



Board of County Commissioners
Hearing Date: August 6, 2026
Canyon County Development Services Department

PLANNING DIVISION ADDENDUM

CASE NUMBER: SD2023-0012

APPLICANT/REPRESENTATIVE: Treasure Valley Planning
PROPERTY OWNER: Chris & Mary Jaggers/Avery Family Revocable Trust

APPLICATION: Preliminary Plat – Bow-Tie Estates Subdivision: Two residential lots

LOCATION: 25744 Kingsbury Lane, Middleton
Parcels R37468012A and R37468012A1

ANALYST: Dan Lister, Principal Planner

P&Z RECOMMENDATION: Approval

SUMMARY:

The applicant requests approval of the Bow-Tie Estates Subdivision preliminary plat consisting of two residential lots on Parcels R37468012A and R37468012A1. The request includes a waiver of the City of Star subdivision improvements.

The Planning & Zoning Commission heard the case at a public hearing held on June 4, 2026. After deliberation, the Planning & Zoning Commission recommended approval of the request with recommended conditions of approval (**Exhibits 1 & 2**).

The Staff report packet dated June 4, 2026, and all supporting material are contained in **Exhibit 3**. Any additional comments or additional materials received on or before the comment deadline can be found in **Exhibit 4**. A draft version of the Board's Findings of Fact, Conclusions of Law & Order (FCO) may be found in **Exhibit 5**.

- Idaho Power provided comments identifying easements that will need to either be depicted on the plat or vacated before final plat signature (**Exhibit 4.a**). The request has been added as a condition of approval.

EXHIBITS:

1. Planning & Zoning Commission FCOs
2. Planning & Zoning Commission Minutes
3. Staff Report Packet Dated June 4, 2026
4. Comments/Materials Received by July 27, 2026
 - a. Idaho Power, email dated July 6, 2026
5. Draft FCOs

EXHIBIT 1

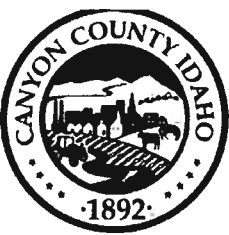
Planning & Zoning Commission FCOs

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Board of County Commissioners

Case# SD2023-0012

Hearing Date: August 6, 2026



PLANNING AND ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Bow-Tie Estates Subdivision - SD2023-0012

The Canyon County Planning and Zoning Commission considers the following:

The applicant, Trespure Valley Planning, representing Jaggers Family Revocable Trust and Avery Family Revocable Trust, requests approval of the Bow-Tie Estates Subdivision preliminary plat consisting of two residential lots on Parcels R37468012A1 and R37468012A. The request includes a waiver of City of Star subdivision improvements.

The subject properties, approximately 10.9 acres, are located at 25744 Kingsbury Lane, Middleton, also referenced as a portion of the NW quarter of Section 26, T5N, R2W, BM, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:

A. The record includes all testimony, the staff report, exhibits, and documents in Case File SD2023-0012.

1. All exhibits can be found in the case staff report dated June 4, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-17-09 (Preliminary Plat Criteria); and Idaho Code §67-6513.

a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509. Agencies were notified on April 30, 2026. JEPA notice was sent to the City of Star on June 20, 2025. Property owners within 600 feet of the subject property boundaries were notified on May 5, 2026. A newspaper notice was published on May 5, 2026. The subject property was posted with a notice on May 4, 2026.

2. Per CCCO §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 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.

The application, SD2023-0012, was presented at a public hearing before the Canyon County Planning and Zoning Commission on June 4, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

Table 1. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	Code Section	Criteria

Yes	1	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.
Analysis		On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). The last revision to the preliminary plat was submitted on April 2, 2026. Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit B.4 for details): Summary of Review – Bow-Tie Estates Subdivision: • Total Acreage: 10.97 acres (10.17 acres after dedication). • Total Number of Lots: Two (2) residential lots. • Zoning: “CR-R-R” (Condition Rezone – Rural Residential, two-acre average minimum lot size). The zone was approved in 2025, subject to a development agreement (RZ2023-0003/DA No. 25-172 (Exhibit B.3)). • Roads/Access: Lot 1 will continue to utilize the Kingsbury open, unmaintained, right-of- way. Lot 2 has frontage from Edna Lane, a public road. ○ Highway District #4 (HD4) will require a 50’ right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> ▪ A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (Exhibit A.8). ○ Idaho Transportation Department (ITD) has no concerns and finds the request does not meet the threshold to require an impact study (Exhibit C.5). • Area of City Impact: The City of Star finds the request meets the city’s future land use map in its comprehensive plan. The city waives city subdivision standards and improvements (Exhibit C.1). • Water/ Sewage Disposal: Lot 2 will require a domestic well and individual septic system (Plat Notes 6 & 7). Lot 1 has a well and septic system (Exhibits A.2 & A.6). • Irrigation: Irrigation water will be provided to all lots through a pressurized irrigation delivery system (Exhibit A.2, Plate Note #3). The existing irrigation pump from Willow Creek is located in an easement on Lot 2. The irrigation line is located near the east and south property boundary of Lot 2 and terminates at Lot 1 via an easement. The property has surface water rights (45.5%) from Black Canyon Irrigation District (Exhibit A.4). See Irrigation Narrative in Exhibit B.4a. • Drainage: Stormwater runoff shall be retained onsite (Plat note #15, Exhibit A.2). The Homeowner’s 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 (Plat Note #8). The Site Runoff Plat (Exhibit A.5) demonstrates runoff flows east to west into 12” drainpipes. • Hillside Development: Plat Note #14 states no development is allowed in areas with slopes greater than 15%, as identified as the “non-buildable” areas on this plat (Exhibit A.2). ○ Access to Lot 2 appears to have been improved after the submittal of SD2023-0012 on slopes 15% or greater (Exhibit B.5) and encroaching into a Black Canyon Irrigation District (BCID) easement (Exhibit C.4). BCID requires a user agreement; see condition 4a. An as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E. See condition 1a. • Floodplain: The subject property is located in an “A” Zone (Floodplain without Base Flood Elevation (BFE) data). A BFE study was submitted and reviewed by the DSD Engineering Division and was approved (Exhibit B.6). <i>See Condition 11.</i>
Criteria Met? Yes	2	Acknowledgment: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.

Analysis	On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). <i>See Exhibit A</i>	
Criteria Met?	3	<u>Agency Review: A:</u> 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. <u>B:</u> 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, approval of the preliminary plat by such department or agency will be considered to be granted.
Yes		
Analysis	Affected agencies were notified on June 20, 2025 (courtesy notice) and April 30, 2026 (hearing notice). The following agency comments were received: <u>DSD Engineering Division (Exhibit B.6):</u> - The BFE study complies with FEMA guidance for Zone A analysis and Canyon County floodplain requirements. The hydrologic and hydraulic methods used, including contour interpolation and the HEC-RAS step-backwater model, provide a defensible regulatory BFE suitable for use in floodplain permitting and final plat documentation (DP2025-0040). <i>See Condition 11.</i> <u>Idaho Transportation Department - ITD (Exhibit C.5):</u> - ITD has no concerns and finds the request does not meet the threshold to require an impact study. <u>DSD GIS (Exhibit C.6):</u> - Subdivision name meets Idaho Code §50-1307 (No duplication/similar-sounding names). <u>Southwest District Health - SWDH (Exhibit C.2):</u> - SWDH does not have any concerns. The SER (Subdivision Engineering Report) is approved (Exhibit A.7). A nutrient pathogen study is not required. <i>See Condition 5.</i> <u>City of Star (Exhibit C.1):</u> - Correspondence from the City of Star finds the request meets the city's future land use map in their comprehensive plan. The city waives city subdivision standards and improvements. <i>See Condition 9.</i> <u>Black Canyon Irrigation District (Exhibit C.4):</u> - The applicant has not submitted a review application. Willow Creek Wasteway along the north boundary has a historical 50- foot easement (25-feet from centerline). The C-Line Canal East is located on the southern property boundary with a historical 100-foot easement (50-feet from centerline). <i>See survey provided by applicant, Exhibit B.4a.</i> In February 2023, the District approved the water transfer split between Parcels R37468012A and A1(one acre to Parcel R37468012A and four acres of water to Parcel R37468012A1). Access created from Edna Lane (Lot 2) encroaches into the district's easement, which needs a user agreement. <i>See Condition 4.</i> <u>Highway District #4 (Exhibit C.3):</u> - Highway District #4 (HD4) will require a 50' right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> - A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (Exhibit A.8). <u>Idaho Department of Environmental Quality (Exhibit C.7):</u> - The letter from DEQ is informational, not project-specific.	

Table 2. Commission Review – CCCO §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:

County Ordinance and Review

Criteria Met?	Code Section	Criteria
Yes	1	The ordinance and standards used in evaluating the application.
Analysis	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, Exhibit A.2), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met?	2	Recommendations for conditions of approval that would minimize adverse conditions, if any.
Yes		
Analysis	<i>See Order Section for conditions of approval.</i>	
Criteria Met?	3	The reasons for recommending the approval, conditional approval, modification, or denial.
Yes		
Analysis	<i>See Table 1 and Table 2, Sections 1 & 2.</i>	
Criteria Met?	4	If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.
Yes		
Analysis	<i>N/A.</i>	

Order

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Planning and Zoning Commission recommends **approval** of Case # SD2023-0012, the Bow-Tie Estates Subdivision Preliminary Plat, subject to the following conditions:

1. All subdivision improvements (public 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.
 - a. Regarding the access on Lot 2, an as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E.
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 (**Exhibits C.3 & A.8**). Evidence of compliance shall be the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements and agreements (**Exhibit C.4**). Evidence shall include written correspondence from the irrigation district approving the final plat before the Board of County Commissioners' signature on the final plat.
 - a. Regarding the access to Lot 2, a user agreement must be approved by the irrigation district to allow access to encroach into the district's easement.
5. Development shall comply with Southwest District Health requirements (**Exhibit C.2**). Evidence of compliance shall be the Southwest District Health signature on the final plat.
6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the fire district approving the final plat before the Board of County Commissioners' signature on the final plat.
7. Compliance with the recorded development agreement (**Exhibit B.3**) or any future amendments shall be noted as a plat note on the final plat.
8. The shared irrigation line/delivery system must include a recorded water user's maintenance agreement. The agreement with the instrument number shall be added as a plat note on the final plat.
9. Per CCCO 09-19-09(5): 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.

10. The final plat shall highlight areas where slopes over 15% exist and note that residential development is prohibited in the highlighted area.
11. Applicable floodplain development approval conditions per DP2025-0040 shall be met prior to final plat signing (Exhibit B.6).

DATED this 4th day of June, 2026.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**



Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 4th day of June, in the year 2026, before me CAITLIN ROSS, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: CAITLIN ROSS

My Commission Expires: 5/7/2031

EXHIBIT 2

Planning & Zoning Commission Minutes

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Board of County Commissioners

Case# SD2023-0012

Hearing Date: August 6, 2026



CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, June 4, 2026
6:30 P.M.

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATION BUILDING

Commissioners Present: Robert Sturgill, Chairman
Brian Sheets, Vice Chairman
Geoff Mathews, Commissioner
Holley Werhanowicz, Commissioner
Anita Johnston, Commissioner

Staff Members Present: Dan Lister, Planning Supervisor
Karla Nelson, Principal Planner
Emily Bunn, Principal Planner
Caitlin Ross, Hearing Specialist

Chairman Sturgill called the meeting to order at 6:30 p.m.

Commissioner Sheets read the testimony guidelines and proceeded to the first business item on the agenda.

Item 1: Consent Agenda – Action Items

- A. April 2, 2026, Minutes
- B. Case No. CU2025-0015 – Liudahl for Symms Fruit Ranch: Approve FCOs

MOTION: Commissioner Sheets moved to approve the Consent Agenda as presented, seconded by Commissioner Matthews. Voice vote, motion carried.

Item 2A:

Case No. RZ2025-0004 – Slazas: The applicant, Kevin and Kimberly Slazas, requests to conditionally rezone approximately 7.83 acres, Parcel R33822102, from an “A” (Agricultural) zone to a “CR-R-1” (Conditional Rezone - Single Family Residential) zone. The request includes a development agreement limiting the future subdivision into no more than three (3) residential lots and prohibiting secondary dwellings on the two (2) lots that are proposed to be approximately 1.25 acres in size. The subject property is located at 7718 Elko Lane, Middleton, also referenced as Lot 3, Block 1 of Blue Heron Subdivision.

On April 16, 2026, this case was continued to a date certain of June 4, 2026.

Chairman Sturgill stated that he was not present at the April 16th hearing so although he will facilitate the case, when it comes time to vote he will abstain.

Principal Planner Karla Nelson noted that the P&Z Commission initially heard this case on April 16th. The public hearing was closed on that date and during deliberation the Commission continued the case to a certain date to provide more time for the applicant to clarify septic setbacks and legal access. She stated the applicant provided documentation that Southwest District Health conducted a site evaluation on May 1st. This evaluation does not approve a particular septic system, but test holes indicate that a complex subsurface sewage system may be required. Southwest District Health wants to test the sites to monitor once a week until October. In addition, the Commission asked the applicant to provide additional details demonstrating legal access. Planner Nelson stated that the applicant has been working on obtaining an

easement. The easement language has been drafted by a surveyor, and the applicant has shared that they have been in conversation with the neighboring property owner who indicated that they are willing to execute the agreement, but to date it has not yet been executed.

Commissioner Mathews stated that the case should be tabled until the information/results from Southwest District health have been received.

