plat – Gilbert Subdivision: six (6) residential lots and one (1) road lot.

LOCATION: Located adjacent to 9626 Gilbert Road, Middleton (Parcel R37431017A); also referenced as a portion of the NE quarter of Section 21, T5N, R2W, BM, Canyon County, Idaho

ANALYST: Dan Lister, Planning Supervisor

REQUEST:

The applicant requests approval of a preliminary plat for Gilbert Subdivision, consisting of six residential lots and one private road lot, on Parcel R37431017A. The parcel is zoned “CR-R-R” and subject to Development Agreement 22-139. See **Exhibit A** for details.

PUBLIC NOTIFICATION (CCCO §07-05-01):

Affected agency notice:	July 3, 2025
Property owner notice (600 feet):	July 3, 2025
Newspaper notice published on:	July 8, 2025
Notice posted on-site:	July 7, 2025

BACKGROUND:

The subject parcel was created outside of county code approval. A rezone and subdivision platting were the options to fix the parcel created outside of the county code permitting process. In 2022, the subject parcel was conditionally rezoned to “CR-R-R” (Conditional Rezone – Rural Residential), subject to the following development agreement conditions limiting development to six residential lots and private road improvements (RZ2021-0055/DA22-139 (**Exhibit B.4 & B.5**)).

HEARING BODY ACTION:

Pursuant to Canyon County Code of Ordinances §07-17-09(4) Commission Review:

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

REQUIRED FINDINGS:

PRELIMINARY PLAT CODE SECTION & ANALYSIS (CCCO §07-17-09):

Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(1)	<p>Application: The applicant shall file with DSD a copy of the completed subdivision application form as prescribed by the director and a copy of the preliminary plat with data as required in this section, including, but not limited to, preliminary irrigation plans, the availability of irrigation water to the property, and a preliminary drainage plan. All applicable fees shall be paid at this time.</p>
			Staff Analysis	<p>On October 29, 2024, the applicant submitted a preliminary plat application (Exhibit A). Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit B.2 for details):</p> <p>Summary of Review – Gilbert Subdivision:</p> <ul style="list-style-type: none"> • Total Acreage: 14 acres (12.35 acres if not including private road lot); 2.05-acre average lot size. • Total Number of Lots: Six (6) residential lots, one (1) road lot. • Zoning: “CR-R-R” (Condition Rezone – Rural Residential, two-acre average minimum lot size). The zone was approved in 2022, subject to a development agreement (RZ2021-0055/DA22-139 (Exhibits B.4 & B.5)). • Roads/Access: The development will take access from Breezy Lane, an open, unmaintained public right of way, via a 70’ easement/road lot established by Lippert Subdivision (Lot 1, Block 1) to provide access to the subject development (Exhibits B.6 & B.7). <ul style="list-style-type: none"> ○ During the conditional rezone, access was proposed from Merlynn Lane to the west through Gloria Road. Due to opposition, the development agreement included a condition that requires the applicant to attempt to gain access from Breezy Lane (Exhibit B.4). A road lot was created as part of Lippert Subdivision to ensure the subject development would have access from Breezy Lane (Exhibits B.6 & B.7). ○ See Highway District #4 comment letter requiring revisions and notes to the preliminary plat (Exhibit C.4). The applicant has completed the required revisions. ○ Private road names Gilbert Lane and Codr Lane are reserved (RD2024-0011, Exhibit C.1). See <i>Condition No. 10</i>. • Area of City Impact: The parcel is not located within an area of city impact. • Water/ Sewage Disposal: Per plat note 2 & 3, residential lots will be served by individual wells and septic systems (Exhibit A.6). Wells and septic systems will require Idaho Dept. of Water Resources (IDWR) and Southwest District Health (SWDH) approval before final plat signing by the Board of County Commissioners. • Irrigation: The land within this lot is not within an irrigation district. Irrigation water shall be supplied by individual wells (Exhibits A.5 & A.6,

				<p>Development Features Note). <i>See Condition No. 5.</i></p> <ul style="list-style-type: none"> • <u>Drainage</u>: Per plat notes 4, 6, and 7, drainage on each lot will retain drainage onsite via biofiltration swales. Homeowners Association/property owners are responsible for all storm drainage facilities outside of the public right-of-way, including all routine and heavy maintenance. Runoff from private roads will be managed in a roadside infiltration ditch and southeast stormwater swale (Exhibit A.6). • <u>Hillside Development</u>: Slopes greater than 15% were identified near the access and Breezy Lane within a road lot established in Lippert Subdivision. The applicant provided road details/notes demonstrating private road development on slopes would be minimal and provided preliminary grading and drainage information consistent with 07-17-33(1). <i>See Exhibits A.2, A.6, & A.7.</i> As a condition of approval, final engineered grading and drainage will be required (Condition No. 1.a.i).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(2)	Acknowledgment: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.
			Staff Analysis	On October 29, 2024, the application and plat were accepted by DSD (Exhibit A).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	07-17-09(3)	Agency Review: A: The DSD shall transmit one copy of the preliminary plat to county departments and any such other agencies that may have jurisdiction or an interest in the proposed subdivision for their review and recommendation. B. If no written reply is received from any of the various departments or interested agencies within thirty (30) calendar days from the date of notification, <u>approval of the preliminary plat by such department or agency will be considered to be granted.</u>
			Staff Analysis	<p>A. Affected agencies were notified on April 21, 2025 (courtesy notice) and July 3, 2025 (hearing notice). The following agency comments were received:</p> <ol style="list-style-type: none"> 1. DSD Engineering Department (Exhibit C.3) <ul style="list-style-type: none"> • Gilbert Subdivision was found to comply with Chapter 7, Article 17 of the county code, including hillside development requirements. <i>See Exhibit B.2 for review details.</i> 2. Idaho Transportation Department - ITD (Exhibit C.2) <ul style="list-style-type: none"> • No concerns. 3. DSD GIS (Exhibit C.1) <ul style="list-style-type: none"> • The private road requires two names due to the 90° turn (CCCO 06-05-13(5)). The east-to-west portion of the private road must be named Gilbert Lane. The applicant can choose Codr or Asha Lane for the road segment going south to north. The private road name will require the one neighbor using the same access to change their address to Gilbert Lane. <i>See Condition No. 10.</i> 4. Southwest District Health - SWDH (Exhibit C.6) <ul style="list-style-type: none"> • SWDH does not have any concerns. A pre-development meeting is required to discuss the proposal. Development not located in a nitrate priority area. <i>See Condition No. 6.</i>

				<p>5. Highway District #4 – HD4 (Exhibit C.4)</p> <ul style="list-style-type: none"> The comment letter requests revisions and updated plat notes regarding private road access grade at the approach onto Breezy Lane. <i>See Condition No. 4.</i> <p>6. Middleton Rural Fire District (Exhibit C.5)</p> <ul style="list-style-type: none"> Middleton Fire District does not oppose the development, subject to compliance with applicable fire code regarding water supply and fire apparatus access standards. The private road will be required to be 26 feet wide. Station 53 is 6.1 miles from the development, with an estimated 11-minute response time. <i>See Conditions No. 1 & 7.</i> <p>7. Idaho Department of Environmental Quality - DEQ (Exhibit C.7)</p> <ul style="list-style-type: none"> General list of items which DEQ may permit. If applicable, the applicant must contact DEQ.
07-17-09(4)				<p>Commission Review: A. The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for the action taken shall specify:</p>
Compliant			Code Section	
Yes	No	N/A	A.1	The ordinance and standards used in evaluating the application;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	<p>A. Idaho Code Section 67-6513 (Subdivisions);</p> <p>B. Idaho Code Sections 50-1301 through 50-1329 (Platting);</p> <p>C. Idaho Code Section 22-4503 (Right-to-Farm Act, Plat note #2);</p> <p>D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and</p> <p>E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).</p>
			A.2	Recommendations for conditions of approval that would minimize adverse conditions, if any;
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Analysis	<p>Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:</p> <ol style="list-style-type: none"> All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat. <ol style="list-style-type: none"> Per Condition No. 2a ii of the development agreement (DA#22-139), the private road shall be built to meet CCCO Section 07-10-03(2) and (3) prior to the Board of County Commissioners' signing of the final plat. <ol style="list-style-type: none"> A final engineered grading and drainage plan per 07-17-33(C - E) shall be submitted to DSD. Once reviewed and approved, and the road construction is completed, the private road construction certification shall include certification construction was completed per the engineered grading and drainage plan. The private road will be required to be 26 feet wide (Exhibit C.3) Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.

				<p>3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected.</p> <p>4. Development shall comply with the requirements of the local highway district (Exhibit C.4). Evidence shall include the highway district's signature on the final plat before the Board of County Commissioners' signature on the final plat.</p> <p>5. Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the Idaho Department of Water Resources (IDWR) ensuring water rights have been obtained before the Board of County Commissioners' signature on the final plat.</p> <p>6. Development shall comply with Southwest District Health requirements (Exhibit C.6). Southwest District Health's signature on the final plat is required before the Board of County Commissioners' signature on the final plat.</p> <p>7. Development shall comply with Fire District requirements (Exhibit C.5). Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat.</p> <p>8. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.</p> <p>9. The final plat shall have a note referencing development agreement (DA) #22-139.</p> <p>10. The final plat shall include the approved private road name(s) per the approval of RD2024-0011, including any conditions of approval.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.3	The reasons for recommending the approval, conditional approval, modification, or denial; and
			Staff Analysis	Staff recommends approval of Gilbert Subdivision, subject to conditions of approval, because the request is compliant with CCCO §07-17-09. <i>See Section A.2 above for conditions of approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.4	If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.
			Staff Analysis	N/A

COMMENTS:

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.

The following affected agencies were notified: Canyon County Sheriff's Office, Canyon County Paramedics/EMT, Middleton Fire Protection District, State Fire Marshall, Black Canyon Irrigation District, Highway District No. 4, Middleton School District, Idaho Transportation Department, Idaho Power, Intermountain Gas, CenturyLink, Ziply, Canyon County Emergency Management Coordinator, US Postal Service, Canyon County Assessor's Office, DSD - Building Department, DSD - Code Enforcement Department, DSD - Engineering Department; DSD - GIS Department; Idaho Department of Environmental

Quality, Idaho Department of Water Resources (Water Rights), Idaho Dept. Fish and Game and Southwest District Health were notified of the subject application.

- Staff received agency comments from the Idaho Transportation Department, Highway District #4, Southwest District Health, Idaho Department of Environmental Quality, Middleton Fire Protection District, DSD - GIS Department, and DSD - Engineering Department. See **Exhibit C**.

Staff received one (1) written public comment by the materials deadline of July 28, 2025. The letter expresses concerns regarding impacts to the school district, increased traffic, and essential services. See **Exhibit D.1**.

EXHIBITS:

A. Application Packet & Supporting Materials:

1. Master Application
2. Hillside Development Application
3. Preliminary Plat Narrative
4. Subdivision Worksheet
5. Irrigation Plan
6. Preliminary Plat (Revision #3)
7. Geotech Report
8. PowerPoint Presentation

B. Supplemental Documents:

1. Property Tool Report – R37431017A
2. DSD Preliminary Plat Review
 - a. Preliminary Plat Checklist DSD Review – Review #2: 6/20/2025
 - i. Applicant's response to Review #1
3. Case Maps
 - a. Aerial
 - b. Vicinity
4. RZ2021-0055 FCOS
5. Development Agreement #22-139 (Instrument no. 2022-052057)
6. Lippert Subdivision: Plat and FCOs
7. Road Easement Instrument No. 2024-016860

C. Agency Comments:

1. DSD GIS Department, received July 12, 2025
2. Idaho Transportation Department (ITD), received August 28, 2025
3. DSD Engineering Department, dated July 8, 2025
4. Highway District #4 (HD4), dated January 17, 2014
5. Middleton Rural Fire District, dated December 23, 2024
6. Southwest District Health, received April 21, 2025
7. Idaho Dept. of Environmental Quality, dated July 7, 2025

D. Public Comments:

1. Angel Kolbe received July 24, 2025

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# SD2024-0011

Hearing date: August 7, 2025

MASTER APPLICATION

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

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



PROPERTY OWNER	OWNER NAME: Cory & Cristine Codr
	MAILING ADDRESS: 7952 N 164th St, Bennington, NE 68007
	PHONE: (208) 731 - 4960 EMAIL: corycodr@gmail.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: [Signature]

Date: Oct 28, 2024

(AGENT) ARCHITECT ENGINEER BUILDER	CONTACT NAME: Kurt Norrell
	COMPANY NAME: Western Consulting Group
	MAILING ADDRESS: 1452 W Bannock St, Boise, ID 83702
	PHONE: (208) 391 - 3715 EMAIL: kurt.norrell@wcgid.com

SITE INFO	STREET ADDRESS: 0 Gilbert Rd, Middleton, ID		
	PARCEL #: R37431017A	LOT SIZE/AREA: 14 AC	
	LOT:	BLOCK:	SUBDIVISION:
	QUARTER: SE1/4 of NW 1/4 SECTION: 21 TOWNSHIP: 5N RANGE: 2W		
	ZONING DISTRICT: CR-RR FLOODZONE (YES/NO): No		

HEARING LEVEL APPS	<input type="checkbox"/> CONDITIONAL USE	<input type="checkbox"/> COMP PLAN AMENDMENT	<input type="checkbox"/> CONDITIONAL REZONE
	<input type="checkbox"/> ZONING AMENDMENT (REZONE)	<input type="checkbox"/> DEV. AGREEMENT MODIFICATION	<input type="checkbox"/> VARIANCE > 33%
	<input type="checkbox"/> MINOR REPLAT	<input type="checkbox"/> VACATION	<input type="checkbox"/> APPEAL
	<input type="checkbox"/> SHORT PLAT SUBDIVISION	<input checked="" type="checkbox"/> PRELIMINARY PLAT SUBDIVISION	<input type="checkbox"/> FINAL PLAT SUBDIVISION

DIRECTORS DECISION APPS	<input type="checkbox"/> ADMINISTRATIVE LAND DIVISION	<input type="checkbox"/> EASEMENT REDUCTION	<input type="checkbox"/> SIGN PERMIT
	<input type="checkbox"/> PROPERTY BOUNDARY ADJUSTMENT	<input type="checkbox"/> HOME BUSINESS	<input type="checkbox"/> VARIANCE 33% >
	<input checked="" type="checkbox"/> PRIVATE ROAD NAME	<input type="checkbox"/> TEMPORARY USE	<input type="checkbox"/> DAY CARE
	<input type="checkbox"/> OTHER _____		

CASE NUMBER: <u>SD2024-0011</u>	DATE RECEIVED: <u>Oct 29, 2024 for Review</u>
RECEIVED BY: <u>OR</u>	APPLICATION FEE: CK MO CC CASH

and RD2024-0028

\$330
\$70
\$1550
\$1950⁰⁰

Revised 1.1.21



CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #310 Caldwell, Idaho 83605 Phone (208) 402-4164
 www.canyoncounty.id.gov/dsd

APPLICATION FOR HILLSIDE DEVELOPMENT

(Canyon County Zoning Ordinance § 07-17-33)

Applicant(s):

 Name Daytime Telephone Number

 Street Address City, State Zip

Location of Subject Property:

 Two Nearest Cross Streets or Property Address City

Assessor's Account Number(s): R _____ Section _____ Township _____ Range 2W

Hillside development is defined by the Canyon County Code of Ordinances §07-02-03: Any development or that portion of a development located in terrain having a maximum slope exceeding fifteen percent (15%), except where evidence is provided that no construction or development shall take place on slopes greater than fifteen percent (15%).

In order to preserve, enhance, and promote the existing and future appearance and resources of hillsides, maximum retention of natural topographic features and qualities of the following shall be considered during the subdivision review process:

Skyline and ridge tops;
 Rolling grassy land forms, including knolls, ridges, and meadows;
 Tree and shrub masses, grass, wild flowers and topsoil;
 Rock outcroppings;
 Stream beds, draws and drainage swails, especially where tree and plant formations occur; and
 Characteristic vistas and scenic panoramas.

All hillside development proposals shall take into account current application of desirable land use planning, soil mechanics, engineering geology, hydrology, civil engineering, environmental and civic design, architecture and landscape architecture.

Please answer the following questions:

- Is any portion of your property within a flood way or flood zone? ☐ No ☐ Yes
- Does any portion of your property have slopes of more than fifteen percent (15%)?
☐ No ☐ Yes If Yes, what percentage Subject property does not contain slopes >15%. 70' access easement on neighboring property for private road does. See preplat.
- What is the proposed name of your subdivision? _____
- How many total nonresidential and residential lots is your proposing?
 Residential _____ Non-residential _____

5. Of the total lots you are requesting, how many lots are affected by the proposed hillside development? Residential _____ Non-residential _____ Road(s) _____

REQUIRED SUBMISSION INFORMATION

The subdivider shall retain professional expertise to obtain the following information:

C. Grading and Drainage Plan (CCZO 07-17-33 (1)(C))

Preliminary Grading Plan and Drainage Plan shall be submitted with each hillside preliminary plat proposal and shall include the following information (CCZO 07-17-33(1)(C)):

- A. Approximately limiting dimensions, elevations or finish contours to be achieved by the grading, including all cut and fill slopes, proposed drainage channels and related construction;
- B. Preliminary plans and approximate locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed;
- C. A description of methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.

Final Grading Plan shall be submitted with each final plat and include the following information (CCZO 07-17-33(1)(C)(2)):

- A. Limiting dimensions, elevations or finish contours to be achieved by the grading, including all proposed cut and fill slopes and proposed drainage channels and related construction;
- B. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed;
- C. A schedule showing when each stage of the project will be completed, including the total area of soil surface which is to be disturbed during each stage together with estimated starting and completion dates.

NOTE: In no event shall existing "natural" vegetative ground cover be destroyed, removed or disturbed more than fifteen (15) days prior to the grading.

D. Development Standards (CCZO 07-17-33(1)(D))

1. Soils:

- A. Fill areas shall be prepared by removing organic material, such as vegetation and rubbish and any other material which is determined by the soils engineer to be detrimental to proper compaction or otherwise not conducive to stability.

- B. Cuts and fills shall be designed to provide safety, stability, and adequate setback from property lines in accordance with county standards drawings and specifications.

2. Roadways:

- A. Road alignments shall reasonably follow natural terrain and no unnecessary cuts or fills shall be allowed.
- B. One-way streets, in interior subdivision roads only, shall be permitted and encouraged where appropriate for terrain and when public safety would not be jeopardized. When approved by the county the one-way street may have a thirty foot (30') right-of-way instead of a sixty foot (60') right-of-way.
- C. The width of the graded section shall extend three feet (3') beyond the curb back or edge of pavement on both the cut and fill sides of the roadway. If sidewalks are to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus one foot (1') beyond the curb back.
- D. Ribbon curbing and swales or concrete curb and gutter shall be installed along both sides of paved roadways, when required by the Board.
- E. A pedestrian walkway plan may be required.

- 3. Driveways and Parking Areas: Combinations of collective private driveways, cluster parking areas and on-street, parallel parking ways may be used to attempt to optimize the objectives of minimum soil disturbance, minimum impervious cover, and enhance the excellence of design and aesthetic sensitivity.

E. Vegetation and Revegetation Plan (CCCO 07-17-33(1)(E)(1-3))

The Slope Stabilization and Re-Vegetation Plan shall be submitted with the hillside application and include the following:

- 1. A complete description of the existing vegetation, the description of the vegetation to be removed and the method of disposal, the vegetation to be planted and slope stabilization measures to be installed. The plan shall include an analysis of the environmental effects of such operations, including the effects it may have on slope stability, soil erosion, water quality and fish and wildlife.
- 2. Vegetation sufficient to stabilize the soils shall be established on all disturbed areas as each stage of grading is completed. Areas not contained within lot boundaries shall be protected with perennial vegetal cover after all construction is completed. Efforts shall be made to plant those species that tend to recover from fire damage and do not contribute to a rapid rate of fire spread.
- 3. The developer shall be fully responsible for any destruction of native vegetation proposed and approved for retention. He shall carry the responsibility both for his own employees and for all subcontractors from the first day of construction until the notice of completion is filed. The developer shall be responsible for replacing such destroyed vegetation in kind or its

equivalent.

F. Maintenance Plan (CCZO 07-17-33(1)(F))

The owner of any private property on which grading or other work has been performed pursuant to a grading plan approved or a building permit granted under the provisions of this ordinance shall continually maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures or means, and other protective devices, plantings and ground cover installed or completed.

Hillside Development Requirements

The following checklist may be utilized by the Subdivision Review Team when reviewing your Hillside Development application to determine if you comply with Canyon County standards and ordinances. As the applicant, we welcome you to copy this form and use it for your own checklist.

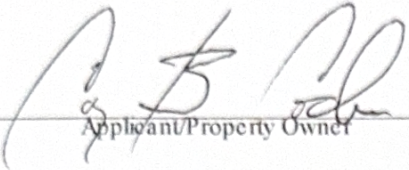
YES	NO	Standard Assessed
<input type="checkbox"/>	<input type="checkbox"/>	Planning of development to fit the topography, soils, geology, hydrology and other conditions existing on the proposed site.
<input type="checkbox"/>	<input type="checkbox"/>	Orienting development to the site so that grading and other site preparation is kept to a minimum.
<input type="checkbox"/>	<input type="checkbox"/>	Shaping essential grading to complement the natural landforms and to minimize padding and terracing of building sites.
<input type="checkbox"/>	<input type="checkbox"/>	Division of land tracts into smaller workable units on which construction can be completed within one construction season so that large areas are not left bare and exposed during the winter-spring runoff period.
<input type="checkbox"/>	<input type="checkbox"/>	Completion of paving as rapidly as possible after grading.
<input type="checkbox"/>	<input type="checkbox"/>	Allocation of areas not well suited for development because of soil, geology or hydrology limitations for open space and recreation uses.
<input type="checkbox"/>	<input type="checkbox"/>	Consideration of view from and of the hills.
<input type="checkbox"/>	<input type="checkbox"/>	Areas having soil, geology or hydrology hazards shall not be developed unless it is shown that their limitation can be overcome.

===== Applicant Acknowledgement and Signature =====

I, the undersigned acknowledge that the required hillside development plans have been submitted according to the requirements outlined in Canyon County Code 07-17-33.

I acknowledge that the Development Services Department may uphold the processing of my plat until all appropriate paperwork has been submitted and approvals obtained.

Signed: _____


Applicant/Property Owner

Date: _____

6 / 27 / 25
(Application Submitted)

ACCEPTED BY THE DEVELOPMENT SERVICES DEPARTMENT

Signed: _____

Dan Lister

Director / Staff

Date: _____

7/8/2025

June 20, 2025

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

Re: Letter of Intent – Gilbert Subdivision SD2024-0011

Dear Department of Development Services,

I am writing to resubmit the preliminary plat for the proposed Gilbert Subdivision. The original preliminary plat was submitted on November 20th, 2024 and comments were received on May 23rd, 2025 with case number SD2024-0011. This letter serves as the required letter of intent and will provide an overview of the proposed development and address hillside development requirements. A separate response to comments letter will be submitted in concurrence with the revised preliminary plat and this revised letter of intent.

The subject property is located within Canyon County, outside of city limits or impact areas, with the parcel number R37431017A. The 14-acre parcel is located in the SE ¼ of the NW ¼ of Section 21 Township 5N Range 2W. The zoning of the parcel is CR-RR (Conditional Rezone – Rural Residential).

The proposed development involves subdividing the existing 14-acre lot into six residential lots (roughly 2 acres each) and one lot for the private road. The site is currently bare, consisting primarily of sagebrush, bunchgrass, and other native weeds and grasses, along with a handful of dirt pathways (visible from Aerial Imagery). There are no existing structures or utilities on the property. The project, in cooperation with the property owner, is in its preliminary phase of development as we seek preliminary plat approval. The development will proceed in a single phase, with all construction occurring concurrently.

Gilbert Subdivision		
Lot #	Lot Type	Acres
1	Private Road	1.69
2	Residential	2.06
3	Residential	2.08
4	Residential	2.07
5	Residential	2.07
6	Residential	2.02
7	Residential	2.01
Average Lot Size		2.05

Each residential lot will include its own potable water well and septic system. Drain fields are proposed for septic discharge, as well as a required replacement area. The drain fields and

1542 W Bannock St • Boise, Idaho, 83702 • 208-391-3715

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replacement areas adhere to required setbacks from potable water wells, property lines, and residences. The private wells for each residential lot also adhere to required setbacks. The proposed locations of the residences, wells, and drainage systems are so that no drainage system is located upstream of a well or residence.

The proposed private road begins at the intersection of Eric Lane and the existing portion of Gilbert Road and will extend westward through a 70-foot easement to the southeast corner of the subject property. The private road lot is 70-feet wide and culminates in a cul-de-sac designed per Canyon County Highway District Highway 4 Standards. The private road is designed per Canyon County code for private roads, and the private road lot allows for public utility access. Proposed power will run through the private road lot, and stormwater runoff from the road will be retained/infiltration on site. The private road naming application has not been approved at the date of the preliminary plat resubmission. 'Gilbert Ln' and 'Codr Ln' are proposed and included on the preliminary plat and associated documents as instructed by Canyon County.

The development contains slopes greater than 15% in the 70' roadway easement on the Lippert property and within the public right-of-way. There are no slopes greater than 15% on the subject property. This area has been shaded on the preliminary plat and additional supporting documents. Western Consulting Group (WCG) met with Dan Lister from the County on June 11th, 2025 at 10am to discuss comments received on the preliminary plat, specifically pertaining to hillside development. Mr. Lister told WCG to submit a geotechnical report for the development and provide an explanation of the proposed hillside development. Allow this letter of intent to serve as the explanation of the hillside development. The geotechnical report is included, and the preliminary plat documents include a grading and drainage plan.

Per the geotechnical report, there are no soil, geology, or hydrology hazards on or near the subject property or hillside area. This area is also not located within a flood zone. The hillside area was evaluated and designed appropriately, giving consideration to the existing slopes. The only proposed development within the hillside is the proposed private road. This area was designed per 07-17-33-(1)-D-2, development standards for roadways. The existing slopes are proposed to be less than 8% as this is the maximum allowed road slope. Existing drainage patterns will be maintained.

The proposed development is not expected to cause significant impacts to neighboring properties in terms of noise, dust generation, traffic, water table levels, etc. Appropriate dust suppression and erosion control measures will be put in place during construction.

According to an Atlas Geotechnical Engineering Report from August 2024, groundwater was measured at depths between 120 and 184 feet below ground surface (bgs) within approximately ½ mile of the project site. Groundwater levels for surrounding residences are likely to remain at more than 20 feet bgs year-round.

Traffic impacts are expected to be minimal, as the development will generate an estimated 60 additional vehicle trips per day, based on the Institute of Transportation Engineers Trip

Generation Report (average 10 trips per day per single-family home). Gilbert Road can reasonably accommodate this additional trip generation.

The proposed development aligns with Canyon County's Comprehensive Plan, which supports low-density rural residential development. The project maintains the rural character of the area, and the proposed subdivision is consistent with the CR-RR zoning designation.

Western Consulting Group does not anticipate any additional permits required beyond those through Canyon County.

Thank you for your consideration of our application. Please contact us with any questions, concerns, or need for additional information.

Sincerely,

WESTERN CONSULTING GROUP, PLLC



Kurt Norrell, PE, PMP
Managing Partner

SUBDIVISION WORKSHEET**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633

**GENERAL**

1. **HOW MANY LOTS ARE YOU PROPOSING?**
 Residential 6 Non-buildable 1 Common _____
2. **AVERAGE LOT SIZE OF THE RESIDENTIAL PARCELS**
2.06 ACRES

IRRIGATION

1. **IRRIGATION WATER IS PROVIDED VIA:**
☐ Irrigation Well ☐ Surface Water **N/A**
2. **WHAT PERCENTAGE OF THE PROPERTY HAS WATER?** 0 %
3. **HOW MANY INCHES OF WATER ARE AVAILABLE TO PROPERTY?** 0
4. **HOW DO YOU PLAN TO RETAIN STORM AND EXCESS WATER ON EACH LOT?**
Residential lots are 2+ acres, surface infiltration. Private road lot: ditches
on either side of the road, bioinfiltration swale.
5. **HOW DO YOU PLAN TO PROCESS STORM WATER / EXCESS IRRIGATION WATER PRIOR TO IT ENTERING THE ESTABLISHED DRAINAGE SYSTEM?**
N/A

ROADS

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

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

HILLSIDE DEVELOPMENT

1. **OF THE TOTAL LOTS REQUESTED, HOW MANY OF THE LOTS WILL CONTAIN SLOPES GREATER THAN 15%?**
 Residential 0 Non-Buildable 0 Common _____
2. **WILL THE PROPOSED ROAD (S) BE LOCATED WITHIN ANY AREA THAT HAS SLOPES GREATER THAN 15%?**
☒ YES ☐ NO **Private road lot on the subject property does not contain slopes >15%. There are slopes >15% outside of the proposed roadway (max road slope 8%) within the 70' easement on the neighboring Lippert property. See shaded area on PrePlat.**
- *If YES, a grading plan is required.

SUBDIVISION WORKSHEET

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

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

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



SUBDIVISIONS WITHIN AN AREA OF CITY IMPACT

1. WILL YOU BE REQUESTING WAIVERS OF SUBDIVISION IMPROVEMENT REQUIREMENTS FROM THE CITY?
☐ YES ☒ NO

2. IF YES, WHICH WAIVERS WILL YOU BE REQUESTING?
☐ CURBS ☐ GUTTERS ☐ SIDEWALKS ☐ STREETLIGHTS ☐ LANDSCAPING

IRRIGATION PLAN APPLICATION**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #140, Caldwell, ID 83605www.canyonco.org/dsd.aspx

Phone: 208-454-7458

Fax: 208-454-6633



Applicant(s) Cory & Cristine Codr (208) 731 - 4960
 Name Daytime Telephone Number
7952 N 164th St Bennington, NE 68007
 Street Address City, State Zip

Representative Name Kurt Norrell (208) 391 - 3715 kurt.norrell@wcgid.com
 Daytime Telephone Number / E-mail Address
1452 W Bannock St Boise, ID 83702
 Street Address City, State Zip

Location of Subject Property: Eric Lane & Gilbert Road Canyon County
 Two Nearest Cross Streets or Property Address City

Assessor's Account Number(s): R 37431017A Section 21 Township 5N Range 2W

This land:

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

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

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

Revised 1/7/2021

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

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

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

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

Irrigation: N/A

Drainage: N/A

3. How many acres is the property being subdivided? 14 acres

4. What percentage of this property has water? Currently none

5. How many inches of water are available to the property? Currently none

6. How is the land currently irrigated? N/A ☐ Surface ☐ Irrigation Well
☐ Sprinkler ☐ Above Ground Pipe ☐ Underground Pipe

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

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

 No existing or proposed canal so no head gate/pump. No existing or proposed ditches and/or pipes.

