



FINDINGS OF FACT, CONCLUSIONS OF LAW, & ORDER

Findings

1. The applicants, Giedrius & Viktorija Martinaitis, request approval of the Martinaitis Estates Subdivision preliminary plat, which consists of three residential lots (Attachment A). The 3.99-acre subject property is located at 1013 Sunny Valley Lane, Caldwell, also referenced as parcel R27989, in SW 1/4 Section 33, Township 4N, Range 3W, BM, Canyon County, Idaho.
2. The parcel is zoned “R-1” (Single Family Residential).
3. The parcel is located within the Caldwell area of impact. The city was notified on July 17, 2023, and June 10, 2026. The city of Caldwell submitted a letter stating that the proposed development is identified as Neighborhood 2 in the City’s Comprehensive Plan and that residential uses are compatible with this designation. While the density is below what the City of Caldwell would typically allow for this area, the lots appear to be consistent with the surrounding residential area, and no land use buffers would be required by the city. The city does, however, ask for the sidewalk to be extended across the development to match the sidewalk to the south, consistent with CCCO 09-01-19. (Exhibit 3.D.6 of the staff report) The applicant is requesting a waiver per CCCO 09-01-19(6). *See Condition 9.*
4. The subdivision will be served by Pioneer Irrigation District. Irrigation will be delivered by the existing gravity irrigation system that is in place. (Exhibits 3.B.4 and 3.B.5.3 of staff report, Plat Note 3).
5. Per plat notes 8 & 9, residential lots will be served by individual wells and septic systems (Attachment A). Southwest District Health (SWDH) approval and signature are required before final plat signing by the Board of County Commissioners. *See Condition 4.*
6. Per plat note 10, storm drainage shall be the responsibility of the Homeowners Association or property owners on whose property the storm drainage facility is constructed if no Homeowners Association exists. Responsibility for storm drainage facilities includes all maintenance, both routine and non-routine (Attachment A).
7. The development will take access from Dorman Avenue, a public road, via a private road lot (Attachment A).
 - o A private road lot reduction was amended and approved on March 24, 2026 (AD2022-0121, Exhibit 3.C.6 of the staff report)
 - o Private road name, Sunny Valley Lane, was approved on October 18, 2022 (RD2022-0017, Exhibit 3.C.5 of the staff report).
 - o Right of Way (ROW) dedication of 15’ shall be dedicated to Highway District No. 4 (HD4). HD4 requires the following: If the irrigation ditch is relocated, add an easement for the facility outside of the ROW. Add a note or callout on the preliminary plat that the approach is to be improved per SD-106. Add note “No direct lot access to Dorman Avenue is allowed” (Exhibit 3.D.2.1 of the staff report). *See Condition No. 3.*
8. The development is not located within a mapped floodplain (Flood Zone X).
9. The record includes all testimony, the staff report, exhibits, audio of the hearing, and documents in Case File No. SD2022-0023.
10. Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on June 10, 2026. Property owners within 600 feet of the subject property boundaries were notified on June 10, 2026. A newspaper notice was published on June 15, 2026. The subject property was posted with a notice on June 16, 2026.

Conclusions of Law

Section 07-17-09(5) of the Canyon County Code of Ordinances (CCCO) states,

- 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."

Upon review of the preliminary plat, the Planning and Zoning Commission finds that the plat is consistent with the following subject to conditions of approval:

- 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 #2),
- D. Idaho Code, Sections 31-3805 & 42-111 (Water Rights/Irrigation Water Delivery), and
- E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).

The preliminary plat was found to be consistent with the standards of review, subject to conditions. DSD Engineering and DSD Planning reviewed the preliminary plat and recommended approval (Exhibits 3.C.7 and 3.C.8 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 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.
- 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) Development shall comply with Southwest District Health requirements. Evidence shall be Southwest District Health's signature on the final plat.
- 5) ~~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.~~ (See Caldwell Fire approval, Exhibit 4.b)
- 6) All exterior lighting shall be shielded downward and directed away from adjacent properties. A note shall be added to the final plat.
- 7) ~~No secondary dwellings are permitted on Lots 2 and 3, Block 1. A note shall be added to the final plat.~~
- 8) ~~Update Preliminary Plat with requirements noted on DSD Review (Exhibit 3.C.8 of staff report) prior to Board of County Commissioners hearing.~~ (Preliminary Plat Updated, Attachment A).
- 9) Per CCCO 09-01-19(5), the County will require on the face of each final plat a certification line for execution by the City of Caldwell 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.
- 10) ~~Add a note or callout on the preliminary plat that the approach is to be improved per SD-106 and add a plat note "No direct lot access to Dorman Avenue allowed." to comply with HD4 requirements.~~
- 11) A Water Users Agreement shall be created for Lots 1, 2 and 3 of Block 1 of Martinaitis Estates subdivision prior to the Board's Final Plat signature.

- 12) The Road User's Maintenance Agreement for Sunny Valley Lane shall be amended to add Lots 1, 2 and 3 of Block 1 of Martinaitis Estates subdivision prior to the Board's Final Plat signature.
- 13) Development shall comply with irrigation district requirements. A letter from Wilder Irrigation District/Boise Project Board of Control approving the final plat shall be submitted prior to the Board of County Commissioners' signature on the final plat.
 - a. The final plat must show the gravity irrigation (GI) line serving all lots.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2022-0023, the Board of County Commissioners **approves** the preliminary plat for Martinaitis Estates Subdivision, including waiver of city improvements, subject to the Conditions of Approval as enumerated herein.

DATED this 15th day of July, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

	Yes	No	Did Not Vote
<u>Unavailable for signature</u> Commissioner Leslie Van Beek	_____	_____	_____
<u>Brad Holton</u> Commissioner Brad Holton	<u>X</u>	_____	_____
<u>Zach Brooks</u> Commissioner Zach Brooks	<u>X</u>	_____	_____

Attest: Jess Urresti, Clerk

By: J Ross
Deputy

Date: 07.15.26