Commissioner Sheets stated that one of the findings is in regard to whether or not there is legal access. This may come at some point in the future, or it may not. Also, in regard to findings about adequate services and Southwest District Health. Commissioner Sheets was in favor of tabling.

Chairman Sturgill asked staff if there was a target date if the Commission voted to table the case.

Planner Nelson indicated that Southwest District Health may not be complete with testing until October. Even then, Southwest District Health comments noted that the applicant could apply for an actual permit, but they won't indicate what the system will be. The Commission could deny the case and see what more the applicant could bring to the Board of County Commissioners' hearing or wait until the fall.

Commissioner Werhanowicz stated that perhaps the case should be denied, and the applicant could reapply when they've got everything they need to come forward with a strong case as to why it should be approved.

Commissioner Sheets is more in favor of tabling until fall to obtain more information. This will save the applicant money, and they won't have to re-apply.

MOTION: Commissioner Mathews **moved** to table Case No. RZ2025-0004 to a date uncertain and staff will re-schedule once the applicant is ready to move forward. The case will be re-noticed when scheduled. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:

Planning Supervisor Lister stated that if the case is tabled to a date uncertain, the applicant will pay a re-notification fee when they are ready to move forward. This also allows a materials deadline to be provided so materials can be submitted.

Commissioner Sheets stated he would be more in favor of a date certain sometime in November. Commissioner Matthews indicated he would be amenable to this as well.

No vote was taken on the initial motion.

MOTION: Commissioner Mathews **moved** to table Case No. RZ2025-0004 to a date certain of November 5, 2026. Seconded by Commissioner Werhanowicz.

Discussion on the Motion:

Planning Supervisor Lister stated that tabling to a date certain the materials deadline is not re-opened. It would not allow for opening of comments or public testimony.

Roll call vote: 4 in favor, 0 opposed, motion passes. Chairman Sturgill abstained.

Item 2B:

Case No. SD2023-0012 – Bow Tie Estates: The applicant, Trespure Valley Planning, representing Jagers Family Revocable Trust and Avery Family Revocable Trust, requests approval of the Bow-Tie Estates Subdivision preliminary plat consisting of two residential lots on Parcels R37468012A and R37468012A1. The subject properties, approximately 10.9 acres, are located at 25744 Kingsbury Lane, Middleton.

Chairman Sturgill affirmed the applicant to testify.

Keri Smith – (Representative) IN FAVOR – 17741 Linden Ln., Caldwell, ID 83607

Ms. Smith stated that the subject property is located in Middleton, within Star's Impact Area. The site is a 10.9-acre parcel that was divided into two parcels. The Jagers family and Avery family are longtime family friends. The Jagers wanted to build a new home and began the process to develop a portion of their property. A conditional rezone was approved last year. Ms. Smith stated that they do agree with staff's analysis and there has been extensive work over the last year, including a property boundary adjustment. Agency responses received noted items to be completed. The Highway District Commissioners recently approved the subdivision unanimously, and the subdivision is in compliance. They have had meetings with the Black Canyon Irrigation District Board, and they are on track with all of their requirements. The plat meets technical compliance with the ordinance. Ms. Smith requested that the Commission remove condition no. 7 in regard to requiring restrictions on secondary residences to be notated on the final plat. She stated that this is a condition on the conditional rezone and is part of the recorded development agreement. There was extensive discussion at the Board level regarding a potential future need for a secondary dwelling because of family circumstances. It was decided at that hearing that if a need arose, the applicant could go through the development agreement process to try and meet the requirements. This condition is already in the public record and recorded. Ms. Smith's concern is that if this condition was also added now, it would require the Jagers to apply for a development agreement and a plat amendment which is not in the public interest. She recommended a corrected condition that they comply with the development agreement, reference the development agreement number, and add the words "as amended." Ms. Smith stated that ADU's were a hot topic in the legislature this year and no city can pass any law that prohibits ADU's on any residential parcel. She acknowledged that this was specific to cities. Ms. Smith stated that they didn't have any opportunity to respond to the Floodplain Administrator's conditions of approval. Ms. Smith referenced the condition requiring essentially an HOA and CC&Rs for a two-lot rural subdivision with no improvements. It is the applicant's preference to not have to spend money to implement CCR's.

Chairman Sturgill asked what waterway this property is in the floodplain of. Ms. Smith stated it was Willow Creek. She added that the property/home would need to be elevated. Chairman Sturgill referenced Exhibit A.8, which discussed the preliminary plat not adding any new trips. Ms. Smith clarified that the analysis clarified that whether it was a home and ADU on ten acres or a home on two parcels, the trip generation would be the same.

Planning Supervisor, Dan Lister, reviewed the Staff Report for the record.

Chairman Sturgill asked about the request from the applicant to not require an HOA or CCR's. Planning Supervisor Lister referenced condition no. 11, and suggested verbiage that states "applicable floodplain development requirements shall be met prior to final plat signature," instead of referencing the specific development agreement number.

MOTION: Commissioner Mathews moved to close public testimony on Case No. SD2023-0012, seconded by Commissioner Sheets. Voice vote, motion carried.

Deliberation:

Commissioner Sheets had no issue with the amendment to condition no. 7 but thought that condition 11 can be handled either way.

MOTION: Commissioner Sheets moved to **recommend approval** of Case No. SD2023-0012, to the Board of County Commissioners with modification to condition no. 7 as noted in deliberation. Seconded by Commissioner Johnston.

Discussion on the Motion:

None.

Roll call vote: 3 in favor, 2 opposed, motion passes.

Item 2C:

Case No. SD2025-0002 – Pheasant Heights Subdivision: The applicant is requesting approval of the Pheasant Heights Subdivision preliminary plat, consisting of 30 residential lots and 2 commercial lots served by a private road and public roads. The property is zoned “R-1” (Single Family Residential) and “C-1” (Neighborhood Commercial). The subject property is 23854 Emmett Road, Caldwell (Parcels R34445012A, 012A2, and 012B).

Commissioner Sheets requested to be recused as he has participated in other jurisdictional land use hearings with the applicant and this particular parcel.

Chairman Sturgill affirmed the applicant to testify.

Connor Gray (Representative) IN FAVOR –505 S. 7th Ave., Caldwell, ID 83605

Mr. Gray stated he is with Ag Land Development and has been working as one of the Project Managers for Pheasant Heights Subdivision. Many of the broader land use discussions were addressed during the 2020 rezone and this application is simply implementing the land use rights that were approved at that time. The subject property is located on Emmett Road, just north of 9th St. and directly across from Middleton High School. The project consists of 30 residential lots ranging from approximately 1 acre to 1.3 acres consistent with the R-1 zoning designation. In addition, the project also includes two commercial lots located along Emmett Rd. that are permitted under the C-1 zoning designation. Mr. Gray stated that both the residential and commercial portions of the project will have access to Emmett Rd. via a right-in, right out entrance that includes Highway District 4 improvements. The design eliminates left turn movements from the site and directs traffic to the nearby roundabouts for safer circulation. This design has been reviewed and approved by Highway District 4, and they will continue to work closely with them as the project moves forward. The commercial frontage along Emmett Road will include curb, gutter, and sidewalk improvements. The residential portion of the development will also utilize private roads, which is common for the rural residential subdivisions within Canyon County as well as several nearby developments. A landscape plan is being drafted that will also provide an attractive buffer between the residential and commercial portions of the project. The project satisfies the applicable criteria for approval and complies with code. Mr. Gray stated that they are not requesting any waivers, variances, or exceptions. They have worked closely with the reviewing agencies to obtain the approvals required at this stage of development. The proposed lot size and development patterns is consistent with the surrounding area. This project continues the established character of development that already exists. Their goal is to create a high-quality residential community that compliments the surrounding area and provides an attractive place for future residents to live. They anticipate working with local builders throughout the build out of the subdivision. Any future commercial development will be limited to the permitted uses within the C-1 zoning district. Currently there are no specific tenants in mind, however, the vision is to pursue professional offices (medical or dental) that are going to be low impact. As commercial uses are identified, there will be an additional review that will occur with the access/permitting process with the highway district to ensure traffic impacts are appropriately evaluated and addressed.

Chairman Sturgill asked where stormwater would be stored. Mr. Gray stated that his understanding is that when this was a City of Middleton project, there was a proposal to connect to the Faison Point subdivision, which is a county subdivision. Chairman Sturgill asked if Mr. Gray could explain the background on that and why it is not a part of the proposal today? Mr. Gray stated that originally, he and his partner were part of an annexation application. This annexation was also pursuing higher density at about 150 homes. They were asking for higher density as part of that application because the city wanted to have a lift station installed and also the cost for the light at Hwy 44. With this project being heard this evening, they are asking for 30 lots.

Chairman Sturgill asked if the request that was originally before the city was for R3 zoning. Mr. Gray believed that it was. Chairman Sturgill asked if any of the surrounding properties met Middleton's medium density or was this going to be the first one. Mr. Gray stated as far as one acre lot sizes, he noted Faison Subdivision. Chairman Sturgill asked if there are any properties in the area with a higher density than one acre. Mr. Gray stated that he was not aware of a county development with higher density. There are city developments nearby with higher density than one acre.

Planning Supervisor, Dan Lister, reviewed the Staff Report for the record.

Chairman Sturgill stated that the commercial property was rezoned in 2009, and it was his recollection that rezones granted in that time period had an expiration date, and asked Planning Supervisor Lister if that was the case. Planning Supervisor Lister noted that this rezone did not have a development agreement. Chairman Sturgill asked if the water supply for the commercial property would be determined when the uses are planned. Planning Supervisor Lister stated that was correct. Once the use is established DEQ would require a public water system if it is more than 25 persons as well as a higher type of septic system or possibly connect to city if available. Chairman Sturgill asked what the water source was for the irrigation water. Planning Supervisor Lister stated the project is within Black Canyon Irrigation District and the water comes off the lateral. Referring to the plat, Planning Supervisor Lister pointed out the delivery point (s) and noted that the plan is reviewed by the irrigation district to ensure that their services are not blocked. Chairman Sturgill asked if the note on Exhibit C5 was added to the plat (utility easement). Planning Supervisor Lister stated that the utility easements, per code, are 10 ft on the outside and 5 ft on the interior and those easements are shown. Chairman Sturgill noted that the Engineering Department recommended a community water system, but the project is utilizing individual well and septic. Planning Supervisor Lister stated that typically that is typically recommended for anything over 15 lots. He noted that there was not a lot of feedback from the applicant on that. He reminded the Commission that they can recommend improvements as part of their conditions. Chairman Sturgill stated that given the proximity of the City of Middleton that strikes him as appropriate. Chairman Sturgill stated that the staff report indicates that a TIS was not provided and asked if there was one. Planning Supervisor Lister stated that the TIS is complete, and it was reviewed by the highway district. Chairman Sturgill noted that the plat does not include spacing for bus stops or a signal crosswalk. Planning Supervisor Dan Lister stated that the letter from the school district was received after they started the hearing noticing process. The conditions were added afterwards, and the final plat will need to have these items included. Chairman Sturgill asked about utilizing private roads for a project that contains residential and commercial uses. Planning Supervisor Lister stated that the applicant wanted the ability to gate the residential area from the commercial, and the private roads would allow them to do so. Chairman Sturgill noted that private roads are typically maintained by the users and questioned if the cost would be also shared with the commercial uses that may have more wear and tear. Planning Supervisor Lister pointed out the accesses on the plat map. The applicant is proposing a buffer as it switches over to residential uses. Planning Supervisor Lister added that the code allows the Planning and Zoning commission to add improvements to the subdivision. Chairman Sturgill asked if the concerns expressed by Mr. & Mrs. Crosley at 13189 Willis Road addressed? Planning Supervisor Lister stated, yes, the concern was in regard to the concrete ditch at the front of Emmett Rd. The ditch would be piped and improved in a way that would not impact their services. Chairman Sturgill asked if the bike bath was separate from the main road adjacent to the property. Planning Supervisor Lister stated that it is an extension but deferred to the applicant for further clarification. Chairman Sturgill noted that road has a significant amount of traffic, and he would prefer some sort of buffer to protect cyclists. Planning Supervisor Lister stated that could be an improvement that the Commission could require.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Carl Anderson -IN FAVOR –505 S. 7th., Caldwell, ID 83605

Mr. Anderson referenced the letter received from Crosley's and noted that he met with them and shared the plan. Mr. Anderson felt that they had a positive resolution and the Crosley's were happy that he came to explain it. He added that they have met with Mark Gee, Middleton School District Superintendent and had a good conversation regarding the signalization of Emmett Road close to the school. Mr. Anderson stated they've had a good line of communication there.

Chairman Sturgill asked when Superintendent Gee indicate that there would be incremental elementary school capacity available for students from this subdivision. Mr. Anderson stated he couldn't say exactly, but there is some availability in the elementary school close to this project, but he believed it's a two-year build on the schools and put it out to 28. He also added that they do have 360 out of district students which are taking the place of existing landowners.

Ray Wolverton- IN FAVOR –13065 W. 9th St., Caldwell, ID 83607

Mr. Wolverton stated that the irrigation would be piped along Emmett Road. He wanted clarification whether or not everything that would be piped as he lives in the subdivision next to the site.

Roy Thweatt- IN NEUTRAL –13089 Willis Rd., Caldwell, ID 83607

Mr. Thweatt stated that his property is on the north end of this project. He spoke with five of his six neighbors, and everyone expressed an interest in a privacy fence between them and the development. Mr. Thweatt was concerned about the effect on the aquifer and was curious if there was a study that analyzed the impact on groundwater.