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

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

 Residential lots are 2+ areas, infiltration. Private road lot: ditches on either side of the road + bioinfiltration swale.

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

 N/A

***Groundwater rights (potable + irrigation) will be applied for after preliminary plat approval**

Revised 1/7/2021

Irrigation Plan Map Requirements

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

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

Also, provide the following documentation:

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

No irrigation plan map. See preliminary plat for proposed location of wells and drain fields.

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

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

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

Signed:   Date: 10/28 / 2024
Property Owner (Application Submitted)

Signed: _____ Date: ____/____/____
Applicant/Representative (if not property owner) (Application Submitted)

Accepted By: D. Root Date: 11/20/2024
Director / Staff

revised 1/22/2021

PRELIMINARY PLAT FOR
GILBERT SUBDIVISION

SITUATE IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE BOISE PRINCIPAL MERIDIAN

CANYON COUNTY, IDAHO

JUNE 2025

BASIS OF BEARING:

THE BASIS OF BEARING FOR THE SURVEY WAS ESTABLISHED BY GPS OBSERVATIONS, PROJECTED TO THE IDAHO STATE PLANE COORDINATE SYSTEM, NAD83 DATUM, WEST ZONE. ALL BEARINGS SHOWN ARE ON GRID AZIMUTH AND ALL DISTANCES SHOWN ARE AT GROUND. REFER TO SURVEY DRAWINGS FOR THE SPECIFIC LINE AND MONUMENTS USED. ALL ELEVATIONS SHOWN ARE DERIVED FROM NAD88.

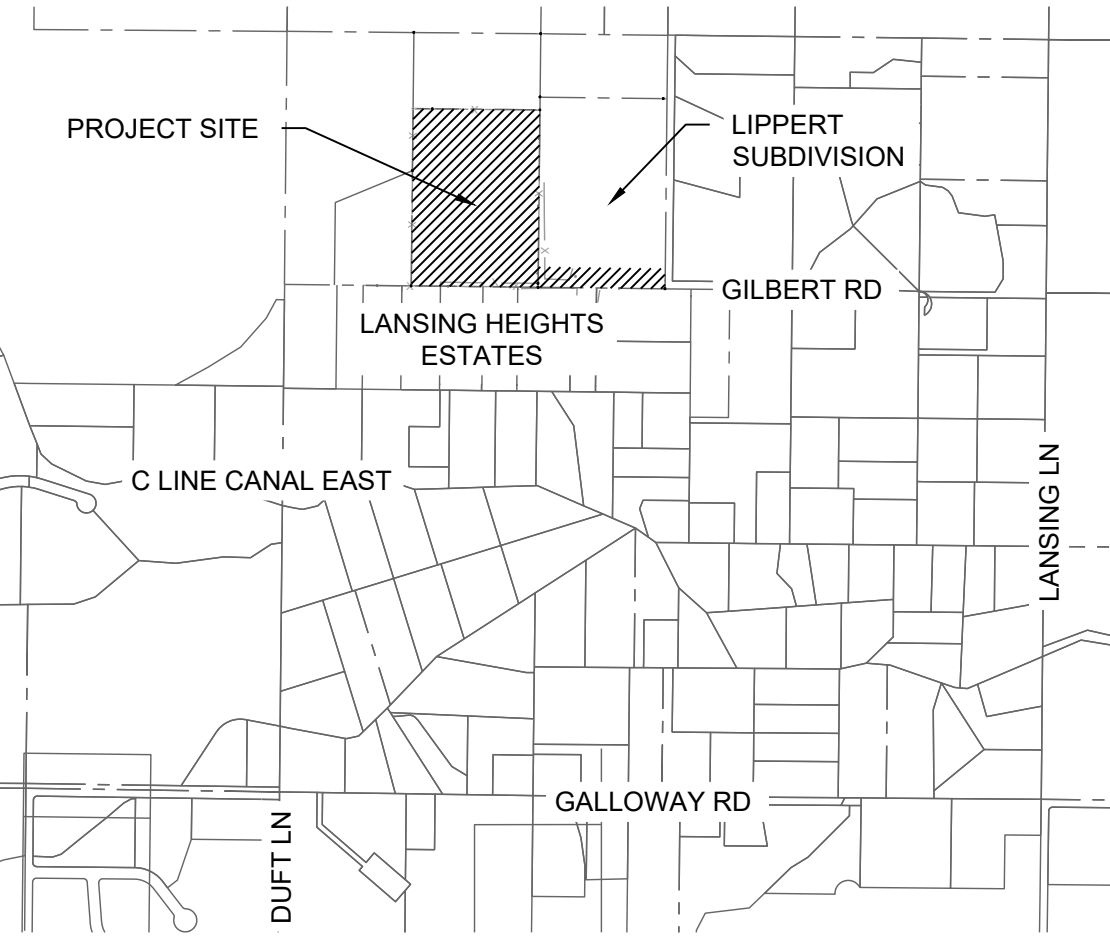
NOTES:

- CONTOURS SHOWN ARE 2' INTERVALS.
- EACH LOT IS REQUIRED TO DRILL A WELL FOR DOMESTIC WATER.
- EACH LOT IS REQUIRED TO HAVE AN INDIVIDUAL SEPTIC SYSTEM, DRAIN FIELD, AND REPLACEMENT AREA. AREAS SHOWN ARE THE MAXIMUM ALLOWABLE AREA.
- RESIDENTIAL LOT DRAINAGE (LOTS 2-7) SHALL BE RETAINED ON SITE VIA BIOINFILTRATION SWALES PER DETAIL TO BE APPROVED BY CANYON COUNTY. SEE PRELIMINARY GRADING AND DRAINAGE PLAN.
- MINIMUM SEPARATION DISTANCES FOR PROPOSED WELLS, DRAIN FIELDS, AND STORMWATER SWALES FROM IDAPA AND SOUTHWEST DISTRICT HEALTH HAVE BEEN MET. REQUIRED MINIMUM DISTANCES ARE BELOW:
 - PROPOSED PRIVATE WELLS ARE A MINIMUM OF 100' FROM PROPOSED STORMWATER SWALES, PROPOSED SEPTIC DRAIN FIELDS, AND OTHER PROPOSED/EXISTING WELLS.
 - PROPOSED STORMWATER SWALES ARE A MINIMUM OF 50' FROM PROPOSED SEPTIC DRAIN FIELDS AND PROPOSED PRIVATE WELLS.
 - PROPOSED SEPTIC DRAIN FIELDS ARE A MINIMUM OF 5' FROM EXISTING AND PROPOSED PROPERTY LINES, 100' FROM PROPOSED PRIVATE WELLS, 50' FROM PROPOSED STORMWATER SWALES, AND WILL BE 10' FROM PROPOSED BUILDING FOUNDATIONS.
- THE HOMEOWNERS ASSOCIATION, UNDERLYING PROPERTY OWNER, OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR ALL STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY, INCLUDING ALL ROUTINE AND HEAVY MAINTENANCE.
- RUNOFF FROM THE PRIVATE ROAD (LOT 1) WILL BE MANAGED IN THE ROAD SIDE INFILTRATION DITCH AND PROPOSED SOUTH EAST STORMWATER SWALE.
- SEE PRELIMINARY ROAD GRADING PLAN (SHEET C-2.0) FOR PRIVATE ROAD GRADING.
- SEE PRELIMINARY APPROACH GRADING PLAN (SHEET C-2.1) FOR TIE INS OF THE EXISTING AND PROPOSED APPROACHES OFF THE PROPOSED PRIVATE ROAD.
- INDIVIDUAL LOT GRADING, INCLUDING BUILDING PADS, DRIVEWAYS, AND STORMWATER SWALES, SHALL BE DETERMINED AND DESIGNED FOR THE FINAL PLAT/CONSTRUCTION DOCUMENTS.
- IRRIGATION RIGHTS WILL BE APPLIED FOR/DETERMINED PENDING APPROVAL OF THIS PRELIMINARY PLAT AND CORRESPONDING APPLICATION.
- A PRIVATE ROAD NAMING APPLICATION WAS SUBMITTED IN CONCURRENCE WITH THE PRELIMINARY PLAT APPLICATION DATED 11/20/2024. ROAD NAMES SHOWN ARE PROPOSED, PENDING APPROVAL OF THE PRIVATE ROAD NAMING APPLICATION.
- UTILITY EASEMENTS SHOWN ARE 10' FROM EXTERIOR PROPERTY LINES AND 5' FROM INTERIOR PROPERTY LINES. ALL PROPOSED DRY UTILITIES TO BE IN LOT 1, 70' ROADWAY AND UTILITY EASEMENT.
- PROJECT IS ANTICIPATED TO BE DEVELOPED IN A SINGLE PHASE.

DEVELOPMENT FEATURES:

PROJECT AREA	~15.4 ACRES (EX. LOT + PRIVATE ROAD)
EXISTING LOT	14.01 ACRES
PROPOSED LOTS	7 LOTS (SEE LOT COUNT)
AVERAGE LOT SIZE	2.05 ACRES (SEE LOT COUNT)
MINIMUM LOT SIZE	1.69 (SEE LOT COUNT)
EXISTING USE	NONE
PROPOSED USE	RESIDENTIAL
ZONING	CR-R-R (SUBJECT TO DEVELOPMENT AGREEMENT #22-139)
SEWER	SEPTIC, DRAIN FIELDS (6)
WATER	PRIVATE POTABLE WELLS (6)
STORMWATER	BIOINFILTRATION SWALES (RESIDENTIAL)
IRRIGATION	INFILTRATION DITCH (PRIVATE ROAD)
UTILITIES	PRIVATE WELLS (SAME AS POTABLE WELL)
LOT COUNT	LOT 1 - 1.69 ACRES PRIVATE ROAD AND UTILITY EASEMENT
	LOT 2 - 2.06 ACRES RESIDENTIAL
	LOT 3 - 2.08 ACRES RESIDENTIAL
	LOT 4 - 2.07 ACRES RESIDENTIAL
	LOT 5 - 2.07 ACRES RESIDENTIAL
	LOT 6 - 2.02 ACRES RESIDENTIAL
	LOT 7 - 2.01 ACRES RESIDENTIAL

Curve Table			
Curve #	Length	Radius	Delta
C1	18.30	20.00	052°25'42"
C2	88.53	70.00	072°27'35"
C3	96.69	70.00	079°08'27"
C4	94.28	70.00	077°10'06"
C5	68.28	70.00	055°53'29"
C6	18.23	20.00	052°13'54"



VICINITY MAP

SCALE: 1" = 1000'
0 1000 2000 FEET

EXISTING	LEGEND	PROPOSED
2000.00 1%	GRADING POINT MARKER	2000.00
1%	SLOPE/FLOW ARROW	1%
2000	CONTOUR (2' INTERVALS)	2000
	AREA WITH >15% SLOPE	
	PROPERTY LINE	
	EASEMENT	
	RIGHT OF WAY	
	EXISTING FENCE	
	EDGE OF PAVEMENT	
	EDGE OF GRAVEL	
	ROAD CENTERLINE	
	DITCH CENTERLINE	
	CULVERT	
	OVERHEAD POWER	
	UNDERGROUND POWER	
	SEPTIC DRAINFIELD	
	STORMWATER SWALE	
	50' SW SWALE SETBACK	
	WATER WELL	
	POWER POLE	
	FOUND ALUMINUM CAP	
	FOUND 1/2" REBAR	
	FOUND 5/8" REBAR	
	SET 5/8"x24" REBAR	

DEVELOPER:

CORY & CRISTINE CODR
7952 N 164th St
BENNINGTON, NE 68007
(208) 731 - 4960
CORYCODR@GMAIL.COM

SURVEYOR:

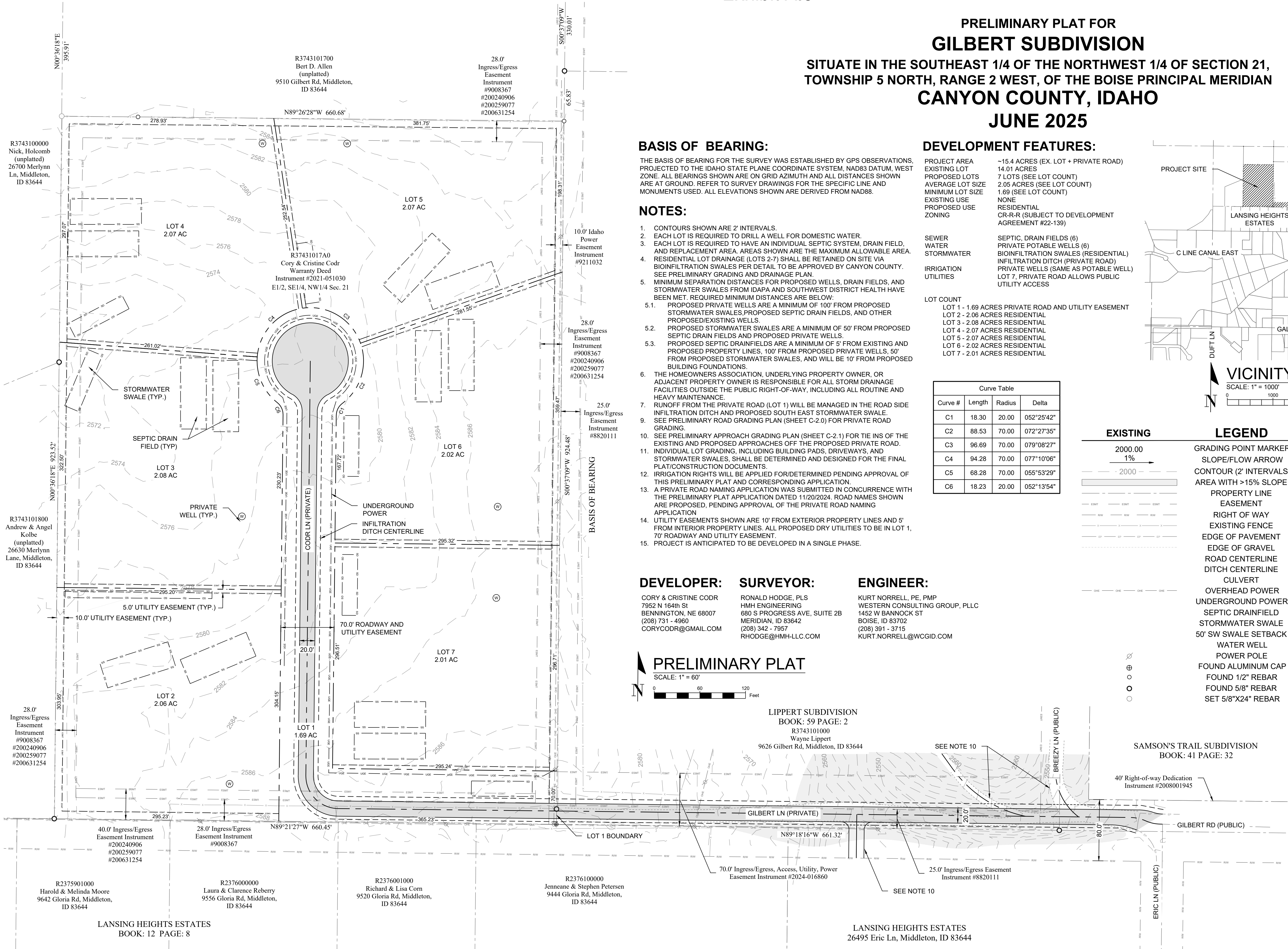
RONALD HODGE, PLS
HMH ENGINEERING
680 S PROGRESS AVE, SUITE 2B
MERIDIAN, ID 83642
(208) 342 - 7957
RHODGE@HMH-LLC.COM

ENGINEER:

KURT NORRELL, PE, PMP
WESTERN CONSULTING GROUP, PLLC
1452 W BANNOCK ST
BOISE, ID 83702
(208) 391 - 3715
KURT.NORRELL@WCGID.COM

PRELIMINARY PLAT

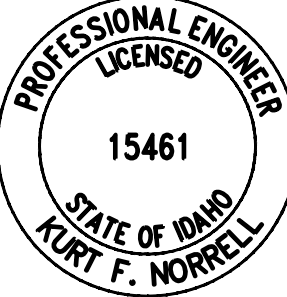
SCALE: 1" = 60'
0 60 120 Feet



LIPPERT SUBDIVISION
BOOK: 59 PAGE: 2
R3743101000
Wayne Lippert
9626 Gilbert Rd, Middleton, ID 83644

SAMSON'S TRAIL SUBDIVISION
BOOK: 41 PAGE: 32

LANSING HEIGHTS ESTATES
26495 Eric Ln, Middleton, ID 83644



WESTERN CONSULTING GROUP

WESTERN CONSULTING GROUP, PLLC
1452 W. BANNOCK ST.
BOISE, ID 83702

1	COUNTY & HD4 COMMENTS	TB	06/20/2025
PROJ. NO.	01-25-012	DRAWN	LN
DESIGNED	TB	CHECKED	KN
APPROVED	KN	NO.	
REVISIONS	BY	DATE	

GILBERT SUBDIVISION

PARCEL: R37431017A0

CANYON COUNTY, ID

PRELIMINARY PLAT

SHEET NO:

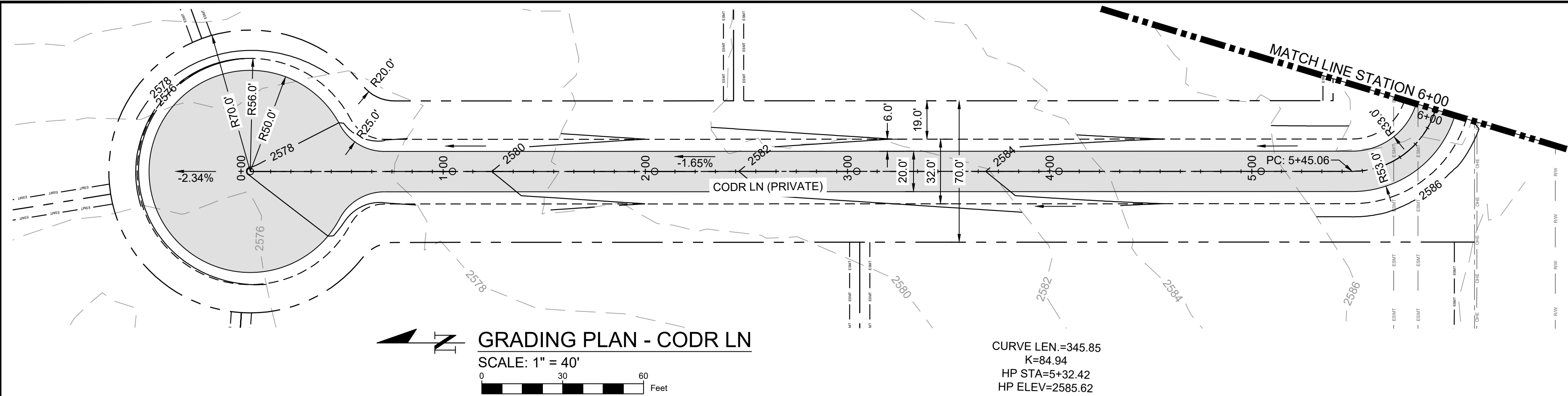
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DATE:

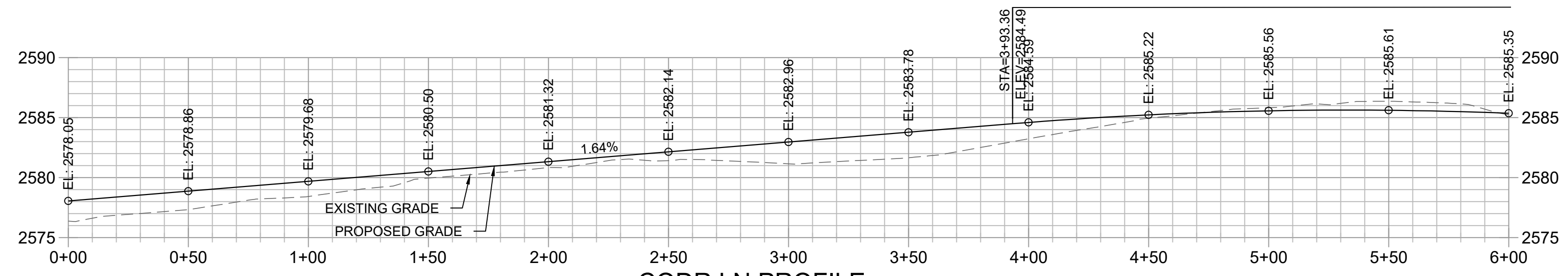
06/26/2025

PAGE NO:

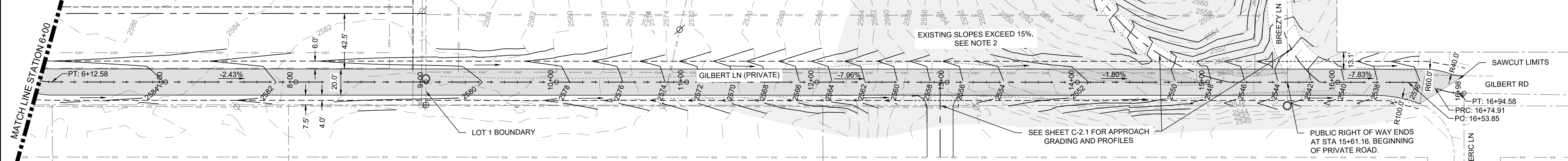
1 OF 4



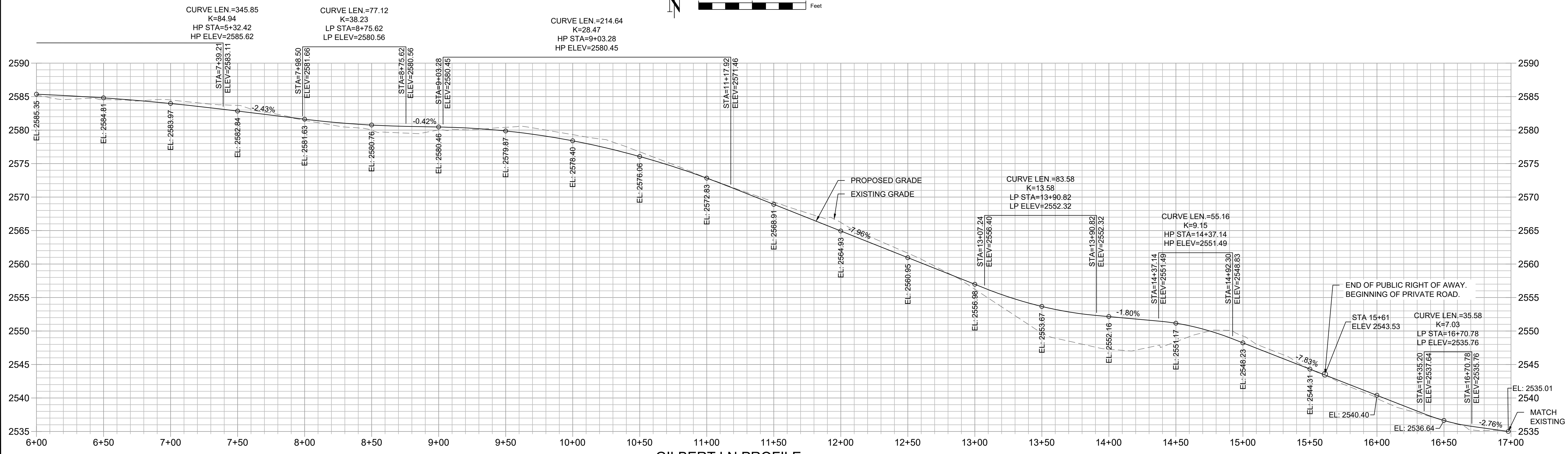
GRADING PLAN - CODR LN
SCALE: 1" = 40'
0 30 60 Feet



CODR LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'



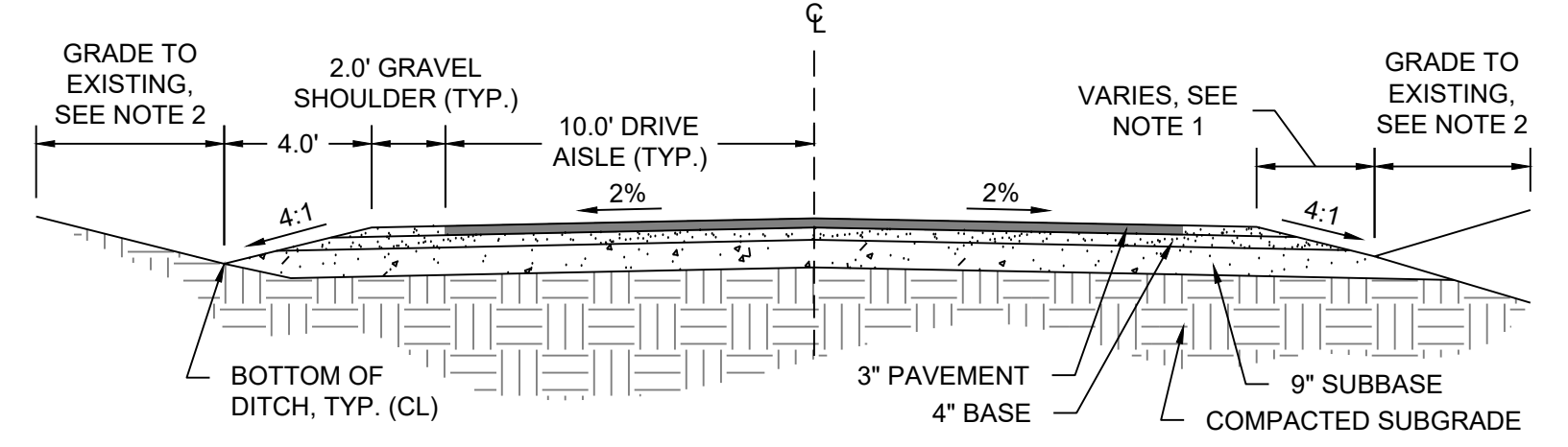
GRADING PLAN - GILBERT LN
SCALE: 1" = 40'
0 40 80 Feet



GILBERT LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'

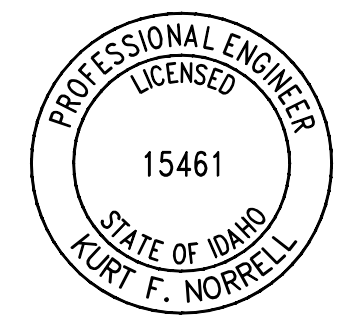
GRADING NOTES

1. CONTOURS SHOWN ARE 2' INTERVALS.
2. AREAS WITH EXISTING SLOPES EXCEEDING 15% ARE SHADED AND REQUIRE HILLSIDE DEVELOPMENT. HILLSIDE DEVELOPMENT STANDARDS HAVE BEEN MET.
3. THE PRIVATE ROAD SLOPE DOES NOT EXCEEDS 8%.
4. ROADWAY IS DESIGNED PER CANYON COUNTY CODE SECTION 07-10-03: PRIVATE ROAD AND DRIVEWAY REQUIREMENTS. SEE TYPICAL SECTION DETAIL (THIS SHEET).
5. CUL-DE-SAC IS DESIGNED PER ACCHD STANDARD CUL-DE-SAC LAYOUT (STANDARD DRAWING ACCHD-104).
6. SEE SHEET C-2.1 FOR PRELIMINARY CENTERLINE PROFILES OF THE EXISTING APPROACHES OFF THE PROPOSED PRIVATE ROAD TO REMAIN AND THE PROPOSED SOUTHERN APPROACH. FINAL GRADING TO BE PERFORMED AT TIME OF FINAL PLAT/CONSTRUCTION DOCUMENTS.
7. GRADING FOR PROPOSED BUILDINGS/STRUCTURES, DRIVEWAYS, AND STORMWATER SWALES WILL BE PERFORMED AT THE TIME OF FINAL PLAT/CONSTRUCTION DOCUMENTS.
8. PRELIMINARY NET EARTHWORK: ~123 CU. YD. (FILL)

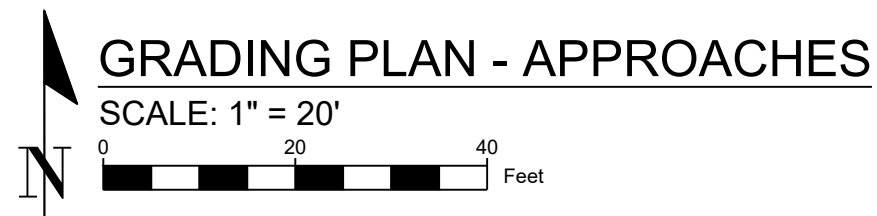


- NOTES:
1. DISTANCE TO BOTTOM OF DITCH VARIES ON SOUTH SIDE OF THE ROADWAY. DISTANCE IS 4' FROM STATION 0+00 TO STATION 6+00. DISTANCE IS 2' FROM STATION 6+00 TO THE END OF THE PRIVATE ROAD (STATION 15+61.16). DISTANCE IS 4' FROM 15+61.16 UNTIL END.
 2. FROM THE EDGE OF THE SUBBASE, GRADE TO EXISTING AT A 4:1 SLOPE, WITH A MAXIMUM OF A 2:1 SLOPE TO STAY WITHIN EASEMENT.
 - 2.1. THE SUBBASE SHALL NOT EXCEED A 4:1 SLOPE PER ACCHD STANDARDS.

