

Vineyard Gate Estates

SD2022-0049

APPLICANT: WILL MASON, MASON & ASSOCIATES

OWNER: SSKARCHER, LLC



BACKGROUND:

In 2020, the subject parcel, along with Parcels R32917011A, R32917011, and R32917010, were rezoned from an “A” Zone to:

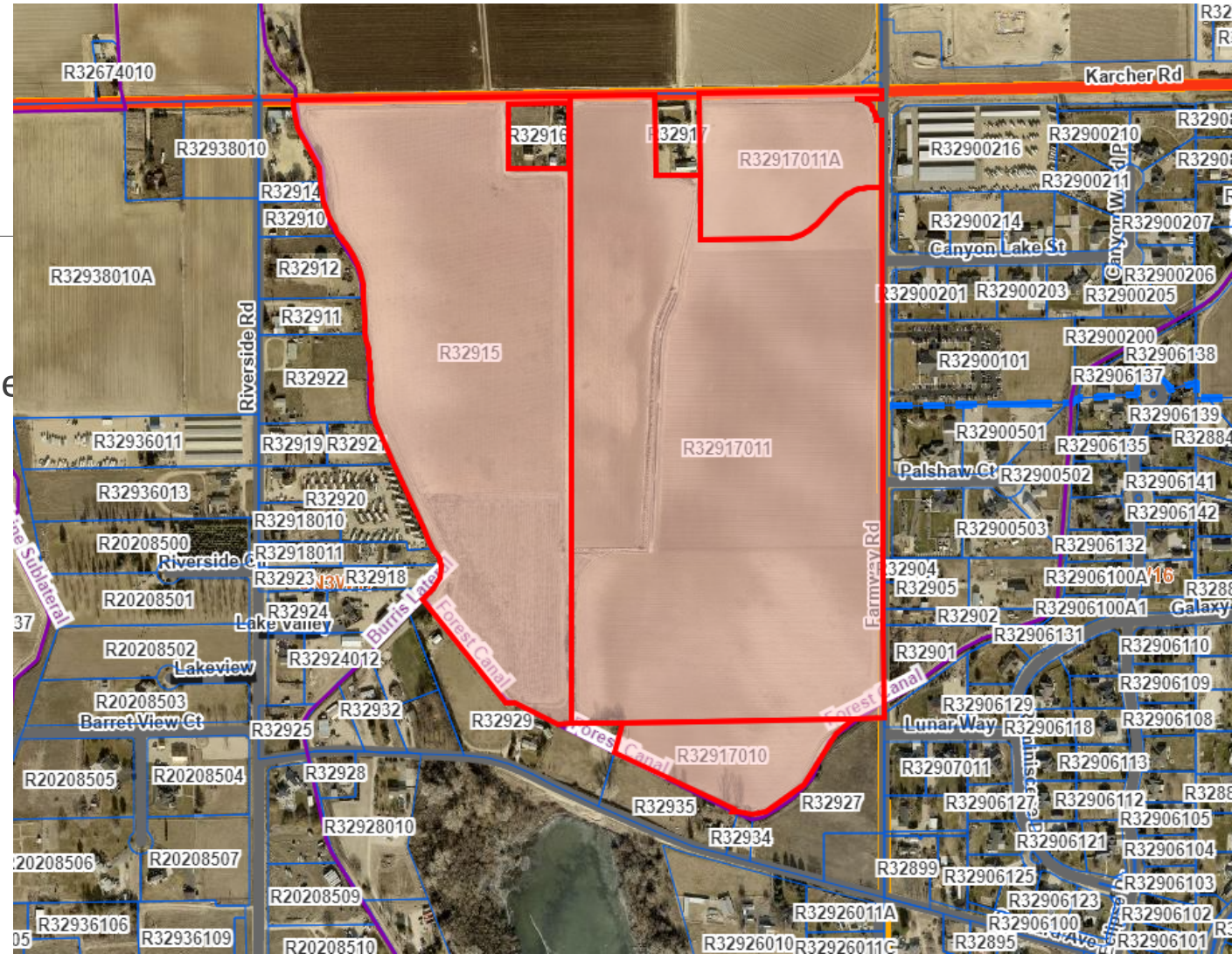
“CR-R-1” zone for 91.82 acres

“CR-C1” zone for 2.41 acres

“CR-C2” zone for 35.27 acres.