Planning Supervisor Lister stated that they do look at IDWR water monitoring for quality and quantity. There were some quality issues that the applicant would address, but there was no information that showed that the quantity has shifted much in this location. Idaho Department of Water Resources is the agency that monitors these issues and was unaware of a study in this location. The most recent review of water rights is south of the lake where a moratorium was put into place.

Mr. Thweatt stated that every year they deal with weed mitigation and hoped that something could be done before it is a fire hazard on the 4th of July.

Chairman Sturgill asked what kind of privacy fence the neighbors would like to see. Mr. Thweatt stated a six-foot, non-shared fence. Vinyl fences do not last long. He added that the neighbors do not want to have to maintain the fence but do want some privacy.

Connor Gray (REBUTTAL)–505 S. 7th Ave., Caldwell, ID 83605

Mr. Gray stated they have talked about a privacy fence, but it does get expensive to add around the entire perimeter. He noted that they did expect that the homeowners would do their own fencing through the HOA & CCR's if that is an absolute want from the neighbors. Mr. Gray stated that they'd be happy to work with them on that. In regard to the community system, at the end of the day, it comes down to cost not only for the developer but the landowners that purchase the lots. If the community well system goes down that is a cost shared across the development. If an individual's well or septic has an issue, that cost is just affecting one home. He added that they have found that most homeowners prefer to have their own well. He did not have additional information on the aquifer level but noted that he thought it was an ongoing debate, and they rely on the experts to be able to indicate if well systems would be allowed. He has not received notification of any issues when going through the soil test and nutrient pathogen test. He does recognize the problem of aquifers, particularly in the west, but could not speak to this one in particular. The storm water retention area is noted on lot 15. In regard to the bike pathway, they wished to match what the Faison Subdivision did.

There may be some confusion between city and county labels. In regard to weed mitigation, he stated that they apologize and will get that done immediately.

Chairman Sturgill asked if there would be a swale or depression to collect storm water. Mr. Gray believed that was correct. Chairman Sturgill asked how the right in / right out would be structured. Mr. Gray stated that he has met with Highway District 4 on this throughout the approval process. They want to be able to have a deceleration lane coming in and an acceleration lane coming out. They don't want anyone to take a left turn just because there are commercial uses. The road is currently only 2 lanes, and he assumes the city might expand later, and that is why they want the right in / right out. Chairman Sturgill asked if there was an updated Black Canyon Irrigation letter. Mr. Gray stated he believed there was. He added that there was a lot of confusion with the name of the subdivision as it had changed. Chairman Sturgill asked if the notes on exhibit C. 5 had been addressed. Mr. Gray believed so but noted that in regard to individual wells that is their preference due to cost for everyone. Chairman Sturgill asked what the process would be if the property was annexed into the City of Middleton later, would those homeowners then have to abandon their wells. Mr. Gray was not sure, but he did state there would need to be an entire new pre-annexation agreement filled out and the process completed with the city. Mr. Gray stated that the City of Middleton has had infrastructure problems and school capacity problems for quite some time that prevent annexations. Chairman Sturgill asked if the requested spacing for bus stops and signaled crosswalks were included on the plat. Mr. Gray stated that it is not included on the plat but is part of the conditions to work with them. Chairman Sturgill asked if Mr. Gray had anything to add in regard to the internal roads being private. Mr. Gray stated that with the residential lots, they want the development to be a rural residential community and felt that private roads were the most appropriate standard to use. Chairman Sturgill referenced the letter from IDEQ in which there were recommendations that he did not see in the application. Specifically, the dust prevention and control plan during construction. Mr. Gray stated that they would have no problem with doing that and assumed it was already required during construction. Chairman Sturgill stated there was a recommendation to verify adequate drinking water and asked how that was accomplished. Mr. Gray did not know the exact details of what Southwest District Health required but noted that if it was not accomplished through the 14-month period for the soil tests etc., they'd be happy to continue doing that.

Commissioner Werhanowicz asked how the right in/ right out would be enforced and asked if there would be a barrier. Mr. Gray noted the highway district comments and noted there would be signage. Commissioner Werhanowicz was concerned about the increase in traffic.

Planning Supervisor Lister stated that he looked up the property on Google Maps, and there is a concrete barrier in the center currently that would prevent a left-hand turn.

Chairman Sturgill noted that one of the people who testified had a question in regard to the piping. Mr. Gray stated that he was 99% certain that the piping was going to continue throughout the whole project and offered to verify that information with his Engineering Team and provide the information to the members of the public who testified on this issue.

MOTION: Commissioner Matthews moved to close public testimony on Case No. SD2025-0002, seconded by Commissioner Johnston. Voice vote, motion carried.

Deliberation:

Commissioner Johnston was in favor of fencing as well as dust mitigation during the construction process. She is in favor of one large well rather than individual and questioned what happens to the wells if the property was to be annexed into the city.

Planning Supervisor Lister stated that typically when a property is annexed, they wait until the wells fail before requiring connection to city services. Commissioner Johnston asked who would pay for that cost and Planning

Supervisor Lister noted it was the property owner. Commissioner Johnston asked if the cost to connect would be more than \$500.00 and Planning Supervisor Lister indicated that it would be.

Planning Supervisor Lister stated that when the property was rezoned back in 2019, staff and the P&Z recommended denial primarily due to the proximity of city services. The Board found that this was a great dividing line for the city. Also, the city would want much higher density which would create additional transportation impacts and school impacts. They felt lower density would be more appropriate. Chairman Sturgill added that was seven years ago, there is a new Board of County Commissioners, and the entire area has changed.

Commissioner Matthews stated that he lives in a small community with a community well and understands the costs involved.

Chairman Sturgill stated that a lot has changed from when the property was rezoned and felt there were a lot of open questions. He suggested tabling the case for a minimum of three months and asked for clarification and additional information on some of the topics that have been covered this evening. He agreed with Commissioner Werhanowicz in regard to right in / right out. He added that there is a failed intersection even without this development. He is reluctant to send this off to the Board of County Commissioners with a list of recommended conditions that the Commission never touches again. He would like to convert some of the conditions that were recommended into requiring the applicant to come back and present evidence so the Commission can affirm that these changes are the plan moving forward. He asked the Commission what they thought about that suggestion.

Commissioner Werhanowicz added it would be helpful if the applicant's Engineering team was at the hearing.

Commissioner Johnston stated she was fine with extending it because there are quite a few items that were answered as references to conversations. She also recognized that this would add to the applicant's timeline.

Chairman Sturgill expanded on his comments since he did not hear a great deal of disagreement from the Commission. He referenced that there is a failed elementary school system in Middleton. Mr. Gee resubmitted his comments that that portion of the school system is at 145% of capacity. There is a plan to provide capacity in the future, but he'd like to see a plan that mitigates between now and then. The other issue is that there is a projection based upon background traffic that the intersections nearby are not just crowded, they are going to fail. He added that even if this subdivision is not built, he was unsure how a recommendation of approval with conditions would not mitigate something that impacts intersections already destined to fail badly. He invited a motion from the Commission.

Commissioner Matthews asked if these could be resolution in a shorter timeframe. Chairman Sturgill stated that he checked state code and there is no constraint on how long a case can be tabled, but it needs to be fair to the applicant as well. Commissioner Matthews stated he does not like the access point off of Emmett Road across from the high school, and he is inclined to deny it.

Commissioner Werhanowicz stated that she finds it hard to believe that rezones get approved and let them go on so long and felt there should be some sort of review.

Chairman Sturgill agreed, and that was the genesis of his question as to whether the rezone had expired. In addition, that is the basis for asking the questions at rezone hearings to determine how many entitlements are already authorized in the region, especially when considering school overcrowding and intersections that are at or near failing. He also added that the government entities that provide advisories included in staff reports are never going to say they don't recommend something being approved. They will do their best to give the best possible recommendation, but the only thing that will fix this is time and infrastructure.

MOTION: Commissioner Matthews Moved to continue case no. SD2025-0002 for a period of not less than six months.

Before the motion was seconded, Planning Supervisor Lister stated that if the case was tabled to a date certain any information submitted won't be open to public testimony, as the public testimony was closed. It would be strictly for the Commission to get the information needed and make the decision. If the case is continued to a date uncertain, the applicant will bring back the information, and then the case will be scheduled on the next available agenda. The applicant would also have to pay a renotification fee, but it would reopen public testimony just for the items the Commission wants to review.

Chairman Sturgill asked for a second on Commissioner Mathews' motion. Motion failed for lack of a second.

Commissioner Werhanowicz stated that there are a lot of people that would like to be notified so they can come to the hearing.

Chairman Sturgill asked Commissioner Werhanowicz if she was suggesting tabling to a date uncertain. Commissioner Werhanowicz stated she did not understand why the case couldn't be continued to a date uncertain, have the applicant obtain the requested information, and then come back but also notify everyone so they can be a part of it as well.

Planning Supervisor stated that a date uncertain allows the applicant to get the information as fast or as slow as needed. Essentially, they get to choose their hearing date.

MOTION: Commissioner Johnston moved to continue case no. SD2025-0002 to a date certain of December 3, 2026, to allow the applicant to obtain additional information in regard to traffic, information regarding school crossings and ensuring safety.

Commissioner Johnston asked if there were any other topics the Commission would like to add before there was a second made on the motion.

Discussion on the Motion:

Chairman Sturgill suggested spacing for bus stops and crosswalks, further information on the feasibility of a community water system, a copy of the updated Black Canyon Irrigation District Letter, a plan to mitigate the concerns about elementary schools being over capacity, evidence that the proposed right in-right out plan will not disrupt traffic, evidence that the level of service for surrounding intersections will be acceptable when the project is complete, a response from IDEQ for dust prevention and control and verifying adequate drinking water, confirmation that an IPDES is not required, visual depiction on the plat of how the bike path would be continued from adjacent properties, fencing plan.

Commissioner Mathews asked if the catastrophic failure of the intersection be mentioned for emphasis. Chairman Sturgill stated yes.

Chairman Sturgill asked if Commissioner Johnston would like to include the aforementioned requests for additional information or should some be taken out?

Commissioner Johnston stated that some of what Chairman Sturgill suggested she shortened it up but was in agreement.

Commissioner Matthews then seconded the motion.

MOTION: Commissioner Johnston moved to continue case no. SD2025-0002 to a date certain of December 3, 2026, to allow the applicant to obtain additional information in regard to traffic, information regarding school crossings and ensuring safety. Seconded by Commissioner Matthews.

Roll call vote: 4 in favor, 0 opposed, motion passes.

Item 2D:

Case No. RZ2025-0001 – Jackman: The property owner, Jason Jackman, represented by Patty Clark, is requesting a conditional rezone of approximately 2.85 acres from the “A” (Agricultural) zone to the “CR-M-1” (Conditional Rezone –Light Industrial) zone. The subject property is located at 11583 Orchard Ave, Nampa, ID 83651 also referenced as Parcel R31482.

Commissioner Sheets re-joined the hearing.

Chairman Sturgill affirmed the applicant to testify.

Patty Clark– (Representative) IN FAVOR – 319 LoneStar Rd., Nampa, ID 83651

Ms. Clark stated that the purpose of the rezone is to be able to run a small family business that offers services of manufacturing custom UTV windshields and vehicle wrap services. She understands the concerns raised in the staff report and understand that the request may be unusual for the area, however, they believe the evidence shows that the application can meet the intent of the conditional rezone criteria when viewed in context. The actual operations should be considered as well as the substantial mitigation measures being proposed. The request is not for a large industrial complex, distribution center, or heavy manufacturing. It is a small owner-operated business that already exists on site and is conducted entirely inside an existing shop building. The business owner has only one employee, his son. The use generates virtually no customer traffic, and it ships products directly to customers rather than operating as a retail storefront. Ms. Clark’s understanding that the key issue before the Commission is compatibility. She believes that compatibility should be evaluated based on real world impacts, noise, traffic, visual appearance, hours of operation, and public safety not simply by the label of commercial or industrial. She believed the evidence strongly supports approval. There were no objections from the highway district regarding traffic impacts. Idaho Transportation Department determined that the project does not meet thresholds for the traffic impact study, and it identified no safety concerns. Standard septic system requirements are met, emergency services can adequately serve the property and after a site visit Nampa Fire Protection District withdrew its opposition. Ms. Clark stated that to her knowledge, no public opposition comments have been received. She noted that there were two separate neighborhood meetings held and the only individuals who attended in person or contacted the Timberline Surveying offices in response notice were neighboring property owners who were in support of the request. There were no property owners that appeared in opposition at those meetings, and no written opposition was submitted. Ms. Clark believed that the local support, especially those most directly affected, is an important indicator that the proposed use is compatible and does not negatively impact nearby property owners. The applicant has also suggested and agreed to substantial conditions, specifically designed to address compatibility concerns and preserve the character of the area. Ms. Clark stated that the proposed conditions will restrict operations, limit the hours of operations to weekdays 8 a.m. to 5 p.m., requiring all manufacturing activities to occur indoors, installing site obscuring fence and/or berm buffer, downward facing lighting, compliance with parking, circulation, and building code requirements. Ms. Clark noted that while the staff report states the area is trending residential, the property itself is still located in the county and is surrounded in part by a church, a school, agricultural uses, and larger parcels. The proposed conditional rezone process exists specifically for situations like this where tailored conditions can address concerns more effectively than a simple yes or no zoning classification. Approval of this application would support local entrepreneurship, protect existing investment in the property, and allow a low impact family business to continue operating under enforceable conditions that minimize effects on surrounding uses.

