



Canyon County Board of Commissioners Mint Farm Estates Subdivision - SD2022-0034

Findings of Fact, Conclusions of Law, and Order

Preliminary Plat: Mint Farm Estates

Findings

1. Sierra Vista Properties, Inc. is requesting approval of a Preliminary Plat, Irrigation, & Drainage plan for Mint Farm Estates Subdivision (Attachment A).
2. The plat contains a total of 39 residential lots on approximately 90.57 acres with an average residential lot size of 2.04 acres.
3. The subject property, parcel no. R37496 is located at 8718 Purple Sage, Rd., Caldwell, Idaho, in a portion of the SW $\frac{1}{4}$ of Section 27, T5N, R2W, BM, Canyon County, Idaho.
4. The subject property is currently zoned "A" (Agricultural). A zoning map amendment to change the zoning of the property from "A" (Agricultural) to "R-R" (Rural Residential) was applied for concurrently with the plat (Case No. RZ2022-0011).
5. The subject property is designated "residential" on the Canyon County Comprehensive Plan Future Land Use Map (Exhibit 5d of the staff report).
6. The subject property is not located within an Area of City Impact.
7. The subject property is located within Canyon Highway District No. 4, Middleton Fire District, Middleton School District and Black Canyon Irrigation District.
8. Internal public roads will provide access to the residential lots (Attachment A).
9. Pressurized irrigation is proposed for the subdivision via water right from Black Canyon Irrigation District (Attachment A & Exhibit 3 of the staff report).
10. Individual septic systems and individual domestic wells are proposed for each residential lot (Attachment A).
11. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on July 18, 2022, newspaper notice was published on December 18, 2022, property owners within 600' were notified by mail on December 15, 2022, and the property was posted on December 27, 2022.
12. The Planning and Zoning Commission heard cases RZ2022-0011 and SD2022-0034 on January 5, 2023 and forwarded a recommendation of denial to the Board of County Commissioners with the FCOs signed on January 19, 2023. (Exhibit E & F BOCC Addendum)
13. Notice of the BOCC hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on May 17, 2023, newspaper notice was published on June 1, 2023, property owners within 600' were notified by mail on May 31, 2023, and the property was posted on June 8, 2023.
14. The Board of County Commissioners heard this case on July 12, 2023, took testimony, considered exhibits not previously submitted, and continued the hearing to a date certain of August 24, 2023. Late Exhibits were posted to the hearing case on the Canyon County website for public review. On August 24, 2023 the hearing was continued to August 31, 2023 at 1:30 p.m.
15. The record includes all testimony at the public hearing held on January 5, 2022 and July 12, 2023, the staff report, exhibits, and documents in Case File No. SD2022-0034.

Conclusions of Law

Section 07-17-09(4)A of the Canyon County Zoning Ordinance (CCZO) states:

"The commission or hearing examiner shall hold a noticed public hearing on the preliminary plat. The hearing body shall recommend that the board approve, approve conditionally, modify, or deny the preliminary plat. The reasons for such action will be shown in the commission's minutes. The reasons for action taken shall specify:

1. The ordinance and standards used in evaluating the application;
2. Recommendations for conditions of approval that would minimize adverse conditions, if any;
3. The reasons for recommending the approval, conditional approval, modification, or denial; and
4. If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision."

The Planning and Zoning Commission recommended denial of the zoning map amendment (RZ2022-0011) for the following reasons:

- Middleton School District finds the requested development will impact Mill Creek Elementary School which is over capacity by 123% (Exhibit 10). The development would potentially create 20-27 new students.
- The development does not address the cumulative traffic impacts found in the area. Between 2018-2022, land use decisions allowed approximately 215 residential lots within a one-mile radius (Exhibit 14). The request will allow 39 residential lots. The September 2021 TIS provided by the applicant (Exhibit 13) states site access and Purple Sage Road requires a stop-controlled T-intersection by 2023 and that the Lansing Lane and SH-44 intersection is anticipated to operate at LOS F during PM peak hours by 2023 if improvements such as a single-lane roundabout or traffic signal with left-turn lanes on Lansing Lane approaches are not completed. Impact fees and site improvements such as public right-of-way dedications do not guarantee improvements will be completed within the 2023 timeframe stated in the TIS.