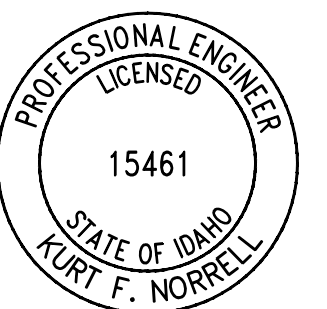
1
C-2.0
TYPICAL ROADWAY SECTION
HORIZONTAL SCALE: 1"=5'
VERTICAL SCALE: 1" = 5'



WESTERN CONSULTING GROUP	
WESTERN CONSULTING GROUP, PLLC 1452 W. BANNOCK ST. BOISE, ID 83702	
1	COUNTY & HD4 COMMENTS
01-25-012	LN
DRAWN	TB
DESIGNED	KN
CHECKED	KN
APPROVED	KN
GILBERT SUBDIVISION PARCEL: R37431017A0 CANYON COUNTY, ID	
PRELIMINARY ROAD GRADING PLAN	
SHEET NO: C-2.0	
DATE: 06/26/2025	
PAGE NO: 2 OF 4	



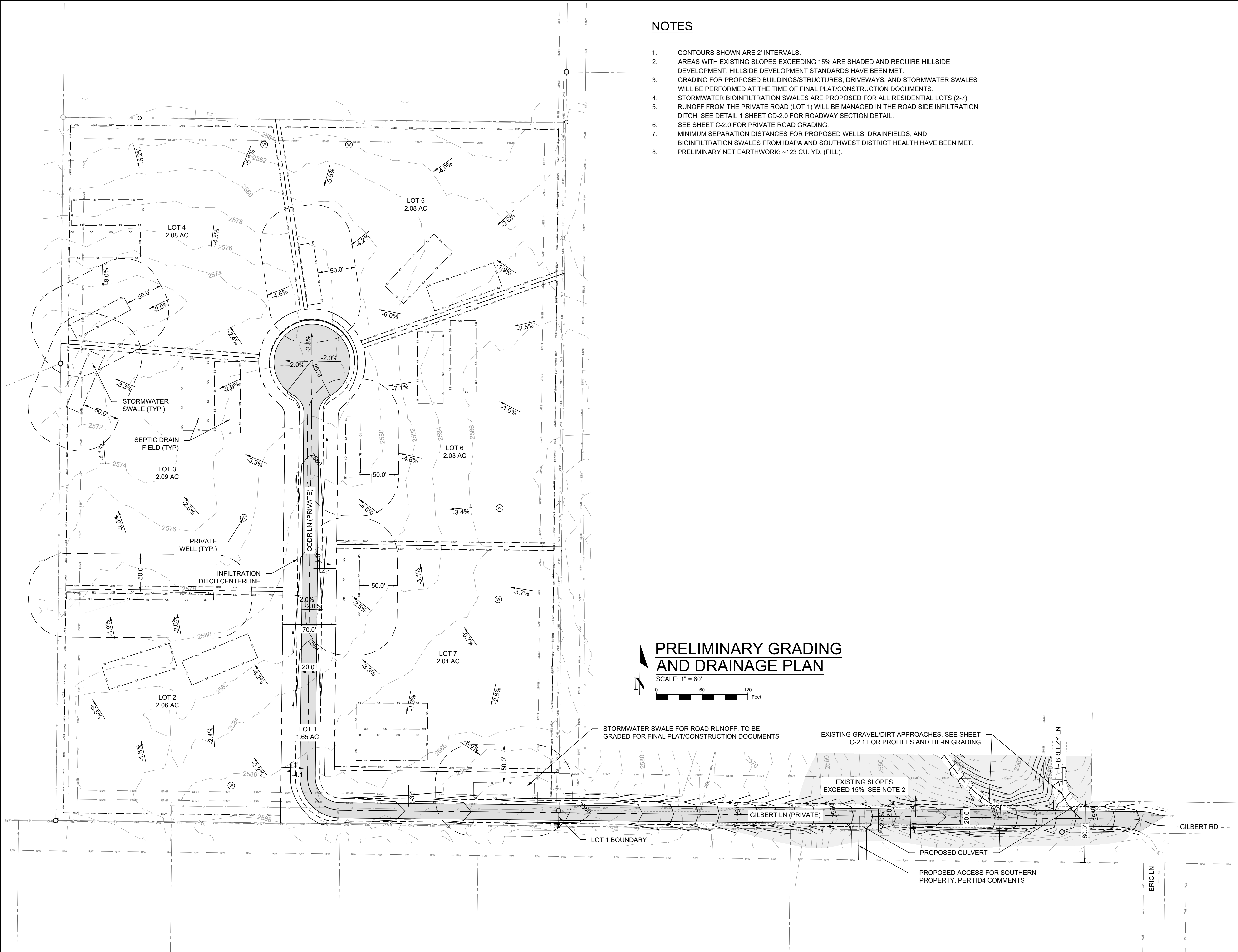
1. CONTOURS SHOWN ARE 2' INTERVALS.
2. AREAS WITH EXISTING SLOPES EXCEEDING 15% ARE SHADED AND REQUIRE HILLSIDE DEVELOPMENT. HILLSIDE DEVELOPMENT STANDARDS HAVE BEEN MET.
3. EXISTING SLOPES FOR BREEZY LN AND LIPPERT RESIDENTIAL APPROACHES EXCEED 8%.
4. PROPOSED SOUTHERN APPROACH IS REQUIRED PER HD4 COMMENTS.
5. CULVERT DESIGN WILL BE PERFORMED AT THE TIME OF FINAL PLAT/CONSTRUCTION DOCUMENTS.
6. FINAL APPROACH GRADING TO BE PERFORMED AT TIME OF FINAL PLAT/CONSTRUCTION DOCUMENTS. CENTERLINE PROFILES PROVIDED PER HD4 REQUEST.
7. PRELIMINARY NET EARTHWORK: ~123 CU. YD. (FILL)
8. PRELIMINARY GRADING EXTENTS SHOWN BEYOND ACCESS EASEMENT. FINAL GRADING TO BE COORDINATED WITH PROPERTY OWNERS TO CONFIRM ACCEPTABLE GRADING IN THIS AREA.



PROJ. NO.	01-23-012	1	COUNTY & TDA COMMENTS	1B	10/20/2023
DRAWN	LN				
DESIGNED	TB				
CHECKED	KN				
APPROVED	KN				
		NO.	REVISIONS	BY	DATE

GILBERT SUBDIVISION
PARCEL: R37431017A0
CANYON COUNTY, ID

SHEET NO:
C-2.1
DATE:
06/26/2025
PAGE NO:
3 OF 4



NOTES

1. CONTOURS SHOWN ARE 2' INTERVALS.
2. AREAS WITH EXISTING SLOPES EXCEEDING 15% ARE SHADED AND REQUIRE HILLSIDE DEVELOPMENT. HILLSIDE DEVELOPMENT STANDARDS HAVE BEEN MET.
3. GRADING FOR PROPOSED BUILDINGS/STRUCTURES, DRIVEWAYS, AND STORMWATER SWALES WILL BE PERFORMED AT THE TIME OF FINAL PLAT/CONSTRUCTION DOCUMENTS.
4. STORMWATER BIOINFILTRATION SWALES ARE PROPOSED FOR ALL RESIDENTIAL LOTS (2-7).
5. RUNOFF FROM THE PRIVATE ROAD (LOT 1) WILL BE MANAGED IN THE ROAD SIDE INFILTRATION DITCH. SEE DETAIL 1 SHEET CD-2.0 FOR ROADWAY SECTION DETAIL.
6. SEE SHEET C-2.0 FOR PRIVATE ROAD GRADING.
7. MINIMUM SEPARATION DISTANCES FOR PROPOSED WELLS, DRAINFIELDS, AND BIOINFILTRATION SWALES FROM IDAPA AND SOUTHWEST DISTRICT HEALTH HAVE BEEN MET.
8. PRELIMINARY NET EARTHWORK: ~123 CU. YD. (FILL).

PRELIMINARY GRADING
AND DRAINAGE PLAN

SCALE: 1" = 60'
0 60 120 Feet

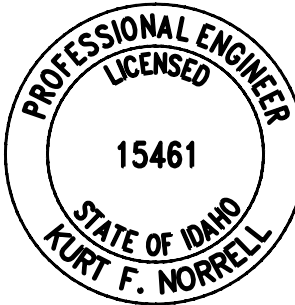
STORMWATER SWALE FOR ROAD RUNOFF, TO BE
GRADED FOR FINAL PLAT/CONSTRUCTION DOCUMENTS

EXISTING GRAVEL/DIRT APPROACHES. SEE SHEET
C-2.1 FOR PROFILES AND TIE-IN GRADING

EXISTING SLOPES
EXCEED 15%, SEE NOTE 2

PROPOSED CULVERT

PROPOSED ACCESS FOR SOUTHERN
PROPERTY, PER HD4 COMMENTS



GILBERT SUBDIVISION

PARCEL: R37431017A0
CANYON COUNTY, ID

PRELIMINARY GRADING &
DRAINAGE PLAN

SHEET NO:
C-2.2

DATE:
06/26/2025

PAGE NO:
4 OF 4

PROJ. NO.	01-25-012	1	COUNTY & HD4 COMMENTS	TB	06/20/2025
DRAWN	LN				
DESIGNED	TB				
CHECKED	KN				
APPROVED	KN				

NO.	REVISIONS	BY	DATE

WESTERN CONSULTING GROUP, PLLC
1452 W. BANNOCK ST.
BOISE, ID 83702





GEOTECHNICAL INVESTIGATION

RESIDENTIAL SUBDIVISION

Gilbert Road
Middleton, ID

PREPARED FOR:

Kurt Norrell
Western Consulting Group
3527 Federal Way, Suite 103
Boise, ID 83705

PREPARED BY:

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2791 South Victory View Way
Boise, ID 83709

August 19, 2024
B241283g



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August 19, 2024

Atlas No. B241283g

Kurt Norrell
Western Consulting Group
3527 Federal Way, Suite 103
Boise, ID 83705

**Subject: Geotechnical Investigation
Residential Subdivision
Gilbert Road
Middleton, ID**

Dear Kurt Norrell:

In compliance with your instructions, Atlas has conducted a soils exploration and foundation evaluation for the above referenced development. Fieldwork for this investigation was conducted on July 31 and August 1, 2024. Data have been analyzed to evaluate pertinent geotechnical conditions. Results of this investigation, together with our recommendations, are to be found in the following report. We have provided a PDF copy for your review and distribution.

Often, questions arise concerning soil conditions because of design and construction details that occur on a project. Atlas would be pleased to continue our role as geotechnical engineers during project implementation.

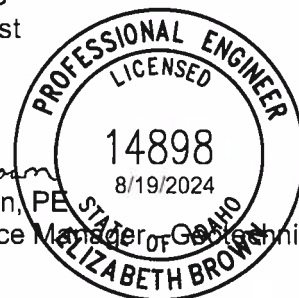
If you have any questions, please call us at (208) 376-4748.

Respectfully submitted,

Colby Meyer, GIT
Staff Geologist

Clint Wyllie, PG
Senior Geologist

Elizabeth Brown, PE
National Practice Manager of Geotechnical





CONTENTS

1. INTRODUCTION.....	2
1.1 Project Description	2
1.2 Scope of Investigation	2
2. SITE DESCRIPTION.....	3
2.1 Regional Geology.....	3
2.2 General Site Characteristics.....	3
3. SEISMIC SITE EVALUATION	4
3.1 Geoseismic Setting	4
3.2 Seismic Design Parameter Values	4
4. SOILS EXPLORATION.....	4
4.1 Exploration and Sampling Procedures.....	4
4.2 Laboratory Testing Program.....	5
4.3 Soil and Sediment Profile	5
4.4 Volatile Organic Scan.....	5
5. SITE HYDROLOGY	5
5.1 Groundwater	6
5.2 Soil Infiltration Rates	6
5.3 Infiltration Testing.....	6
6. FOUNDATION AND SLAB DISCUSSION AND RECOMMENDATIONS.....	7
6.1 Foundation Loading Information	7
6.2 Foundation Design Recommendations.....	7
6.3 Crawl Space Recommendations	8
6.4 Floor, Patio, and Garage Slab-on-Grade.....	8
7. PAVEMENT DISCUSSION AND RECOMMENDATIONS.....	9
7.1 Pavement Design Parameters.....	9
7.2 Flexible Pavement Section	9
7.3 Pavement Subgrade Preparation	10
7.4 Common Pavement Section Construction Issues.....	10
8. CONSTRUCTION CONSIDERATIONS	11
8.1 Earthwork.....	11
8.2 Grading	11
8.3 Dry Weather.....	12
8.4 Wet Weather	12
8.5 Soft Subgrade Soils.....	12
8.6 Frozen Subgrade Soils.....	13
8.7 Structural Fill	13
8.8 Fill Placement and Compaction.....	14



8.9	Backfill of Walls	15
8.10	Excavations.....	16
8.11	Groundwater Control	16
9.	GENERAL COMMENTS	16
10.	REFERENCES.....	17

TABLES

Table 1 – Seismic Design Values.....	4
Table 2 – Typical Soil Profiles	5
Table 3 – Generalized Soil Infiltration Rates	6
Table 4 – Soil Bearing Capacity	7
Table 5 – AASHTO Flexible Pavement Specifications.....	10
Table 6 – Fill Material Criteria	13
Table 7 – Fill Placement and Compaction Requirements	14

APPENDICES

Appendix I	Warranty and Limiting Conditions
Appendix II	Vicinity Map
Appendix III	Site Map
Appendix IV	Geotechnical Investigation Test Pit Log
Appendix V	Proctor Results
Appendix VI	Geotechnical General Notes
Appendix VII	Important Information About This Geotechnical Engineering Report



1. INTRODUCTION

This report presents results of a geotechnical investigation and analysis in support of data utilized in design of structures as defined in the 2018 International Building Code (IBC). Information in support of groundwater and stormwater issues pertinent to the practice of Civil Engineering is included. Observations and recommendations relevant to the earthwork phase of the project are also presented. Revisions in plans or drawings for the proposed development from those enumerated in this report should be brought to the attention of the soils engineer to determine whether changes in the provided recommendations are required. Deviations from noted subsurface conditions, if encountered during construction, should also be brought to the attention of the soils engineer.

1.1 Project Description

The proposed development is north of the City of Middleton, Canyon County, ID, and occupies a portion of the SE¼NW¼ of Section 21, Township 5 North, Range 2 West, Boise Meridian. The site to be developed is approximately 13.99 acres. Site maps included in the **Appendix** show the project location.

This project will consist of construction of a 6-lot residential subdivision with an associated private street. Individual septic systems will be used to service the lots. Retaining walls are not anticipated. Drainage is expected to be directed to onsite infiltration facilities. Location of the infiltration facilities are unknown at this time. Atlas has not been informed of the proposed grading plan.

1.2 Scope of Investigation

Our scope of work was completed in general accordance with our proposal dated June 21, 2024 and authorized on July 24, 2024. Said authorization is subject to terms, conditions, and limitations described in the Professional Services Contract entered into between Western Consulting Group and Atlas.

Atlas' scope of services included the following:

- Subsurface exploration via test pits.
- Infiltration testing for stormwater management planning.
- Field and laboratory testing of materials encountered and collected.
- Preparation of this report, which includes project description, site conditions, and our engineering analysis and evaluation for the project.

2. SITE DESCRIPTION

2.1 Regional Geology

The project site is located within the western Snake River Plain of southwestern Idaho. The plain is a northwest trending rift basin, about 45 miles wide and 200 miles long, that developed about 14 million years ago (Ma) and has since been occupied sporadically by large inland lakes. Geologic materials found within and along the plain's margins reflect volcanic and fluvial/lacustrine sedimentary processes that have led to an accumulation of approximately 1 to 2 km of interbedded volcanic and sedimentary deposits within the plain. Along the margins of the plain, streams that drained the highlands to the north and south provided coarse to fine-grained sediments eroded from granitic and volcanic rocks, respectively. About 2 million years ago the last of the lakes was drained and since that time fluvial erosion and deposition has dominated the evolution of the landscape. The project site is underlain by "Gravel of Deer Flat Terrace" as mapped by Othberg and Stanford (1993). Gravel of Deer Flat Terrace extends from Lake Lowell northeast to the area just south of Wilder. The surface of this terrace may have been offset by several northwest trending faults. Deposits include sandy pebble gravel grading at depth to coarse pebbly sand. Deposited on the fourth terrace above the floodplain in the western Boise Valley. North of Caldwell and Middleton Tertiary sediments are exposed between terrace remnants. Terrace sediments are typically greater than 30 feet thick and mantled with loess 1-4 meters (3-13 feet) thick, contain 45% pedogenic clay and very well developed duripans.

2.2 General Site Characteristics

The following details regarding site conditions are based on visual observations and review of available geologic and topographic maps and imagery:

- **Current Site Conditions:** The site is approximately 13.99 acres and consists of undeveloped land. The site is bounded by existing residential properties and undeveloped land. The site can be reached via an access easement from Gilbert Road to the east of the site.
- **Vegetation:** Vegetation on the site consists primarily of sagebrush, bunchgrass, and other native weeds and grasses.
- **Topography:** The site is relatively flat and level.
- **Drainage:** Stormwater drainage for the site is achieved by percolation through surficial soils. The site is situated so that it is unlikely that it will receive any drainage from off-site sources.

3. SEISMIC SITE EVALUATION

3.1 Geoseismic Setting

Soils on site are classed as Site Class D in accordance with Chapter 20 of the American Society of Civil Engineers (ASCE) publication ASCE/SEI 7-16. Structures constructed on this site should be designed per IBC requirements for such a seismic classification. Our investigation revealed low hazard potential resulting from potential earthquake motions including: slope instability, liquefaction, and surface rupture caused by faulting or lateral spreading.

3.2 Seismic Design Parameter Values

The ASCE 7-16 seismic design parameter values have been provided below.

Table 1 – Seismic Design Values

Seismic Design Parameter	Design Value
Site Class	D "Default"
Site Modified Peak Ground Acceleration, PGA_M	0.204
S_s	0.299 (g)
S_1	0.109 (g)
F_a	1.561
F_v	2.382
S_{MS}	0.467
S_{M1}	0.259
S_{DS}	0.311
S_{D1}	0.173

4. SOILS EXPLORATION

4.1 Exploration and Sampling Procedures

Field exploration conducted to determine engineering characteristics of subsurface materials included a reconnaissance of the project site and investigation by test pit. Test pit sites were located in the field by means of a Global Positioning System (GPS) device and are reportedly accurate to within ten feet. Upon completion of investigation, each test pit was backfilled with loose excavated materials. Re-excavation and compaction of these test pit areas are required prior to construction.

Samples obtained have been visually classified in the field, identified according to test pit number and depth, placed in sealed containers, and transported to our laboratory for additional testing. Subsurface materials have been described in detail on logs provided in the **Appendix**. Results of field and laboratory tests are also presented in the **Appendix**. Atlas recommends that these logs **not** be used to estimate fill material quantities.



4.2 Laboratory Testing Program

Along with our field investigation, a supplemental laboratory testing program was conducted to determine additional pertinent engineering characteristics of subsurface materials. Laboratory tests were conducted in accordance with current specifications. The laboratory testing program for this report included:

- Atterberg Limits Testing – ASTM D4318
- Grain Size Analysis – ASTM C117/C136
- Modified Proctor – ASTM D1557

4.3 Soil and Sediment Profile

The profile below represents a generalized interpretation for the project site. Note that on site soils strata, encountered between test pit locations, may vary from the individual soil profiles presented in the logs.

Table 2 – Typical Soil Profiles

Soil Horizons	Approximate Depths	Soil Types	Consistency/Relative Density
Surficial Soils	0 to 4 feet	Lean Clay and Lean Clay with Sand	Very Stiff
Deeper Soils ¹	1 to 15 feet	Sandy Silt	Very Stiff to Hard

¹Calcium carbonate cementation and induration was noted within portions of these horizons.

During excavation test pit sidewalls were generally stable. However, moisture contents will affect wall competency with saturated soils having a tendency to readily slough when under load and unsupported.

4.4 Volatile Organic Scan

Soils obtained during on-site activities were not assessed for volatile organic compounds by portable photoionization detector. Samples obtained during our exploration activities exhibited no apparent odors or discoloration typically associated with this type of contamination. No groundwater was encountered.

5. SITE HYDROLOGY

Existing surface drainage conditions are defined in the **General Site Characteristics** section. Information provided in this section is limited to observations made at the time of the investigation. Either regional or local ordinances may require information beyond the scope of this report.



5.1 Groundwater

During this field investigation, groundwater was not encountered in test pits advanced to a maximum depth of 14.8 feet bgs. According to Idaho Department of Water Resources (IDWR) well logs within approximately ½-mile of the project site, groundwater was measured at depths ranging between 120 and 184 feet bgs. For construction purposes, groundwater depth can be assumed to remain greater than 20 feet bgs throughout the year.

5.2 Soil Infiltration Rates

Soil permeability, which is a measure of the ability of a soil to transmit a fluid, was tested in the field. For this report, an estimation of infiltration is also presented using generally recognized values. Typical infiltration rates comprising the generalized soil profile for this study have been provided in the table below.

Table 3 – Generalized Soil Infiltration Rates

Soil Type	Typical Infiltration Rate (inches per hour)
Lean Clay	<2
Lean Clay with Sand	
Sandy Silt*	2 to 4

*The presence of cementation/induration may reduce infiltration rates to near zero.

5.3 Infiltration Testing

Infiltration testing was conducted using an open test pit method. The test location was presoaked prior to testing. Pre-soaking increases soil moistures, which allows the tested soils to reach a saturated condition more readily during testing. Saturation of the tested soils is desirable in order to isolate the vertical component of infiltration by inhibiting horizontal seepage during testing.

On August 1, 2024, testing was conducted within the sandy silt soils at a depth of 6.0 feet bgs in test pit 5. A stabilized infiltration rate of 4.32 inches per hour was achieved during testing. Atlas recommends a design infiltration rate of 2.16 inches per hour. The reason for the decreased infiltration rate is to account for long term saturation of the soils and the potential for less permeable soils to settle into the bottom of the infiltration facilities. Atlas recommends that all infiltration facilities be constructed in accordance with the local municipality requirements.



6. FOUNDATION AND SLAB DISCUSSION AND RECOMMENDATIONS

Various foundation types have been considered for support of the proposed development. Two requirements must be met in the design of foundations. First, the applied bearing stress must be less than the ultimate bearing capacity of foundation soils to maintain stability. Second, total and differential settlement must not exceed an amount that will produce an adverse behavior of the superstructure. Allowable settlement is usually exceeded before bearing capacity considerations become important; thus, allowable bearing pressure is normally controlled by settlement considerations.

6.1 Foundation Loading Information

Loads of up to 4,000 pounds per lineal foot for wall footings, and column loads of up to 50,000 pounds were assumed for settlement calculations. Total settlement should be limited to approximately 1 inch and differential settlement should be limited to approximately ½ inch, provided the following design and construction recommendations are observed.

6.2 Foundation Design Recommendations

Considering subsurface conditions and the proposed construction, it is recommended that the structures be founded upon conventional spread footings and continuous wall footings. The following recommendations are not specific to the individual structures, but rather should be viewed as guidelines for the subdivision-wide development. Based on data obtained from the site and test results from various laboratory tests performed, Atlas recommends the following guidelines for the net allowable soil bearing capacity:

Table 4 – Soil Bearing Capacity

Footing Depth	ASTM D1557 Subgrade Compaction	Net Allowable Soil Bearing Capacity
Footings must bear on competent, undisturbed, native lean clay soils, lean clay with sand soils, or compacted granular structural fill. Existing organics and fill materials (if encountered) must be completely removed from below foundation elements. ¹ An excavation depth of roughly 1.0 to 1.2 feet bgs should be anticipated to expose proper bearing soils. ²	Not Required for Native Soil 95% for Granular Structural Fill	1,500 lbs/ft ² A ½ increase is allowable if the alternative basic load combinations of Section 1605.3.2 of the 2018 IBC are used in design.
Footings must bear on competent, undisturbed, native sandy silt soils or compacted granular structural fill. Existing lean clay soils, lean clay with sand soils, fill materials (if encountered), and organics must be completely removed from below foundation elements. ¹ Excavation depths ranging from roughly 1.2 to 3.8 feet bgs should be anticipated to expose proper bearing soils. ²	Not Required for Native Soil 95% for Granular Structural Fill	2,000 lbs/ft ²

¹It will be required for Atlas personnel to verify the bearing soil suitability for each structure at the time of construction.

²Depending on the time of year construction takes place, the subgrade soils may be unstable because of high moisture contents. If unstable conditions are encountered, over-excavation and replacement with granular structural fill and/or use of geotextiles may be required.



The following sliding frictional coefficient values should be used: 1) 0.35 for footings bearing on native lean clay soils, lean clay with sand soils, and sandy silt soils and 2) 0.45 for footings bearing on granular structural fill. A passive lateral earth pressure of 300 pounds per square foot per foot (psf/ft) should be used for lean clay soils and lean clay with sand soils, and 349 psf/ft should be used for sandy silt soils. For granular structural fill, a passive lateral earth pressure of 496 psf/ft should be used.

Footings should be proportioned to meet either the stated soil bearing capacity or the 2018 IBC minimum requirements. Unsuitable soil types encountered at the bottom of footing excavations should be removed and replaced with granular structural fill. Excessively loose or soft areas that are encountered in the footings subgrade will require over-excavation and backfilling with granular structural fill. To minimize the effects of slight differential movement that may occur because of variations in the character of supporting soils and seasonal moisture content, Atlas recommends continuous footings be suitably reinforced to make them as rigid as possible. For frost protection, the bottom of external footings should be 24 inches below finished grade. Foundations must be backfilled in accordance with the **Backfill of Walls** section.

6.3 Crawl Space Recommendations

Crawl spaces should be designed in a manner that will inhibit water in the crawl spaces. Atlas recommends that roof drains carry stormwater at least 10 feet away from each residence. Grades should be at least 5 percent for a distance of 10 feet away from all residences. In addition, rain gutters should be placed around all sides of residences, and backfill around stem walls should be placed and compacted in a controlled manner.

6.4 Floor, Patio, and Garage Slab-on-Grade

Native clay soils are moderately plastic and will be susceptible to shrink/swell movements associated with moisture changes. The clay soils (if exposed) should be scarified to a depth of 6 inches and compacted between 92 to 98 percent of the maximum dry density as determined by ASTM D698. The moisture content should be within 2 percent of optimum. At least 6 inches of granular structural fill should be placed as soon as possible after compaction of clay soils in order to limit moisture loss within the upper clays. Fill must be compacted to at least 95 percent of the maximum dry density as determined by ASTM D1557. Ground surfaces should be sloped away from structures at a minimum of 5 percent for a distance of 10 feet to provide positive drainage of surface water away from buildings. Grading must be provided and maintained following construction.



Organic, loose, or obviously compressive materials must be removed prior to placement of concrete floors or floor-supporting fill. In addition, the remaining subgrade should be treated in accordance with guidelines presented in the **Earthwork** section. Areas of excessive yielding should be excavated and backfilled with granular structural fill or suitable structural fill. Fill used to increase the elevation of the floor slab should consist of granular structural fill and suitable structural fill meeting the requirements detailed in the **Structural Fill** section. Fill materials must be compacted to a minimum 95 percent of the maximum dry density as determined by ASTM D1557.

A free-draining granular mat should be provided below slabs-on-grade to provide drainage and a uniform and stable bearing surface. This should be a minimum of 4 inches in thickness and compacted to at least 95 percent of the maximum dry density as determined by ASTM D1557. The mat must consist of aggregate base material as specified in the **Structural Fill** section. A moisture-retarder should be placed beneath floor slabs to minimize potential ground moisture effects on moisture-sensitive floor coverings. The moisture-retarder should be at least 15-mil in thickness and have a permeance of less than 0.01 US perms as determined by ASTM E96. Placement of the moisture-retarder will require special consideration with regard to effects on the slab-on-grade and should adhere to recommendations outlined in the ACI 302.1R and ASTM E1745 publications. Upon request, Atlas can provide further consultation regarding installation.

7. PAVEMENT DISCUSSION AND RECOMMENDATIONS

7.1 Pavement Design Parameters

Project specific traffic loading information has not been provided. Based on the character of the proposed construction, Atlas has assumed a traffic loading of 34,000 equivalent single axle loads (ESALs) for the residential roadway. Atlas can provide a project specific pavement design upon request. Based on experience with soils in the region, a subgrade California Bearing Ratio (CBR) value of 3 has been assumed for near-surface lean clay soils on site.

The recommended pavement sections provided below are based on a 20-year design life. To achieve this design life a routine maintenance program that includes crack sealing on a regular basis and possible seal coating will be required. The following are minimum thickness requirements for assured pavement function. Depending on site conditions, additional work, e.g. soil preparation, may be required to support construction equipment. These have been listed within the **Soft Subgrade Soils** section.

7.2 Flexible Pavement Section

The American Association of State Highway and Transportation Officials (AASHTO) design method has been used to calculate the following pavement section. Atlas recommends that materials used in the construction of asphaltic concrete pavements meet requirements of the ISPWC Standard Specification for Highway Construction. Construction of the pavement section should be in accordance with these specifications.

Table 5 – AASHTO Flexible Pavement Specifications

Pavement Section Component	Residential Roadways
Asphaltic Concrete	2.5 Inches
Aggregate Base	4.0 Inches
Structural Subbase	10.0 Inches
Compacted Subgrade ¹	See <u>Pavement Subgrade Preparation</u> Section

¹It will be required for Atlas personnel to verify subgrade competency at the time of construction.

- Asphaltic Concrete: Asphalt mix design shall meet the requirements of ISPWC Section 810. Materials shall be placed in accordance with ISPWC Standard Specifications for Highway Construction.
- Aggregate Base: Material complying with ISPWC Standards for Type 1 Crushed Aggregate Materials.
- Structural Subbase: Material complying with ISPWC Section 801 for 3-inch or 6-inch Uncrushed Aggregate Materials. The maximum material diameter cannot exceed $\frac{2}{3}$ the component thickness.

7.3 Pavement Subgrade Preparation

Native clay soils are moderately plastic and will be susceptible to shrink/swell movements associated with moisture changes. The clay soils (if exposed) should be scarified to a depth of 6 inches and compacted between 92 to 98 percent of the maximum dry density as determined by ASTM D698. The moisture content should be within 2 percent of optimum. At least 6 inches of granular structural fill should be placed as soon as possible after compaction of clay soils in order to limit moisture loss within the upper clays. Fill must be compacted to at least 95 percent of the maximum dry density as determined by ASTM D698.