Commissioner Sheets asked what the maximum number of employees would be. Ms. Clark stated two, the owner and his son. The use is conducted in the shop.

Commissioner Werhanowicz asked why the applicant was applying for a rezone instead of a conditional use permit. Ms. Clark stated that initially they did apply for a conditional use. They were told that the use requested is not allowed through a CUP in the AG zone.

Associate Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Sheets referred to the building permit that closed in November of 2025 which had a reference to the "shear" not being verified and asked what the "shear" was. Planner Bunn stated that it was her understanding that part of the buildings' walls were covered up, so they didn't want to have the applicant tear it out to show for inspection. The permit was closed, and if the rezone were approved, the applicant would apply for a commercial permit and at that time the structure would need to meet that higher standard. Commissioner Sheets asked why this use couldn't be covered by a home business or home occupation. Planner Bunn stated that no more than a fourth of the square footage of your house or accessory structure can be utilized for the use in a home business, and a home occupation is a third.

Chairman Sturgill asked what activities are being conducted that would not be allowed with a conditional use permit. Planner Bunn stated that the manufacturing of the windshields. She also noted the vinyl wrapping business.

Planning Supervisor Lister read a portion of the definitions for home business and home occupations. He added that the intent of a contractor shop and staging area is running your contractor business and storing things on site. He referenced a case that was an ordinance text amendment that came through the P&Z for a machine shop, but that application has stalled. Staff looks at the most similar use in the code and unfortunately where our code has these types of uses is either heavy commercial or M-1. Chairman Sturgill stated that he followed everything that Planning Supervisor Lister explained and added that while he understands the character of the area may be residential, it's zoned agriculture. Planning Supervisor Lister stated that a residential dwelling is allowed on agriculturally zoned property. Agriculture parcels could be of many different sizes. In this case it is a smaller parcel and is located in an area with potential residential growth/city. Chairman Sturgill stated that in his view, the impact is limited particularly if there's only two employees total and questioned why this couldn't fall under a contractor shop and put a tight boundary around the number of employees and hours. The impact would be the same as a contractor's shop and the equipment would be very similar. Planning Supervisor Lister stated that it was his recollection of the application that there is more than what you would normally see with a contractor shop or staging area. He referenced several CUP's that were approved for contractor's shops that did not involve manufacturing on site.

Commissioner Mathews referred to a case where the applicant was assembling geothermal equipment. He understood that the scale was different but felt it was a slippery slope to allow one thing to happen by CUP and not another.

Commissioner Sheets referenced the definition of home business, which includes tax preparation, graphic design or web services, assembly parts, teaching music and other instructions. He asked if someone could apply for a variance with a director's decision. Planning Supervisor Lister stated no, those are code standards and did not believe there were any variance to vary those.

Chairman Sturgill asked Planner Bunn if she could direct him to the definition of contractor's shop in the code. Planner Bunn stated it was 07-02-03. She also read it for the record. She added that that the contractor's

shop was not used because of the manufacturing that is occurring. She understood that manufacturing happens on many levels. If there was no manufacturing happening and the applicant was just coordinating and storing his equipment there it could fit, but he does all of the work on site.

Chairman Sturgill affirmed the witnesses to testify.

Testimony:

Jason Jackman–(Applicant) IN FAVOR – 11583 Orchard Ave., Nampa, ID 83651

Mr. Jackman stated he would like to address some of the concerns in regard to manufacturing and noted he really doesn't manufacture, it's a CNC machine. He orders 4x8 sheets of plastic from a company in Boise. He has a design on his computer; he cuts out the window for the particular model of UTV. The window is put in a box and shipped. He stated that his son does this 2-3 hours a day. The wraps include stickers and bike kits. He stated that initially there was a zoning concern about vehicle servicing that was on their website, however, they took that off and it is no longer there. He stated that they don't do any vehicle servicing there and no maintenance. Mr. Jackman stated that this is a family operation.

Chairman Sturgill asked if the property had three-phase power. Mr. Jackman was unsure. Chairman Sturgill asked if his machine 220 single phase. Mr. Jackman believed that it was. Chairman Sturgill asked if the CNC cutting element is rotary or laser. Mr. Jackman stated it was rotary for plastic only and was a small machine that had a 4x8 bed. Chairman Sturgill asked if it was vented to the outside. Mr. Jackman stated it was an enclosed venting tube that is dumped every day. Chairman Sturgill asked if there was any other machinery in the building that makes noise. Mr. Jackman stated no, and it is very low impact noise.

Commissioner Werhanowicz asked if the printers are for the stickers. Mr. Jackman stated they were like a home printer and are quiet.

Ms. Clark had a question and asked her to come back up to the podium.

Patty Clark– (Representative) IN FAVOR – 319 LoneStar Rd., Nampa, ID 83651

Ms. Clark referred to the home business /home occupation and square footage limitations. She stated that hypothetically, if they put the CNC equipment and the sticker printer into the garage, would he be able to run his business out of the garage? He currently has it in a separate building, but it would fit in his garage. His cars could be parked in the shop instead.

Planner Bunn stated that if a person has vehicles/ trailers that they store on the property for their business, the home occupation and business do not allow for that. In the past, there has been quite a few different vehicles and trailers stored on the property and that's part of the reason a staging area was requested.

Chairman Sturgill asked hypothetically if the trailers were part of a staging area for a CUP and the CNC machine and equipment were moved into the garage would that then meet the home business. Planning Supervisor Lister referred to the code that the home occupation / business can't exceed a certain size of the dwelling /structure and once you exceed that it is a higher intensity use requiring a CUP or rezone.

MOTION: Commissioner Sheets moved to close public testimony on Case No. RZ2025-0001 seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Sheets wished there was a way to allow this use outside of a rezone. The rezone of M1 next to residential would be island zoning. The particular use has such low impact.

Commissioner Werhanowicz asked if the applicant could partition the garage.

Planner Bunn added that all of the trucks, trailers, etc. associated with the business would all have to be enclosed, and not more than 1/3 of the square footage of the house could be utilized. As far as she knows, the business is exceeding that.

Chairman Sturgill stated that he is hearing a consensus among the Commissioners who have spoken that they agree with staff's recommendation on the rezone but wished there was a way to help the applicant outside of the rezone process such as exploring other options.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. RZ2025-0001 to the Board of County Commissioners and adopt staff's Findings of Fact and Conclusions of Law., and requested that staff modify the Findings of Fact, Conclusions of Law. Seconded by Commissioner Mathews.

Discussion on the Motion:

None.

Roll call vote: 5 in favor, 0 opposed, motion passed.

Chairman Sturgill stated that the case will go before the Board of County Commissioners, who could potentially reach a different conclusion. He encouraged the applicant to spend time with their Planner and Planning Supervisor Lister to see if there is an alternative.

Item 2E:

Case No. CR2025-0010 – Tabarini: The applicants, Carlos and Kimberley Tabarini, are requesting a conditional rezone of 5.9 acres from the "A" (Agricultural) zone to the "CR-R-1" (Conditional Rezone- Single-Family Residential) zone. The request includes a development agreement limiting the project to three residential lots. The subject property is located at 0 Stoffle Ln, Middleton, ID also referenced as Parcels R23913011A and R33968.

Chairman Sturgill affirmed the applicant to testify.

Carlos Tabarini– (Applicant) IN FAVOR – 9837 W. Patmore Ct., Star, ID 83669

Mr. Tabarini stated that they intend to split the 5.9 acres into three buildable lots consistent with the surrounding area. He has reviewed staff's proposed conditions and has no issue with them. He would like a bit more clarification on condition no. 6. Parcel 33968 was part of a different public access.

Chairman Sturgill asked for more information about the project.

Mr. Tabarini stated that he met with the County after purchase and the two smaller lots would be 1.25 acres. They are trying to keep the parcels similar to those in the area.

Chairman Sturgill asked if the intent was to have one house on each residential lots or one plus a mother-in-law suite. Mr. Tabarini stated that the lots would be sold, and he does not know what a future buyer would want. Chairman Sturgill referred back to previous hearings this evening in which there were discussions about infrastructure and asked Mr. Tabarini how the Commission should think about the rezone application in the context of infrastructure that is already overburdened. Mr. Tabarini stated that they have no younger children, and he can't speak for who will purchase the other two parcels in regard to traffic.

Commissioner Werhanowicz asked if the applicant intends on building one of the lots and selling the other two. Mr. Tabarini stated yes.

Chairman Sturgill stated he noticed that the Northwest Pipeline runs across the property. Mr. Tabarini stated that it is just a sliver of the subject property and that it only impacts the property by six inches.

Principal Planner Emily Bunn reviewed the Staff Report for the record.

Commissioner Sheets asked what the average and median lot sizes were in the area. Planner Bunn stated that the average is 2.46 and the median is 1.97 within 600 ft. of the subject property. Commissioner Sheets asked how the proposed 1.25 acres would change the average & median in the area. Planner Bunn stated she would research and would be covered at the end of testimony.

Chairman Sturgill affirmed the witnesses to testify.

Kimberly Tabarini– (Applicant) IN FAVOR – 9837 W. Patmore Ct., Star, ID 83669

Ms. Tabarini stated that the subject property is comprised of two (2) parcels. The split is being requested to assist them in building their family home. She noted there is a road user's maintenance agreement in place. She referenced the "Growing Together" letter that was in support of infill. Ms. Tabarini referenced the letter from Middleton which stated that property to the south is commercial, but she noted it is all residential. She added that they intend on keeping an agricultural feel to this area.

Commissioner Johnston asked Ms. Tabarini if not allowing secondary dwellings would be a deal breaker for her. Ms. Tabarini stated that they are not looking to build an ADU but that doesn't mean that a future purchaser of the lots wouldn't want one and would prefer not to have that limitation.

Chairman Sturgill stated that he is a big believer in property rights and stated that the area is going residential. The issue is the improvements, schools, roads, etc. is happening slower than the building and development that has already been authorized. Chairman Sturgill asked Ms. Tabarini how she felt the Commission should view her application. Ms. Tabarini stated that she understands the concern. She does not know if the impact will even arise, someone may want to purchase a lot to graze horses. She felt that limiting to just three parcels is reducing the impact. Chairman Sturgill stated that the City of Middleton has provided services to nearby properties and asked how Ms. Tabarini would feel about potentially being in the city and having access to services. Ms. Tabarini did not believe the subject property was not currently adjacent to city. Chairman Sturgill asked if she was adjacent what her preference would be. Ms. Tabarini would rather be on city but wasn't sure if her husband would prefer that. They have talked with Southwest District Health, and they may need an advanced system. Chairman Sturgill asked when the property was purchased. Ms. Tabarini stated it was purchased in 2024.

Troy Weeks– IN FAVOR – 22710 Stoffle Ln., Middleton, ID 83644

Mr. Weeks stated that he is adjacent to the subject property and will have the most impact from the development. He stated that when the Tabarini's purchased the property they had spoken with him about their vision for the site. Their vision was in line with what he wanted to see happen on the property and in the area. The previous owners of the subject property wanted to jam pack as many houses as they could without regard to the neighbors. Mr. Weeks stated that the Tabarinis have done a lot for the neighbors and gave an example of him purchasing equipment to clean up their property.

Commissioner Sheets asked if the property is currently in pasture. Mr. Weeks stated that he would describe it as low-quality pasture.

Chairman Sturgill asked Mr. Weeks if he knew the applicants before they purchased the property. He stated no.

Planner Bunn stated that the City of Middleton's Comprehensive Plan is referenced in Roberta's email. The city recently adopted a new plan, which may be the difference in designations. She added that it appears that the subject property may be adjacent to city limits and proceeded to circle the area in which the parcel touches city.

Commissioner Sheets asked when impact fees go into effect for the property, rezone or platting. Planner Bunn stated it is at the building permit phase.

Chairman Sturgill asked how wide the area adjacent to city limits is on the subject property. Planner Bunn noted it was approximately 7.78 feet.

MOTION: Commissioner Sheets moved to close public testimony on Case No. CR2025-0010, seconded by Commissioner Mathews. Voice vote, motion carried.

Deliberation:

Commissioner Matthews stated he is in favor of the rezone with no secondary residences.

Commissioner Sheets stated that he is not in favor of the request. He stated that small rezones are "one bite at a time." The more that are approved the more it turns into basically a city where everyone has a well/septic tank, and it is just adding to the issues without fixing the problems first. He believes that even with the restrictions on secondary residences, the rezone is too dense for the area already.

Commissioner Matthews stated that the smaller lots in this area made sense for the reason that building is not occurring on larger agricultural parcels. He added he understood the concerns about density.

Commissioner Sheets agreed that sprawl is an issue. He stated that two lots would be more amenable to him.

Chairman Sturgill stated he agreed with Commissioner Sheets and if this request was being made five years from now, when the two adjacent intersections on Highway 44 were improved and Superintendent Gee had a new elementary school up and running, he believed it would be a straightforward application. He has deep concerns and has heard concerns about residents that live in the area about how broken the infrastructure is. He shared a personal experience of coming to the hearing this evening, at Lansing Lane which was stacked 10 cars deep and took 13 minutes to get through the intersection.

MOTION: Commissioner Matthews moved to **recommend approval** of Case No. CR2025-0010, to the Board of County Commissioners and adopt the Findings of Fact, Conclusions of Law & Order as presented by staff with the addition of a condition restricting secondary dwellings. Seconded by Commissioner Johnston.

Discussion on the Motion:

None.