The Board of County Commissioners followed the Planning and Zoning Commission recommendation and DENIED case file RZ2022-0011 on July 12, 2023.

Since the rezone has been denied and the preliminary plat application was submitted concurrently, the property is remains "A" (Agricultural) which does not allow for the development of two-acre average minimum lot sizes. Therefore, the preliminary plat is inconsistent with Canyon County Code.

Order



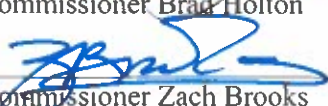
Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0034, the Board of County Commissioners DENY case file SD2022-0034, a Preliminary Plat (including irrigation/drainage plans) for Mint Farm Estates Subdivision.

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

1. Re-apply when a zoning map amendment or conditional rezone has been approved.

This decision is final. Pursuant to Idaho Code Section 67-6535(b), the applicant or affected person may first seek reconsideration within 14 days prior to seeking judicial review.

DENIED this 31 day of August, 2023.

	Yes	No	Did Not Vote
 Commissioner Leslie Van Beek	<input 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

Date: 8/31/23

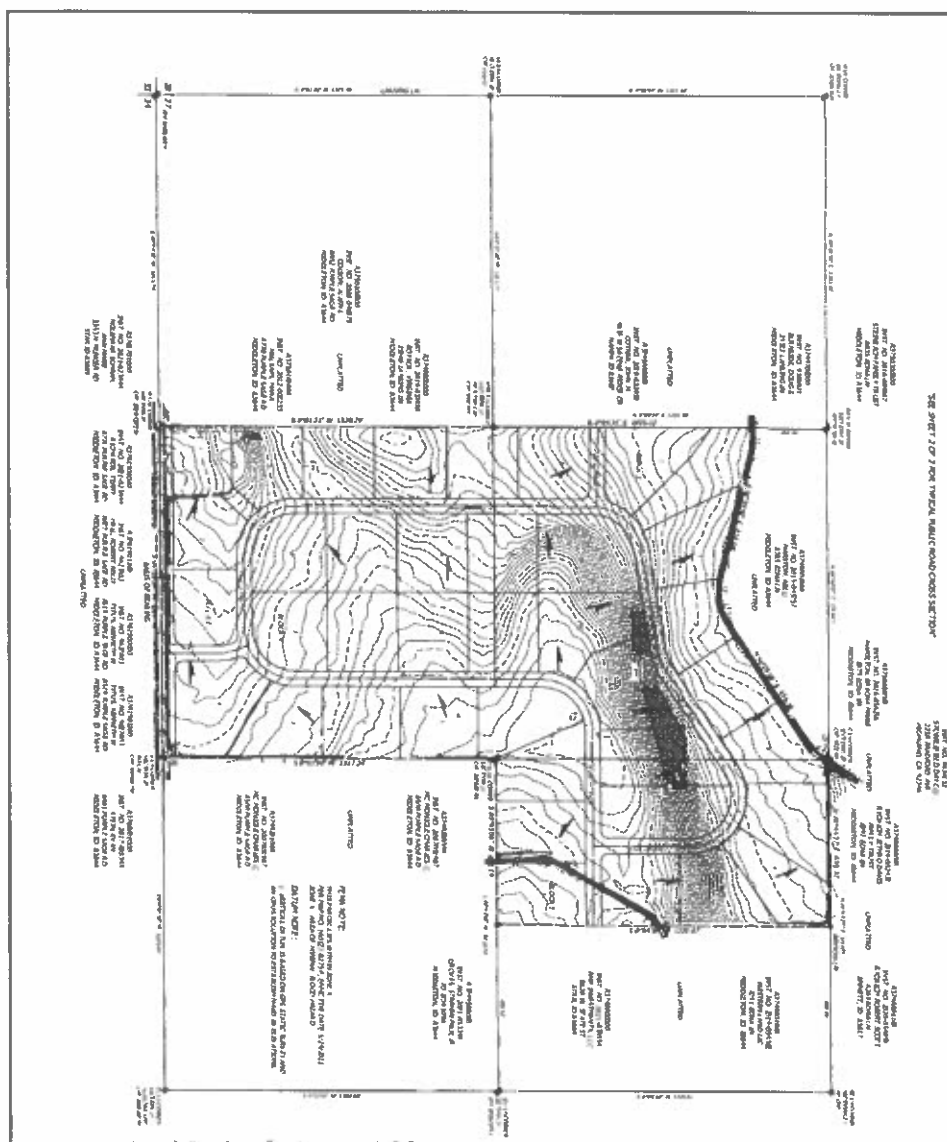
ATTACHMENT A

Preliminary Plat: Mint Farms Estates

PRELIMINARY PLAT OF MINT FARM ESTATES SUBDIVISION
 LOCATED IN THE E 1/2 OF THE SW 1/4 AND THE W 1/2 OF THE NW 1/4 OF SECTION 27,
 T. 5 N., R. 2 W., 8 M., CANYON COUNTY, IDAHO
 2022



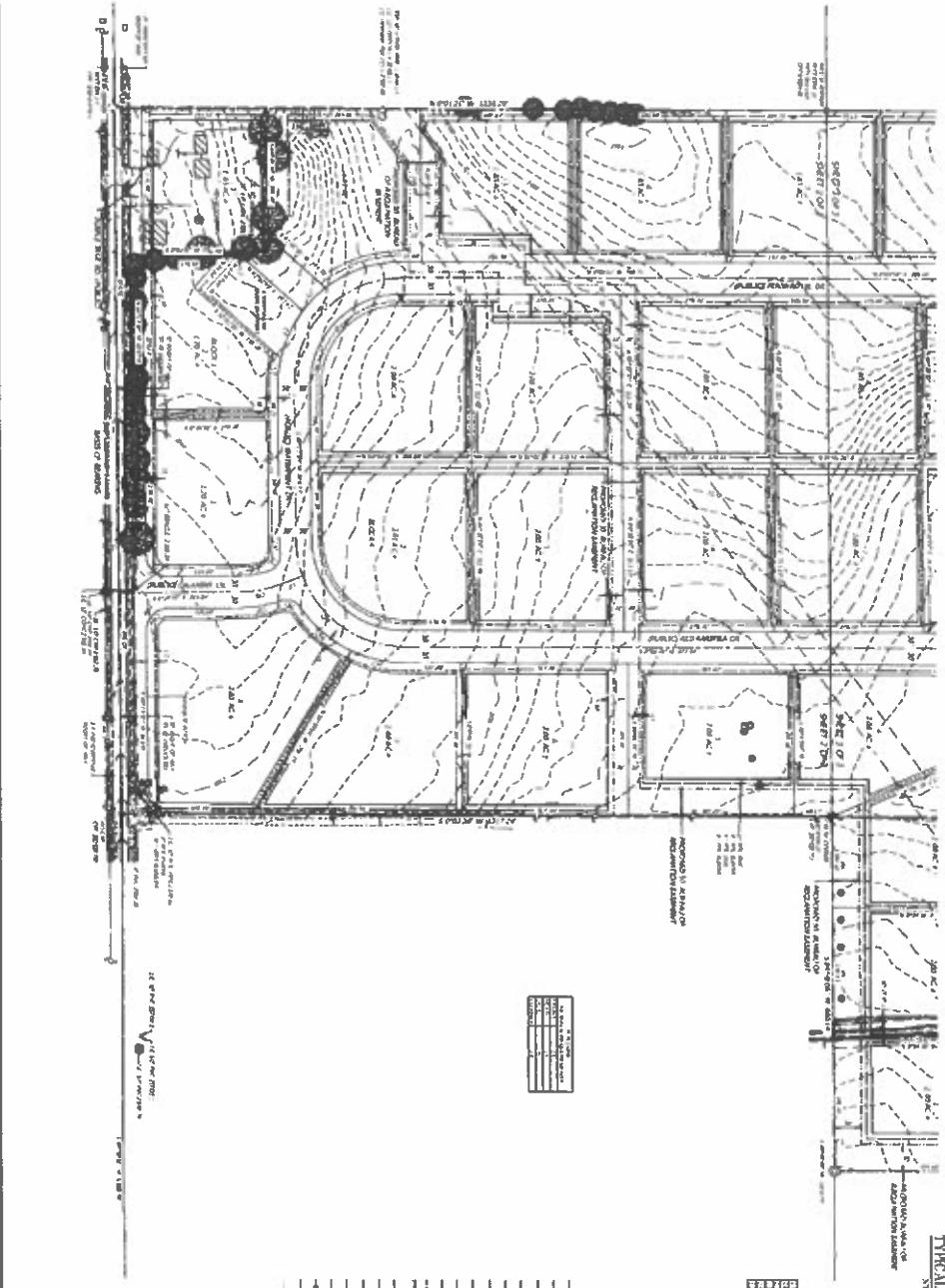
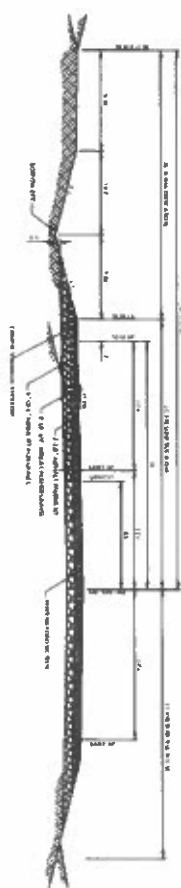
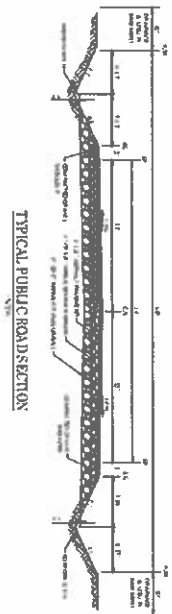
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NOTES:
 1. THE SURVEY WAS MADE BY THE SURVEYOR AND HIS ASSISTANTS IN THE FIELD AND THE RESULTS WERE CHECKED BY THE SURVEYOR IN THE OFFICE.
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND THE RULES OF THE PROFESSION.
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TITLE: TOPOGRAPHIC SURVEY MINT FARM ESTATES SUBDIVISION T. 5 N., R. 2 W., 8 M., CANYON COUNTY, ID.		2030 S. WASHINGTON AVE. CHENET, ID 83617 (208) 398-0104 FAX (208) 398-0105 WWW.SAWTOOTHLS.COM		OWNER/DEVELOPER: AMMON ANDELIN P.O. BOX 30 CHA. ID. 83527 (208) 963-1188	
DATE: 4/20/22 SHEET: 1 OF 1	DRAWN BY: [Signature] CHECKED BY: [Signature] DATE: 4/20/22	NO. BY DATE DESCRIPTION 1 BY 10/1/21 REVISED PER COUNTY SURVEYORS COMMENTS 2 BY 10/20/21 REVISED PER DEVELOPMENT SERVICES COMMENTS 3 BY 4/1/22 REVISED PER ROCK SOLID CIVIL COMMENTS 4 BY 3/1/22 REVISED PER CANYON HARB DIST. COMMENTS 5 BY 4/2/22 REVISED PER LOTS AND CANA. TOPO. CONTOURS			