7.4 Common Pavement Section Construction Issues

The subgrade upon which above pavement sections are to be constructed must be properly stripped, inspected, and proof-rolled. Proof rolling of subgrade soils should be accomplished using a heavy rubber-tired, fully loaded, tandem-axle dump truck or equivalent. Verification of subgrade competence by Atlas personnel at the time of construction is required. Fill materials on the site must demonstrate the indicated compaction prior to placing material in support of the pavement section. Atlas anticipated that pavement areas will be subjected to light traffic. Subgrade clayey and silty soils near and above optimum moisture contents may pump during compaction. Pumping or soft areas must be removed and replaced with granular structural fill.



Fill material and aggregates in support of the pavement section must be compacted to no less than 95 percent of the maximum dry density as determined by ASTM D698 for flexible pavements and by ASTM D1557 for rigid pavements. If a material placed as a pavement section component cannot be tested by usual compaction testing methods, then compaction of that material must be approved by observed proof rolling. Minor deflections from proof rolling for flexible pavements are allowable. Deflections from proof rolling of rigid pavement support courses should not be visually detectable.

8. CONSTRUCTION CONSIDERATIONS

8.1 Earthwork

Excessively organic soils, deleterious materials, or disturbed soils generally undergo high volume changes when subjected to loads, which is detrimental to subgrade behavior in the area of pavements, floor slabs, structural fills, and foundations. Brush and thick grasses with associated root systems were noted at the time of our investigation. It is recommended that organic or disturbed soils, if encountered, be removed to depths of 1 foot (minimum), and wasted or stockpiled for later use. Stripping depths should be adjusted in the field to assure that the entire root zone or disturbed zone or topsoil are removed prior to placement and compaction of fill materials. Exact removal depths should be determined during grading operations by Atlas personnel, and should be based upon subgrade soil type, composition, and firmness or soil stability. If underground storage tanks, underground utilities, wells, or septic systems are discovered during construction activities, they must be decommissioned then removed or abandoned in accordance with governing Federal, State, and local agencies. Excavations developed as the result of such removal must be backfilled with fill materials as defined in the **Structural Fill** section.

Atlas should oversee subgrade conditions (i.e., moisture content) as well as placement and compaction of new fill (if required) after native soils are excavated to design grade. Recommendations for structural fill presented in this report can be used to minimize volume changes and differential settlements that are detrimental to the behavior of footings, pavements, and floor slabs. Sufficient density tests should be performed to properly monitor compaction.

8.2 Grading

Positive grades must be maintained surrounding structures and pavements, including exterior slabs. The interface of plant bedding materials and underlying soils should be graded to provide drainage away from site elements. Otherwise, bedding materials may direct water to underlying fine-grained soils, which increases the potential for localized heave. Excessive watering of landscaping should be avoided.

8.3 Dry Weather

If construction is to be conducted during dry seasonal conditions, many problems associated with soft soils may be avoided. However, some rutting of subgrade soils may be induced by shallow groundwater conditions related to springtime runoff or irrigation activities during late summer through early fall. Solutions to problems associated with soft subgrade soils are outlined in the **Soft Subgrade Soils** section. Problems may also arise because of lack of moisture in native soils and fill materials at time of placement. This will require the addition of water to achieve near-optimum moisture levels. Low-cohesion soils exposed in excavations may become friable, increasing chances of sloughing or caving. Measures to control excessive dust should be considered as part of the overall health and safety management plan.

8.4 Wet Weather

If construction is to be conducted during wet seasonal conditions (commonly from mid-November through May), problems associated with soft soils must be considered as part of the construction plan. During this time of year, fine-grained soils such as silts and clays will become unstable with increased moisture content, and eventually deform or rut. Additionally, constant low temperatures reduce the possibility of drying soils to near optimum conditions.

8.5 Soft Subgrade Soils

Shallow fine-grained subgrade soils that are high in moisture content should be expected to pump and rut under construction traffic. During periods of wet weather, construction may become very difficult if not impossible. The following recommendations and options have been included for dealing with soft subgrade conditions:

- Track-mounted vehicles should be used to strip the subgrade of root matter and other deleterious debris. Heavy rubber-tired equipment should be prohibited from operating directly on the native subgrade and areas in which fill materials have been placed. Construction traffic should be restricted to designated roadways that do not cross, or cross on a limited basis, proposed roadway or parking areas.
- Soft areas can be over-excavated and replaced with granular structural fill.
- Construction roadways on soft subgrade soils should consist of a minimum 2-foot thickness of large cobbles of 4 to 6 inches in diameter with sufficient sand and fines to fill voids. Construction entrances should consist of a 6-inch thickness of clean, 2-inch minimum, angular drain-rock and must be a minimum of 10 feet wide and 30 to 50 feet long. During the construction process, top dressing of the entrance may be required for maintenance.
- Scarification and aeration of subgrade soils can be employed to reduce the moisture content of wet subgrade soils. After stripping is complete, the exposed subgrade should be ripped or disked to a depth of 1½ feet and allowed to air dry for 2 to 4 weeks. Further disking should be performed on a weekly basis to aid the aeration process.
- Alternative soil stabilization methods include use of geotextiles, lime, and cement stabilization. Atlas is available to provide recommendations and guidelines at your request.



8.6 Frozen Subgrade Soils

Prior to placement of fill materials or foundation elements, frozen subgrade soils must either be allowed to thaw or be stripped to depths that expose non-frozen soils and wasted or stockpiled for later use. Stockpiled materials must be allowed to thaw and return to near-optimal conditions prior to use as fill.

The onsite shallow clayey and silty soils are susceptible to frost heave during freezing temperatures. For exterior flatwork and other structural elements, adequate drainage away from subgrades is critical. Compaction and use of granular structural fill will also help to mitigate the potential for frost heave. Complete removal of frost susceptible soils for the full frost depth, followed by replacement with a non-frost susceptible granular structural fill, can also be used to mitigate the potential for frost heave. Atlas is available to provide further guidance/assistance upon request.

8.7 Structural Fill

The following table defines the types of fill material that is suitable for use on the project. Refer to the **Fill Placement and Compaction** section for recommended placement locations for each fill type listed below.

Table 6 – Fill Material Criteria

Fill Type	Material	Lift Thickness*
Granular Structural Fill	ISPWC Section 801 for 1-inch, 3-inch, or 6-inch Uncrushed Aggregate and ISPWC Section 802 Aggregate Base	12 inches
Aggregate Base	ISPWC Section 802 for Type 1 Crushed Aggregate Base	12 inches
Structural Subbase	ISPWC Section 801 for 3-inch or 6-inch Uncrushed Aggregate	12 inches
Suitable Structural Fill**	Onsite/imported ML, SM, and GM soils that are free of organics and debris	6 inches

*Initial loose thickness, prior to compaction.

**Onsite CL soils are unsuitable for use as fill material.



8.8 Fill Placement and Compaction

Requirements for fill material type and compaction effort are dependent on the planned use of the material. The following table specifies material type and compaction requirements based on the placement location of the fill material.

Table 7 – Fill Placement and Compaction Requirements

Fill Location	Material Type	Compaction
Foundations	Granular Structural Fill	95% of ASTM D1557
Interior Slab-on-Grade	Granular Structural Fill or Suitable Structural Fill	95% of ASTM D1557
Top 4 Inches of Interior and Exterior Slab-on-Grade	Aggregate Base Material	95% of ASTM D1557
Below Flexible Pavement Subgrade and Exterior Flatwork Areas	Granular Structural Fill or Suitable Structural Fill	95% of ASTM D698 or 92% of ASTM D1557
Foundation and Retaining Wall Backfill*	Granular Structural Fill or Suitable Structural Fill	95% of ASTM D1557
Utility Trench Backfill	Granular Structural Fill or Suitable Structural Fill	Per ISPWC Section 306

*Retaining wall backfill material cannot exceed a maximum particle size of 4-inches.

Prior to placement of fill materials, surfaces must be prepared as outlined in the **Earthwork** section. Fill material must be placed in horizontal lifts not exceeding 6-inches in thickness for fine-grained soils and 12-inches in thickness for granular structural fill, aggregate base material, and subbase material. All fill material must be moisture-conditioned to achieve optimum moisture content prior to compaction. During placement all fill materials must be monitored and tested to confirm compaction requirements have been achieved, as specified above, prior to placement of subsequent lifts. In addition, compacted surfaces must be in a firm and unyielding condition. Atlas personnel should be onsite to verify suitability of subgrade soil conditions, identify whether further work is necessary, and perform in-place moisture density testing.

Sufficient density tests should be performed to properly monitor compaction. At a minimum, Atlas recommends one test per lift as follows:

- Structures – 1 test every 5,000 square feet
- Pavement and Exterior Flatwork Areas – 1 test every 10,000 square feet
- Foundation and Retaining Wall Backfill – 1 test every 500 square feet
- Utility Trench Backfill – 1 test every 100 linear feet



Silty soils require very high moisture contents for compaction, require a long time to dry out if natural moisture contents are too high, and may also be susceptible to frost heave under certain conditions. Therefore, these materials can be quite difficult to work with as moisture content, lift thickness, and compactive effort becomes difficult to control. If silty soil is used for fill, lift thicknesses should not exceed 6 inches (loose), and fill material moisture must be closely monitored at both the working elevation and the elevations of materials already placed. Following placement, the exposed surface must be protected from degradation resulting from construction traffic or subsequent construction. It is anticipated that fine-grained soils will not be suitable for reuse during the wet season.

Use of silty soils (GM, SM, and ML) as structural fill below footings is prohibited. For structural fill below footings, areas of compacted backfill must extend outside the perimeter of the footings for a distance equal to the thickness of fill between the bottom of foundation and underlying soils, or 5 feet, whichever is less.

If material contains more than 40 percent but less than 50 percent oversize (greater than ¾-inch) particles, compaction of fill must be confirmed per ISPMC Section 202.3.8.C.3. Material should contain sufficient fines to fill void spaces and must not contain more than 50 percent oversize particles.

8.9 Backfill of Walls

Backfill materials must conform to the requirements of structural fill, as defined in this report. For wall heights greater than 2.5 feet, the maximum material size should not exceed 4 inches in diameter. Placing oversized material against rigid surfaces interferes with proper compaction and can induce excessive point loads on walls. Backfill shall not commence until the wall has gained sufficient strength to resist placement and compaction forces. Further, retaining walls above 2.5 feet in height shall be backfilled in a manner that will limit the potential for damage from compaction methods and/or equipment. It is recommended that only small hand-operated compaction equipment be used for compaction of backfill within a horizontal distance equal to the height of the wall, measured from the back face of the wall.

Backfill should be compacted in accordance with the specifications in the **Fill Placement and Compaction** section, except in those areas where it is determined that future settlement is not a concern, such as planter areas. In nonstructural areas, backfill must be compacted to a firm and unyielding condition. Atlas recommends in these areas that the top 12 inches must consist of a low permeability (clay or silt) soil to limit surface water infiltration.

Proper grading away from structures is critical. The surface must be graded away from the structure. In addition, Atlas recommends that roof drains carry stormwater at least 10 feet away from the structure.



8.10 Excavations

Shallow excavations that do not exceed 4 feet in depth may be constructed with side slopes approaching vertical. Below this depth, it is recommended that slopes be constructed in accordance with Occupational Safety and Health Administration (OSHA) regulations, Section 1926, Subpart P. Based on these regulations, on-site soils are classified as type "C" soil, and as such, excavations within these soils should be constructed at a maximum slope of 1½ feet horizontal to 1 foot vertical (1½:1) for excavations up to 20 feet in height. Excavations in excess of 20 feet will require additional analysis. Note that these slope angles are considered stable for short-term conditions only, and will not be stable for long-term conditions.

During the subsurface exploration, test pit sidewalls generally exhibited little indication of collapse. For deep excavations, native granular sediments cannot be expected to remain in position. These materials are prone to failure and may collapse, thereby undermining upper soil layers. This is especially true when excavations approach depths near the water table. Care must be taken to ensure that excavations are properly backfilled in accordance with procedures outlined in this report.

8.11 Groundwater Control

Special precautions may be required for control of surface runoff and subsurface seepage. It is recommended that runoff be directed away from open excavations. Silty and clayey soils may become soft and pump if subjected to excessive traffic during time of surface runoff. Ponded water in construction areas should be drained through methods such as trenching, sloping, crowning grades, nightly smooth drum rolling, or installing a French drain system. Additionally, temporary or permanent driveway sections should be constructed if extended wet weather is forecasted.

9. GENERAL COMMENTS

Based on the subsurface conditions encountered during this investigation and available information regarding the proposed development, the site is adequate for the planned construction. When plans and specifications are complete, and if significant changes are made in the character or location of the proposed development, consultation with Atlas must be arranged as supplementary recommendations may be required. Suitability of subgrade soils and compaction of fill materials must be verified by Atlas personnel prior to placement of structural elements. Additionally, monitoring and testing should be performed to verify that suitable materials are used for fill and that proper placement and compaction techniques are utilized.



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APPENDIX I WARRANTY AND LIMITING CONDITIONS

Atlas warrants that findings and conclusions contained herein have been formulated in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics, and engineering geology only for the site and project described in this report. These engineering methods have been developed to provide the client with information regarding apparent or potential engineering conditions relating to the site within the scope cited above and are necessarily limited to conditions observed at the time of the site visit and research. Field observations and research reported herein are considered sufficient in detail and scope to form a reasonable basis for the purposes cited above.

Exclusive Use

This report was prepared for exclusive use of the property owner(s), at the time of the report, and their retained design consultants ("Client"). Conclusions and recommendations presented in this report are based on the agreed-upon scope of work outlined in this report together with the Contract for Professional Services between the Client and Atlas Technical Consultants ("Consultant"). Use or misuse of this report, or reliance upon findings hereof, by parties other than the Client is at their own risk. Neither Client nor Consultant make representation of warranty to such other parties as to accuracy or completeness of this report or suitability of its use by such other parties for purposes whatsoever, known or unknown, to Client nor Consultant. Neither Client nor Consultant shall have liability to indemnify or hold harmless third parties for losses incurred by actual or purported use or misuse of this report. No other warranties are implied or expressed.

Report Recommendations are Limited and Subject to Misinterpretation

There is a distinct possibility that conditions may exist that could not be identified within the scope of the investigation or that were not apparent during our site investigation. Findings of this report are limited to data collected from noted explorations advanced and do not account for unidentified fill zones, unsuitable soil types or conditions, and variability in soil moisture and groundwater conditions. To avoid possible misinterpretations of findings, conclusions, and implications of this report, Atlas should be retained to explain the report contents to other design professionals as well as construction professionals.

Since actual subsurface conditions on the site can only be verified by earthwork, note that construction recommendations are based on general assumptions from selective observations and selective field exploratory sampling. Upon commencement of construction, such conditions may be identified that require corrective actions, and these required corrective actions may impact the project budget. Therefore, construction recommendations in this report should be considered preliminary, and Atlas should be retained to observe actual subsurface conditions during earthwork construction activities to provide additional construction recommendations as needed.



Since geotechnical reports are subject to misinterpretation, **do not** separate the soil logs from the report. Rather, provide a copy of, or authorize for their use, the complete report to other design professionals or contractors. Locations of exploratory sites referenced within this report should be considered approximate locations only. For more accurate locations, services of a professional land surveyor are recommended.

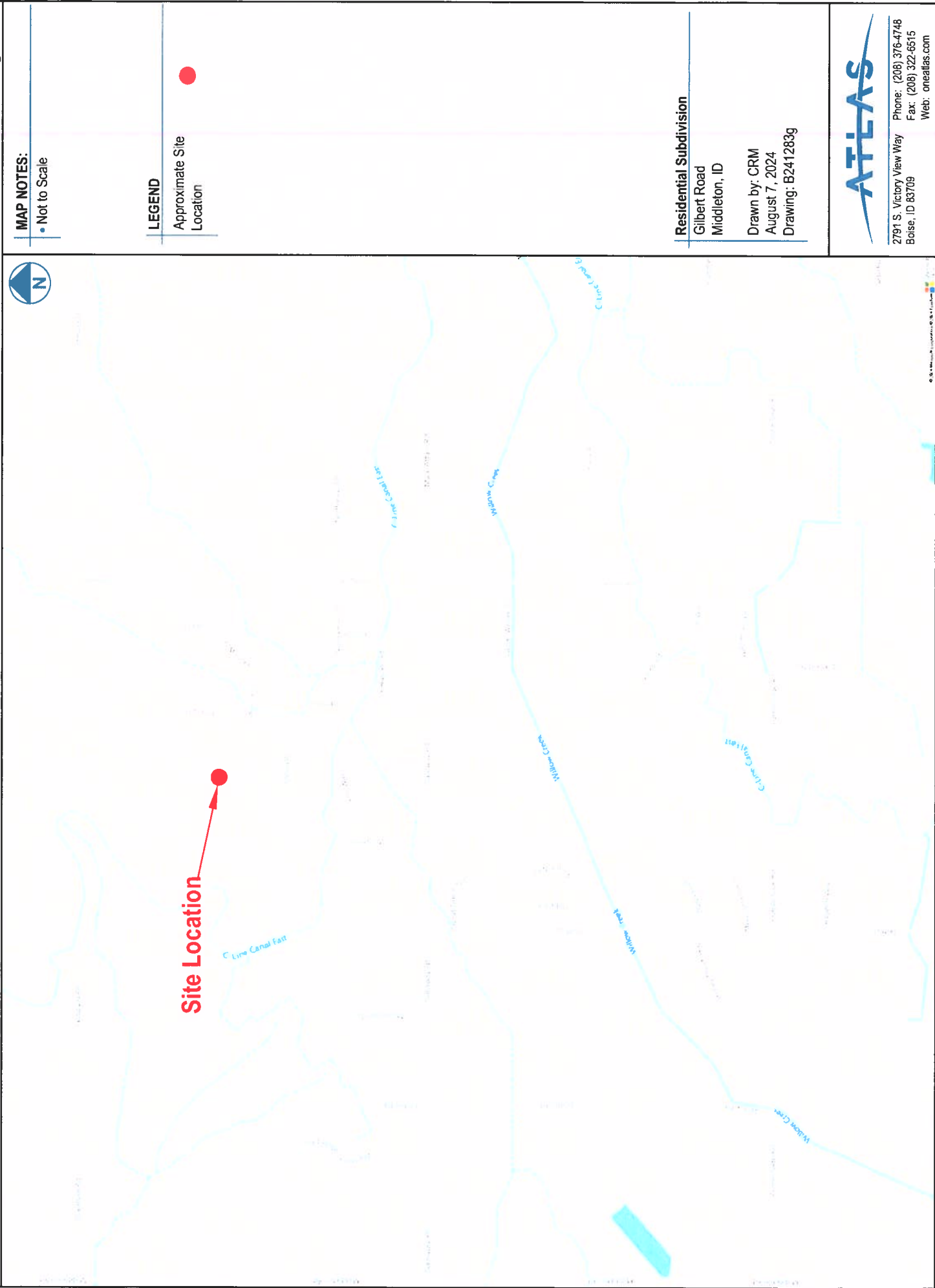
This report is also limited to information available at the time it was prepared. In the event additional information is provided to Atlas following publication of our report, it will be forwarded to the client for evaluation in the form received.

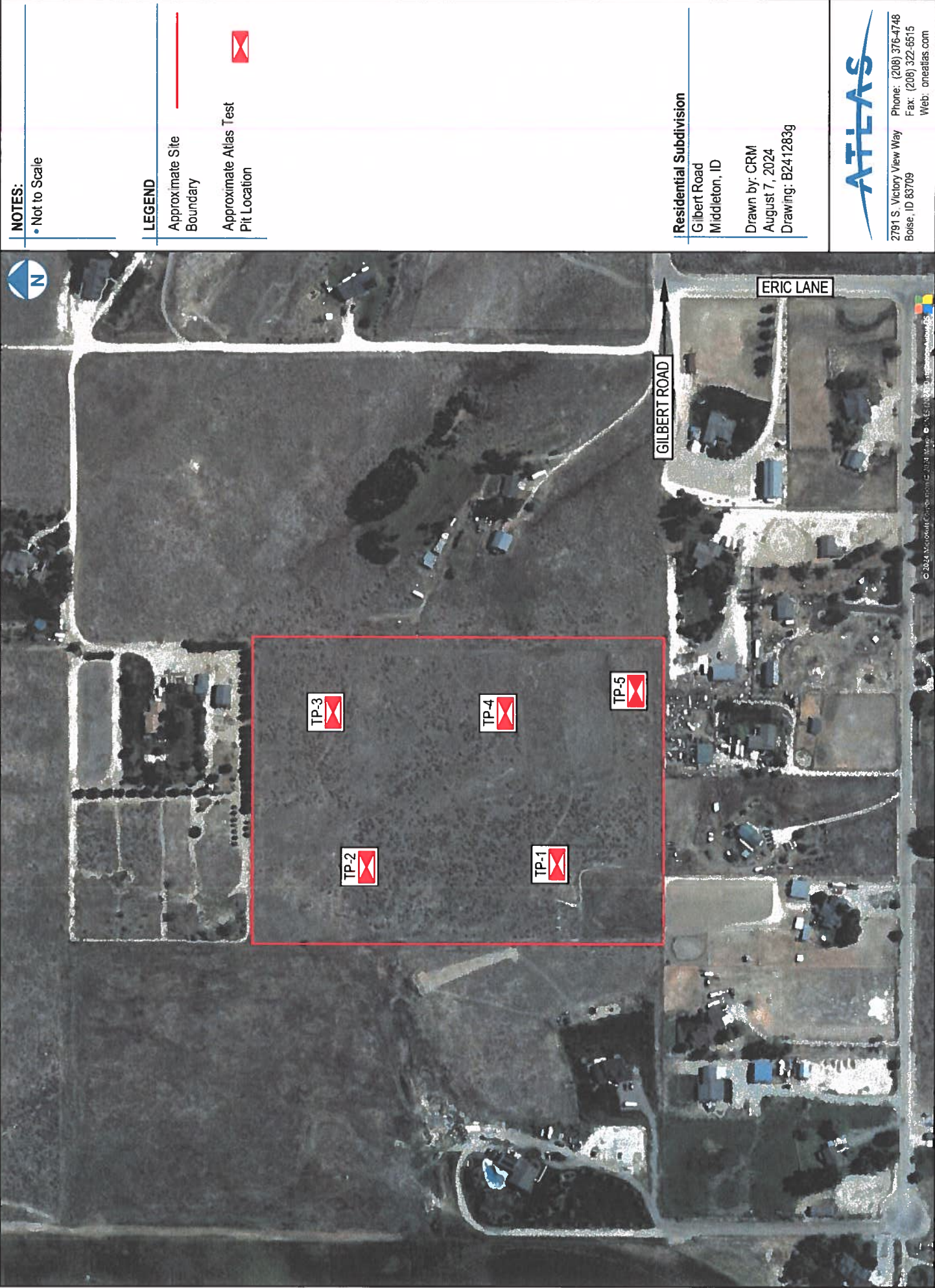
Environmental Concerns

Comments in this report concerning either onsite conditions or observations, including soil appearances and odors, are provided as general information. These comments are not intended to describe, quantify, or evaluate environmental concerns or situations. Since personnel, skills, procedures, standards, and equipment differ, a geotechnical investigation report is not intended to substitute for a geoenvironmental investigation or a Phase II/III Environmental Site Assessment. If environmental services are needed, Atlas can provide, via a separate contract, those personnel who are trained to investigate and delineate soil and water contamination.

Vicinity Map

Figure 1







APPENDIX IV GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-1

Date Advanced: July 31, 2024

Excavated by: Turn of the Century Homes

Logged by: Sydney Shockley

Latitude: 43.757989

Longitude: -116.584457

Depth to Water Table: Not Encountered

Total Depth: 9.1 feet bgs

Depth (feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (feet bgs)	Qp	Lab Test ID
0.0-2.1	Lean Clay with Sand (CL): Brown, dry, very stiff, with fine-grained sand. --Organics encountered to 1.0 foot bgs.	Bulk	1.0-2.0	3.0-3.5	A Proctor
2.1-9.1	Sandy Silt (ML): Light brown, dry, very stiff to hard, with fine to coarse-grained sand. --Moderate calcium carbonate cementation encountered from 4.0 to 5.0 feet bgs.				

Notes: See Site Map for test pit location.

Lab Test ID	Sieve Analysis (% Passing)				
	#4	#10	#40	#100	#200
A	100	97	86	79	73.0



GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-2

Date Advanced: July 31, 2024

Excavated by: Turn of the Century Homes

Logged by: Sydney Shockley

Latitude: 43.759047

Longitude: -116.584503

Depth to Water Table: Not Encountered

Total Depth: 11.0 feet bgs

Depth (feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (feet bgs)	Qp	Lab Test ID
0.0-3.8	Lean Clay (CL): Brown, dry, very stiff, with fine-grained sand. --Organics encountered to 1.0 foot bgs.	GS	2.0-3.0	3.0-3.5	B
3.8-11.0	Sandy Silt (ML): Light brown, dry, very stiff to hard, with fine to medium-grained sand. --Strong calcium carbonate cementation encountered from 4.5 to 6.5 feet bgs.	GS	5.0-6.0		C

Notes: See Site Map for test pit location.

Lab Test ID	Moisture (%)	LL	PI	Sieve Analysis (% Passing)				
				#4	#10	#40	#100	#200
B	13.3	44	24	100	99	95	91	87.7
C*	11.8	NP	NP	99	97	79	62	49.1

*Sieve results skewed due to the presence of cementation.



GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-3

Date Advanced: July 31, 2024

Excavated by: Turn of the Century Homes

Logged by: Sydney Shockley

Latitude: 43.759334

Longitude: -116.583303

Depth to Water Table: Not Encountered

Total Depth: 9.2 feet bgs

Depth (feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (feet bgs)	Qp	Lab Test ID
0.0-3.2	Lean Clay (CL): Brown, dry, very stiff, with fine-grained sand. --Organics encountered to 1.0 foot bgs.				
3.2-9.2	Sandy Silt (ML): Light brown, dry, very stiff to hard, with fine to coarse-grained sand. --Strong calcium carbonate cementation encountered from 4.3 to 7.0 feet bgs.				

Notes: See Site Map for test pit location.



GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-4

Date Advanced: July 31, 2024

Excavated by: Turn of the Century Homes

Logged by: Sydney Shockley

Latitude: 43.758265

Longitude: -116.583269

Depth to Water Table: Not Encountered

Total Depth: 14.8 feet bgs

Depth (feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (feet bgs)	Qp	Lab Test ID
0.0-3.0	Lean Clay (CL): Brown, dry, very stiff, with fine-grained sand. --Organics encountered to 1.0 foot bgs.			3.0-3.5	
3.0-14.8	Sandy Silt (ML): Light brown, dry, very stiff to hard, with fine to coarse-grained sand. --Intermittent induration encountered from 6.0 to 14.8 feet bgs.				

Notes: See Site Map for test pit location.



GEOTECHNICAL INVESTIGATION TEST PIT LOG

Test Pit Log #: TP-5

Date Advanced: July 31, 2024

Excavated by: Turn of the Century Homes

Logged by: Sydney Shockley

Latitude: 43.757428

Longitude: -116.582952

Depth to Water Table: Not Encountered

Total Depth: 6.0 feet bgs

Depth (feet bgs)	Field Description and USCS Soil and Sediment Classification	Sample Type	Sample Depth (feet bgs)	Qp	Lab Test ID
0.0-1.2	Lean Clay with Sand (CL): Brown to light brown, dry, very stiff, with fine sand. --Organics encountered throughout.				
1.2-6.0	Sandy Silt (ML): Light brown, dry, very stiff to hard, with fine to medium-grained sand.				

Notes: See Site Map for test pit location.

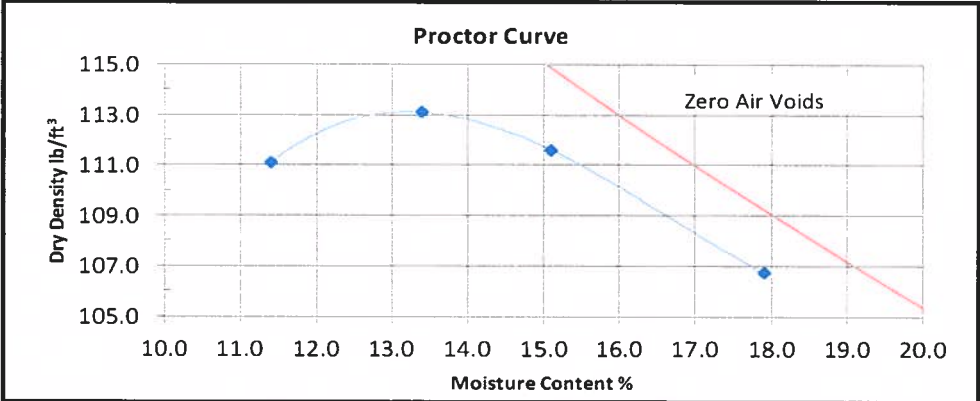
Infiltration testing conducted at a depth of 6.0 feet bgs.



APPENDIX V PROCTOR RESULTS

As requested Atlas has performed a proctor on the sample referenced below. The testing was performed in accordance with current standards indicated below. The results obtained in our laboratory were as follows:

Source and Description:	TP-1 (1-2') Lean Clay with Sand				
Date Obtained:	August 1 st , 2024				
Sample ID:	24-0513 (B241283g)				
Sampling and Preparation:	ASTM D75: X Moist: X Manual: Mechanical: X				
Test Standard:	AASHTO T99:	AASHTO T180:	Method	% Oversize	Rammer Face
	ASTM D698:	ASTM D1557: X	A	0.0	2" Circular

Assumed Sp. Gr.	Point Number	Percent Moisture	Dry Density	Maximum Dry Density	Optimum Moisture	Sieve Size	Percent Passing
2.55	1	11.4	111.1	Uncorrected: 113.1 lbs/ft ³	13.2 %	6.0"	
	2	13.4	113.1			5.0"	
	3	15.1	111.6	ASTM D 4718 Correction: N/A lbs/ft ³	N/A	4.0"	
	4	17.9	106.7	As Found Correction: N/A lbs/ft ³	N/A	3.0"	
<div><p>Proctor Curve</p></div>							2.0"
							1.5"
							1.0"
							3/4"
							1/2"
							3/8"
							1/4"
							#4
							#8
							#10
							100.0
							98
							97
							94
							89
							86
							83
							79
							73.0

Note: ASTM D698 and D1557 valid with up to 5% Oversize Particles; correctable up to 30% via ASTM D 4718 and invalid for Oversized Particles greater than 30% retained on the 3/4 inch screen.