(CR2018-0002, Exhibit B.4b). The approval included a development agreement (#20-147 with 21 conditions. This was following an approved Comprehensive Plan Amendment (OR2018-0004).

A preliminary plat was applied for in October 2022.



SUMMARY

Total Acreage: 45.21acres

- 1.25 acres average residential lot size

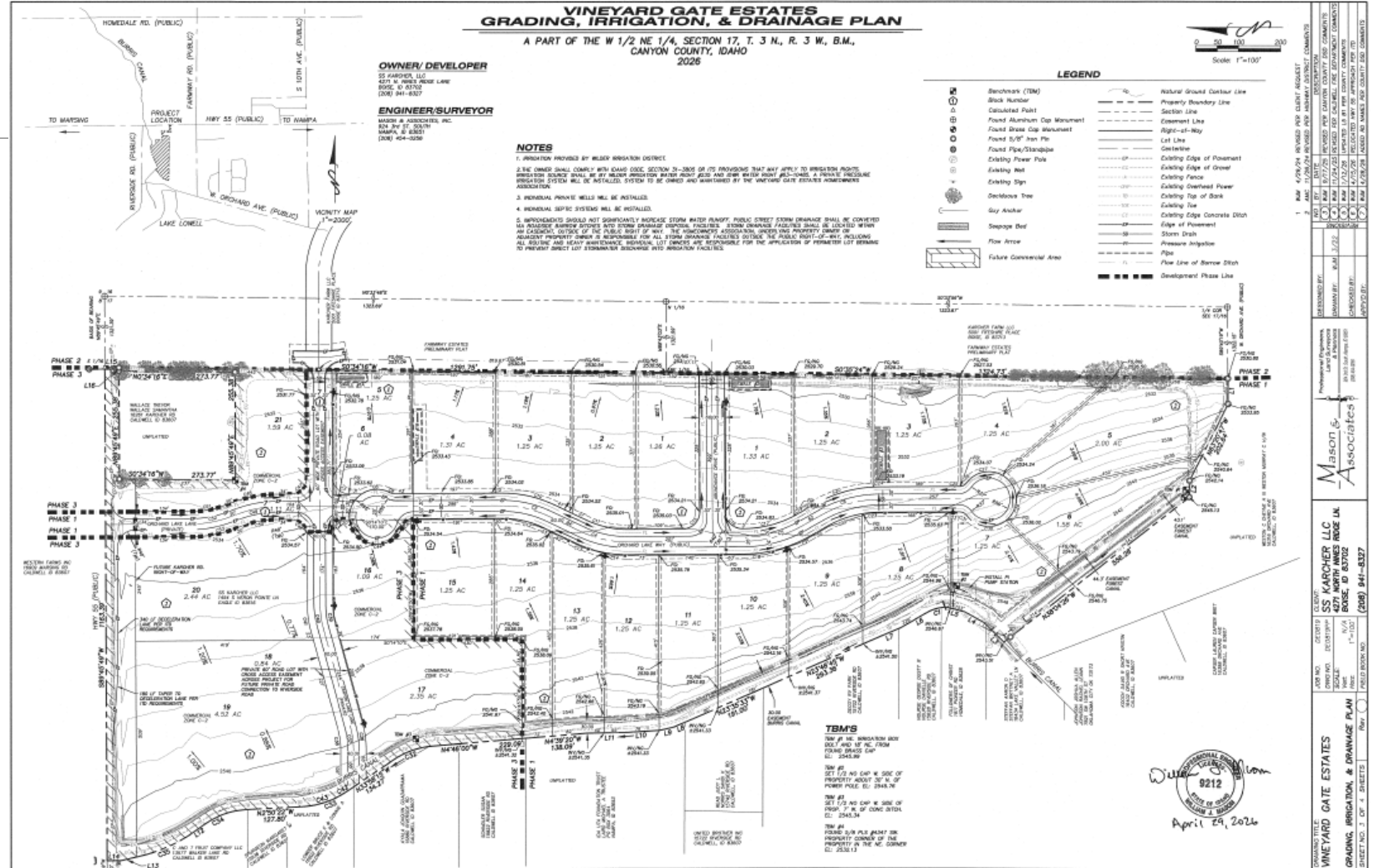
Total Number of Lots:

- 20 residential lots
- 5 commercial lots
- 2 private road lots

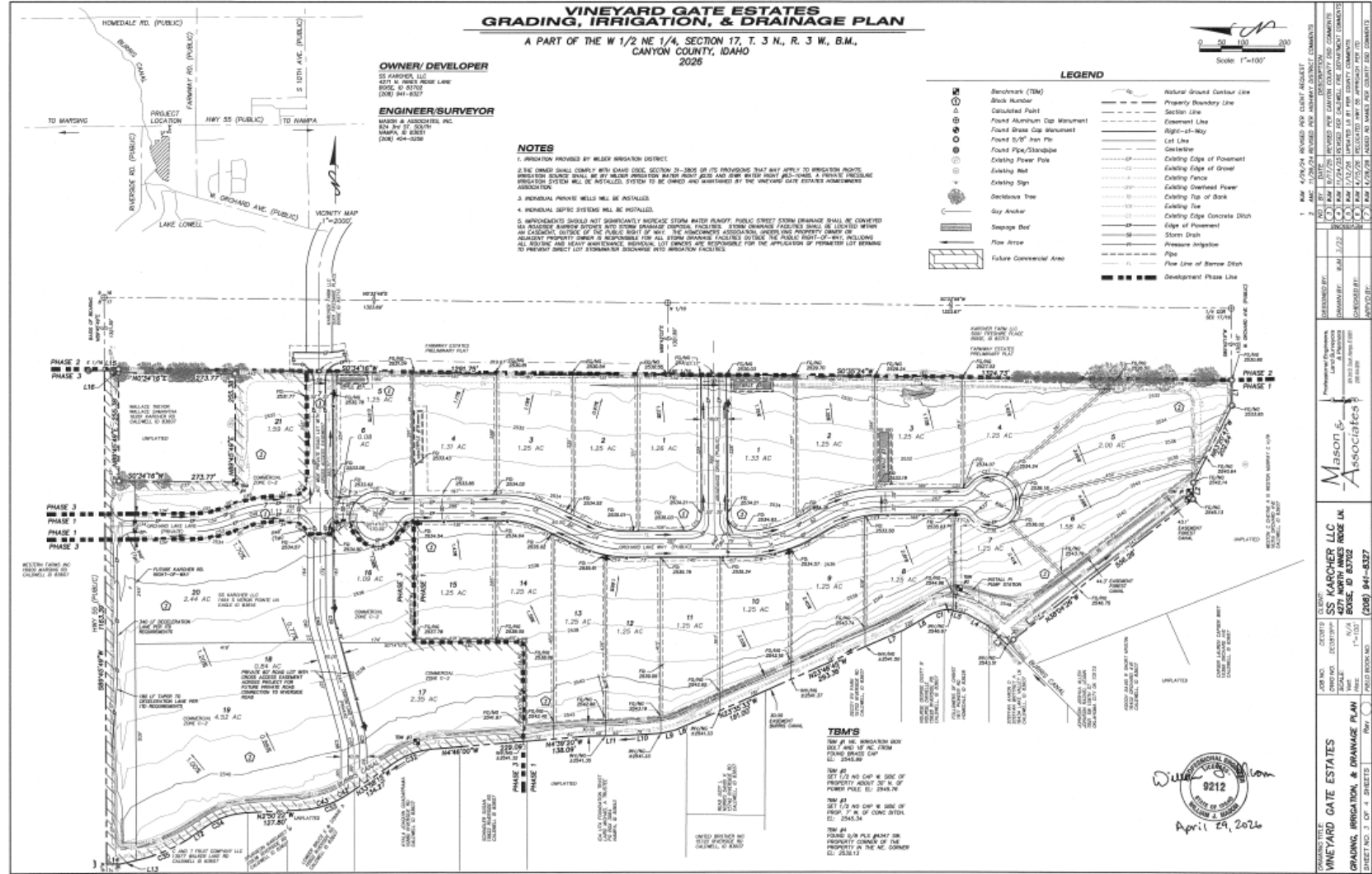
2 Phases

Area of City Impact: Not in an area of impact

Irrigation: Pressure Irrigation will be provided (Plat note 4 and Sheet 3, Exhibits 3A5 and 6a)



- Water: Individual wells. (Plat note 5, Exhibit A)
- Sewage Disposal: Lots will be served by septic systems (Plat note 6, Exhibit A)
- Drainage: According to DSD Engineering review (Exhibit 3B2), Stormwater is addressed in the approved Storm Drainage Master Report. Increased runoff will be retained via swales. Storm drainage facilities will be maintained by the homeowners' association. Each property owner is responsible for maintaining stormwater runoff on each lot (Exhibit 6a Plat Notes 7 and 11).



