

Commissioner Minutes

July 16, 2025 – 1:31 p.m. to 1:46 p.m.

PUBLIC HEARING: REQUEST BY MARK JOHNS FOR APPROVAL OF A SHORT PLAT ON PARCEL NO. R37463010A REGARDING SUNSET VIEW SUBDIVISION, CASE NO. SD2023-0001

Commissioners Leslie Van Beek and Zach Brooks

Planning Supervisor Dan Lister

DSD Director Jay Gibbons

Mark Johns

Deputy Clerk Jenen Ross_____

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The Board met today at 1:31 p.m. for a public hearing to consider a request by Mark Johns for approval of a short plat on parcel no. R37463010A for Sunset View Subdivision, Case no. SD2023-0001. Present were: Commissioners Leslie Van Beek and Zach Brooks, Planning Supervisor Dan Lister, DSD Director Jay Gibbons, Mark Johns, and Deputy Clerk Jenen Ross.

Mr. Johns offer testimony stating that he has been working thru the process for 2 ½ years. He would like to divide his property of 2.91 acres in half. He has worked with all the pertinent agencies, has met all their requirements and agreed to all the conditions. The only signatures left to obtain on the mylar are the Treasurer and Board. He feels this will benefit the area and will fit well with other homes already built in the area.

Commissioner Van Beek's questions regarding trees on the property and the driveway access were addressed by Mr. Lister and Mr. Johns.

Mr. Lister gave the staff report stating this request is for a short plat which will result in two lots to be served by a shared access easement. This is consistent with the development agreement that was approved as part of the rezone which changed the property to R-1, staying with a two-lot subdivision with no secondary dwellings.

This is a 2.91-acre property, 2.7 after right-of-way dedication, two lot subdivision approved thru rezoning initially to the R-1 zone in 2024. The following points were briefly addressed by Mr. Lister:

- Access from Kingsbury Rd

- Fire district requirements have been met
- City of Star has signed the final plat indicating they have waived city subdivision requirements
- Parcels to be served by domestic well and septic meeting SWDH requirements
- Irrigation will need to follow IDWR standards
- Stormwater run-off drainage to be maintained on-site

Agency comments were as follows:

- County Engineers review recommending approval (Exhibit 3.B.3)
- Idaho Transportation Department – no comments or concerns (Exhibit 3.C.2)
- Southwest District Health – Subdivision Engineering Study approved for use of septic system (Exhibit 3.C.3)
- Highway District #4 – HWY Board approved final plat (Exhibit 3.C.1).
- Middleton Fire District - The final plat shall be conditioned to comply with the 2018 International Fire Code as administered by Middleton Fire District (Exhibit 3.C.4). Fire approved final plat (Exhibit 4).

Planning and Zoning has recommended approval with 8 conditions; Staff is recommending the elimination of 2 conditions and including 2 additional conditions:

- All subdivision improvements (roads, shared access, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.
- Director of DSD approval of the requested easement reduction shall be completed prior to the Board of County Commissioners' signature on the final plat.
- Finish grades at subdivision boundaries shall match existing finish grades. Stormwater runoff shall be maintained on the subject property (Attachment A and Exhibit B.3 of the staff report).
- The development shall comply with Southwest District Health requirements.
- ~~The development shall comply with Middleton Fire District requirements (Attachment C).~~
- The development shall comply with the requirements of Highway District 4 (Attachment B).
- Per CCCO Section 09-19-09: For subdivisions and planned unit developments applied for in the Star area of city impact, Canyon County will require on the face of each final plat a certification line for execution by the City of Star engineer attesting to the plat's conformance with the city standards set forth above. Also, Canyon County will not sign

a final plat or authorize the plat to be recorded prior to the city engineer's signing the plat.

- ~~Plat corrections to the preliminary plat before going to the Board of County Commissioners for final decision:~~
 - ~~Amend the title of the subdivision from "Sunset View Lane Subdivision" to "Sunset View Subdivision".~~
 - ~~Per Development Agreement #24-025 (CR2023-0001) Secondary residences, per CCCO Section 07-10-27 and 07-14-25, are prohibited. Amend general note #1 from stating "Lot 2 to have no secondary dwellings per DA24-025" to "No secondary residences on any lot per DA24-025."~~
- Prior to final plat signing by the Board, the final plat shall include a plat note stating, "All lots are subject to Development Agreement #24-025 (CR2023-0001). Per the development agreement, secondary residences are prohibited."
- Prior to building permit issuance on Lot 2, a road user's maintenance agreement shall be recorded per CCCO Section 07-10-03(1)B3.

Mr. Johns stated that he is agreeable to the changes being requested.

Commissioner Van Beek motioned to close testimony. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Van Beek made a motion that, based on the findings of fact and conclusions of law contained herein for case no. SD2023-0001, the Board of County Commissioners approves the preliminary plat for Sunset View Subdivision subject to the conditions of approval as enumerated herein. The motion was seconded by Commissioner Brooks and carried unanimously.

Commissioner Van Beek motioned to adjourn the hearing.

The hearing concluded at 1:46 p.m. and an audio recording is on file in the Commissioners' Office.