APPENDIX VI GEOTECHNICAL GENERAL NOTES

Unified Soil Classification System			
Major Divisions		Symbol	Soil Descriptions
Coarse-Grained Soils < 50% passes No.200 sieve	Gravel & Gravelly Soils < 50% coarse	GW	Well-graded gravels; gravel/sand mixtures with little or no fines
		GP	Poorly-graded gravels; gravel/sand mixtures with little or no fines
		GM	Silty gravels; poorly-graded gravel/sand/silt mixtures
		GC	Clayey gravels; poorly-graded gravel/sand/clay mixtures
	Sand & Sandy Soils > 50% coarse fraction	SW	Well-graded sands; gravelly sands with little or no fines
		SP	Poorly-graded sands; gravelly sands with little or no fines
		SM	Silty sands; poorly-graded sand/gravel/silt mixtures
		SC	Clayey sands; poorly-graded sand/gravel/clay mixtures
Fine-Grained Soils > 50% passes No.200 sieve	Silts & Clays LL < 50	ML	Inorganic silts; sandy, gravelly or clayey silts
		CL	Lean clays; inorganic, gravelly, sandy, or silty, low to medium-plasticity clays
		OL	Organic, low-plasticity clays and silts
	Silts & Clays LL > 50	MH	Inorganic, elastic silts; sandy, gravelly or clayey elastic silts
		CH	Fat clays; high-plasticity, inorganic clays
		OH	Organic, medium to high-plasticity clays and silts
Highly Organic Soils		PT	Peat, humus, hydric soils with high organic content

Relative Density and Consistency Classification	
Coarse-Grained Soils	SPT Blow Counts (N)
Very Loose:	< 4
Loose:	4-10
Medium Dense:	10-30
Dense:	30-50
Very Dense:	> 50
Fine-Grained Soils	
	SPT Blow Counts (N)
Very Soft:	< 2
Soft:	2-4
Medium Stiff:	4-8
Stiff:	8-15
Very Stiff:	15-30
Hard:	> 30

Particle Size	
Boulders:	> 12 in.
Cobbles:	12 to 3 in.
Gravel:	3 in. to 5 mm
Coarse-Grained Sand:	5 to 0.6 mm
Medium-Grained Sand:	0.6 to 0.2 mm
Fine-Grained Sand:	0.2 to 0.075 mm
Silts:	0.075 to 0.005 mm
Clays:	< 0.005 mm

Moisture Content and Cementation Classification	
Description	Field Test
Dry	Absence of moisture, dry to touch
Slightly Moist	Damp, but no visible moisture
Moist	Visible moisture
Wet	Visible free water
Saturated	Soil is usually below water table
Description	Field Test
Weak	Crumbles or breaks with handling or slight finger pressure
Moderate	Crumbles or breaks with considerable finger pressure
Strong	Will not crumble or break with finger pressure

Acronym List	
GS	grab sample
LL	Liquid Limit
M	moisture content
NP	non-plastic
PI	Plasticity Index
Q _p	penetrometer value, unconfined compressive strength, tsf
V	vane value, ultimate shearing strength, tsf

Important Information about This Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer

will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site's subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report's Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals' misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals' plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note*

conspicuously that you've included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer's services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer's recommendations will not of itself be sufficient to prevent moisture infiltration.* Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building-envelope or mold specialists.*



Telephone: 301/565-2733

e-mail: info@geoprofessional.org www.geoprofessional.org

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GILBERT SUBDIVISION
SD2024-0011
P&Z HEARING AUGUST 7, 2025



P&Z HEARING AUGUST 7, 2025



Exhibit A.8



Exhibit A.8

NO.	REVISIONS	BY	DATE
1	COUNTY & H&M COMMENTS	TB	08/26/2025
2			
3			
4			
5			
6			
7			
8			

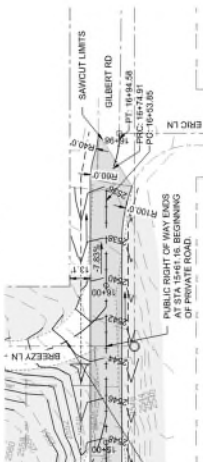
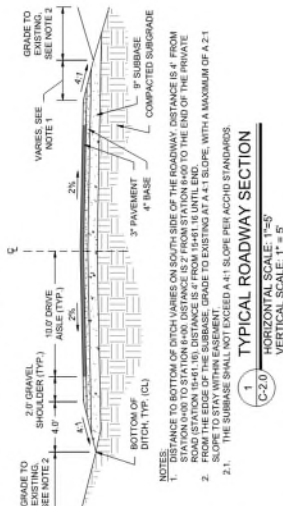
GILBERT SUBDIVISION
PARCEL: R27A31017AD
CANYON COUNTY, ID
PRELIMINARY ROAD
GRADING PLAN

SHEET NO. C-2.0
DATE: 08/26/2025
PAGE NO. 2 OF 4



GRADING NOTES

- CONTOURS SHOW ARE 2' INTERVALS.
- AREAS WITH EXISTING SLOPES EXCEEDING 15% ARE SHADDED AND REQUIRE HILLSIDE DEVELOPMENT. HILLSIDE DEVELOPMENT STANDARDS HAVE BEEN MET.
- ALL GRADES SHALL BE EXCEEDED BY 2%.
- ROADWAY DESIGN IS PER CANYON COUNTY CODE SECTION 07-04.03 PRIVATE ROAD AND DRIVEWAY REQUIREMENTS. SEE TYPICAL SECTION DETAIL (THIS SHEET).
- CUL-DE-SAC IS DESIGNED PER ACHD STANDARD CUL-DE-SAC LAYOUT (STANDARD DRAWING ACCHD-10A).
- SEE SHEET C-2.1 FOR PRELIMINARY CENTERLINE PROFILES OF THE EXISTING APPROACHES OFF THE PROPOSED ROAD. THE EXISTING CENTERLINE PROFILES OF THE EXISTING APPROACHES OFF THE PROPOSED ROAD SHALL BE USED TO DETERMINE THE EXISTING SLOPES TO BE PERFORMED AT TIME OF FINAL PLAT CONSTRUCTION DOCUMENTS.
- GRADING FOR PROPOSED BUILDINGS, STRUCTURES, DRIVEWAYS, AND STORMWATER SWALES WILL BE PERFORMED AT THE TIME OF FINAL PLAT CONSTRUCTION DOCUMENTS.
- PRELIMINARY NET LANDWORK: -12.00 TO 1.00 (FILL).

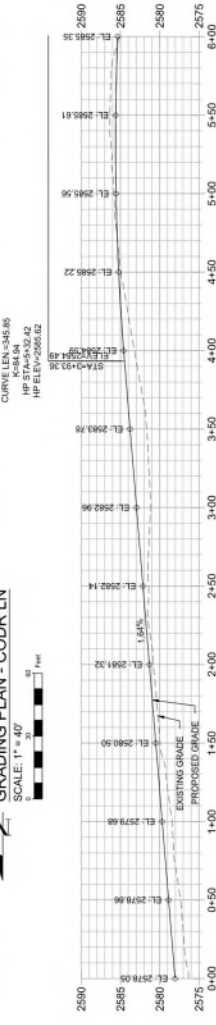
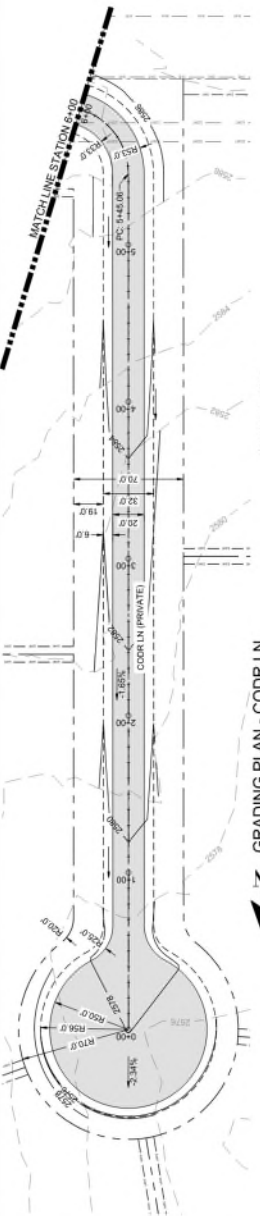


GRADING PLAN - GILBERT LN
SCALE: 1" = 40'

CODR LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'

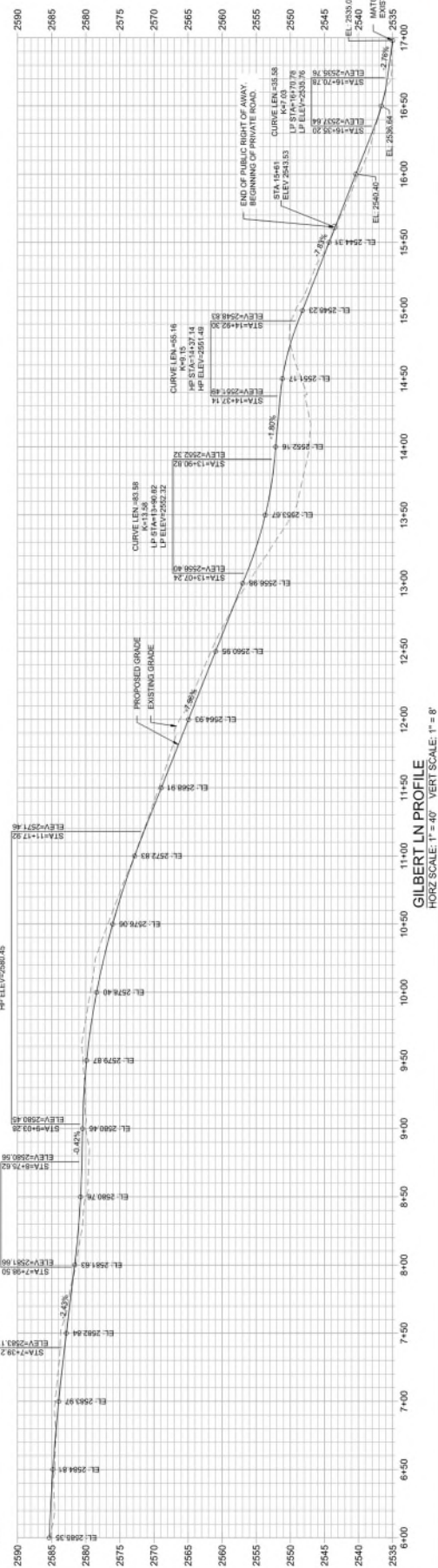
GRADING PLAN - CODR LN
SCALE: 1" = 40'

GILBERT LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'

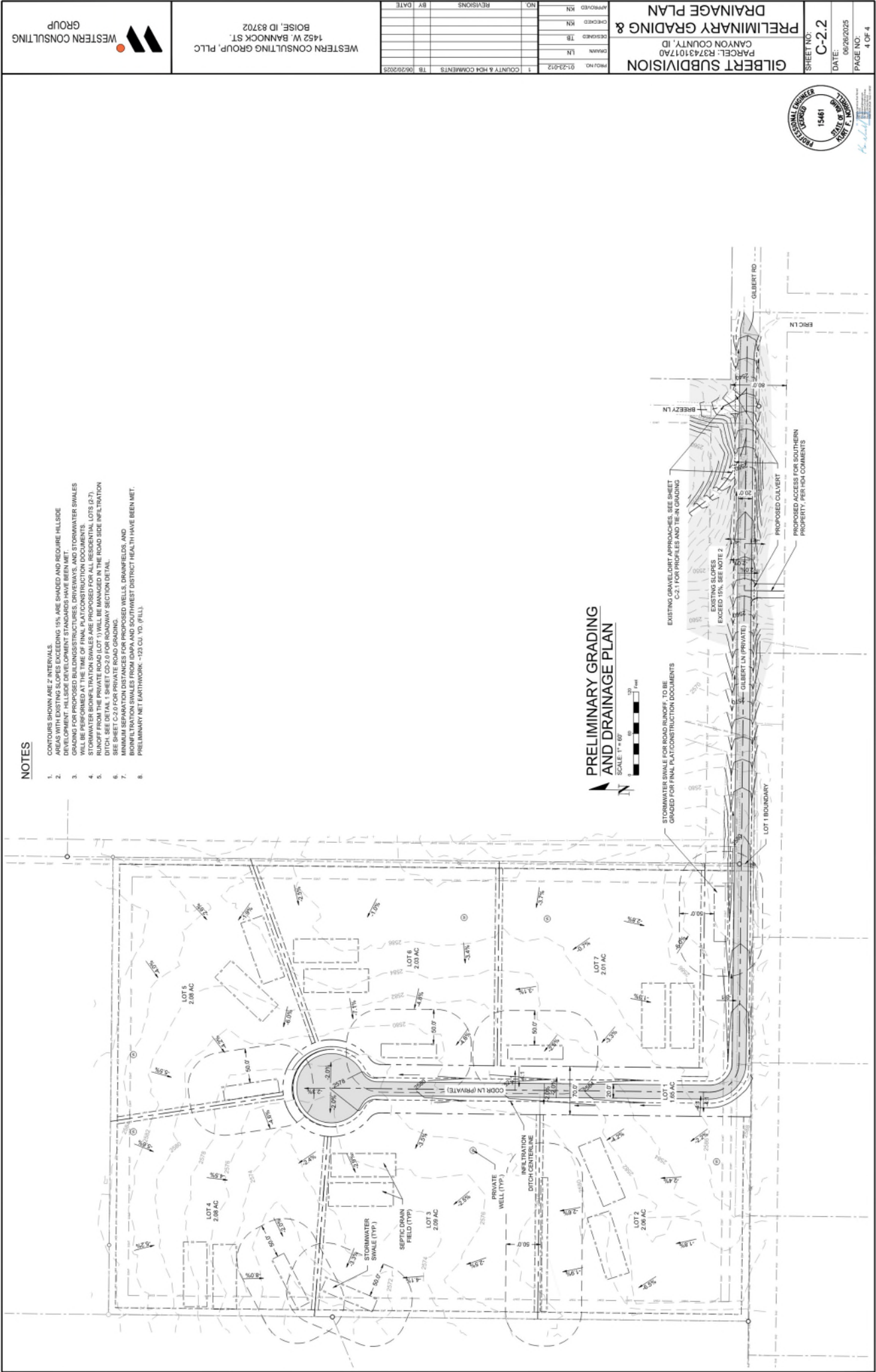


GRADING PLAN - GILBERT LN
SCALE: 1" = 40'

CODR LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'



GILBERT LN PROFILE
HORZ SCALE: 1" = 40' VERT SCALE: 1" = 8'



AGENCY COMMENTS AND CONDITIONS

- Project will comply with Middleton Rural Fire District comments and conditions of approval received December 23, 2024.
- Project will comply with HD4 comments and requirements, as indicated in their review letter dated January 17, 2025. Revised plans and comment responses were provided to HD4 on July 8, 2025 indicating compliance with conditions/comments.
- Project is not required to make any improvements to any ITD facilities, and it does not meet the thresholds requiring a Traffic Impact Study. ITD has no safety concerns.
- Wells and septic will be installed for individual lot service. SWDH and DEQ will be provided with proposed locations of both facilities on each lot for individual approval. Conceptual locations have been provided on the preliminary plat utility plan showing locations that meet the required off-sets from proposed and/or existing (off-site) locations of wells and septic drain fields. On-site geotechnical engineering report and adjacent septic systems indicate that use of septic systems for the lots will be appropriate. Septic locations will be confirmed with SWDH prior to submittal of construction documents and final plat.

PLANNING AND ENGINEERING REVIEW CONDITIONS AND NOTES

- In agreement with the General Recommended Conditions contained in the preliminary plat checklist review provided on July 8, 2025.
- Vicinity Map on page C-1.0 has been revised to include adjacent subdivisions, addressing comment from planning staff.
- In agreement with all Engineering Notes.



EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# SD2024-0011

Hearing date: August 7, 2025

R37431017A PARCEL INFORMATION REPORT

7/28/2025 3:43:58 PM

PARCEL NUMBER: R37431017A**OWNER NAME: CODR CORY B****CO-OWNER: CODR CRISTINE L****MAILING ADDRESS: 7952 N 164TH ST BENNINGTON NE 68007****SITE ADDRESS: 0 GILBERT RD****TAX CODE: 0310000****TWP: 5N RNG: 2W SEC: 21 QUARTER: NW****ACRES: 14.00****HOME OWNERS EXEMPTION:****AG-EXEMPT: No****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: CR-RR / CONDITIONAL REZONE - RURAL RESIDENTIAL****HIGHWAY DISTRICT: HIGHWAY DISTRICT #4****FIRE DISTRICT: MIDDLETON FIRE****SCHOOL DISTRICT: MIDDLETON SCHOOL DIST #134****IMPACT AREA: NOT In Impact Area****FUTURE LAND USE 2011-2022 : Res****FLU Overlay Zone Desc 2030: No FLU_OverlayZoneDesc2030****FLU RR Zone Desc 2030: No FLU_RRZoneDescription2030****FUTURE LAND USE 2030: No FLU_OverlayZoneDesc2030 \ No FLU_RRZoneDescription2030 \ No
FLU_ZONE_CODE_2030****IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST****FEMA FLOOD ZONE: X FLOODWAY: NOT In FLOODWAY FIRM PANEL: 16027C0150F****WETLAND: NOT In WETLAND****NITRATE PRIORITY: NO Nitrate Prio****FUNCTIONAL Classification: REMOVE****INSTRUMENT NO. : 2021051030****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 21-5N-2W NW TX 02788 SENW SURFACE RIGHTS ONLY****PLATTED SUBDIVISION:****SMALL CITY ZONING:****SMALL CITY ZONING TYPE:****DISCLAIMER:**

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

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



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

■ Engineering Division ■

Preliminary Plat Check-List (CCCO §07-17-09)

Applicant: Codr/Western Consulting Group		Case Number: SD2024-0011	
Subdivision Name: Gilbert Subdivision		Plat Date (Review #2): 6/20/2025	
Review Required by Planning:	Review Required by Engineering:	Review Required by Both:	

GENERAL REVIEW ITEMS	Meets Code / Comments	
	Planning	Engineering
1. Complete the initial review of all information given graphically and by note on the plat.	Completed	N/A
2. Check for compliance with FCOs and/or Development Agreement from the entitlement process, if applicable.	DA #23-139: 4/18: Next to the zone of "CR-R-R" state "Subject to Development Agreement #22-139" 6/26: Completed, Page C-1.0	N/A
3. Check for compliance with CCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived.	N/A	N/A
4. Check for applicable agency comments. These comments could have been made at the entitlement stage or after.	Completed	N/A
5. Make note of agencies that should be noticed if not typically included on the notice list and pass the information along to the planner.	Agency notice sent 4/21	N/A
<i>Items A through E below are directly from CCZO §07-17-09. Italicized items are checklist items related to requirements found in the ordinance and may not be strictly required.</i>		
A. FORM OF PRESENTATION	Meets Code / Comments	
	Planning	Engineering
1. Scale of Drawing (No more than 1" = 100' unless approved by DSD before submission).	1" = 60' is fine.	N/A
2. Size of Drawing (No larger than 24' x 36"). • Obtain an electronic version of all submittals.	Yes	N/A
B. IDENTIFICATION AND DESCRIPTIVE DATA	Meets Code / Comments	
	Planning	Engineering
1. Proposed name of the subdivision and its location by section, township, and range. • Name of sub needs to be reserved through DSD GIS	Gilbert Subdivision; check with GIS. Notice to GIS sent 4/21	N/A

2. Reference by dimension and bearing to a section corner or quarter section corner.	See page C-1.0	N/A
3. Name, address, and phone number of the developer.	Codr	N/A
4. Name, address, and phone number of the person preparing the plat.	Western Consulting	N/A
5. North arrow.	Yes	N/A
6. Date of preparation.	Yes. 11/20/2024, Page C-1.0	N/A
7. Revision block showing dates if any revisions subsequent to the original preparation date. The revision block shall be part of the title block, which shall be placed along the right edge of the drawing sheet.	Yes	N/A
8. The <u>vicinity map</u> is drawn to scale, clearly showing the proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc. <ul style="list-style-type: none"> <i>Check for consistency between the pre-plat and the vicinity map.</i> 	Scale: Yes Adjacent arterial/collector roads: Yes 4/18: Adjacent plats: Missing 6/26: Still missing. See Condition 11	N/A

C. EXISTING CONDITIONS DATA	Meets Code / Comments	
	Planning	Engineering
1. Two-foot contours are shown unless otherwise approved; show all areas in excess of 15% slope.	Private Road near Breezy Lane appears to contain slopes 15% or greater.	These areas require hillside development standards, which are not addressed. Addressed
2. Location of water wells, streams, canals, irrigation laterals, private ditches, washes, lakes, or other water features; direction of flow; location and extent of known areas subject to inundation.		Direction of flow for ditches or canals is not explicitly labeled. Addressed
3. Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain, including water wells and municipal corporation lines within or adjacent to the tract. <ul style="list-style-type: none"> <i>Future use of remaining wells, if applicable</i> 		Add labels for adjacent public roads. Addressed
4. Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract.	4/18: Update plat to include the Name, book, and page number of Lippert Sub. 6/26: Completed, Page C-1.0	N/A

5. Existing zoning classification, by note. <ul style="list-style-type: none"> <i>Proposed zoning, by note, if new zoning is being proposed concurrently with a pre-plat application</i> 	4/18: Remove the proposed zone and label CR-R-R was the existing zone. 6/26: Completed, Page C-1.0	N/A
6. Approximate acreage of the tract, by note.	Yes. See page C.1-0	N/A
7. Boundary dimensions of the tract.	Yes	N/A
8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract.	Yes	N/A
D. PROPOSED CONDITIONS DATA	Meets Code / Comments	
	Planning	Engineering
1. Road layout, including location, width, and proposed names of roads, alleys, pathways, easements, and roadway connections, if any, to an adjoining platted tract. <ul style="list-style-type: none"> <i>Confirmation that the highway district will allow proposed access if new access is on an arterial</i> <i>Check the ownership of the access location if a separate lot</i> <i>Check the alignment of stub streets with adjacent developments, if applicable.</i> Private roads shall not have direct access to arterials or local roads within a platted subdivision (ACCHD 2020.040) Private road names need to be reserved through DSD GIS. Private roads require a separate application. Public road names must be checked for availability with DSD GIS <i>If typical sections are shown, make sure they are consistent with what will be required</i> 	<p>Private Road Lot (Lot 1) 70' wide. <u>County Code only requires 60' wide.</u></p> <p>4/18: Cul-de-sac radius 50' driving surface (unless more is required by the fire district) and 70' right-of-way/easement. The plat proposes a 65' radius easement which needs to be fixed.</p> <p>6/26: Completed, Page C-2.0</p> <p>Private road name (RD2024-0028) <u>needs to be approved</u>; check with GIS. Notice to GIS sent 4/21</p> <p>6/26: Codr and Gilbert Ln., Page C-1.0</p> <p>The development has access through Lot 1 of Lippert Subdivision with an access agreement.</p>	<p>Cul-de-sac easement radius is still shown as 65', which does not meet the 70' minimum required by Canyon County Code (CCZO §07-10-03)</p> <p>Correction needed: Increase cul-de-sac easement radius to 70'</p> <p>Addressed</p>
2. Typical lot dimensions including curvilinear data to scale; each lot numbered individually; the total number of lots by type and grand total. A private road must be a lot. <ul style="list-style-type: none"> <i>Curve table is present and matches the data shown graphically</i> <i>Minimum lot size</i> <i>Average lot size (calculated as total residential area divided by the number of residential lots)</i> <i>Check block numbering</i> 	<p>Curve table and average lot size on Page C-1.0.</p> <p>4/18: Minimum lot size, block number, and phasing are missing.</p>	<p>Curve table and average lot size on Page C-1.0.</p> <p>Addressed</p> <p>Minimum lot size, block number, and phasing are missing.</p>

<ul style="list-style-type: none"> Consider any phasing shown 	6/26: No phasing (Note 15). Minimum lot size on Page C-1.0	
3. Location, width, and use of easements <ul style="list-style-type: none"> Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat. Show easements for all shared infrastructure 	Easements referenced.	Easements referenced.
4. Designation of all land to be dedicated or reserved for public use, with use indicated.	N/A	N/A
5. If the plat includes land for which multi-family, commercial, or industrial use is proposed, such areas shall be clearly designated together with existing zoning classification and status of zoning change, if any	N/A	N/A
6. If the proposed subdivision is part of a larger area intended for development, a development master plan of the entire area shall be provided	N/A	N/A
7. Appropriate information that sufficiently details the proposed development within any special development area, such as hillside, PUD, flood plain, cemetery, manufactured home, large-scale development, hazardous, and unique areas of development <ul style="list-style-type: none"> Check mapping layers for the above special development items. Include wetland and natural drainage ways. Consider recommended conditions related to special development areas and related reports 	Private Road near Breezy Lane appears to contain slopes 15% or greater. To be reviewed by DSD Engineering. Notice to DSD Engineering sent 4/21	Submit a hillside development report or grading variance, including a cut/fill map and slope stabilization strategy per Canyon County requirements. Addressed
8. All roads must be labeled as either “private” or “public” behind or beneath the road name	4/18: Missing Breezy Lane(public), Gilbert Road (public), and private road name (private). Private road name (RD2024-0028) <u>needs to be approved</u> ; check with GIS. Notice to GIS sent 4/21 6/26: Codr and Gilbert Ln., Page C-1.0	Road name is missing. update the private road name once approved. Addressed
E. PROPOSED UTILITY METHODS	Meets Code / Comments	
	Planning	Engineering
1. Sewage: A statement as to the type of proposed sanitary sewage facilities <ul style="list-style-type: none"> Preliminary location/layout of proposed sewage facilities Nutrient-Pathogen study if required by SWDH If sewage facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including 	Note 2 and Development Feature Note	Septic systems are proposed per lot. Plat notes confirm this. <u>Confirm Southwest District Health approval.</u>

<p><i>financial arrangements. Also include a preliminary sewer plan. DSD should complete a high-level feasibility review of shared utilities</i></p>		
<p>2. Water Supply: A statement as to the type of proposed water supply facilities</p> <ul style="list-style-type: none"> <i>Preliminary location/layout of proposed potable water facilities</i> <i>If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities, including financial arrangements. Also include a preliminary potable water plan. DSD should complete a high-level feasibility review of shared utilities</i> 	<p>Note 1 and Development Feature Note</p>	<p>Private domestic wells proposed. Add any required well separation distances and approvals.</p> <p>Addressed</p>
<p>3. Storm Water Disposal: A statement as to the type of storm water disposal facilities, which may include evidence as may be required relative to the design and operation of the proposed storm water system</p> <ul style="list-style-type: none"> <i>Include a statement that all stormwater shall be retained on site, if appropriate</i> <i>Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, etc.</i> <i>Maintenance easements for storm drain facilities treating drainage from public roads should be in place</i> 	<p>See Development Feature note and Plat Note 4 & 5.</p> <p>The drainage plan seems inadequate and may be missing hillside development application requirements. To be reviewed by DSD Engineering. Notice to DSD Engineering sent 4/21</p>	<p>On-site bioinfiltration swales are shown.</p>
<p>4. Irrigation System: A statement as to the proposed irrigation system, which may include evidence as may be required relative to the design and operation of any proposed irrigation system</p> <ul style="list-style-type: none"> Irrigation Supply and Distribution Systems: The developer shall disclose, pursuant to Idaho Code section 31-3805, and file as part of the preliminary plat with DSD, evidence that an adequate irrigation supply and distribution system to serve the land within the plat to be recorded will be provided and must include consideration of using existing water rights that go with the land being platted. Such evidence shall include, but not be limited to, the following: <ul style="list-style-type: none"> Copies of the plans of the proposed distribution system for the lots and areas to be served in the proposed development; and Copies of the community association's or similar organization's documents, which may be required precedent to the establishment of an irrigation distribution system within the proposed development. 	<p>Irrigation by domestic wells (Note 6 and Development Feature note).</p>	<p>Meets</p>
<p>5. Utility Easement: The utility easement width shall be a minimum of ten (10) feet from the exterior boundaries and five (5) feet from the interior boundaries. Utility easements shall be shown graphically on the plat.</p>	<p>4/18: Missing 6/26: Note 14 Page C-1.0</p>	<p>Needs utility easement dimensions</p> <p>Addressed</p>
<p>GENERAL RECOMMENDED CONDITIONS</p>		

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
 - a. Per Condition No. 2a of the development agreement (DA#22-139), the private road shall be built to meet CCZO Section 07-10-03(2) and (3) prior to the Board of County Commissioners' signing of the final plat.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected.
4. Development shall comply with the requirements of the local highway district. Evidence shall include written correspondence from the highway district before the first public hearing held for the preliminary plat and the highway district's signature on the final plat.
5. Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the irrigation district before the first public hearing held for the preliminary plat and before the Board of County Commissioners' signature on the final plat.
6. Development shall comply with Southwest District Health requirements. Evidence shall include written correspondence from Southwest District Health before the first public hearing held for the preliminary plat and Southwest District Health's signature on the final plat.
7. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the first public hearing held for the preliminary plat and before the Board of County Commissioners' signature on the final plat.
8. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.
9. The final plat shall have a note referencing development agreement (DA) #22-139.
10. The final plat shall include the approved private road name(s) per the approval of RD2024-0011.
11. **Prior to preliminary plat approval by the Board of County Commissioners, the vicinity map on Page C-1.0 must be revised to include adjacent subdivisions per CCCO 07-17-09(1)B8. (DL, 6/26)**

Date Reviewed

Reviewer

4/18/2025	Dan Lister
5/19/2025	Dalia Alnajjar, ENG
6/26/2025	Dan Lister
7/8/2025	Dalia Alnajjar, ENG

Engineering Notes

1. **Lot 1 serves as a private road and utility corridor.** The proposed grading and drainage plan complies with County Code 07-10-03, maintaining road slopes under 8% and managing runoff through roadside infiltration ditches.
2. **The preliminary plat includes long-term stormwater management via bioinfiltration swales on each lot and an infiltration ditch along the private road, which meets County standards to retain all runoff on-site.**
3. **A recorded maintenance agreement will be required for long-term upkeep of the private road and associated stormwater facilities.**
4. **Final construction documents must:**
 1. Confirm ditch sizing and flow capacity.
 2. Include confirmation from utility providers regarding acceptance of easement locations.
 3. Include short-term stormwater protection measures (e.g., erosion control BMPs) during home construction, particularly to protect swales from sediment and damage.