CONDITIONAL REZONE COMPLIANCE

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the property.
2. **CCZO §07-06-07 (4) - Time Requirements:** All conditional rezones for a land use shall commence (see definition of "commence", section 07-02-03 of this chapter) within two (2) years of the approval of the Board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. All subsequent developments on the property shall reapply for land use approval. Commencement shall be considered as the submission of a preliminary plat application and associated fees to Development Services Department.
3. The project shall be developed in substantial compliance with the site plan, Exhibit 3 and attached to this agreement as Exhibit "C".
4. The development shall be platted pursuant to CCZO 07-17-09 & 07-17-13.
5. The applicant shall adhere to the platting time limitations outlined in §07-07-23.
 - a. In the event that the development of the preliminary plat is made in successive continuous segments in an orderly and reasonable manner and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of twenty four (24) months, may be considered for final plat approval. In the event a longer period elapses, the preliminary plat must be reviewed by the Commission and approved by the Board;
 - b. Final plat application must be submitted and accepted by DSD within two (2) years of the date of written approval of the preliminary plat; and
 - c. The final plat shall be filed with the county recorder within sixty (60) days after approval of the board; otherwise, such approval shall become null and void unless an extension of time is applied for and granted. (Ord. 10-006, 8-16-2010; amd. Ord. 11-003, 3-16-2011).



CONDITIONAL REZONE COMPLIANCE

- 6.** The applicant shall mitigate weeds on undeveloped lots within the subject property. At such time as an HOA is formed and CCR's are recorded for the development, the HOA will then be responsible for maintenance of weeds on undeveloped lots within the applicable phase.
- 7.** All storm water drainage shall be retained on site. An engineered drainage plan shall be submitted with the application(s) for preliminary plat.
- 8.** The residential portion of the development shall maintain a 1.25 acre density.
- 9.** All exterior lighting shall be shielded downward and directed away from adjacent properties.
- 10.** Solid waste enclosures shall be screened from public view.



CONDITIONAL REZONE COMPLIANCE

Access:

- 11.** The developer shall meet the requirements of Canyon Highway District No. 4 and Idaho Transportation Department for access.
- 12.** The traffic impact study shall be approved by Canyon Highway District No. 4 and Idaho Transportation Department. Said approval shall be submitted with the application for Preliminary Plat.
- 13.** Any road improvements deemed necessary for each phase by the traffic impact study (TIS), shall be bonded or completed prior to the Board of County Commissioner's signature on the Final Plat.
- 14.** Internal public roads shall be installed within the development and built to Canyon Highway District No. 4 standards.
- 15.** Fire Protection: The developer shall adhere to requirements of Caldwell Rural Fire as the project is platted.



CONDITIONAL REZONE COMPLIANCE

Sanitary Sewer & Water:

- 16.** The project shall utilize individual wastewater treatment systems and said systems shall meet Southwest District Health Requirements and standards.
- 17.** Wastewater treatment systems for uses in Commercial zones must comply with Southwest District Health Department and Department of Environmental Quality requirements.
- 18.** An SER (Subdivision Engineering Report), approved by Southwest District Health Department, shall be submitted with the preliminary plat for the project.
- 19.** The developer shall meet the requirements of Department of Environmental Quality.
- 20.** The developer shall meet all requirements of Idaho Department of Water Resources for domestic water.
- 21.** No commercial development will be permitted on the subject property until such time as the applicant has received approval for wastewater & domestic water from Southwest District Health Department and Idaho Department of Water Resources for the intended use.



EVALUATION CRITERIA (07-17-09):

(Pursuant to CCZO §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.”*



ORDINANCE & STANDARDS USED IN EVALUATION

- 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);
- D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).