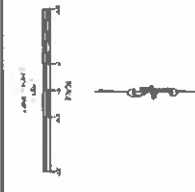
PRELIMINARY PLAT OF MINT FARM ESTATES SUBDIVISION
 LOCATED IN THE E1/2 OF THE SW1/4 AND THE W1/2 OF THE NW1/4 OF THE SE1/4 OF SECTION 27,
 T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
 2022



NO.	BY	DATE	DESCRIPTION
1	MS	10/11/21	REVISED PER COUNTY SURVEYORS COMMENTS
2	MS	10/19/21	REVISED PER DEVELOPMENT SERVICES COMMENTS

NO.	BY	DATE	DESCRIPTION
1	MS	10/11/21	REVISED PER COUNTY SURVEYORS COMMENTS
2	MS	10/19/21	REVISED PER DEVELOPMENT SERVICES COMMENTS

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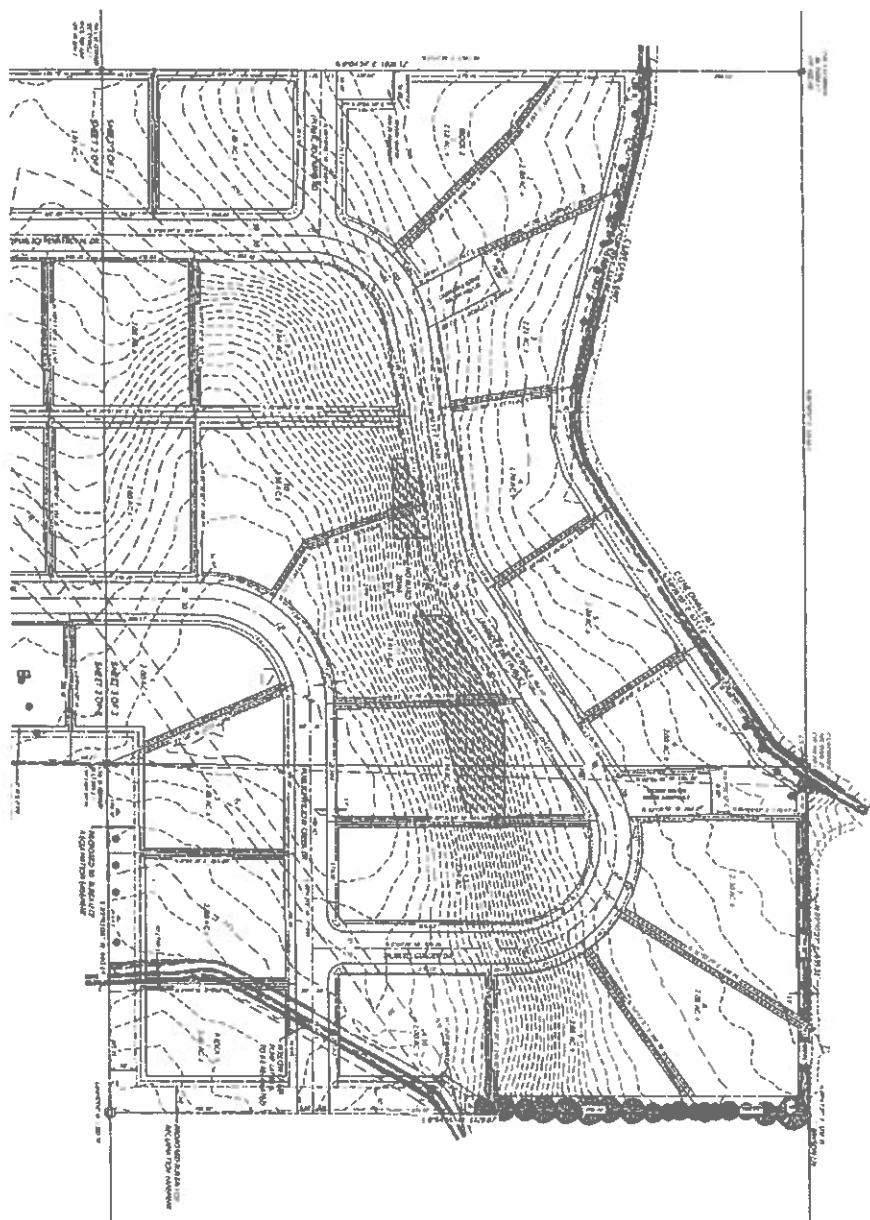
TITLE: TOPOGRAPHIC SURVEY
 MINT FARM SUBDIVISION
 T. 5 N., R. 2 W., B.M.
 CANYON COUNTY, ID.



2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 (208) 398-0104

OWNER/DEVELOPER:
 AMMON ANDELIN
 M&T RANCHES
 P.O. BOX 30

NO.	BY	DATE	DESCRIPTION
1	MS	10/11/21	REVISED PER COUNTY SURVEYORS COMMENTS
2	MS	10/19/21	REVISED PER DEVELOPMENT SERVICES COMMENTS

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TITLE: TOPOGRAPHIC SURVEY MONT FARM SUBDIVISION T. 5 N., R. 2 W., B.M. CANYON COUNTY, ID.			
DATE: 9/20/21	DESIGNED BY: WFF	DRAWN BY: WFF	
SHEET: 1 OF 1	DRAWING #: 130324-00		WELL #:

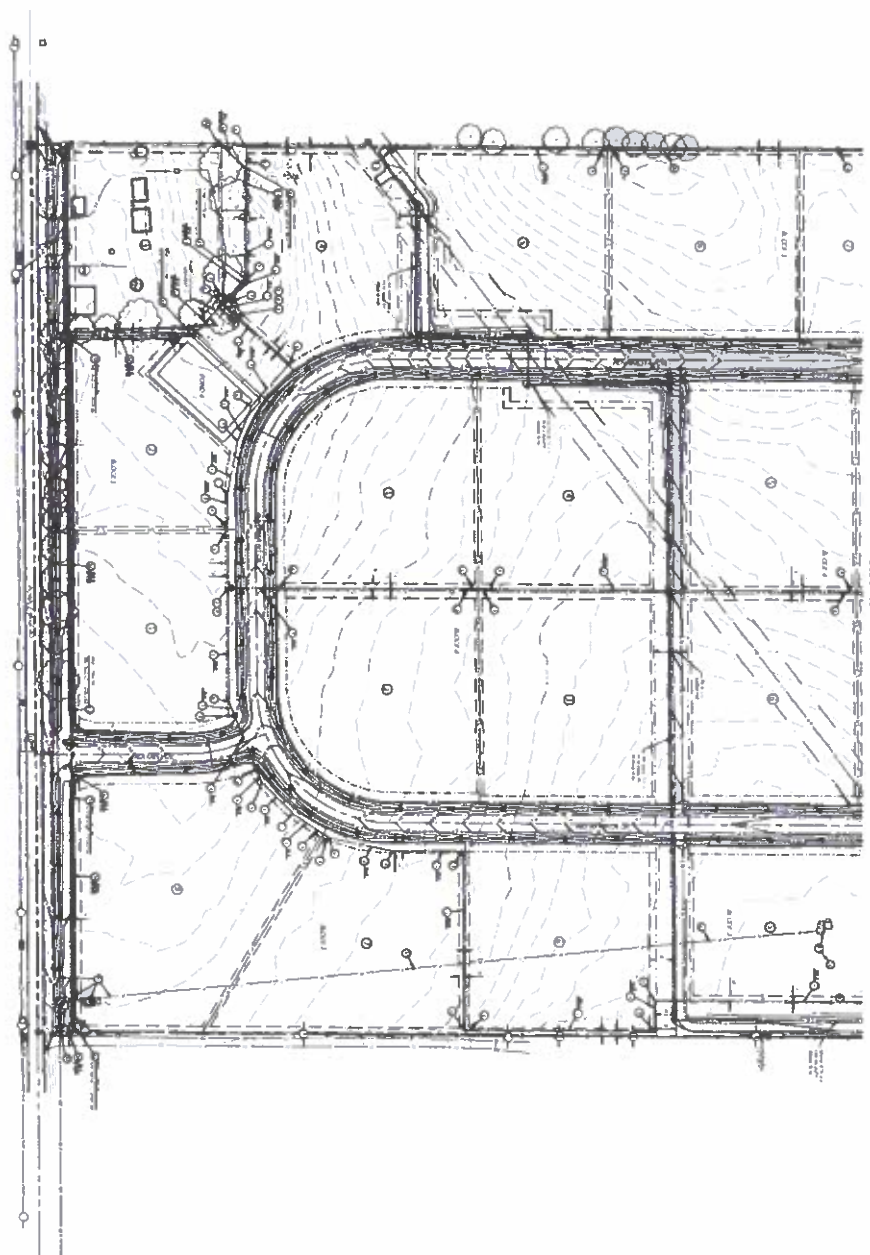


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OWNER/DEVELOPER

AMMON ANDELIN
H&T RANCHES
P.O. BOX 30
OLA, CO. 80657
(708) 963-1188

REMARKS	NO.	BY	DATE	DESCRIPTION
	1	WJ3	10/11/21	REVISED PER COUNTY SURVEYORS COMMENTS
	2		10/20/21	REVISED PER DEVELOPMENT SERVICES COMMENTS
	3	B	2/22/22	REVISED PER CANYON HIPP DIST 4 COMMENTS
	4	B	6/25/22	REVISED W/1 LOTS AND CANAL TOPO COORDINATES



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AGENCY REVIEW NOT APPROVED FOR CONSTRUCTION

Project no. 100	
Date By 8	
Date Submitted	
Spent on	8



Project Name

**MINT FARM ESTATES
CANYON COUNTY, IDAHO**

REUSE OF DRAWINGS
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Revisions		
△	Date	Description
1		