5. Lot 1 contains areas with existing slopes greater than 15%. These areas must be marked as No-Build Zones on the Final Plat unless an engineered grading and drainage plan is submitted and approved at the time of the building permit.
6. Any grading in areas with slopes exceeding 15% must comply with hillside development requirements. A grading variance or slope stabilization plan will be required with final submittals.

7. Additional Notes:

- The updated plan set is consistent with geotechnical recommendations from Atlas and shows appropriate infiltration and grading consideration.
- The 2nd review comments are all addressed or resolved in the current packet.

Planning Notes

- The plat appears to meet DA #22-139 conditions.
- Update title date at time of revision: **6/26 Completed**

June 20, 2025

Dan Lister
Planning Supervisor
Canyon County
Development Services
111 North 11th Avenue #310
Caldwell, ID 83605

Re: Gilbert Subdivision SD2024-0011

Dear Mr. Lister;

Western Consulting Group appreciates your time to review the Preliminary Plat for the Gilbert Subdivision submitted 11/20/2024. We are pleased to submit the revised plans and response to the County's comments. The revised preliminary plat and supporting documents were submitted separately and Table 1 summarizes our Response to Comments (RTC):

Table 1: Response to Comments Summary

Item	Comment	Response to Comment
2	DA #23-139: Next to the zone of 'CR-R-R' state "Subject to Development Agreement #22-139"	Stated.
B8	Adjacent plats: Missing	Added Lippert.
C1	These areas require hillside development standards, which are not addressed.	Hillside development addressed on plans and in revised Letter of Intent.
C2	Direction of flow for ditches or canals is not explicitly labeled.	Labeled.
C3	Add labels for adjacent public roads.	Labeled.
C4	Update plat to include the Name, book, and page number of Lippert Sub.	Lippert Plat information updated.
C5	Remove the proposed zone and label CR-R-R was the existing zone.	Removed and labeled.
D1	Cul-de-sac radius 50' driving surface (unless more is required by the fire district) and 70' right-of-way/easement. The plat proposes a 65' radius easement which needs fixed. Correction needed:	Cul-de-sac easement radius increased to 70'.

1542 W Bannock St • Boise, Idaho, 83702 • 208-391-3715

Inspiring Sustainable Solutions for the Worlds Infrastructure

	Increase cul-de-sac easement radius to 70'.	
D2	Minimum lot size, block number, and phasing are missing.	No blocks or phasing - stated in notes. Added minimum lot size to development features.
D8	Road name is missing.	Road names 'Gilbert Ln' and 'Codr Ln' added per County instruction. Private road naming application from 11/20/2024 submittal still not approved at this time.
E2	Add any required well separation distances and approvals.	Applicable distances added to note 5 on sheet C-1.0.
E5	Missing, Needs utility easement dimension.	Proposed utilities in 70' roadway and utility easement. Updated roadway dimension label to reference this. Added 5' and 10' easements for exterior and interior property lines.
Notes	Lot 4 contains areas with existing slopes greater than 15%. These areas must be clearly marked as No-Build Zones on the Final Plat unless an engineered grading and drainage plan is submitted and approved at the time of the building permit.	Lot 4 does not have slopes greater than 15%. Please explain.

Thank you in advance for your timely review of these revised drawings and responses. If you have any questions, please do not hesitate to give me a call at (208) 391-3715.

Sincerely,

WESTERN CONSULTING GROUP, PLLC



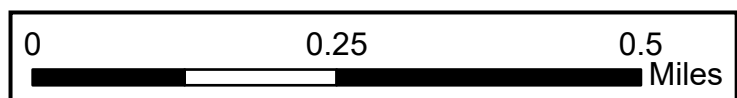
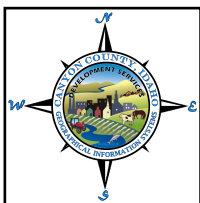
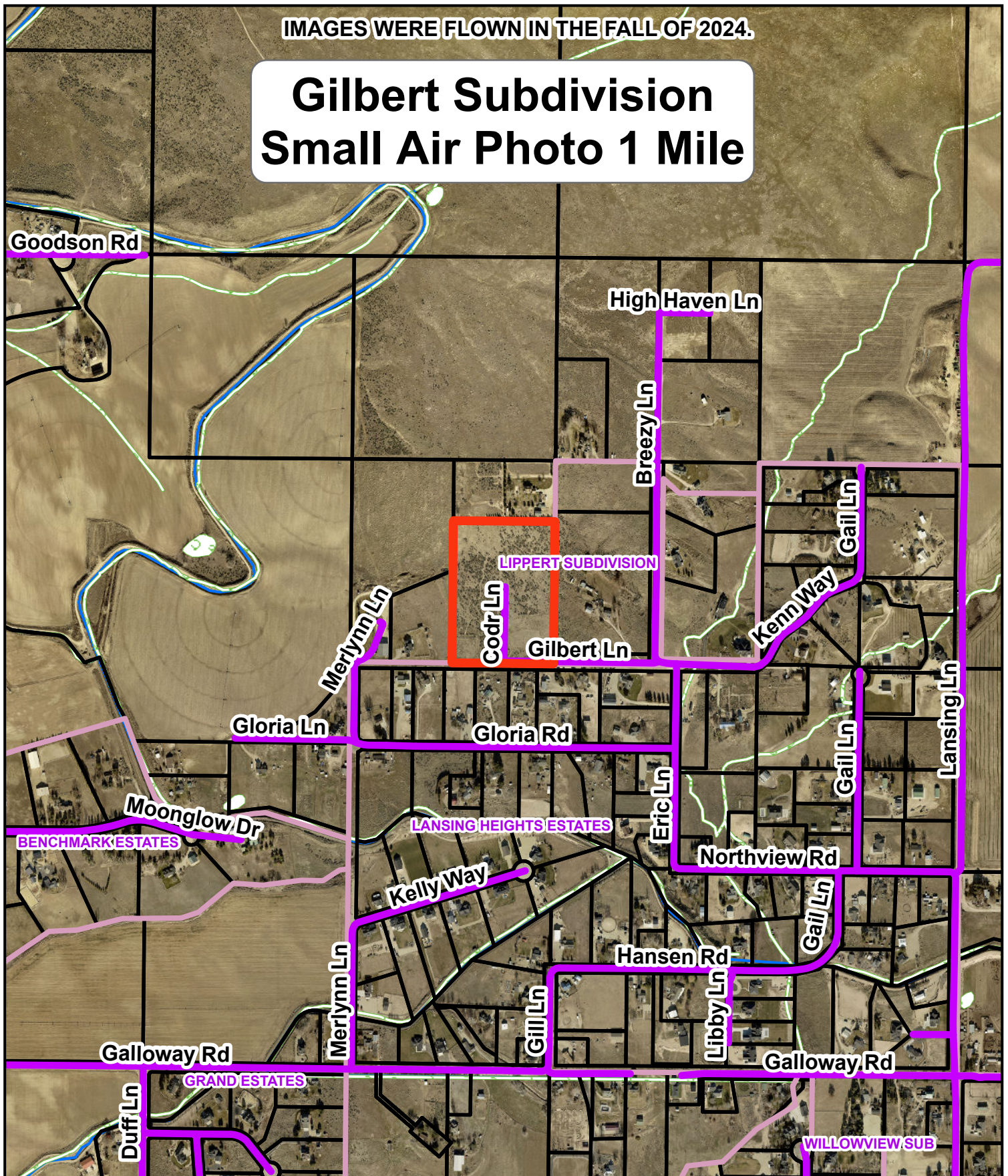
Kurt Norrell, PE, PMP
Managing Partner

1542 W Bannock St • Boise, Idaho, 83702 • 208-391-3715

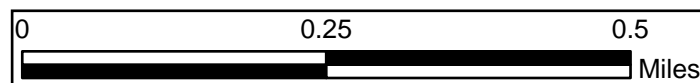
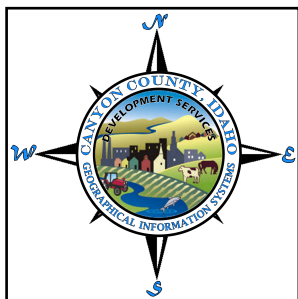
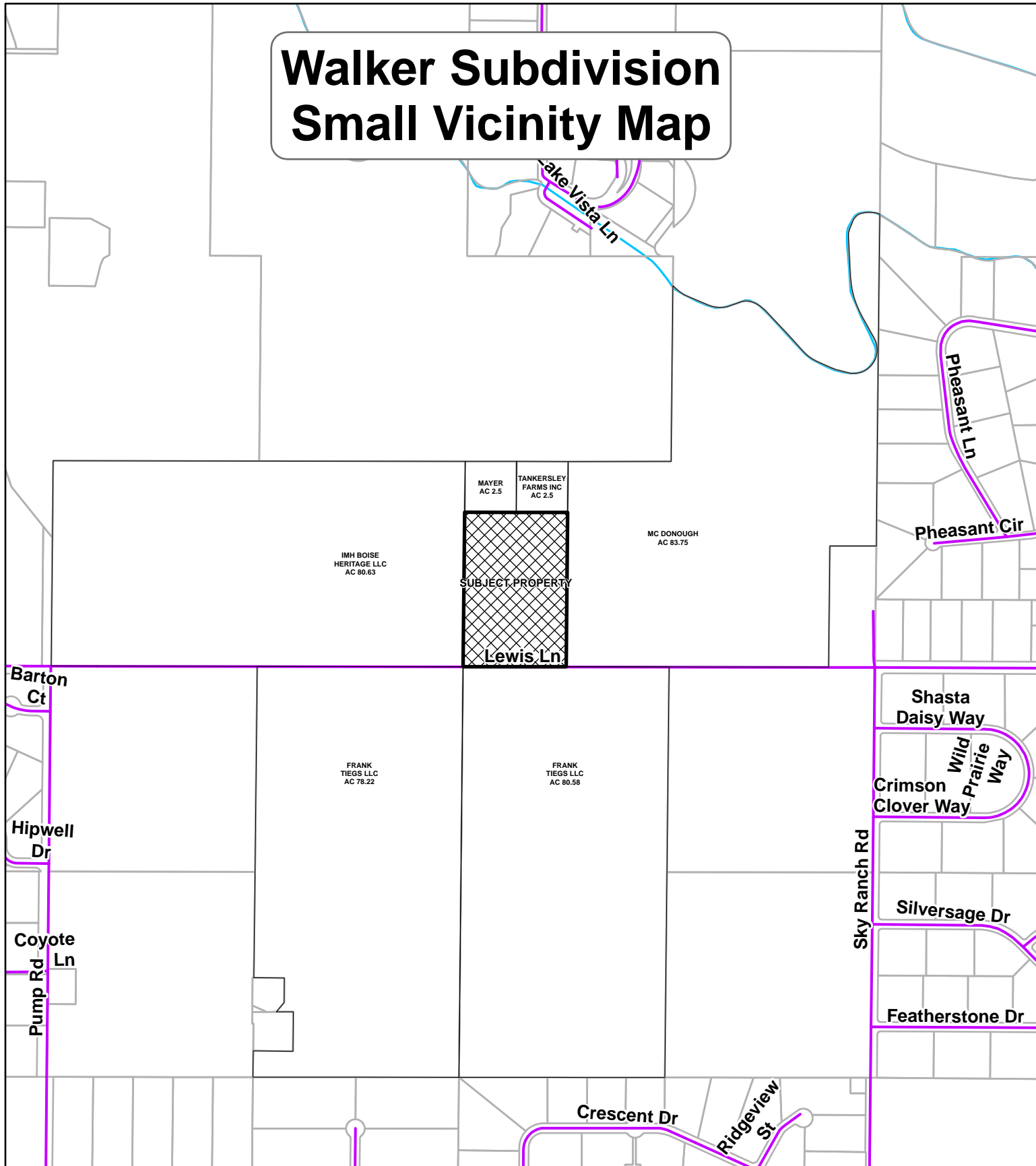
Inspiring Sustainable Solutions for the Worlds Infrastructure

IMAGES WERE FLOWN IN THE FALL OF 2024.

Gilbert Subdivision Small Air Photo 1 Mile



Walker Subdivision Small Vicinity Map





Board of County Commissioners
Codr – Conditional Rezone – RZ2021-0055

Development Services Department

AMENDED FINDINGS, CONCLUSIONS, & ORDER

Conditional Rezone – RZ2021-0055

Findings of Fact

1. The applicant, Western Consulting representing Cory and Cristine Codr, is requesting a **Conditional Rezone** of Parcel R37431017A from an “A” (Agricultural) zone to an “R-R” (Rural Residential) zone. The request includes a development agreement limiting future development to no more than six (6) lots (Attachment “A”).
2. The property is located approximately 802-feet west of the Eric Lane and Gilbert Road intersection and approximately 540-feet north of Gloria Road, Middleton, ID; also referenced as a portion of the NW¼ of Section, T5N, R2W, BM, Canyon County, Idaho.
3. The subject property is designated as Residential on the 2020 Canyon County Comprehensive Plan Future Land Use Map.
4. The subject property is not located within an Area of City Impact.
5. The subject property is located within Canyon Highway District No. 4, Middleton Rural Fire District, Middleton School District, and Black Canyon Irrigation District.
6. The neighborhood meeting was held on April 29, 2021 in accordance with CCZO §07-01-15.
7. Notice of the BOCC public hearing was provided in accordance with CCZO §07-05-01. Agency notice and full political notices was provided on October 13, 2022. Newspaper notice was published on October 28, 2022. Property owners within 600’ were notified by mail on October 28, 2022. The property was posted on November 4, 2022.
8. The record herein consists of exhibits provided as part of the public hearing staff report, exhibits submitted during the public hearing on November 14, 2022 all information in case file RZ2021-0055.

Conclusions of Law

For Case File RZ2021-0055, the Board of County Commissioners find and conclude the following regarding the Standards for Review for a Zoning Amendment §07-06-07(6)(A):

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

Conclusion: As conditioned (Attachment “A”), the proposed conditional rezone is generally consistent with the 2020 Canyon County Comprehensive Plan.

Finding: This question is a prompt for the Board to consider whether the requested zoning change is “in accordance with the policies set forth in the adopted comprehensive plan” per I.C. § 67-6511. In the Planning and Zoning Commission’s May 5, 2022, findings, the Commission found affirmatively that the conditional rezone was generally consistent with the 2020 Comprehensive Plan. The Commission relied on 1) the designation of the property as residential on the Plan’s Future Land Use Map and 2) the Commission found that the proposed use was consistent with several property rights, population, economic development, land use and public, public services and housing goals and policies of the Plan. Although the Commission’s findings are not binding on this Board’s decision, the Board concurs with the Commission’s finding here.

In its affirmative conclusion here, the Board first looks to and relies on the Plan's Future Land Use Map which designates this property and the surrounding area as planned for Residential use. The Plan, as a whole, serves as a guide for future planning and the Map is representation of where the Board, in its future planning, anticipated that future uses would occur.

Staff reported in Exhibit 3e that a substantial amount of residential uses in the area have developed over the years and this fact is reflected visually in each of the area maps presented to the Board in this case, which show substantial platted subdivisions. Staff noted that there are 10 platted subdivisions are located within one (1) mile of the site with an average lot size of 3.37 acres (Exhibit 3d). A property to the east was conditionally rezoned to "R-R" (Rural Residential), as is requested here, recently.

This development pattern invokes several key policies and goals of the Plan as noted by the Commission. The Plan calls for orderly development (Property Rights, Policy No. 8) where residential development is likely to occur (Land Use, Goals 1, 2, 6 and Policy 2 and Residential section). The designation and developing pattern of residential uses in the surrounding area demonstrate that this application is generally consistent with this growth strategy.

The Plan encourages development where these services and infrastructure are available (Population, Goal 3; Land Use Goal 1, Residential section and Policy 3; Public Services, Policy 3). The property is within the highway, irrigation and fire districts noted above and, thus, satisfies these Plan objectives.

Testimony from surrounding property owners noted the rural residential character of the area and their desire to preserve this character. Preferences were expressed for larger lot sizes or to leave the property in agricultural use. In making its decision on this application, the Board must also consider the development pattern (and related Plan goals and policies noted above) and need to offer diverse housing within the County (Housing, Goal 1). An industrial or high density residential development in this area would likely create conflict with the existing uses; however, the rural residential use, like that that exists in the area, would be generally compatible and not add conflicts that would come from industrial or high density residential use. From a planning perspective, as is the call of this question, this application is consistent with the existing rural residential uses in the area and is generally compatible with the Plan (Property Rights, Policy 8 and 11; Population, Policy 3; Economic Development, Policy 6; Land Use Goal 1, 2, 6 and Policy 3) for that reason.

The Board, in reviewing the development pattern in the area, future use designation, and Plan goals and policies finds that this conditional rezone is generally consistent with the Plan.

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

Conclusion: As conditioned (Attachment "A"), the proposed conditional rezone is more appropriate than the current zoning designation.

Finding: The Board also incorporates its findings from the prior section here. Specifically, the following paragraph:

Staff reported in Exhibit 3e that a substantial amount of residential uses in the area have developed over the years and this fact is reflected visually in each of the area maps presented to the Board in this case, which show substantial platted subdivisions. Staff noted that there are 10 platted subdivisions are located within one (1) mile of the site with an average lot size of 3.37 acres (Exhibit 3d). A property to the east was conditionally rezoned to "R-R" (Rural Residential), as is requested here, recently.

The subject property is zoned "A" (Agricultural); however, a sustained, and designated on the Plan, pattern of rural residential use exists in this area. Map 3b shows seven (7) approximately two (2) acre rural residential lots in the immediate area, which is the same development pattern requested here. The average minimum lot size in the "R-R" (Rural Residential) zone, requested here, is two (2) acres. While the record shows the property is suitable for agricultural use there is no dairy or feed lot use in the immediate vicinity (Exhibit 3h) and no testimony in the record from non-residential users that would suggest the rural residential would interfere with existing agricultural uses.

In considering this pattern in the area, and that adjacent parcels are in rural residential use the Board finds that the requested use is more appropriate than the current zoning designation.

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

Conclusion: As conditioned by the development agreement (Attachment "A"), the proposed conditional rezone is compatible with the surrounding land uses.

Finding: The proposed conditional rezone is compatible with the surrounding land uses. There are residential uses to the north, west, east, and south. No documented feedlots, dairies, or gravel pits are located within two miles of the property.

The subject property is located within a one-mile radius of eight (8) platted subdivisions and the average lot size in the area is 6.73 acres. The properties to the south have an average lot size of 3 acres. The request creates lot size commensurate with parcels to the south.

The result of the request is consistent and compatible with the rural character of the area. Pursuant to the development agreement conditions the property owner shall not divide the property to more than six parcels.

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. Additionally, the development agreement (Attachment "A") will implement mitigation measures as described therein.

Finding: The Board also incorporates its findings from the prior sections here. The Board sees a sustained development pattern of rural residential uses in the area. This, coupled with the Plan's designation of the area as residential, lead the Board to conclude that the zoning character of this area is "rural residential."

Neighboring rural residential property owners expressed concerns in their testimony and letters that increased traffic in the area would have a negative impact on the area. The Board, however, notes no concern from the Highway District (Exhibits 4b and 7) of a significant traffic impact or need for an impact study that would typically accompany a request that would create a substantial traffic impact. The Board finds no evidence that the transportation uses of this would be different from the existing rural residential uses.

Because the requested conditional rezone fits the existing character of the area, the Board finds no negative impact. Additionally, the Board will impose mitigations conditions of no secondary residences or golf courses to mitigate potential impact that those uses would potentially bring.

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

Conclusion: Adequate sewer, drainage, irrigation, and storm water drainage facilities and utility systems will be provided to accommodate the proposed zoning map amendment at the time of preliminary and final plat.

Finding: Individual well and individual septic is proposed. The property is not within a nitrate priority area. The property is located within Black Canyon Irrigation District. Drainage and irrigation shall be required to be maintained. No comments or concerns were received from the district. The applicant shall be required to meet agency requirements at the time of platting. Homesites shall require the review and approvals from Southwest District Health and Idaho Department of Water Resources.

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 rezone as conditioned (Attachment "A") will not cause undue interference with existing or future traffic patterns.

Finding: Canyon Highway District No. 4 has reviewed the application and has established right-of-way for the subject property. Associated street improvements will be required at the time of platting. CHD4 does not find the use to create traffic impacts that require a TIS (Exhibit 4b of the staff report).

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

Conclusion: Legal access will exist at the time of development.

Finding: For the purposes of this conditional rezone application, Canyon Highway District No. 4's approved access satisfies the access requirements in the County's ordinance. Per Exhibit 4b of the staff report, CDH4 has designated access is via an open right-of-way from Gloria Road, Merlyn Road and through Gilbert Road west of the subject parcel. CDH4 has jurisdiction over roadway access and this Board has no authority to alter their determination. The question for this Board to consider is "yes" access exists or will exist or "no" access does not exist or will not exist. The applicant demonstrated by Exhibit 4b (note this was CHD4 approved

this access after the Commission hearing) that legal access will exist at the time of the development and has met its burden of proof here.

Where access is taken remains a primary concern of neighboring property owners. In its decision and conditions (Attachment A), this Board notes that if other access is granted by the CHD4 that this condition would continue to be satisfied. The Board encourages the parties to work together and with CHD4 to resolve the concerns with CHD4's approved access plan. The Board, however, is without authority through this conditional rezone decision to alter the access plan.

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

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

Finding: The requested conditional rezone with development agreement conditions (Attachment "A") is not anticipated to impact essential services. Middleton Rural Fire District and Canyon County Sheriff serve the area and no comments were received.


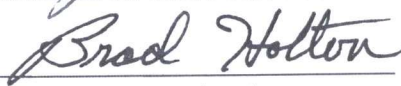
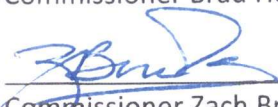
Order

Based upon the Findings of Fact, Conclusions of Law contained herein, the Board of County Commissioners **approves** Case RZ2021-0055, a **Conditional Rezone** of parcel R37431017A from an "A" (Agricultural) zone to an "R-R" (Rural Residential) zone subject to conditions of the development agreement (Attachment "A").

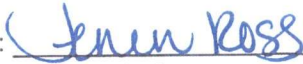
APPROVED this 26th day of January, 2023.

CANYON COUNTY BOARD OF COMMISSIONERS

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

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

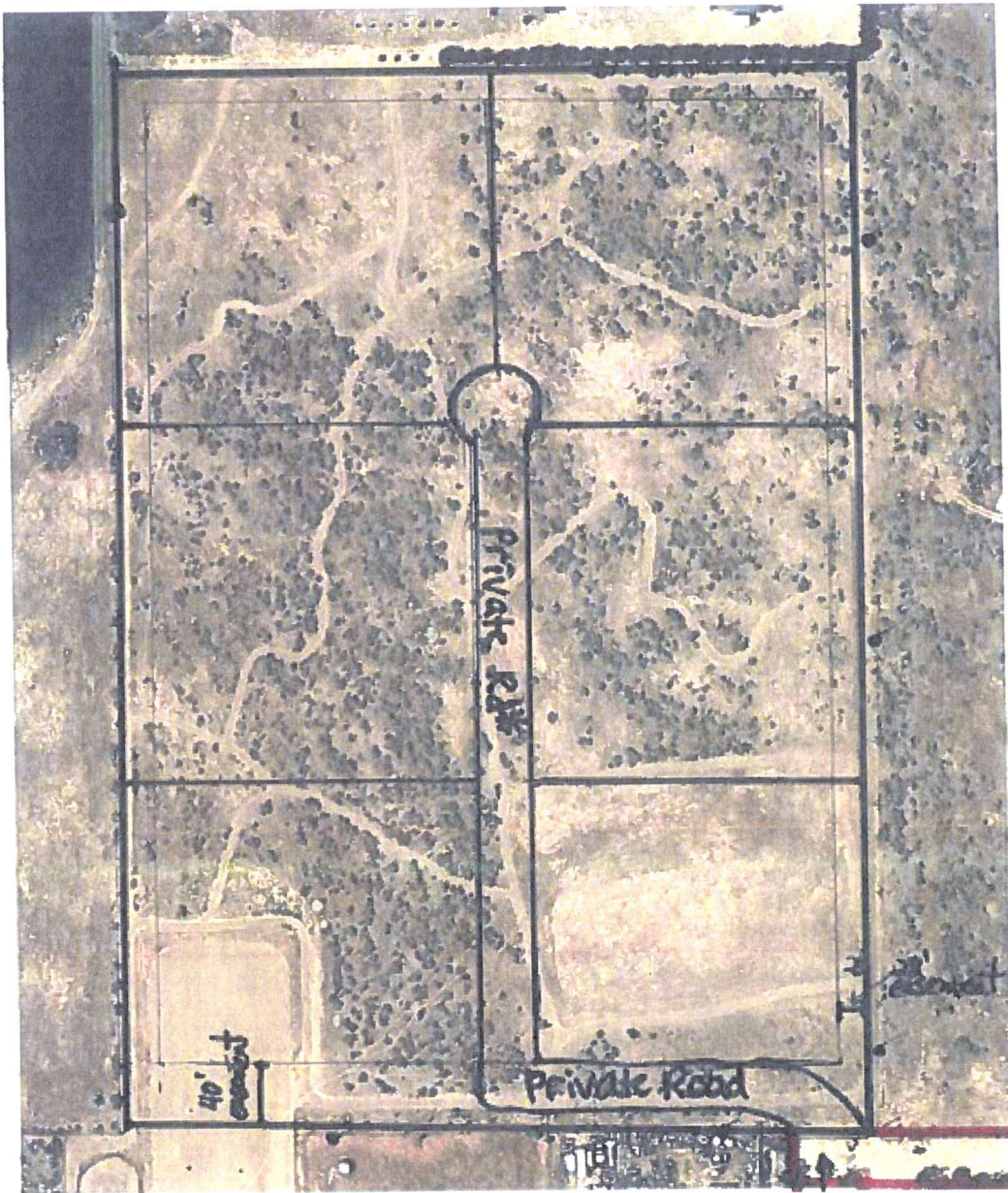
ATTEST: CHRIS YAMAMOTO, CLERK

By: 
Deputy Clerk

ATTACHMENT "A"
Development Agreement - Conditions of Approval

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. The subject property, parcel R37341017A, shall be platted in compliance with Chapter 7 Article 17 of Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions:
 - a. Future subdivision/development shall be in substantial compliance with the conceptual site plan herein attached as Attachment "B" subject to the following restrictions:
 - i. The development shall not exceed six (6) lots.
 - ii. The applicant shall construct future private driveways and private roads to meet the Canyon County Zoning Code Standards (Section 07-10-03 - Private Road and Driveway Standards).
 - b. At the time of preliminary plat submittal, the development shall either (1) demonstrate access has been obtained from the east from through the Lippert property to Gilbert Road/Breezy Lane; or (2) demonstrate through documentation the attempts to gain access through the Lippert property and how it was not possible.
 - c. Historic irrigation lateral, drain and ditch flow patterns shall be maintained unless approved in writing by Black Canyon Irrigation District prior to any encroachment or modification to easements or flow patterns.
3. Development of the property shall be required to meet Canyon Highway District No. 4 requirements, and a Road Users Maintenance Agreement shall be required at the time of platting.
4. No golf courses or secondary residences shall be permitted on the property or future lots.
5. 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."

ATTACHMENT "B"
SITE PLAN





**Board of County Commissioners
Codr – Conditional Rezone – RZ2021-0055**

Decision on Request for Reconsideration

- Mark Rich received November 28, 2022
- Jeanine Rock received December 5, 2022
- Rocky and Bobbi Yoneda received December 5, 2022
- Joanna Miller Lee received December 5, 2022
- Lisa Trexler received December 6, 2022
- Bruce Lee received December 6, 2022

Summary of the Record

1. The record for this request is comprised of the following:
 - A. Testimony and evidence offered at the hearings before the Canyon County Board of County Commissioners (“Board”) including the staff report and exhibits nos. 1 - 14. Audio records of the hearings have been made and preserved.
 - B. Finding of Fact, Conclusions of Law and Order of the Planning and Zoning Commission issued May 5, 2022.
 - C. Finding of Fact, Conclusions of Law and Order issued November 23, 2022.
 - D. Request for reconsideration filed by the individuals identified above.

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 (Rezone, Amendment of Comprehensive Plan, Amendment of Zoning Ordinance), Canyon County Code §07-10-27 (Land Use Regulations (Matrix)), and §67-6519(4) (Application Granting Process).
2. The Board 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, 67-6513.
3. The Board has the authority to hear this case and make its own independent determination. *See* I.C. §§ 67-6519, 67-6504; CCZO 07-17-09(5).

4. The Board can sustain, modify or reject the Commission's recommendations. *See* CCZO 07-05-07(2).
5. The Board shall answer the following questions in considering a conditional rezone request: (1) Is the proposed zone change generally consistent with the comprehensive plan; (2) When considering the surrounding land uses, is the proposed zone change more appropriate than the current zoning designation; (3) Is the proposed zoning map amendment compatible with surrounding land uses; (4) Will the proposed zoning map amendment negatively affect the character of the area? What measures will be implemented to mitigate impacts? (5) Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate the proposed conditional rezone; (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? (7) Does legal access to the subject property for the conditional rezone exist or will it exist at the time of development; (8) and will the proposed conditional rezone impact essential public services and facilities, such as schools, police, fire and emergency medical services? What measures will be implemented to mitigate impacts? *See* CCZO 07-06-07 (6).
6. The burden of persuasion is upon the applicant to prove that all criteria, including whether the proposed use is essential or desirable to the public welfare, are satisfied. CCZO 07-05-03.
7. 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.
8. 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).

Requests for Reconsideration

Mark Rich, Jeanine Rock, Rocky and Bobbi Yoneda, Joanna Miller Lee, Lisa Trexler and Bruce Lee filed requests for reconsideration pursuant to Idaho Code § 67-6535(2)(b) asking the Board of County Commissioners ("Board") to reconsider findings made by the Board in its November 23, 2022, written decision on the Codr conditional rezone application. The Board understands the primary concern of the requestors, as neighboring property owners, is with

highway access that was approved by Canyon Highway District No. 4. This Board, in reviewing these requests, wants to make clear what it is concerned was not made clear in the prior communication from the Board. For the purposes of a conditional rezone, this Board's decision on highway access is limited to whether or not legal access to the property is available. The Board does not have authority in this conditional rezone to prescribe alternative access routes—whether the Board feels more appropriate routes exist or not.