NOTIFICATION (07-05-01) & COMMENTS:

All property owners within a 600-foot radius of the existing property boundaries of the property have been provided notice of the public hearing in order that they may provide comment on the application. Notice was also published in the newspaper of general circulation on April 14, 2026, and a sign was posted on the subject property on April 14, 2026. All notices herein described have been provided at least fifteen (15) days prior to the public hearing. **At the time of the expiration of the materials deadline, 3 comments were received from the public.**



Agency Comments

Agency comments were received from the following prior to the materials deadline:

Idaho Transportation District – Accepted TIS and is requiring a Right In, Right Out only onto Highway 55 (Karcher Rd). There is an updated access off Highway 55 (Karcher Rd).

Highway District 4 – Has required improvements for each phase of the development. These are in addition to the requirements directed by ITD. (Exhibit 3C3)

City of Caldwell – The parcel is not in the Area of Impact. City does not object to this project. Requests Landscaping buffer along Karcher Rd.

Southwest Health District – Subdivision Engineering Report (SER) has been approved.

Idaho DEQ – Standard subdivision language

Caldwell Rural Fire – Nearest station is 3.4 miles away with an 8 minute travel time. Provided conditions of approval in Exhibit 3C6.

Vallivue School District – Speaks to enrollment and capacity in Exhibit 3C8.

Boise Project Board of Control – Provided information on easements for the Forest Canal, Burris Lateral and the Gibbons Drain

RECOMMENDATION & CONDITIONS:

In consideration of the application, staff concludes that the proposed preliminary plat is compliant with Canyon County Ordinance Sections 07-17-09 and 07-17-33 (1)A. A full analysis is detailed within this staff report.

- 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. Construction plans/drawings shall be submitted per CCZO Section 07-17-11. Construction plans/drawings are to be reviewed and approved by the County Engineer prior to construction beginning.
 - i. A final engineered grading and drainage plan per 07-17-33(1)D - F shall be submitted to DSD. Once reviewed and approved, and the road construction is completed, certification from a licensed engineer shall be submitted demonstrating that construction was completed per the final drainage and grading plan.
 - ii. A stormwater management plan shall be submitted prior to final plat signature by the Board. The plan shall address: Short-term construction protections (e.g., roadside swale protection during homebuilding), and Long-term O&M (via CC&Rs or other enforceable mechanisms) to ensure the continued function of drainage systems.
- 2) Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
- 3) Development shall comply with the requirements of the local highway district. Evidence shall include the highway district's signature on the final plat.
- 4) 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.
- 5) Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat.



RECOMMENDATION & CONDITIONS:

- 6) Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District before the Board of County Commissioners' signature on the final plat.
- 7) 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.
- 8) Coordinate with Vallivue School District to locate a safe area for student loading/unloading.
- 9) All exterior lighting shall be shielded downward and directed away from adjacent properties.
- 10) Landscaping to meet City of Caldwell standards per Exhibit 3C2. of the Staff Report.
- 11) Development shall comply with the requirements of Idaho Transportation as outlined in Exhibit 3C3 and 4a of the Staff Report.
- 12) The applicant shall mitigate weeds on undeveloped lots within the subject property. At such time as an HOA is formed and CCR's are recorded for the development, the HOA will then be responsible for maintenance of weeds on undeveloped lots within the applicable phase.



Questions?



07-06-07: CONDITIONAL REZONE:

(2) Development Agreement: Any condition, stipulation, restriction or limitation imposed pursuant to this article shall be incorporated as part of any site plan, plat, document of title of conveyance and building permit relating to the restricted land. Any predevelopment condition, stipulation, restriction or limitation imposed pursuant to this subsection shall be verified as being met prior to the issuance of any building permit. The applicant must execute a written development agreement to implement and be bound by any such condition, stipulation, restriction, or limitation. No final conditional rezone action shall be taken until such development agreement is recorded in the office of the county recorder. The development agreement shall have the effect and impact provided by Idaho Code section 67-6511A. (Ord. 10-006, 8-16-2010)

(7) Provisions Governing The Creation, Form, Recording, Modification, Enforcement And Termination Of A Development Agreement:

G. Recording Of Development Agreements: Development agreements or amended development agreements shall be recorded by the director in the office of the county recorder and shall take effect upon the adoption by the board. The director shall provide a copy of the recorded development agreement or amended development agreement to the prosecuting attorney and to the developer. Should a development agreement be terminated by the county, and the zoning designation upon which the use is based is reversed, a document authorizing such termination and zoning reversal shall be recorded by the director in the office of the county recorder and supplied to the same parties noted above.