Roll call vote: 2 in favor, 3 opposed, motion failed.

MOTION: Commissioner Sheets moved to **recommend denial** of Case No. CR2025-0010, to the Board of County Commissioners with changes to Criteria no. 2, that the proposed conditional rezone is not more appropriate than the current zoning designation. The proposed density is higher than the parcel lot sizes, and the allowance of secondary dwelling units would increase the density. Criteria no. 3, that the proposed conditional rezone is not more compatible. The current lot size is more compatible with the agricultural area. Criteria 8, that the proposed conditional rezone will impact essential public services. A cumulative effect of rezones in small amounts will impact over time. Seconded by Commissioner Johnston.

Discussion on the Motion:

Planning Supervisor Lister suggested noting what actions the applicant can take to try to get approval. Commissioner Sheets noted that the applicant could resubmit for two lots with no secondary dwellings.

Roll call vote: 4 in favor, 1 opposed, motion failed.

3. DIRECTOR, PLANNER, COMMISSION COMMENTS:

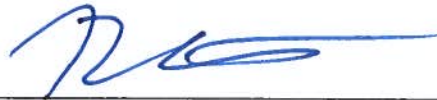
Planning Supervisor Lister stated that there are a couple of applications for the Commission to fill another seat, Jay will be in touch. Planning Supervisor Lister stated that a consultant is being sought for comprehensive plan implementation. He noted that July 2nd could be utilized for a feedback session. The Commission was agreeable to using this date.

4. ADJOURNMENT:

MOTION: Commissioner Sheets moved to adjourn, seconded by Commissioner Werhanowicz. Voice vote, motion carried. Hearing adjourned at 10:33 P.M.

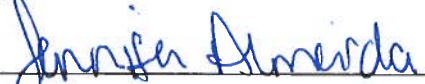
An audio recording is on file in the Development Services Department's office.

Approved this 16th day of July, 2026



Brian Sheets, Acting Chairman

ATTEST



Jennifer Almeida, Office Manager

EXHIBIT 3

Staff Report Packet Dated June 4, 2026

-

Board of County Commissioners

Case# SD2023-0012

Hearing Date: August 6, 2026



Planning and Zoning Commission
Hearing Date: June 4, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: SD2023-0012

APPLICANT/REPRESENTATIVE: Treasure Valley Planning
PROPERTY OWNER: Chris & Mary Jaggers

APPLICATION: Preliminary Plat – Bow-Tie Estates Subdivision: Two residential lots

LOCATION: 25744 Kingsbury Lane, Middleton
 Parcels R37468012A1 and R37468012A2

PLANNER: Dan Lister, Planning Supervisor

STAFF RECOMMENDATION: Approval

REQUEST:

The applicant, Treasure Valley Planning, representing Jaggers Family Revocable Trust and Avery Family Revocable Trust, requests approval of the Bow-Tie Estates Subdivision preliminary plat consisting of two residential lots on Parcels R37468012A1 and R37468012A2. The request includes a waiver of City of Star subdivision improvements. The subject properties, approximately 10.9 acres, are located at 25744 Kingsbury Lane, Middleton, also referenced as a portion of the NW quarter of Section 26, T5N, R2W, BM, Canyon County, Idaho. *See Exhibit A for details.*

A final plat was submitted concurrently (SD2023-0013). Due to the parcel being located in a floodplain, the request cannot be processed as a short plat (CCCO §07-17-17). Therefore, the final plat will be reviewed following the approval of the preliminary plat.

PARCEL INFORMATION REPORT: *See Exhibit B.1 for information*

APPLICABLE CODE:

The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-17-09 (Preliminary Plat Criteria); Idaho Code §67-6513; and CCCO §09-19-12 (Star Area of City Impact Agreement).

BACKGROUND:

The subject parcels were rezoned to “CR-R-R” (Conditional Rezone – Rural Residential) on May 8, 2025, subject to conditions of a development agreement (RZ2023-0003/ Development Agreement (DA) No. 25-172, **Exhibit B.3**). The conditions are as follows:

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The subject parcels, R37468012A and R37468012A1 shall be recognized through the division application process in compliance with Chapter 7, Article 17 of the Canyon County Code of Ordinances (CCCO), subject to the following restrictions:
 - a. The parcels shall maintain a five-acre average lot size.
 - b. Other than the minimum lot size, the subject parcels shall meet the uses and minimum requirements of the "A" (Agricultural) Zone.
 - c. Future division of the subject parcels is prohibited.
 - d. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited.
3. The request shall comply with CCCO §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."

HEARING CRITERIA:

Table 1. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	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.
Analysis		On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). The last revision to the preliminary plat was submitted on April 2, 2026. Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit B.4 for details): <u>Summary of Review – Bow-Tie Estates Subdivision:</u> • <u>Total Acreage:</u> 10.97 acres (10.17 acres after dedication). • <u>Total Number of Lots:</u> Two (2) residential lots. • <u>Zoning:</u> "CR-R-R" (Condition Rezone – Rural Residential, two-acre average minimum lot size). The zone was approved in 2025, subject to a development agreement (RZ2023-0003/DA No. 25-172 (Exhibit B.3)). • <u>Roads/Access:</u> Lot 1 will continue to utilize the Kingsbury open, unmaintained, right-of- way. Lot 2 has frontage from Edna Lane, a public road. - o Highway District #4 (HD4) will require a 50' right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> ▪ A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (Exhibit A.8). - o Idaho Transportation Department (ITD) has no concerns and finds the request does not meet the threshold to require an impact study (Exhibit C.5). • <u>Area of City Impact:</u> The City of Star finds the request meets the city's future land use map in its comprehensive plan. The city waives city subdivision standards and improvements (Exhibit C.1). • <u>Water/ Sewage Disposal:</u> Lot 2 will require a domestic well and individual septic system (Plat Notes 6

	& 7). Lot 1 has a well and septic system (Exhibits A.2 & A.6). • Irrigation: Irrigation water will be provided to all lots through a pressurized irrigation delivery system (Exhibit A.2, Plate Note #3). The existing irrigation pump from Willow Creek is located in an easement on Lot 2. The irrigation line is located near the east and south property boundary of Lot 2 and terminates at Lot 1 via an easement. The property has surface water rights (45.5%) from Black Canyon Irrigation District (Exhibit A.4). See Irrigation Narrative in Exhibit B.4a). • Drainage: Stormwater runoff shall be retained onsite (Plat note #15, Exhibit A.2). The Homeowner’s 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 (Plat Note #8). The Site Runoff Plat (Exhibit A.5) demonstrates runoff flows east to west into 12” drainpipes. • Hillside Development: Plat Note #14 states no development is allowed in areas with slopes greater than 15%, as identified as the “non-buildable” areas on this plat (Exhibit A.2). - o Access to Lot 2 appears to have been constructed after the submittal of SD2023-0012 on slopes 15% or greater (Exhibit B.5) and encroaching into a Black Canyon Irrigation District (BCID) easement (Exhibit C.4). BCID requires a user agreement; see condition 4a. An as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E. See condition 1a. • Floodplain: The subject property is located in an “A” Zone (Floodplain without Base Flood Elevation (BFE) data). A BFE study was submitted and reviewed by the DSD Engineering Division and was approved (Exhibit B.6). <i>See Condition 11.</i>	
Criteria Met?	2	Acknowledgment: Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.
Yes		
Analysis	On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). <i>See Exhibit A</i>	
Criteria Met?	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>
Yes		
Analysis	A. Affected agencies were notified on June 20, 2025 (courtesy notice) and April 30, 2026 (hearing notice). The following agency comments were received: 1. DSD Engineering Division (Exhibit B.6): • The BFE study complies with FEMA guidance for Zone A analysis and Canyon County floodplain requirements. The hydrologic and hydraulic methods used, including contour interpolation and the HEC-RAS step-backwater model, provide a defensible regulatory BFE suitable for use in floodplain permitting and final plat documentation (DP2025-0040). <i>See Condition 11.</i> 2. Idaho Transportation Department - ITD (Exhibit C.5): • ITD has no concerns and finds the request does not meet the threshold to require an impact study. 3. DSD GIS (Exhibit C.6): • Subdivision name meets Idaho Code §50-1307 (No duplication/similar-sounding names). 4. Southwest District Health - SWDH (Exhibit C.2):	

	SWDH does not have any concerns. The SER (Subdivision Engineering Report) is approved (Exhibit A.7). A nutrient pathogen study is not required. <i>See Condition 5.</i>
	5. <u>City of Star (Exhibit C.1):</u> Correspondence from the City of Star finds the request meets the city’s future land use map in their comprehensive plan. The city waives city subdivision standards and improvements. <i>See Condition 9.</i>
	6. <u>Black Canyon Irrigation District (Exhibit C.4):</u> The applicant has not submitted a review application. Willow Creek Wasteway along the north boundary has a historical 50- foot easement (25-feet from centerline). The C-Line Canal East is located on the southern property boundary with a historical 100-foot easement (50-feet from centerline). <i>See survey provided by applicant, Exhibit B.4a.</i> In February 2023, the District approved the water transfer split between Parcels R37468012A and A1(one acre to Parcel R37468012A and four acres of water to Parcel R37468012A1). Access created from Edna Lane (Lot 2) encroaches into the district’s easement, which needs a user agreement. <i>See Condition 4.</i>
	7. <u>Highway District #4 (Exhibit C.3):</u> - Highway District #4 (HD4) will require a 50’ right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> - A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (Exhibit A.8).
	8. <u>Idaho Department of Environmental Quality (Exhibit C.7):</u> The letter from DEQ is informational, not project-specific.

Table 2. Commission Review – CCCO §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:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	The ordinance and standards used in evaluating the application.
Analysis		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, Exhibit A.2), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).
Criteria Met?	2	Recommendations for conditions of approval that would minimize adverse conditions, if any.
Yes		
Analysis		Should the Commission approve the request, staff recommends the following conditions be attached: 1) All subdivision improvements (public 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. a. Regarding the access on Lot 2, an as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E. 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 (Exhibits C.3 & A.8). Evidence of compliance shall be the highway district’s signature on the final plat. 4) Development shall comply with irrigation district requirements and agreements (Exhibit C.4). Evidence shall include written correspondence from the irrigation district approving the final plat before the Board of County Commissioners’ signature on the final plat. a. Regarding the access to Lot 2, a user agreement must be approved by the irrigation district to allow access to encroach into the district’s easement. 5) Development shall comply with Southwest District Health requirements (Exhibit C.2). Evidence of compliance shall be the Southwest District Health signature on the final plat. 6) Development shall comply with Fire District requirements. Evidence shall include written correspondence from the fire district approving the final plat before the Board of County Commissioners’ signature on the final plat. 7) The recorded development agreement (Exhibit B.3), which includes restrictions on secondary dwellings, shall be noted as a plat note on the final plat. 8) The shared irrigation line/delivery system must include a recorded water user’s maintenance agreement. The agreement with the instrument number shall be added as a plat note on the final plat. 9) Per CCCO 09-19-09(5): 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. 10) The final plat shall highlight areas where slopes over 15% exist and note that residential development is prohibited in the highlighted area. 11) Applicable floodplain development approval conditions per DP2025-0040 shall be met prior to final plat signing (Exhibit B.6).	
Criteria Met?	3	The reasons for recommending the approval, conditional approval, modification, or denial.
Yes		
Analysis	<i>See Table 1 and Table 2 – Criteria 1 & 2</i>	
Criteria Met?	4	If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.
-		
Analysis	<i>N/A</i>	

Table 3. Area of City Impact - Star

County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	09-19-12	The following procedures shall be adhered to in processing applications within the Star area of city impact: (2) Subdivisions, Planned Unit Developments And Rezones: Applications for subdivisions, planned unit developments, and rezones within the Star area of city impact shall occur as a result of a request for annexation to Star; however, Canyon County may consider such applications in those exceptions where annexation is not approved by Star or where the parcel on which such application is filed is not contiguous to the Star, and therefore cannot be annexed.

Analysis	Area of City Impact: The City of Star was noticed on June 20, 2025, and April 30, 2026. Correspondence from the City of Star finds the request meets the city’s future land use map in their comprehensive plan. The city waives city subdivision standards and improvements (Exhibit C.1).
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NOTIFICATION AND COMMENTS:

Notice of the public hearing was provided as per CCCO §07-05-01. Agencies were notified on April 30, 2026. JEPA notice was sent to the City of Star on June 20, 2025. Property owners within 600 feet of the subject property boundaries were notified on May 5, 2026. A newspaper notice was published on May 5, 2026. The subject property was posted with a notice on May 4, 2026.

Pursuant to CCCO §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.

AGENCY COMMENTS

All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

PUBLIC COMMENTS

No comments were received.

RECOMMENDATION AND DECISION OPTIONS:

In consideration of the application and supporting materials, staff concludes that the proposed preliminary plat is compliant with Canyon County Ordinance 07-17-09. A full analysis is detailed within the staff report.