In this case, Canyon Highway District No. 4 has jurisdiction over the highway access for this property. CHD4 is a separate and independent governing body from this Board and the Board exercises no review over their access decisions. For that reason, if not satisfied with CHD4's access decision, this Board would encourage you to work with the property owner and CHD4 to attempt to resolve your concerns. The question for this Board, as we've said, is whether legal access exists and if CHD4 approves alternative access it will not impact this Board's conditional rezone decision.

The Board noted other concerns with the November 23, 2022, written findings in the request regarding character of the area and traffic that this Board in reviewing the record and findings believes could be resolved through clarification of the written decision. For these reasons, this Board will revise its written findings although the Board finds no basis in the requests to alter its ultimate conclusion.

Conclusion and Order


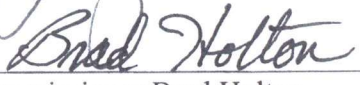

The Board of County Commissioners does hereby **amend** its November 23, 2022, written Findings of Fact, Conclusions of Law, and Order of Case No. RZ2021-0055 for the reasons stated above. The Board of County Commissioners does hereby further **affirm** its **amended** November 23, 2022, written Findings of Fact, Conclusions of Law, and Order of Case No. RZ2021-0055.

This 26th day of January, 2023.

DATED this 26th day of January, 2023.

CANYON COUNTY BOARD OF COMMISSIONERS

✓ Motion Carried Unanimously
 Motion Carried/Split Vote Below
 Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
<u></u> Commissioner Leslie Van Beek	<u>✓</u>	<u> </u>	<u> </u>
<u></u> Commissioner Brad Holton	<u>X</u>	<u> </u>	<u> </u>
<u></u> Commissioner Zach Brooks	<u>X</u>	<u> </u>	<u> </u>

ATTEST: CHRIS YAMAMOTO, CLERK

By: 
Deputy Clerk

2022-052057

RECORDED

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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

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NO FEE

AGR

CANYON COUNTY



Canyon County
Recorder's Office
Document
Cover Sheet





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: 22-139

THIS AGREEMENT, made and entered into this 23 day of Nov., 2022 by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY" and Cory and Cristine Codr, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, Applicant has applied to County for a conditional rezone from an "A" (Agricultural) zone to a "CR-R-R" (Conditional Rezone - Rural Residential) zone on a portion of Parcel R37431017A, which is legally described in the attached Exhibit "A," incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcel R37431017A, approximately 14 acres, is owned by Cory and Cristine Codr;

WHEREAS, on the 14 day of Nov., 2022, the Canyon County Board of Commissioners approved a conditional rezone with conditions of the subject property to a "CR-R-R" (Conditional Rezone - Rural Residential) 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).

Agreement Number: 22-139
Development Agreement

Page 1

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 Property 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 an "A" (Agricultural) to "CR-R-R" (Conditional Rezone – Rural Residential)

Agreement Number: 22-139
Development Agreement

Page 2

zoning on the northern portion of the subject property as legally described in Exhibit "A" and conditions as attached hereto as Exhibit "B".

SECTION 8. USES, DENSITY, AND HEIGHT AND SIZE OF BUILDINGS

The density or intensity of use of the Subject Property 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 "CR-R-R" (Conditional Rezone – Rural Residential) zone and those provisions of law that are otherwise applicable to the Subject Property.

SECTION 9. LIABILITY AND INDEMNITY OF COUNTY.

A. COUNTY REVIEW.

Applicants acknowledge and agree that the County is not and shall not be, in any way, liable for any damages or injuries that may be sustained as a result of the County's review and approval of any plans or improvements, or the issuance of any approvals, permits, certificates or acceptances, relating to the use and development of the property described in Exhibit "A," and that the County's review and approval of any such plans and the improvements or the issuance of any such approvals, permits, certificates, or acceptances does not, and shall not, in any way, be deemed to insure or ensure Applicants or any of Applicants' heirs, successors, assigns, tenants, and licensees, against damage or injury of any kind and/or at any time.

B. COUNTY PROCEDURES.

Applicants acknowledge that notices, meetings, and hearings have been lawfully and properly given and held by the County with respect to Applicant's conditional rezone application in Development Services Department Case Number RZ2021-0055 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 Property; (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

Agreement Number: 22-139
Development Agreement

Page 3

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 area of the Subject Property conditionally rezoned from "CR-R-R" (Conditional Rezone - Rural Residential) 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.

Agreement Number: 22-139
Development Agreement

Page 4

SECTION 15. RELATIONSHIP OF PARTIES.

It is understood that this Agreement between Applicants and the County is such that Applicants are an independent party and are not an agent of the County.

SECTION 16. CHANGES IN LAW.

Any reference to laws, ordinances, rules, regulations, or resolutions shall include such laws, ordinances, rules, regulations, or resolutions as they have been, or as they may hereafter be amended.

SECTION 17. NOTICES.

Except as otherwise provided in this Agreement and/or by law, all notices and other communications in connection with this Agreement shall be in writing and shall be deemed delivered to the addressee thereof, (1) when delivered in person on a business day at the address set forth below, or (2) in the third business day after being deposited in any main or branch United States post office, for delivery by properly addressed, postage paid, certified or registered mail, return receipt requested, at the addresses set forth below.

Notices and communications required to be given to County shall be addressed to, and delivered at, the following address:

Director
Development Services Department
Canyon County Administration Building
111 11th Ave. N. Ste.310
Caldwell, Idaho 83605

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

Name: Cory and Cristine Codr
Street Address: 7952 N. 164th Street
City, State, Zip: Bennington, NE 68007

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.

Agreement Number: 22139
Development Agreement

Page 5

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**

Leslie Van Beek voted "NO"
Commissioner Leslie Van Beek

Keri Smith
Commissioner Keri Smith

Pam White
Commissioner Pam White

APPLICANT

Cory Codr
Cory Codr, Property Owner

Cristine Codr
Cristine Codr, Property Owner

ATTEST: *Chris Yamamoto*, Clerk

BY: *M. Reyes*
Deputy

DATE: 11-23-22

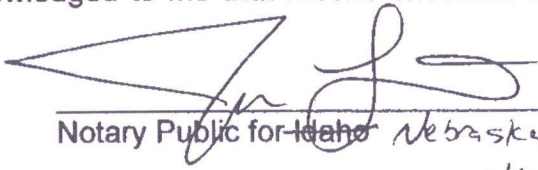


(All Applicants must sign and their signatures must be notarized)

Nebraska
STATE OF ~~IDAHO~~)
County of ~~Douglas~~) ss.
~~Canyon~~)

On this 18 day of Nov, 2022, before me, a notary public, personally appeared
Cory Coder, known to me to be the person whose name is subscribed
to the within and foregoing instrument and acknowledged to me that he/she executed the same on
behalf of the Applicant.

JAKE LOZANO
General Notary - State of Nebraska
My Commission Expires Feb 1, 2024


Notary Public for ~~Idaho~~ Nebraska

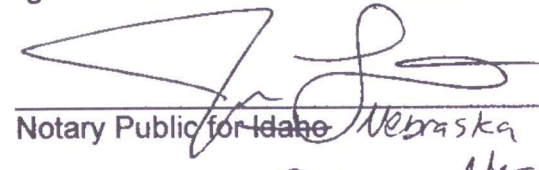
Residing at: Elkhorn, NE

My Commission Expires: to 2/1/2024

Nebraska
STATE OF ~~IDAHO~~)
County of ~~Douglas~~) ss.
~~Canyon~~)

On this 18 day of Nov, 2022, before me, a notary public, personally appeared
Cristine Coder, known to me to be the person whose name is subscribed
to the within and foregoing instrument and acknowledged to me that he/she executed the same on
behalf of the Applicant.

JAKE LOZANO
General Notary - State of Nebraska
My Commission Expires Feb 1, 2024


Notary Public for ~~Idaho~~ Nebraska

Residing at: Elkhorn, NE

My Commission Expires: 2/1/24

EXHIBIT "A"
LEGAL DESCRIPTION
R37431017A

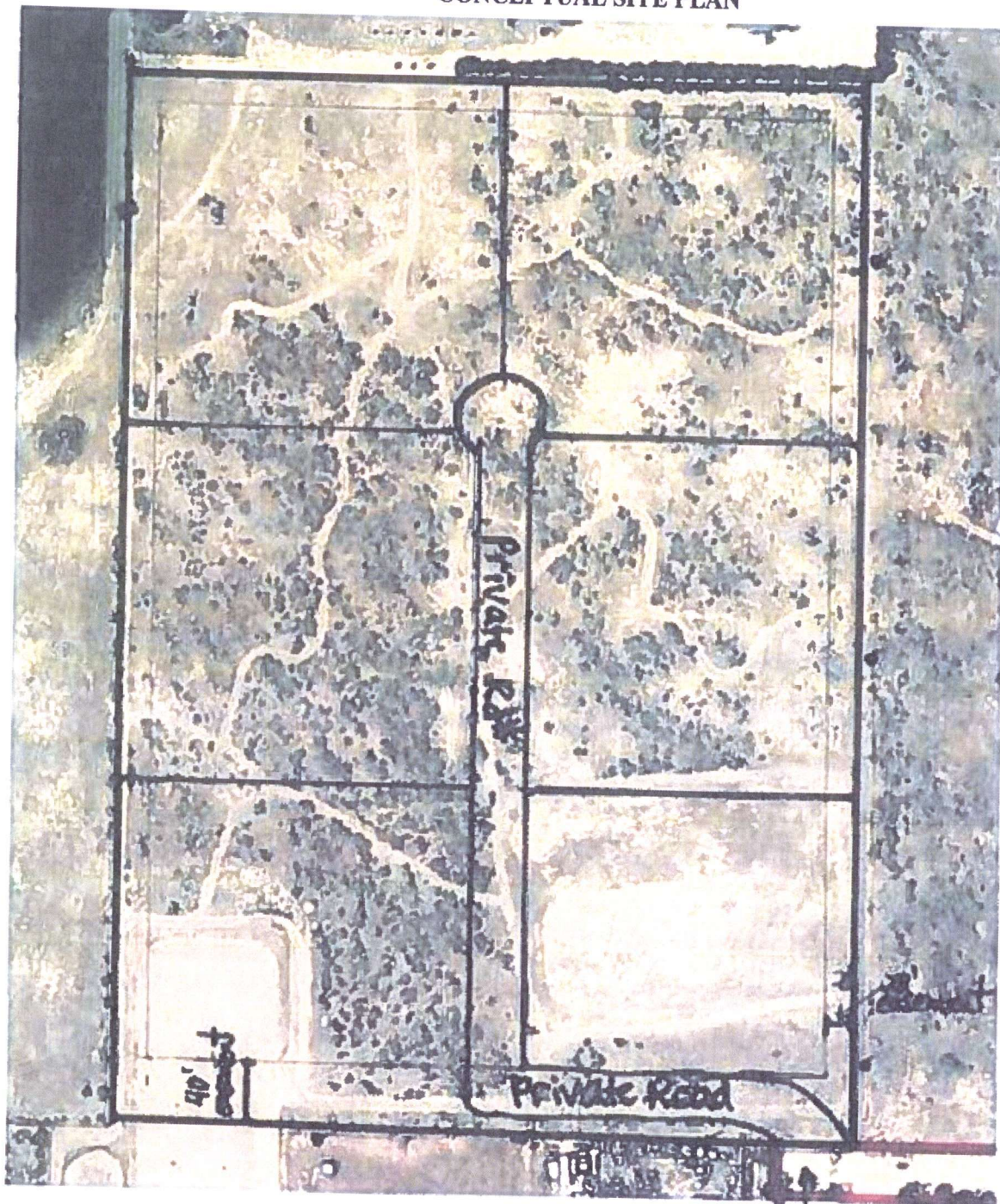
A parcel of land being a portion of the East Half of the Southeast Quarter of the Northwest Quarter of Section 21, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence South 00°00'29" East along the East boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 395.65 feet to the TRUE POINT OF BEGINNING, thence continuing South 00°00'29" East along said East boundary a distance of 924.71 feet to the Southeast corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence North 89°59'00" West along the South boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 660.33 feet to the Southwest corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence North 00°01'20" West along the West boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 923.67 feet; thence North 89°55'35" East parallel with the North boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 660.56 feet to the TRUE POINT OF BEGINNING.

EXHIBIT "B"
CONDITIONS OF APPROVAL

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. The subject property, parcel R37341017A, shall be platted in compliance with Chapter 7 Article 17 of Canyon County Zoning Ordinance (Subdivisions) subject to the following restrictions:
 - a. Future subdivision/development shall be in substantial compliance with the conceptual site plan herein attached as Attachment "B" subject to the following restrictions:
 - i. The development shall not exceed six (6) lots.
 - ii. The applicant shall construct future private driveways and private roads to meet the Canyon County Zoning Code Standards (Section 07-10-03 - Private Road and Driveway Standards).
 - b. At the time of preliminary plat submittal, the development shall either (1) demonstrate access has been obtained from the east of the property through the Lippert property to Gilbert Road/Breezy Lane; or (2) demonstrate through documentation the attempts to gain access through the Lippert property and how it was not possible.
 - c. Historic irrigation lateral, drain and ditch flow patterns shall be maintained unless approved in writing by Black Canyon Irrigation District prior to any encroachment or modification to easements or flow patterns.
3. Development of the property shall be required to meet Canyon Highway District No. 4 requirements, and a Road Users Maintenance Agreement shall be required at the time of platting.
4. No golf courses or secondary residences shall be permitted on the property or future lots.
5. The developer shall comply with CCZO§07-06-07(4) Time Requirements: "All conditional rezones for a land use shall commence within two (2) years of the approval of the board."

EXHIBIT "C"
CONCEPTUAL SITE PLAN



Agreement Number: 22139
Development Agreement

Page 10

Board of County Commissioners
Lippert Subdivision – SD2023-0006
 Development Services Department



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Lippert Subdivision - SD2023-0006

Findings

1. Wayne Lippert, represented by Rodney Evans & Associates, requests approval of the preliminary plat for Lippert Subdivision, a two-lot subdivision (Attachment A). The request includes a waiver of subdivision improvements such as sidewalks, gutters, street lighting, and landscaping. The subject property is 9626 Gilbert Road, Middleton (Parcel R37431010), also referenced as a portion of the NE¼ of Section 21, T5N, R2W, BM, Canyon County, Idaho.
 - a. The application was submitted as a short plat per CCZO §07-17-17, but due to improvements required by the development agreement, the request does not qualify for the short plat application process.
2. The 20.06-acre parcel is zoned "CR-R-R" (Conditional Rezone – Rural Residential; two-acre average minimum lot size) subject to conditions of a development agreement (RZ2021-0049, Exhibit C.5 of the staff report). *See Condition No. 7.*
3. The average residential lot size is 10.03 acres (Attachment A).
4. Each lot will be served by individual domestic wells (Attachment A, Plat Note 7).
5. Each lot will be served by individual septic systems (Attachment A, Plat Note 6). *See Condition No. 4.*
6. Middleton Fire District did not comment. Fire district review and approval of the access and turnaround is required per CCZO Section 07-10-03(2). *See Condition No. 6.*
7. The property does not have irrigation water rights or any Black Canyon Irrigation District facilities (Exhibit C.4d of the staff report). Plat Notes 7 through 9 of the preliminary plat, irrigation will be provided to the domestic well per IDWR requirements and standards (Attachment A).
8. Subdivision runoff outside of the public right-of-way is the responsibility of the homeowner's association, underlying property owner, or adjacent property owner (Plat Note 13, Attachment A).
9. The property contains slopes 15% or greater. The plat shows that slopes over 15% are non-buildable (Attachment A). The applicant states future road and drainage improvements will not impact slopes 15% or greater (Exhibit C.2a of the staff report). *See Condition No. 10.*
10. The east boundary of the property fronts Breezy Lane, an open public right-of-way unmaintained by Highway District #4. Breezy Lane has a recorded road user's maintenance agreement (Inst. No. 2006-43593, Exhibit C.6 of the staff report). Highway District #4 HD4 requires a 40' wide public right-of-way dedication along Breezy Lane with a 10' slope easement. The applicant included a 70' wide ingress/egress easement for future access to Parcel R37431017A (Codr – RZ2021-0055, Exhibit C.7) as recommended by HD4 (Attachments A and B). *See Condition No. 5.*
11. The 70' easement (Inst. No 2024-016860) will serve Lot 1 of Lippert Subdivision and the future development of R37431017A (Exhibit C.7). Therefore, the 70' easement must become a road lot per CCZO Section 07-17-31(1)A. *See Condition No. 11.*
12. Per Condition No. 2a(ii) of the development agreement (Exhibit C.5b of the staff report), Breezy Lane must be constructed to private road standards (CCZO Section 07-10-03(2) and (3)). *See Condition No. 1.a.*
13. The development is not located within a mapped floodplain (Flood Zone X, Exhibit C.1 of the staff report).
14. Notice of the public hearing was provided per CCZO §07-05-01. Agency notice was provided on October 27, 2023, August 30, 2024 (P&Z Commission), and November 1, 2024. The newspaper notice was published on November 1, 2024. A notice was sent to property owners on August 30, 2024 (P&Z Commission) and November 1, 2024. The property was posted on September 4, 2024 (P&Z Commission) and November 1, 2024.

15. The record includes all testimony, the staff report, exhibits, and documents in Case File No. SD2023-0006

Conclusions of Law

Section 07-17-09(5) Board Action:

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

The Planning & Zoning Commission heard the case at a public hearing held on October 3, 2024. After deliberation, the Planning & Zoning Commission recommended approval subject to conditions (Exhibit A & B of the staff report).

The plat was reviewed per the following code:

- A. Idaho Code Section 67-6513 (Subdivisions);
- B. Idaho Code Sections 50-1301 through 50-1329 (Platting);
- C. Idaho Code Section 22-4503 (Right-to-Farm Act; Plat Note #5, Attachment A);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (subdivision Regulations)

The preliminary plat is consistent with the standards of review subject to conditions (Exhibit C.4a of the staff report).

Conditions of Approval

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
 - a. Per Condition No. 2aii of the development agreement (Exhibit 5b of the staff report), Breezy lane shall be constructed per CCZO Section 07-10-03(2) and (3) unless superseded by Canyon Highway District #4's public road construction standards. Prior to the Board's signing of the final plat, certification from a licensed engineer shall be submitted demonstrating that the road has been constructed per CCZO §07-10-03(2) and (3).
2. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained and protected (Exhibit C.4a of the staff report).
3. Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Exhibit C.4a of the staff report).
4. The development shall comply with Southwest District Health (SWHD) requirements. Evidence shall be SWDH's signature on the final plat (Exhibit C.4a of the staff report).
5. The development shall comply with the requirements of Highway District #4 (Attachment B and Exhibit C.4a of the staff report). Evidence shall be the Highway District's signature on the final plat.
6. Compliance with the international fire code and access and turnaround approval is required per CCZO Section 07-10-03(2). Evidence of compliance shall be submitted to DSD prior to the Board's signature on the final plat.
7. The recorded development agreement shall be referenced as a plat note on the final plat.
8. Before the Board signs the final plat, an easement or common lot shall be added to provide a United States Postal Service community mailbox unless waived by the United States Postal Service.

9. All development on slopes 15% or greater is prohibited. Any changes requiring hillside development will be reviewed per CCZO Section 07-17-33(1) through the preliminary and final plat application process.
10. The 70' wide access easement (Inst. #2024-016860) shall become a road lot per CCZO Section 07-17-31(1)A. The amendment shall be shown on the final plat.


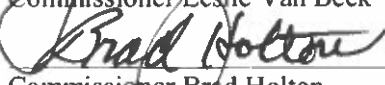

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2023-0006, the Board of County Commissioners **approve** the Preliminary Plat for Lippert Subdivision to the Board of County Commissioners subject to the Conditions of Approval as enumerated herein.

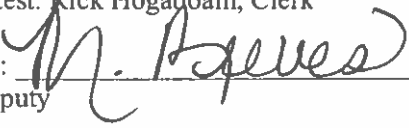
DATED this 3rd day of December, 2024.

CANYON COUNTY BOARD OF COMMISSIONERS

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

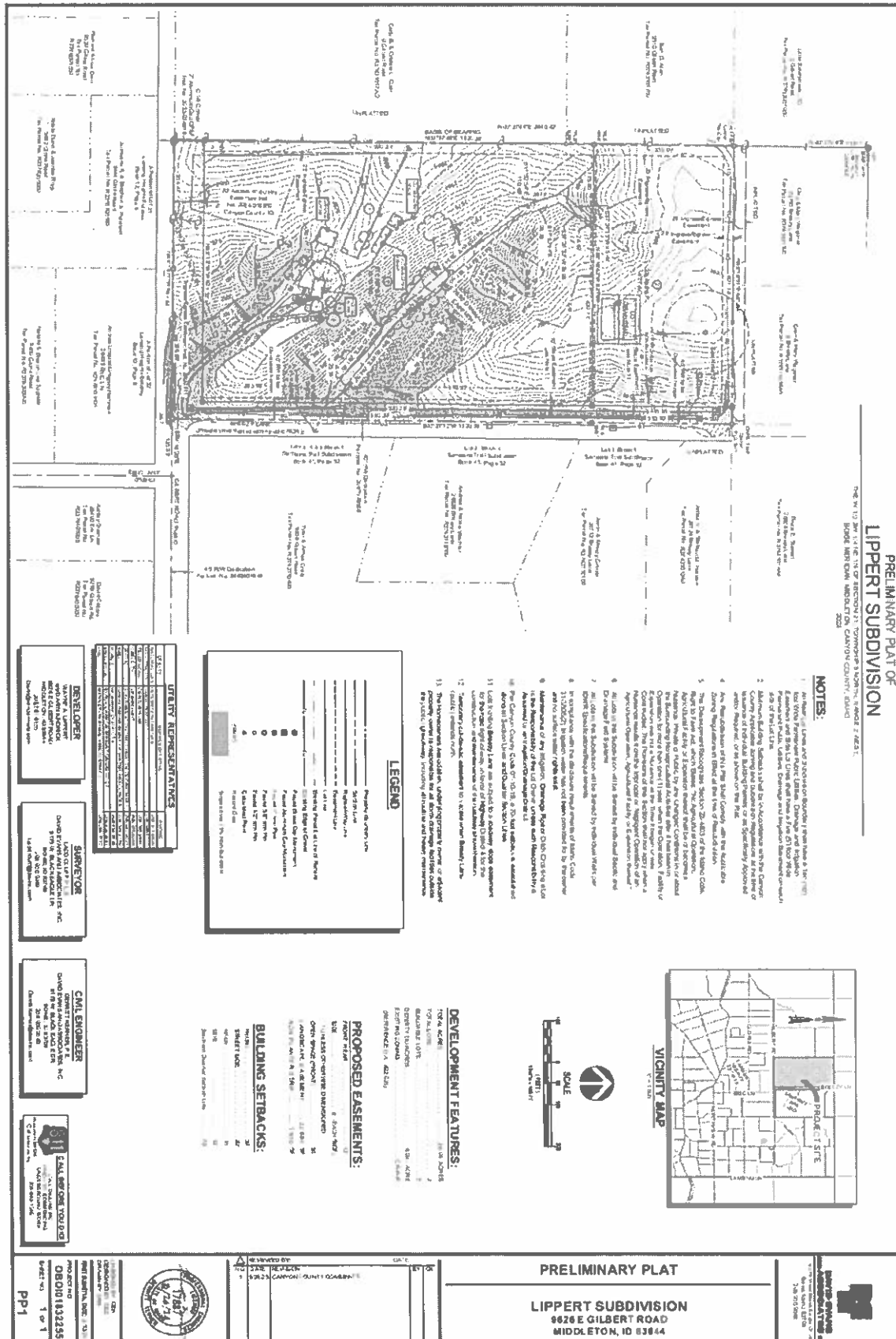
	Yes	No	Did Not Vote
 Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Commissioner Zach Brooks	<input checked="" type="checkbox"/>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

Attest: Rick Hogaboam, Clerk

By: 
Deputy

Date: 12-3-24

ATTACHMENT A



ATTACHMENT B



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

TELEPHONE 208.454.8135
FAX 208.454.2008

August 28, 2024

RE: HD4 Board of Commissioners
Gilbert Road and Breezy Lane--Lippert Subdivision
Preliminary Plat

Attachments:

- Vicinity Map
- Preliminary Plat
- Inst No. 2024-016860 (70' Easement)—separate document

Staff is recommending Board review of preliminary plats for several reasons:

- Provide opportunity for the Board to review and comment on proposed developments prior to final plat approval. Current HD4 policy requires that any public road improvements be designed, constructed, and approved prior to final plat approval. This preliminary plat review allows the Board opportunity to review compliance with adopted transportation plans and provide input on required public improvements and other public interests before final design.
- Provide the applicant assurance that the preliminary layout and proposed transportation improvements meet the District's standards and requirements prior to funding design and construction.
- Provides staff the opportunity to seek Board approval for certain portions of current policy that use language such as "may require..." or "unless otherwise determined by the District..." related to the adoption of adjacent city standards, or requirements for arterial or collector roadway improvements.

In this specific case, staff is requesting review and consideration of a preliminary plat for Lippert Subdivision.

Project Background

The subject parcel, R37431010, is located approximately 150' west of Eric Lane on the west side of open public right-of-way Breezy Lane. More specifically located in Section 21 of T5N R2W and consists of about 20.04 acres. Parcel was rezoned to conditional rural residential. Current request is for a preliminary plat and is seeking a 2 lot subdivision within Canyon County.