DECISION OPTIONS

- **Approval of the Application:** “I move to approve SD2023-0012, Bow-Tie Estates Subdivision, finding the application **does** meet the criteria for approval under Article 07-17-09 of Canyon County Zoning Ordinance, **with the conditions listed in the staff report, finding that:** [*Cite reasons for approval & insert any additional conditions of approval*].
- **Denial of the Application:** “I move to deny SD2023-0012, Bow-Tie Estates Subdivision finding the application **does not** meet the criteria for approval under 07-17-09 of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))*].
- **Table the Application:** “I move to continue SD2023-0012, Bow-Tie Estates Subdivision to a [*date certain or uncertain*]

EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Preliminary Plat
3. Subdivision Worksheet
4. Irrigation Plan Application
5. Site Runoff Plan
6. SWDH Permit
7. SWDH SER Approval
8. ROW Variance

B. Supplemental Documents

1. Parcel Information Report
2. Cases Maps/Reports
 - a. Aerial

- b. Vicinity
- 3. RZ2023-0003/DA25-172
- 4. DSD Subdivision Review
 - a. Applicants' revisions, BCID easement survey, and irrigation narrative
- 5. Lot 2 Access Review
- 6. BFE Study Review – DSD Engineering Division/DP2025-0040

C. Agency Comments Received by May 26, 2026

- 1. City of Star, letter dated December 22, 2025
- 2. Southwest District Health, email received on June 20, 2025
- 3. Highway District #4, letter dated November 19, 2024 & July 15, 2025
 - a. Applicant's response
 - b. HD4 Letter 5/7/2026
- 4. Black Canyon Irrigation District, letter dated July 18, 2025
- 5. Idaho Transportation District, email received on June 25, 2025
- 6. DSD GIS, email received on August 15, 2025
- 7. Idaho Department of Environmental Quality, letter dated June 23, 2025

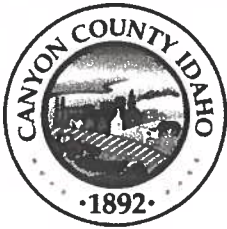
**EXHIBIT 3
EXHIBIT A**

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# SD2023-0012

Hearing date June 4, 2026



PRELIMINARY PLAT PUBLIC HEARING - APPLICATION

PROPERTY OWNER	OWNER NAME: <u>Chris & Mary Jaggere Avery Family Trust</u>	
	MAILING ADDRESS: <u>25744 Kingsbury Ln. Middleton</u>	
	PHONE: [REDACTED]	EMAIL: [REDACTED]
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign. Signature: <u></u> / <u>Mary Jaggere</u> Date: _____		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: <u>Keri Smith</u>	
	COMPANY NAME: <u>Treasure Valley Planning</u>	
	MAILING ADDRESS: <u>17741 Linden Ln. Caldwell</u>	
	PHONE: [REDACTED]	EMAIL: [REDACTED]

SITE INFO	STREET ADDRESS: <u>25744 Kingsbury Ln. Middleton</u>	
	PARCEL NUMBER: <u>R37468012A1 3 R37468012A</u>	
	PARCEL SIZE: <u>4.997 3 5.973</u>	
	NUMBER OF LOTS: <u>2</u>	
	PROPOSED SUBDIVISION NAME: <u>Bow-Tie Estates Subdivision</u>	
	FLOOD ZONE (YES/NO) <u>(C) A</u>	ZONING DISTRICT: <u>Ag to R-R</u>

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER: <u>SD2023-0012</u>	DATE RECEIVED: <u>4-28-23</u>
RECEIVED BY: <u>S. Hammond</u>	APPLICATION FEE: <u>1470.00</u> CK MO CC CASH

SUBDIVISION WORKSHEET**Overview:**

Number of Buildable Residential Lots: <u>2</u>	Number of Non-Buildable Lots: <u>0</u>
Number of Common Lots: <u>0</u>	Total Subdivision Size: <u>10.97</u>
Number of Common Lots: <u>0</u>	Average Residential Lot Size: <u>5.5</u>

Area of City Impact:

Is the property in an Area of City Impact? ☐ No ☒ Yes- What City: Star

Will you be requesting subdivision Improvement Waivers? ☐ No ☒ Yes

If yes, which waivers will you be requesting? All

☒ Curbs ☒ Gutters ☒ Sidewalks ☒ Street Lights ☒ Landscaping ☐ Other

If you are located in an Area of City Impact the following is required:

- Evidence of compliance with IC 31-3805 which could include evidence of irrigation system plan approval by the planning and zoning authority and city council and coordination with the irrigation entity.
- Communication with the City.

Roads:

Roads within the development will utilize:

☐ Public ☐ Private* ☒ Not Applicable

*Private Roads Require: Name approved prior to submittal & a Private Road Application at the Time of submittal.

Hillside Development:

Of the total lots requested how many of each contain slopes +15%? No

Residential: _____ Non-Buildable: _____ Common: _____

Will the proposed roads be located within any area containing +15% slopes?

☐ Yes* ☒ No

*If any development or construction activities will occur on slopes > 15% please submit the information required by CCZO 07-17-33

Irrigation:

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

Irrigation: Black Canyon Irrigation

Drainage:

This property has: ☒ Water rights available ☐ No water rights available.

If No Water Rights are available, please fill out an Irrigation Plan Worksheet

Irrigation Water is Provided via: ☐ Irrigation Well ☒ Surface Water

Percentage of property that has water: 45.5%

Volume of water or diversion rate available at the property:

Please describe, in detail, how the property is currently irrigated and how it will be irrigated after it is subdivided:

Are there irrigation easement(s) on the property? ☐ Irrigation Well ☐ Surface Water

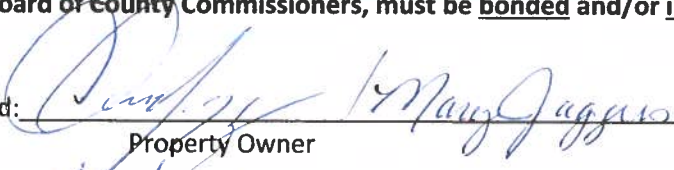
How do you plan to retain storm and excess water on each lot?

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

===== 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: ____/____/____
Property Owner (Application Submitted)

Signed:  Date: 4/28/23
Applicant/Representative (if not property owner) (Application Submitted)

Accepted By: S. Hammond Date: 4/28/2023
Director / Staff



IRRIGATION PLAN APPLICATION

Applicant(s) Treasure Valley Planning [Redacted]
 Name 17741 Linden Ln. Daytime Telephone Number Caldwell, ID 83407
 Street Address City, State Zip

Representative Name Keri Smith [Redacted]
SAA Daytime Telephone Number / E-mail Address [Redacted]
 Street Address City, State Zip

Location of Subject Property: Kingsbury & Edna Ln. 25744 Kingsbury Ln Middleton
 Two Nearest Cross Streets or Property Address City

Assessor's Account Number(s): R 37468012A1 Section 26 Township 5N Range 2W
R 37468012A

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.
 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.

Revised 3/29/23

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? X Yes Stan 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: Black Canyon

Drainage: _____

3. How many acres is the property being subdivided? 10.97

4. What percentage of this property has water? 45.5%

5. How many inches of water are available to the property? _____

6. How is the land currently irrigated?

☐

Sprinkler

☒

Surface

☐

Above Ground Pipe

☐

Irrigation Well

☐

Underground Pipe

7. How is the land to be irrigated after it is subdivided?

☐

Sprinkler

☒

Surface

☐

Above Ground Pipe

☐

Irrigation Well

☐

Underground Pipe

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

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?

on site with

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)

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: _____

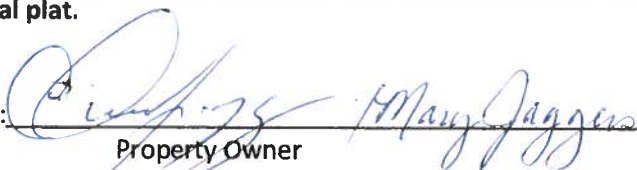
Also, provide the following documentation:

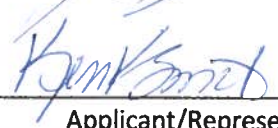
- ☐ Copy of any water users' association / agreement (s) that are currently in effect, which outlines water schedules and maintenance responsibilities.

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.

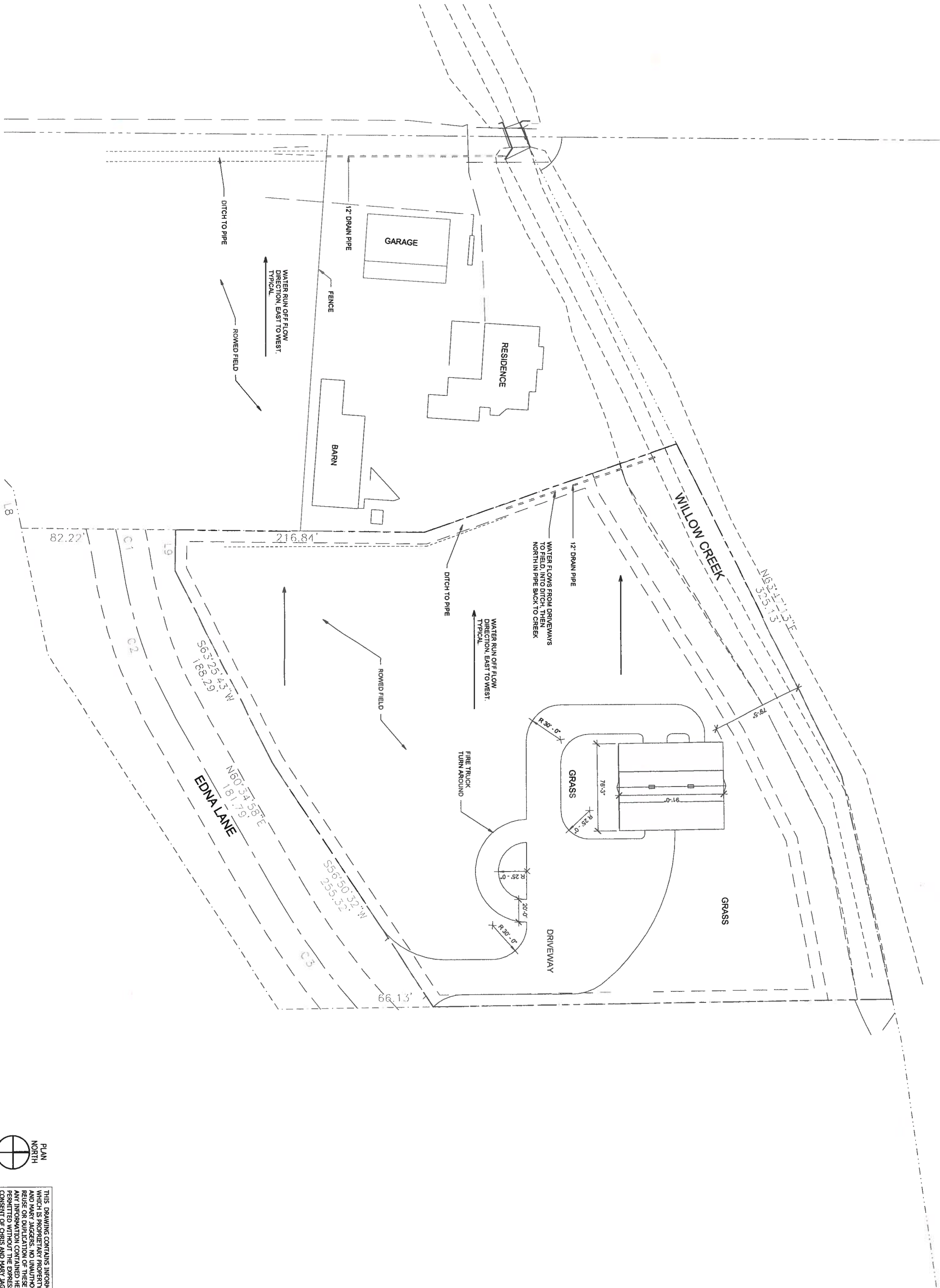
I further acknowledge that the irrigation system, as approved by the Planning and Zoning Commission and ultimately the Board of County Commissioners, must be bonded and/or installed prior the Board's signature on the final plat.

Signed:  Date: ____/____/____
Property Owner (Application Submitted)

Signed:  Date: 4/28/23
Applicant/Representative (if not property owner) (Application Submitted)

Accepted By: S. Hammond Date: 4/28/2023
Director / Staff

1 SITE PLAN
1" = 40'-0"



A1.1.1

DRAWN : TA
CHECKED : CJ
DATE : 02/24/2025

JAGGERS RESIDENCE
MIDDLETON, IDAHO, 83644
SITE WATER RUN-OFF PLAN

ADAMS BIM
Tracy Adams
Mendota, Idaho
tadamsbim@gmail.com
208.484.0247

REVISION		
#	DESCRIPTION	DATE

New Individual Sewage Permit OLD

Subsurface Sewage Disposal



Southwest District Health

13307 Miami Ln
Caldwell ID 83607
United States

Permit #: 013838

Date: 02/12/2025

Parcel #: R37468012A1

Applicants Name: JAGGERS, CHRIS & MARY

Land Owner Name: JAGGERS, CHRIS & MARY

Property Address: TBD EDNA LANE
MIDDLETON ID 83644

Legal Description

Township: 5N Range: 2W Section: 26

Subdivision:

Lot: Block: Size (acres):

Type of Installation:

New Individual Sewage Permit

Basic

Type of System: Capping Fill

Additional System Type: Gravel Drainfield

Optional System Type: Gravelless Drainfield

Water Supply:

Private

Water Source:

Well

Conditions of Approval

- Install no deeper than 14" below grade (below grade capping fill)
- Cap must be 10" tall above grade with 3:1 slope on edge of trenches
- Notify SWDH if a pump is needed to amend permit to complex permit
- Drainfield trenches:
 - Can be no longer than 100' and no wider than 6'
 - Must maintain 100' setback to all wells, 6' setback to septic tank
- Install per IDAPA 58.01.03 and the TGM
- If soil conditions differ from test hole when installing tank/drainfield, contact SWDH before installation.
- Call SWDH for trench inspection before gravel or sand is placed into the trench(s).
- Confirm all surrounding well locations.
- Modifications to an approved plot plan must be submitted prior to septic system installation.
- If Lift Station/Pump is needed Complex Installer is required.
- Effluent flows must be equalized with use of distribution box or "Hard-T"
- Capping fill cover must be 3:1 slope from edge of system.
- Annual treatment system servicing and reporting is required. IDAPA 58.01.03.005.14. No testing required.