Proposal

- Preliminary plat request
 - 2 lots on 20.04 acres, gross density 0.10 DU/Acre
- Dedicate 40' ROW for Breezy Lane measured from 1/64th line. Provide 10' slope easement on west side of 40' ROW to allow HD4 maintenance of slopes.
 - This width plus existing 40' wide ROW that extends the length of the Lippert Parcel on east side should allow future public road construction by others

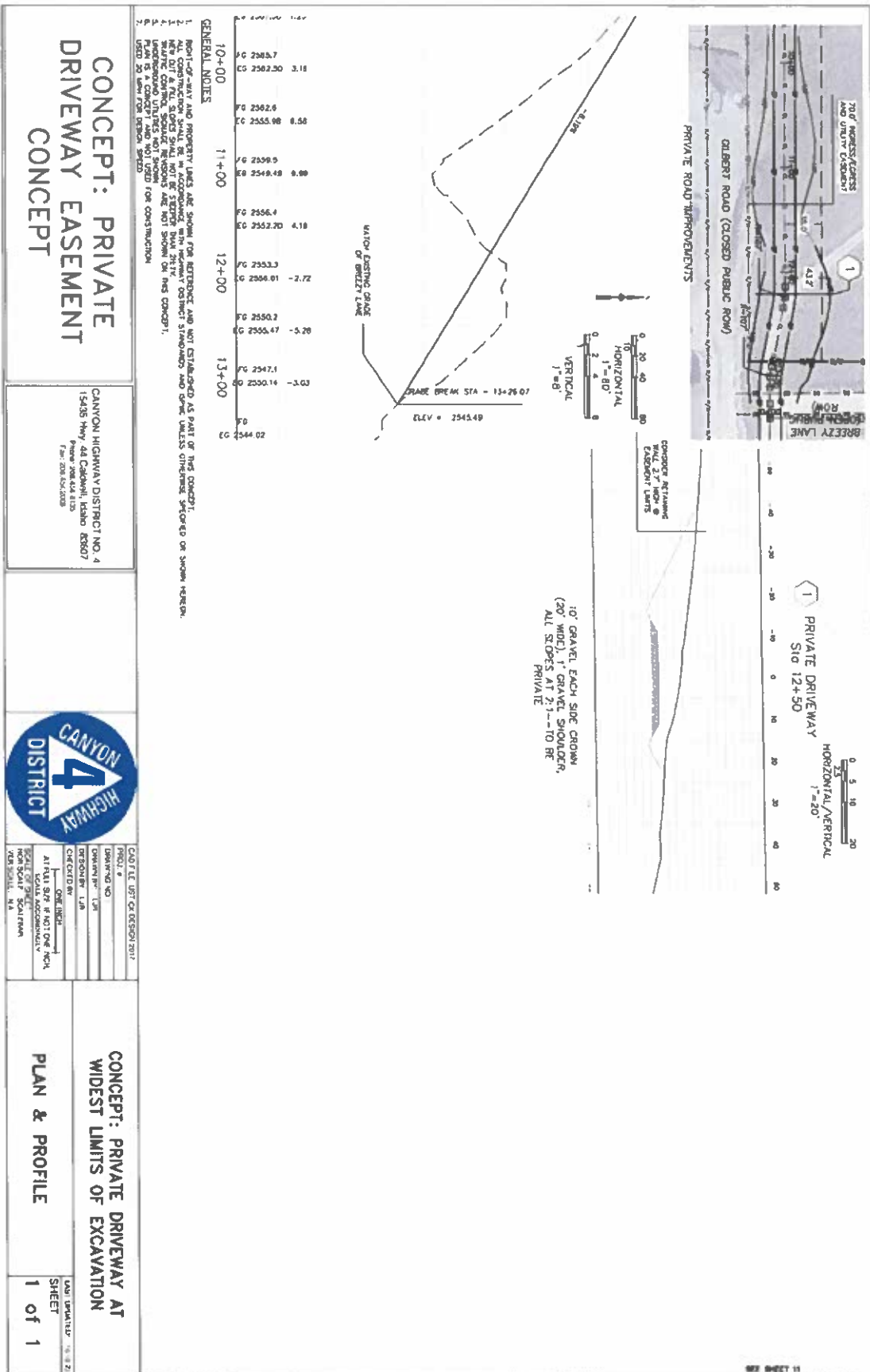
- Provides 70' ingress/egress and utility easement along south property line. This easement will benefit the Codr property R37431017A
- Provide cul-de-sac turnaround easement at north limits of Breezy Lane public
 - Turnaround was constructed by others and exists today

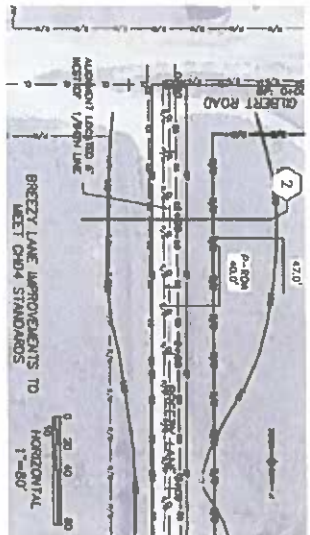
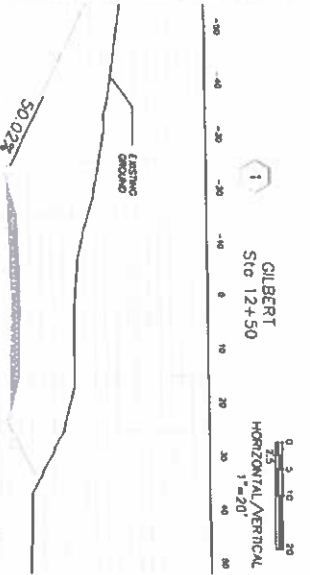
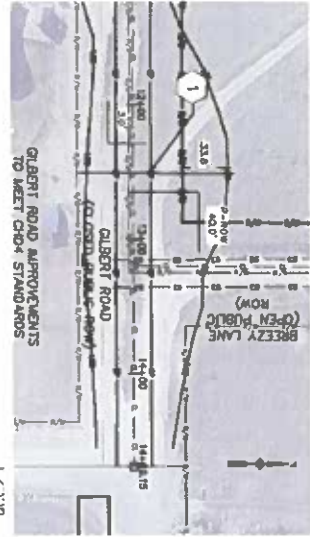
General

- Once Codr constructs a road within the 70' access easement to his parcel, Codr will be required to make improvements to the public ROW Breezy and Gilbert.
 - These improvements may affect Lippert's approach. Codr will be required to continue access to Lippert parcel. This will be reviewed at time of Codr's improvement drawings

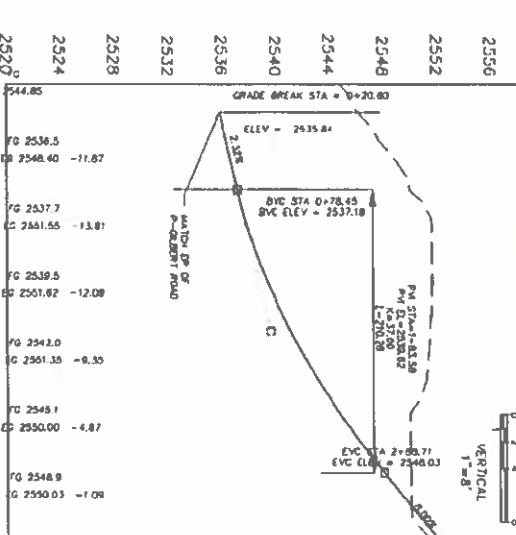
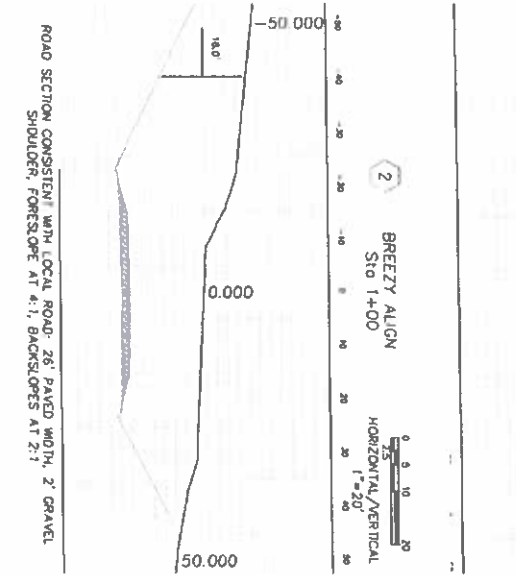
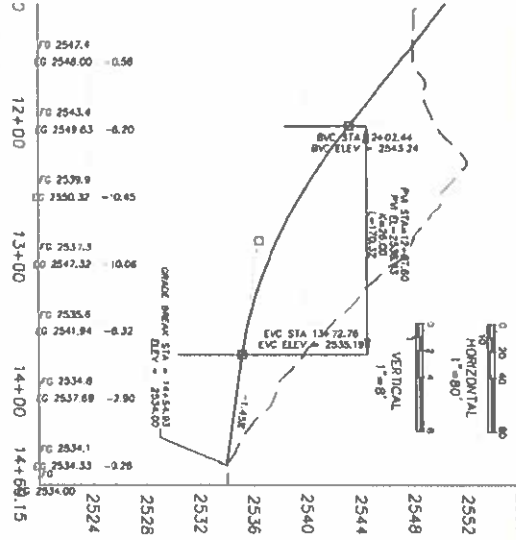
IID4 staff has reviewed and commented on one previous revision of the preliminary plat. HD4 staff recommends the Board approve the preliminary plat dated 8/16/24 with the following conditions:

1. Correct Note 12 to, "Temporary cul-de-sac easement to vacate when Breezy Lane (public) extends north."





SEE SHEET 11



- GENERAL NOTES**
1. RIGHT-OF-WAY AND PROPERTY LINES ARE SHOWN FOR REFERENCE AND NOT ESTABLISHED AS PART OF THIS CONCEPT.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION, LATEST EDITION.
 3. TRAFFIC CONTROL, SIGNALS, INTERSECTIONS ARE NOT SHOWN ON THIS CONCEPT.
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION, LATEST EDITION.
 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION, LATEST EDITION.
 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITION, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION, LATEST EDITION.
 7. USED 25 MPH DESIGN SPEED

CONCEPT: GILBERT & BREEZY ROW **SCENARIOS PER PUBLIC ROAD STANDARDS**

CANYON HIGHWAY DISTRICT NO. 4
 15405 Hwy 44 Canyon, OR 97007
 503-208-6538
 503-208-6538



PROJECT NO.	
DESIGNER NAME	
CHECKED BY	
DATE	
SCALE OF SHEET	
NOTES	

CONCEPT: GILBERT & BREEZY AT WIDEST LIMITS OF EXCAVATION **PLAN & PROFILE**

SHEET 1 of 1
 DATE: 10/22/2023

Exhibit B.6

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Arkoosh Law Offices
913 W. River Street, Suite 450
Boise, Idaho 83702

With a copy to:

Wayne Lippert
9626 E. Gilbert Road
Middleton, Idaho 83644

2024-016860

RECORDED

05/31/2024 03:45 PM



00813693202400168600080087

RICK HOGABOAM

CANYON COUNTY RECORDER

Pgs=8 PBRIDGES

\$31.00

EASEMENT

DENNIS CODER

(Space Above For Recorder's Use)

EASEMENT AGREEMENT

This Easement Agreement ("Easement Agreement") is made and entered into this 30 day of May, 2024, by and between WAYNE A. LIPPERT ("Grantor"), whose current address is 9626 E. Gilbert Road, Middleton, Idaho 83644 (Canyon County Parcel Number R3743101000), and CORY B. CODR and CRISTINE L. CODR (collectively "Grantee"), whose current address is 0 Gilbert Road, Middleton, Idaho 83644 (Canyon County Parcel Number R37431017A0).

1. Background.

1.1 Grantor Real Property. Grantor is the owner of the real property described in *Exhibit A*, attached hereto and incorporated herein (the "Grantor Real Property").

1.2 Benefited Real Property. Grantee is the owner of the real property described in *Exhibit B*, attached hereto and incorporated herein (the "Benefited Real Property").

1.3 Request for Easement. Grantee has requested Grantor to convey to Grantee a nonexclusive access easement on a portion of the Grantor Real Property in favor of the Benefited Real Property for the purposes described herein. The portion of the Grantor Real Property requested for the easement is described in *Exhibit C*, attached hereto and incorporated herein (the "Easement Real Property").

1.4 Purpose of Agreement. The purposes of this Easement Agreement are (i), to describe the easement granted, and (ii), to establish the relative rights and obligations of the parties regarding the easement granted under this Easement Agreement.

2. Grant of Easement.

2.1 Grant. For value received, Grantor hereby **GRANTS AND CONVEYS** to the Grantee a nonexclusive ingress-egress, access, utility, and power easement on the Easement Real Property (the "Easement"). Said Easement is described in *Exhibit C*, burdens the Grantor Real Property in *Exhibit A*, and nonexclusively benefits the Benefited Real Property in *Exhibit B*.

2.2 Purposes of Easement. The Easement is granted solely for the purpose of non-exclusive ingress-egress, access, utility, power, and the construction and maintenance of a road over the Easement, and for no other purposes.

2.3 Term of Easement. This Easement Agreement shall continue in perpetuity and may only be terminated upon mutual agreement in writing entered, executed, and recorded in Canyon County by Grantee and Grantor.

2.4 Covenants and Agreements of the Grantor. Grantor, on behalf of Grantor and Grantor's heirs, successors, assigns, purchasers, or transferees of any kind, covenants and agrees with Grantee and Grantee's heirs, successors, assigns, purchasers, or transferees of any kind, that the provisions of this Easement Agreement (i) shall run with and bind the Easement Real Property, and (ii) shall inure to the benefit of, and be enforceable (at law or in equity) by any owner of all or part of, the Benefited Real Property.

2.5 Covenants and Agreements of the Grantee. Grantee, on behalf of Grantee and Grantee's heirs, successors, assigns, purchasers, or transferees of any kind, covenants and agrees with Grantor and Grantor's heirs, successors, assigns, purchasers, or transferee of any kind, as follows:

2.5.1 Consideration to Grantor. To pay Grantor the single lump sum of Fifty Thousand Dollars (\$50,000.00), the receipt of which is hereby acknowledged, as consideration for Grantee's grant of the Easement pursuant to this Easement Agreement.

2.5.2 Repair and Maintenance. To construct, maintain in good and sufficient repair, and pay for all improvements desired by the Grantee on the Easement Real Property, including moving utility poles if needed, and control within the Easement Real Property weeds per Canyon County Code and noxious weeds per Idaho Code.

3. General Provisions.

3.1 Governing Law, Jurisdiction, and Venue. This Easement Agreement shall be construed and interpreted in accordance with the laws of the State of Idaho. The parties agree that the courts of Idaho shall have exclusive jurisdiction and that Canyon County is the proper venue.

3.2 Time of the Essence. Time is of the essence with respect to the obligations to be performed under this Easement Agreement.

3.3 Rights Cumulative. Except as expressly provided in this Easement Agreement, and to the extent permitted by law, any remedies described in this Easement Agreement are cumulative and not alternative to any other remedies available at law or in equity.

3.4 Nonwaiver of Remedies. The failure or neglect of a party to enforce any remedy available by reason of the failure of the other party to observe or perform a term or condition set forth in this Easement Agreement shall not constitute a waiver of such term or condition. A waiver by a party (i) shall not affect any term or condition other than the one specified in such waiver, and (ii) shall waive a specified term or condition only for the time and in a manner specifically stated in the waiver.

3.5 Successors and Assigns. This Easement Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

3.6 Entire Agreement. All Exhibits to this Easement Agreement constitute a part of this Easement Agreement. This Easement Agreement, together with the accompanying Exhibits, constitutes the entire agreement among the parties and supersedes all prior memoranda, correspondence, conversations, and negotiations.

4. Signatures.

GRANTOR:

Dated: 5-31-24

Wayne A. Lippert
WAYNE A. LIPPERT

GRANTEE:

Dated: 05/30/24

Cory B. Codr
CORY B./CODR

Dated: 05/30/24

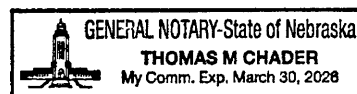
Cristine L. Codr
CRISTINE L. CODR

STATE OF NEBRASKA)
 : SS
COUNTY OF DOUGLAS)

On the 30th day of May, 2024, before me the undersigned, a notary public in and for said state, personally appeared CORY B. CODR, known or identified to me to be the Grantee and owner of the Benefited Real Property, and the person who executed the 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.

Thomas M Chader
Notary Public
My commission expires: 03-30-2026

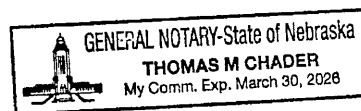


STATE OF NEBRASKA)
 : SS
COUNTY OF DOUGLAS)

On the 30th day of May, 2024, before me the undersigned, a notary public in and for said state, personally appeared CRISTINE L. CODR, known or identified to me to be the Grantee and owner of the Benefited Real Property, and the person who executed the 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.

Thomas M Chader
Notary Public
My commission expires: 03-30-2026



On the 31 day of May, 2024, before me the undersigned, a notary public in and for said state, personally appeared WAYNE A. LIPPERT, known or identified to me to be the Grantor and owner of the Grantor Real Property, and the person who executed the instrument.

Notary Public
My commission expires: _____



EXHIBIT A

Grantor Real Property

The following described real property in Canyon County, State of Idaho, more particularly described as follows to wit:

The West Half of the Southwest Quarter of the Northeast Quarter of Section 21, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXHIBIT B

Benefited Real Property

The following described real property in Canyon County, State of Idaho, more particularly described as follows to wit:

A parcel of land being a portion of the East Half of the Southeast Quarter of the Northwest Quarter of Section 21, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence South 00°00'29" East along the East boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 395.65 feet to the TRUE POINT OF BEGINNING; thence continuing

South 00°00'29" East along said East boundary a distance of 924.71 feet to the Southeast corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence

North 89°59'00" West along the South boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 660.33 feet to the Southwest corner of said East Half of the Southeast Quarter of the Northwest Quarter; thence

North 00°01'20" West along the West boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 923.67 feet; thence

North 89°55'35" East parallel with the North boundary of said East Half of the Southeast Quarter of the Northwest Quarter a distance of 660.56 feet to the TRUE POINT OF BEGINNING.

EXHIBIT C

Easement Real Property

The following described real property in Canyon County, State of Idaho, more particularly described as follows to wit:

70-Foot Ingress-Egress, Access, Utility, and Power Easement.

A 70-Foot Ingress-Egress, Access, Utility, and Power Easement that is located in the Southwest ¼ of the Northeast ¼ of Section 21, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho described as:

Beginning at the Southwest corner of the Southwest ¼ of the Northeast ¼ of Section 21, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence N00°00'30"W 70.00 feet along the West line of the Southwest ¼ of the Northeast ¼ of said Section; thence S89°56'02"E 661.32 feet; thence S00°00'34"E 70.00 feet to a point on the South line of the Southwest ¼ of the Northeast ¼ of said Section; thence N89°56'03"W 661.32 feet along said South line to the Point of Beginning.

EXHIBIT C

Agency Comments

Planning & Zoning Commission

Case# SD2024-0011

Hearing date: August 7, 2025

Dan,

The first two names on the list are good, Codr Ln and Asha Ln.

Tony



Antonio A. Almeida

Geographic Information Systems
Canyon County Development Services Department
Phone: 208-454-6624 Fax: 208-454-7349
tony.almeida@canyoncounty.id.gov

NEW public office hours - **Effective Jan. 3, 2023**
Monday, Tuesday, Thursday and Friday: 8am – 5pm
Wednesday: 1pm – 5pm
**We will not be closed during lunch hour **

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Dan Lister

From: Tony Almeida
Sent: Thursday, June 12, 2025 8:32 AM
To: Dan Lister
Subject: Gilbert Sub - Rd2024-0028 private road names

Dan,

The first two names on the list are good, Codr Ln and Asha Ln.

Tony



Antonio A. Almeida

Geographic Information Systems
Canyon County Development Services Department
Phone: 208-454-6624 Fax: 208-454-7349
tony.almeida@canyoncounty.id.gov

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Dan Lister

From: Caitlin Ross
Sent: Monday, April 28, 2025 11:25 AM
To: Dan Lister
Subject: FW: [External] RE: Agency Notice for SD2024-0011 / Gilbert Subdivision

FYI – thanks!
-Caitlin

From: D3 Development Services <D3Development.Services@itd.idaho.gov>
Sent: Monday, April 28, 2025 10:48 AM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Subject: [External] RE: Agency Notice for SD2024-0011 / Gilbert Subdivision

Hello,

After careful review of the transmittal submitted to ITD on April 21, 2025 regarding, SD2024-0011/Gilbert Subdivision, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study nor does it pose any safety concern. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ Niki.Benyakhlef@itd.idaho.gov.

Thank you

Mila Kinakh

D3 Planning and Development
Administrative Assistant



From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, April 21, 2025 9:39 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'e Ingram@idahopower.com' <e Ingram@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@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>; D3 Development Services <D3Development.Services@itd.idaho.gov>; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; Brian Crowth <Brian.Crowth@canyoncounty.id.gov>; Christine Wendelsdorf <Christine.Wendelsdorf@canyoncounty.id.gov>; Michael Stowell <mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Dalia Alnajjar <Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur

<Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida <tony.almeida@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>; 'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>; 'Chad.M.Franklin@usps.gov' <Chad.M.Franklin@usps.gov>; 'makline2@marathonpetroleum.com' <makline2@marathonpetroleum.com>

Subject: Agency Notice for SD2024-0011 / Gilbert Subdivision

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

Please see the attached agency notice. You are invited to provide written testimony or comments by **May 20, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

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

Thank you,



Caitlin Ross

Hearing Specialist

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

Direct Line: 208-454-7463

Email: Caitlin.Ross@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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

▪ Engineering Division ▪

July 8, 2025

Re: Gilbert Subdivision – Preliminary Plat Review (SD2024-0011) #2 review

Dear Mr. Dan,

The Engineering Division has reviewed the Preliminary Plat for the Gilbert Subdivision, based on the updated submittal dated June 26, 2025. Our review focused on conformance with Canyon County Code Ordinance, Article 17, as well as applicable standards related to hillside development, drainage, access, and utility easements.

Based on the revised plat and supplemental materials, the Engineering Division recommends **Approval** of the Preliminary Plat.

Please note that any variances or waivers to Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of this Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of their respective responsibilities.

Sincerely,
Dalia Alnajjar
Engineering Supervisor
Canyon County Development Services



January 17, 2025

Western Consulting Group, PLLC
1452 W. Bannock Street
Boise, ID 83702
Attention: Kurt F. Norrell, P.E.

RE: **Gilbert Subdivision**
Canyon County Parcel R37431017A0

Kurt,

Highway District No. 4 (HD4) has reviewed the preliminary plat application for Gilbert Subdivision of approximately 14.01 acres, located in SE ¼ of the NW ¼ of Section 21 T5N R2W. Applicant is requesting to subdivide the parcel creating 6 residential lots and 1 private road common lot. HD4 provides the following comments on the proposed development:

General

1. Review checklist for road improvements within existing public ROW and how those improvements affect Eric and Gilbert.
 - a. Provide and review preliminary plat checklist accordingly

Right-of-Way

1. Road improvements within existing ROW to meet HD4 standards (HSDP 2010.100)
 - a. See ACCHD-101 two lane rural local road
 - b. Breezy Lane north of asphalt does not require public road improvements; however, show grading of road in plans
 - c. Correct foreslope grading per HSDP ACCHD-103
2. Having private approach adjacent to Breezy Lane will continue to be confusing
 - a. Provide approach off of private road for parcel R23763010
 - b. Draft easement to the benefit of that parcel to use private road.
 - i. Can this be done on the final plat?
 - ii. Apply this for Lippert approach as well
3. All drainage to be retained onsite. Plan drainage at Sta 9+00 adjacent to road or by other appropriate means. Use HD4 calc method. Intent is to prevent road drainage and lot drainage from continuing east on private road.
4. Existing drain pipe 90' east of Eric/Gilbert attempt to put balance of drainage here.
 - a. Appears drainage that will continue into this pipe is from sta 14+75 to end

Intersections and approaches

1. Label Breezy on plans. Check with Canyon County addressing where Breezy and Gilbert start/stop

Roadway

1. Show saw cut limits
2. Roadway design to meet AASHTO
 - a. Review alignments match between Gilbert and road west of Eric

Drainage

1. Add an area outside the public right-of-way within an easement for storm drainage.
 - a. See sta 9+00 comments above
2. Add note, "The Homeowners Association, underlying property owner or adjacent property owner is responsible for all storm drainage facilities outside the public right-of-way, including all routine and heavy maintenance."

Preliminary Grading Plan

1. Show ROW
2. After road improvements terminate at sta 16+69. What is the profile grade of existing roads? If difference is greater than 1% attempt to add a vertical curve with rate of curvature meeting 25 mph
 - a. Show existing road profile and topo east of terminus
3. With new private road grading and asphalt how does this affect Breezy Lane? Show and grade Breezy Lane into new road improvements. Show existing and proposed profile grade

Please revise the plat to address the comments above, and re-submit a single full-size hard copy and an electronic copy of the plat. Feel free to contact me with any questions on this matter.

Regards,





Leonard Riccio, P.E.
Transportation Planner
Senior Assistant Engineer

Middleton Rural Fire District

DATE: December 23, 2024

TO: Western Consulting Group, PLLC – Lilly Norwood

CC: Canyon County Development Services

FROM: Victor Islas, Deputy Chief  
Victor Islas, Deputy Chief
10/20/2024

SUBJECT: Fire District Comment Preliminary Plat (2024-0221)

PROJECT: Gilbert Subdivision

The Middleton Rural Fire District has reviewed the documents provided by Western Consulting Group for our review on the Preliminary Plat of Gilbert Subdivision. Hornet comments are as follows.

This application is for a subdivision with 6 single-family residential lots with a minimum lot size of 2.01 acres.

This development will be serviced by Station 53 located at 302 E. Main St., Middleton, ID. Station 53 is 6.1 miles from the development with an estimated 11-minute travel time under normal driving conditions.

The Fire District level of service expectation goal is a 5-minute response time. This development sits outside of the Fire District service level expectations when resources are available.

The Middleton Rural Fire District does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

CONDITIONS OF APPROVAL:

1. Water Supply
 - a. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105)
 - i. This subdivision is not serviced by a municipal water system and is proposing individual wells. If sufficient fire flow cannot be provided, an alternative such as automatic residential fire sprinkler system would be considered as an equivalent.
 - ii. Water supply options shall be provided to the fire district in writing before the final plat approval.
 - iii. A note shall be placed on the final plat indicating the source of the water supply or sprinklers.
2. Fire Apparatus Access
 - a. The purpose "Private Road" does not meet the intent of the code for access.
 - i. Road width will need to be a minimum of 26 ft of drivable surface.
 - ii. Cul-de-sac will need to be designed per IFC 2018 appendix D

Middleton Rural Fire District

3. Fire Apparatus Access for each individual lot shall follow:

- i. All the lots are large enough to accommodate a structure beyond the distance. An approved 20' wide driveway shall be provided within 150ft of the far point of any residential structure.
- ii. Fire apparatus access roads shall extend to within 150ft of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
- iii. Dead-end fire apparatus access roads exceeding 150 ft in length shall be provided with an approved area for turning a fire apparatus. (IFC 503.2.5)
- iv. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 ft. (IFC 503.2.4)
- v. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface that can support the imposed load of fire apparatus weighing at least 75,000 pounds. (IFC D102.1)
- vi. Fire apparatus access roads shall not exceed 10 percent in grade (IFC D103.2)

4. Additional Comments

- a. Fire District Review and Permit will be required for each lot before the building permit is issued by Canyon County.
- b. It shall be the responsibility of the applicant to provide Canyon County Development Services with a copy of this letter.
- c. Fire District Final Plat review and comment is required.
- d. Any overlooked hazardous condition and/or violation of the International Building and/or Fire Code does not imply approval of such condition or violation.

Dan Lister

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Monday, April 21, 2025 3:14 PM
To: Dan Lister
Subject: [External] RE: Agency Notice for SD2024-0011 / Gilbert Subdivision

Hi Dan,

Per request for the questions below.

- 1.) Will a Nutrient Pathogen Study be required? **Outside the designated Nitrate Priority and SWDH will not require a Nutrient Pathogen Study as proposed.**
- 2.) Will adequate sanitary systems be provided to accommodate the use? **Test holes have not been conducted on site, and SWDH has not determined whether septic systems are a suitable option on each lot.**
- 3.) Any concerns about the request? If so, are there any conditions or improvements recommended? **Currently, SWDH does not have any concerns with the request, however, the developer/applicant must schedule a pre-development meeting with SWDH to discuss this proposal.**

Please let me know if you have any questions.

Thank you,



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

Anthony Lee, RS/BS | Land Development Senior
o 208.455.5384 | c 208.899.1285 | f 208.455.5300
anthony.lee@swdh.id.gov | SWDH.org
13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, April 21, 2025 9:39 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>; 'brandy.walker@centurylink.com' <brandy.walker@centurylink.com>; 'eingham@idahopower.com' <eingham@idahopower.com>; 'easements@idahopower.com' <easements@idahopower.com>; 'arobins@idahopower.com' <arobins@idahopower.com>; 'monica.taylor@intgas.com' <monica.taylor@intgas.com>; 'jessica.mansell@intgas.com' <jessica.mansell@intgas.com>; 'Contract.Administration.Bid.Box@ziply.com' <Contract.Administration.Bid.Box@ziply.com>; 'developmentreview@blackcanyonirrigation.com' <developmentreview@blackcanyonirrigation.com>; Mitch Kiester <Mitch.Kiester@swdh.id.gov>; Anthony Lee <Anthony.Lee@swdh.id.gov>; 'D3Development.services@itd.idaho.gov' <D3Development.services@itd.idaho.gov>; 'niki.benyakhlef@itd.idaho.gov' <niki.benyakhlef@itd.idaho.gov>; Brian Crawforth

<Brian.Crawforth@canyoncounty.id.gov>; christine.wendelsdorf@canyoncounty.id.gov; Michael Stowell
<mstowell@ccparamedics.com>; Assessor Website <2cAsr@canyoncounty.id.gov>; Dalia Alnajjar
<Dalia.Alnajjar@canyoncounty.id.gov>; Tom Crosby <Tom.Crosby@canyoncounty.id.gov>; Eric Arthur
<Eric.Arthur@canyoncounty.id.gov>; Kathy Husted <Kathleen.Husted@canyoncounty.id.gov>; Tony Almeida
<tony.almeida@canyoncounty.id.gov>; 'BRO.Admin@deq.idaho.gov' <BRO.Admin@deq.idaho.gov>;
'file@idwr.idaho.gov' <file@idwr.idaho.gov>; 'brandon.flack@idfg.idaho.gov' <brandon.flack@idfg.idaho.gov>;
'Chad.M.Franklin@usps.gov' <Chad.M.Franklin@usps.gov>; 'makline2@marathonpetroleum.com'
<makline2@marathonpetroleum.com>

Subject: Agency Notice for SD2024-0011 / Gilbert Subdivision

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Please see the attached agency notice. You are invited to provide written testimony or comments by **May 20, 2025**, although as of this point, no hearing date has been set. You will receive a separate notification when the hearing date has been set for this case. If the comment deadline is on a weekend or holiday, it will move to close of business 5pm the next business day. The deadline for written testimony or additional exhibits is to ensure planners can consider the information as they develop their staff report and recommended findings. All items received by the deadline will also be placed in the hearing packet, allowing the hearing body adequate time to review the submitted information.

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

Thank you,



Caitlin Ross

Hearing Specialist

Canyon County Development Services Department

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

Direct Line: 208-454-7463

Email: Caitlin.Ross@canyoncounty.id.gov

Website: www.canyoncounty.id.gov

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1445 N Orchard St
Boise, ID 83706 • (208) 373-0550



Brad Little, Governor
Jess Byrne, Director

July 7, 2025

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Agency Notice SD2024-0011 / Gilbert Subdivision

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 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 the 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 planning 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 are 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 groundwater 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 planning 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 the best construction 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 released 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,

A handwritten signature in blue ink, appearing to read "Troy G. Smith".

Troy Smith
Regional Administrator

EXHIBIT D

Public Comments

Planning & Zoning Commission

Case# SD2024-0011

Hearing date: August 7, 2025

Dan Lister

From: Dan Lister
Sent: Friday, July 25, 2025 8:00 AM
To: 'Angel Kolbe'
Subject: RE: [External] Case No. SD2024-0011

Angel,

Your email was received and will be added to the staff report that will be reviewed by the presiding hearing body.

Sincerely,

Dan Lister, Planning Supervisor

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: Angel Kolbe <angelkolbe75@gmail.com>
Sent: Thursday, July 24, 2025 10:02 PM
To: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: [External] Case No. SD2024-0011

Dan,

Here is our letter regarding the subdivision for Case No. SD2024-0011.

Andy & Angel Kolbe

26630 Merlynn Ln

Middleton, ID 83644

kolbe.andrew@gmail.com

angelkolbe75@gmail.com

208-870-4828

July 25, 2025

Canyon County Development Services Department
111 North 11th Avenue, Suite 310
Caldwell, ID 83605

Re: Opposition to Proposed Subdivision – Case No. SD2024-0011

Dear Planning and Zoning Commissioners,

We are writing to formally oppose the proposed small subdivision in rural Middleton under **Case No. SD2024-0011**. While growth in our community is expected, we urge the County to ensure it is managed in a responsible and sustainable manner that does not compromise the rural character and quality of life that residents currently enjoy.

One of our primary concerns is the impact on local schools, which are already operating over capacity. Additional housing will further strain school resources and worsen overcrowding, negatively affecting students and teachers alike.

We are also concerned about the loss of wildlife habitat. The proposed development would encroach on open land that supports deer, birds, and other native species. Once developed, these habitats are permanently altered or lost, diminishing the natural environment that makes Middleton special.

Traffic congestion is another serious issue. The intersection of Lancing and Highway 44 is already dangerous and heavily traveled, especially during morning and evening commutes. Adding more homes in the area will only increase traffic volume and raise the risk of accidents on roads that are not designed for high-density use.

Moreover, the recent failure of the levy for the **Middleton Rural Fire District** means our emergency services are already underfunded and stretched thin. Increasing the population without additional resources for fire and medical response is not only irresponsible—it's unsafe.

In light of these concerns, we respectfully ask the Planning and Zoning Commission to deny this subdivision proposal. We support thoughtful development that prioritizes infrastructure, safety, and the preservation of rural land, but this project does not meet those standards.

Thank you for considering our perspective.

Sincerely,

Andy & Angel Kolbe
Middleton, ID Residents