Unless otherwise stated within this permit, all requirements of IDAPA 58.01.03 shall be met upon system installation.

Number of Bedrooms:	3	Bedroom(s)
Design Flow:	250	Gallons Per Day
Soil Type (USDA)/ Loading Rate (Gal/ Sq. Ft./ Day):	C-1 / 0.3	Adjusted Loading Rate:
The minimum septic tank capacity is:	1000	Gallons
The minimum effective drainfield absorption area is:	833	Square Feet
The drainfield can be no closer to permanent/ intermittent surface water than:	100	Feet

Note: Final approval of this permit requires inspection of the uncovered system.

All plans, specifications, and conditions contained in the approved permit application are hereby incorporated into, and are enforceable as part of the permit. The permit will expire (2) years from date of issuance. The permit may be renewed if the renewal is applied for on or before the expiration date.

Permit Approved By:

Chris Ababon
Chris Ababon

02/12/2025

Permit Issue Date:



Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607

Subdivision Engineering Report

2401CJ Bow-Tie Estates- Canyon County, ID

Septic System Specifications: Test Hole 1, Lot 2, Block 1

Bow-Tie Estates Subdivision Lot 2 Block 1

Subsurface System Type: A capping fill system installation at 14" Below Ground with a minimum of 10" Above Ground.

Soil Design Subgroup at depth: The Limiting Soil Group for the Test Hole will be C-1

Test Pit: Test Hole: Excavation to a depth of 8.5 feet below ground level (see the Test Hole exhibit for soil strata).

Effective Depth to high Groundwater: Groundwater was encountered in the Test Hole at 8.5'.

Septic Tank: For three or four bedrooms, a 1000 gallons min liquid capacity tank shall be used. For additional bedrooms add 250 gallons of tank capacity for each room. (IDAPA 58.01.03.007.07 a.)

Given observed soil types and necessary system, a six-foot trench drainfield will need to have a minimum total length of 195 feet (two 97.5-foot laterals, for instance) for a 5-bedroom house, or 167 feet for a 4-bedroom house (two 83.5-foot laterals, for instance). A six-foot trench is recommended and used for these calculations. The recommended well and septic zones are provided below. Laterals must be at least 10 feet clear of any structure. Laterals must be level and follow a contour of uniform elevation (they need not be straight). No excavation is permitted in slope zones of 15% slope or greater per Canyon County Ordinance (without a hillside evaluation and report). The permissible zones indicated here are clear of any high-slope areas.

The drainfield laterals must be no closer than 100 feet clear of any well, 100 feet (for this soil group) from a permanent surface water (like a creek or a river), 50 feet clear of seasonal surface water (50 feet from irrigational canal or ditch), 25 feet clear from a pressure water line, 10 feet clear of a foundation with no basement and 20 feet clear of a foundation with basement (See Technical Guidance Manual Figure 3-1). *Place drainfields within 50 feet of the test hole site. If this is not possible, SWDH will require a new test hole in the immediate proximity of the selected drainfield location. If soil findings vary from the original test hole, construction requirements will change accordingly as directed by SWDH Staff.*

The septic tank(s) must be no closer than 50 feet to a private well, 20 feet to a private pressure water line (like supply from well to house – not including yard sprinklers), five feet from a dwelling foundation, five feet from a property line, 50 feet from a permanent surface water (like a creek or river), 25 feet from a seasonal/temporary surface water (25 feet from an irrigation canal or ditch), and six feet from the drainfield laterals. An approved septic tank must be used (see IDEQ TGM Table 5.2)

If conditions encountered during construction vary from test hole results, the system shall meet the minimum requirements of the IDEQ TGM.

Well and Septic Vicinity Map

Legend

5/8" x 30" REBAR - SET
1/2" x 24" REBAR - SET
PROPERTY BOUNDARY LINE
SECTION/ALIQUOT PART LINE
LOT LINE
INGRESS/EGRESS, UTILITY &
DRAINAGE EASEMENT LINE

Sample Drainfield Layout
Acceptable Drainfield Zone
Acceptable Well Placement Zone



Test Hole



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Designing the Future

Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607

Project No. 20210010000000000000

Date 6 Dec 2024

Drawn by BO

Checked by TKO

Well & Septic Plan

Scale NTS

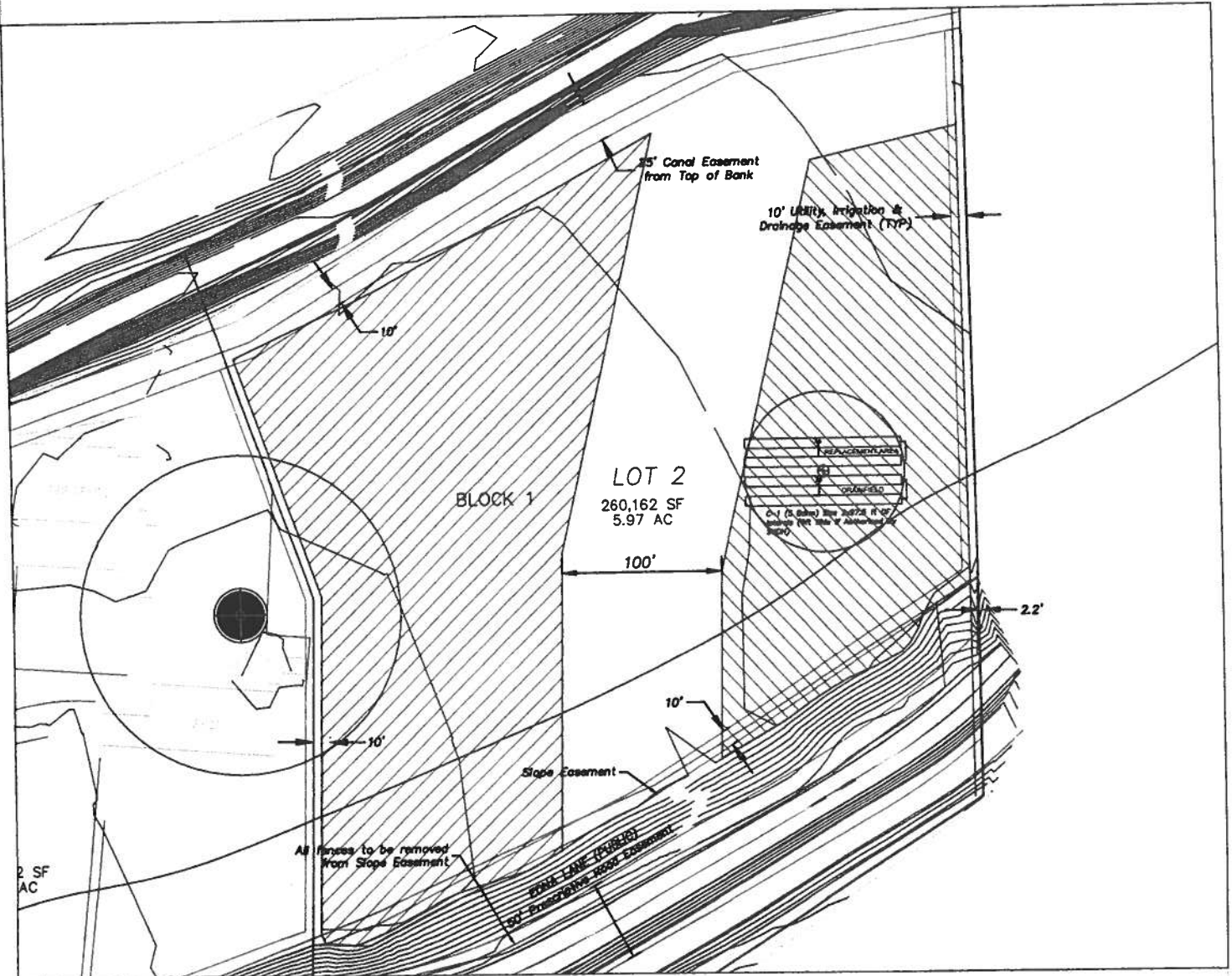
Exhibit A.6

Lot 2 Block 1 Well & Septic Plan Legend

5/8" x 30" REBAR - SET
 1/2" x 24" REBAR - SET
 PROPERTY BOUNDARY LINE
 SECTION/ALIQUOT PART LINE
 LOT LINE
 INGRESS/EGRESS, UTILITY &
 DRAINAGE EASEMENT LINE

 Sample Drainfield Layout
 Acceptable Drainfield Zone
 Acceptable Well Placement Zone

 Test Hole
 Proposed Domestic Well
 Existing Well Locations are Approximate



**ORTON
ENGINEERING**
 Designing the Future

Orton Engineering, LLC
 17338 Sunnydale Place
 Caldwell, ID 83607

Project No. 202110-0001-01
 Date 6 Dec 2024
 Drawn by BO
 Checked by TKO

Well & Septic Plan

Scale 1"=100'



Facilities Number: 020532

December 10, 2024

Brent Orton
Orton Engineering
17338 Sunnydale Pl
Caldwell, ID 83607

Re: Bow-Tie Estates Subdivision

Mr. Orton,

Southwest District Health has reviewed the subdivision engineering report (SER) and does approve the SER for the proposed **Bow-Tie Estates Subdivision**, located in the ***NW ¼ of Section 13, Township 18N, Range 2W, B.M.*** The property is reported to be 11 acres. The proposed development includes one (1) buildable lot with a minimum lot size of 6.00 acres. The SER was approved on December 10, 2023.

The Engineering Report and associated plans and specifications appear to meet applicable regulations. If changes are made in the design to the plat submitted to Southwest District Health at the time of this approval, re-engineering will be required.

Condition(s) of final subdivision approval:

- The final plat map must be signed by the designated REHS/RS from Southwest District Health.
- A physical copy of the SER and a full scale 18"x 27" or larger informational plat map must be submitted to Southwest District Health.

If you have questions, please contact me at [REDACTED], or via e-mail: [REDACTED]

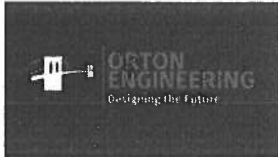
Sincerely,

Anthony Lee, REHS/RS
Land Development Senior

Cc: Chris & Mary Jagers (Property Owner)

Healthier Together

13307 Miami Lane • Caldwell, ID 83607 • [REDACTED]



Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607



Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

Bow-Tie Estates Subdivision

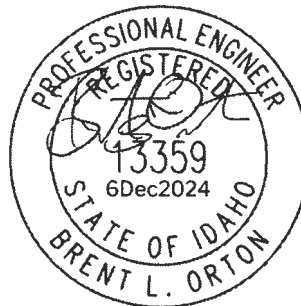
A Two Lot Subdivision in Canyon County, Idaho

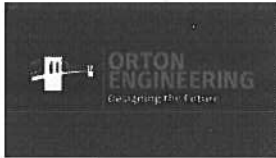
Owner:

Chris and Mary Jagers

Subdivision Engineering Report

6 December 2024





Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

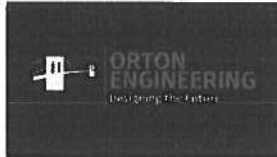
Table of Contents

Tables and Figures.....	2
Introduction	3
Soils	3
Septic System Installation: General Provisions.....	5
The following sections provide specific information for the lot including design recommendations for a septic system based on assumed building construction. Soil logs are presented in the last section. The requirements that apply to typical system installations are included in this section. ...	
Drainfield Requirements	5
Required Separation Distances	11
Septic System Specifications: Test Hole 1, Lot 2, Block 1.....	13
Exploratory Test Hole Soil Logs.....	17
Well Placement and Recommendations	17
Water Sources	17
Well Placement	17
Drilling Recommendations	18
Appendix 1.....	19
NRCS Soil Group Report:	19

Tables and Figures

Table 1 Method of 72 Treatment Units for Various Soil Classifications (Excerpted from Table 2-8 of the Technical Guidance Manual)	6
Table 2 Minimum Soil Depths Required Below Bottom of Drainfield (IDAPA 58.01.03.008.02.c).....	9
Table 3 System Sizes and total Trench Lengths (Based on Table 3-2 of the IDEQ Technical Guidance Manual for Subsurface Sewage Disposal (TGM)).....	10
Table 4 Separation Distances to wells from Idaho Administrative Code IDAPA 37.03.09	18
Figure 1 National Resource Conservation Service (NRCS) Soil Groups on Site	4
Figure 2 In-Trench Sand Filters for use in cemented, unsuitable soils (from the IDEQ TGM Figure 4-38).....	6
Figure 3 Enveloped In-Trench Sand Filter (Standard) sized based on an application rate of 1.2 gal/day/ft2 (From IDEQ TGM Figure 4-39).....	7
Figure 4 Capping fill below grade system from Figure 4-5 of the TGM	7
Figure 5 Standard Installation details (from IDEQ TGM Figure 3-3).....	8
Figure 6 Required Separation Distances (from IDEQ TGM Figure 3-2).....	11
Figure 7 Drainfield Separation Distances (from IDEQ TGM Figure 3-1).....	12





Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607



Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

Introduction

Chris Jaggers's plot is a 2 Lot Subdivision project located at the Northeast side of Middleton. It is owned by

Chris and Maria Jaggers
TBD Edna Ln.
Middleton, ID 83644



This property is some distance from any City Utilities in rural Canyon County bounded to the South by Edna Lane with Kingsbury Road to the West, in the Northwest part line of Section 26, within Township 5 North, Range 2 West, Middleton, Canyon County, Idaho. The Site has previously been in agricultural production (but is uniquely shaped, sandy, and difficult to farm) and is intended for well and septic for domestic service. No monitoring well was installed with this system. One-foot contours are also used to represent topographic conditions of the site.

This subdivision consists of two lots. Lot 1 was built on and permitted (Septic System) prior to pursuit of the subdivision, and is therefore excluded from this report.

This report incorporates the results of field and soil exploration observed by Southwest District Health (SWDH) Personnel. The test hole, documented by SWDH personnel, is included in this report. The location can also be seen on the well and septic plans for the lot where the data mentioned is represented for use by the future lot owner. Drainfield design recommendations are based on Idaho Department of Environmental Quality's (IDEQ) Technical Guidance Manual for Subsurface Sewage Disposal Systems (TGM) to design Septic System/Drainfield options that are compliant and feasible based on the observations and conclusions of Southwest Health District Personnel. The TGM provides guidance intended to assist the Environmental Health professional, the designer, owner, and/or installer with implementation of requirements found under Idaho Administrative Code authorized under the Idaho Administrative Procedures Act (IDAPA) and commonly referenced with "IDAPA" and the appropriate section number.

The Specifications Section for the lot constitutes a package that can be provided to lot owners or home builders for guidance on construction of their system along with the Soil Logs Section.

Soils

The Site under present development is primarily composed of Harpt loam (Ha), Elijah-Chilcott silt loams at a slope of 0 to 1% (EsA), Power-Lankbush silt loams at a high slope of 7-12% (PID), and Notus soils (No). These formations are visible on Figure 1 below. The Natural Resource Conservation Service (NRCS) soil summary report is provided in Appendix 1. The Test Hole was dug in the presence of Southwest Health District Personnel prior to the start of the 2023 Irrigation Season. Groundwater was encountered at 8.5 feet. Orton Engineering has assumed a two-foot rise in groundwater elevation based on anecdotal evidence in the Test Hole Log, the observed soil types, and the proximity to irrigation water sources and drainages.





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17338 Sunnydale Place
Caldwell, ID 83607

Subdivision Engineering Report

2401CJ Bow-Tie Estates- Canyon County, ID

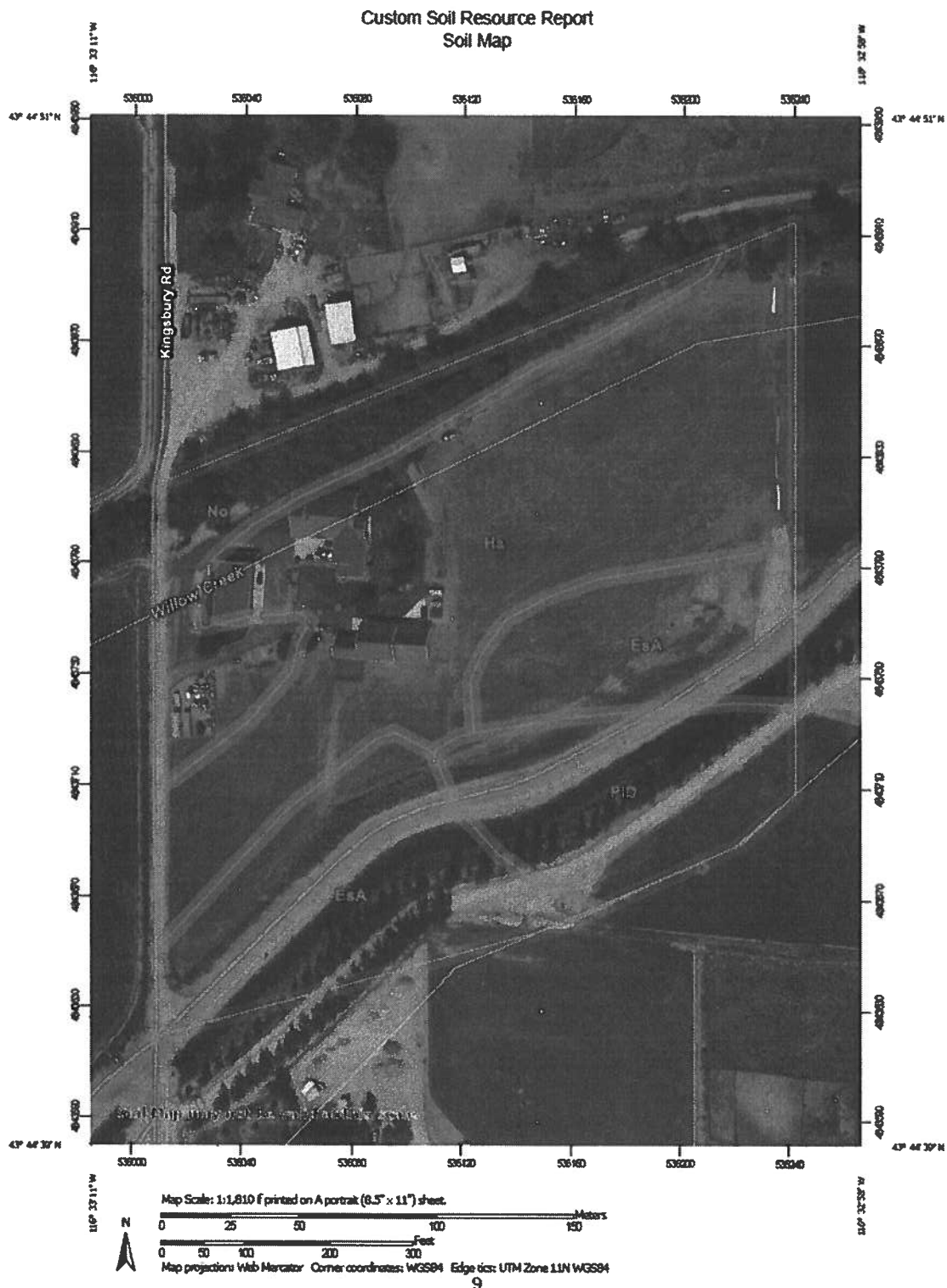
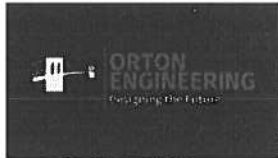


Figure 1 National Resource Conservation Service (NRCS) Soil Groups on Site



Septic System Installation: General Provisions

The following sections provide specific information for the lot including design recommendations for a septic system based on assumed building construction. Soil logs are presented in the last section. The requirements that apply to typical system installations are included in this section.

Drainfield Requirements

Municipal or public drinking water and sewer systems are unavailable to Bow-Tie Estates Subdivision and a septic system with a drainfield is proposed. This report presumes a five-bedroom home will be built. In the event a house is constructed with more bedrooms the drainfield designs must be adjusted accordingly. Construction of fewer bedrooms would allow a decrease in the system size in accordance with this report.

Excavation

Excavation appropriate to the lot (based on the test hole) is provided in the site-specific subsection below. The following procedures shall apply to any and all drainfields: Manually scarify trench bottom and sides. Where excavation exceeds four feet, backfill with ASTM C-33 filter Sand back to four feet below ground level (bgl). Where formations are immediately underlain by less hydraulically conductive strata, infiltration rates appropriate to this more restrictive stratum shall be used. Laterals *must* be installed level to function properly and should generally follow a contour line (they are not required to be straight) to make this possible. 100 feet is the maximum allowable length of an individual drainfield lateral. A minimum of six feet is required between drain field laterals.

Installation Depth

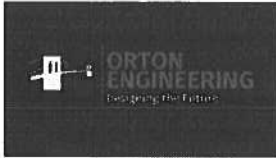
Rules promulgated by the State of Idaho pursuant to the Idaho Administrative Procedures Act require that drainfields have clearance to the groundwater surface elevation no less than the separation distance required in Table 2. This table requires six, four, and three feet of vertical separation for soil groups A, B, and C respectively. In accordance with the TGM, the maximum drain lateral/perforated pipe depth is four feet below ground level to the bottom of the drainfield perforated pipe (with the intention to promote aerobic (with oxygen) treatment by keeping treatment in a zone where air is readily expected to permeate. A minimum of 12 inches of one and a half to two- inch washed drain rock shall be placed around and over a four-inch perforated drainpipe (ADS N-12 or equivalent) with the perforation ports pointed downward at approximately the four o' clock and eight o' clock positions. The uniformly graded washed rock shall be covered with a geotextile fabric (4 oz. or equivalent) to prevent the intrusion of cover soils. The perforated pipe laterals shall be installed on a zero grade/uniform elevation and may not extend more than 100 feet in length each. Washed rock must be smaller than two and a half inches, however, no more than two percent (2%) is permitted to be smaller than half an inch and no more than two percent (2%) is permitted to pass an #200 sieve (~0.0029 inch openings).

Dealing with Elevation Changes

The buildable area has a very low slope topography. On the south end there is a perched canal several feet above the property. Drainfields are not required to be straight, but to function correctly, they *must follow elevation contours and have a level bottom*. Acceptable drainfield areas have been designed away from slopes greater than 15%.

Unsuitable Material and Achievement of Adequate Treatment

In instances where unsuitable soils are encountered, the TGM requires adherence to the "Method of 72" or "Rule of 72." This Rule is based in IDAPA 58.01.03.008.02.c employing the concept of treatment units or the capacity of the soil to provide treatment of drainfield leachate. This method correlates contact time to the level of treatment. Table 1, excerpted from Table 2-8 in the TGM, provides the Treatment units expected from different classifications of soil. Sufficient layers of such soil must underlie the drainfield laterals to reach 72



Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607

Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

treatment units. When filter sand is used to achieve 72 treatment units, the most restrictive of the filter sand or underlying soil must be used to size the drainfield. Southwest Health District Personnel require construction of drainfields within 50 feet of the test hole.

Table 1 Method of 72 Treatment Units for Various Soil Classifications (Excerpted from Table 2-8 of the Technical Guidance Manual)

Table 2-8. Treatment units assigned to each soil design subgroup per foot and per inch.

Soil Design Subgroup	Manufactured Medium Sand	A-1	A-2	B-1	B-2	C-1	C-2
Treatment units per 12 inches of soil	24	12	14.4	18	24	24	28.8
Treatment units per inch of soil	2	1	1.2	1.5	2	2	2.4

The most typical method to achieve the "Rule of 72" in soils that are too transmissive is to place sufficient filter sand to achieve 72 treatment units. Filter sand must comply with the American Society for Testing and Materials – ASTM C-33 Specification. This filter sand is referred to as 'Medium Sand' in the TGM.

Systems required for Lot 2 Block 1 Bow-Tie Estates Subdivision

The test hole findings for this subdivision revealed a C-1 soil (further detail about the soil type was not available in the Test Hole Logs) in the Test Hole from 0" to 50" below ground level (bgl). Because of the proximity to observed ground water, Orton Engineering and SWDH staff recommend a shallow installation with a 10" soil cap. The system can be a standard septic system aside from the depth restriction. In the absence of groundwater or with a greater depth to groundwater, an in-trench sand filter system, as shown in Figure 2. Instead, a capping fill system is required as depicted in Figure 4.

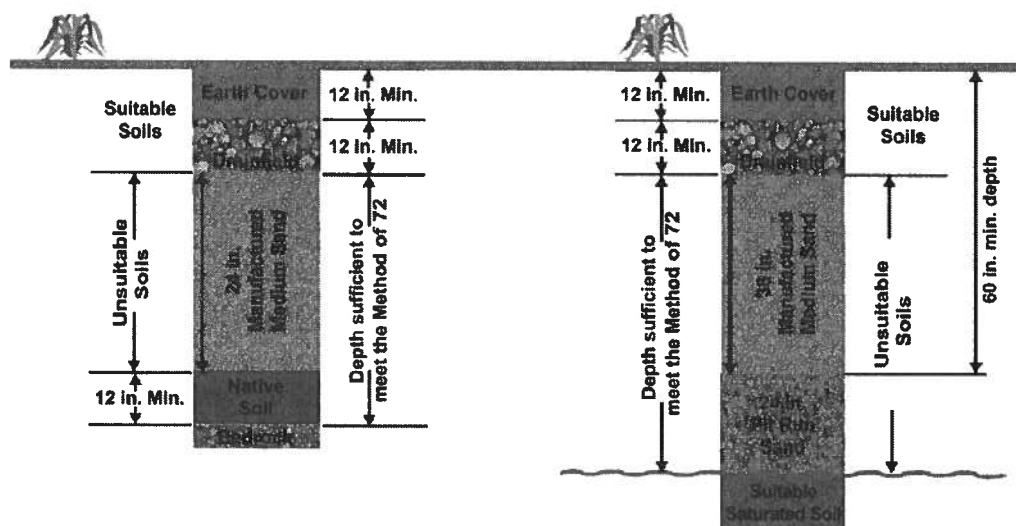


Figure 4-38. In-trench sand filter accessing suitable soils through an unsuitable soil layer.

Figure 2 In-Trench Sand Filters for use in cemented, unsuitable soils (from the IDEQ TGM Figure 4-38)

Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

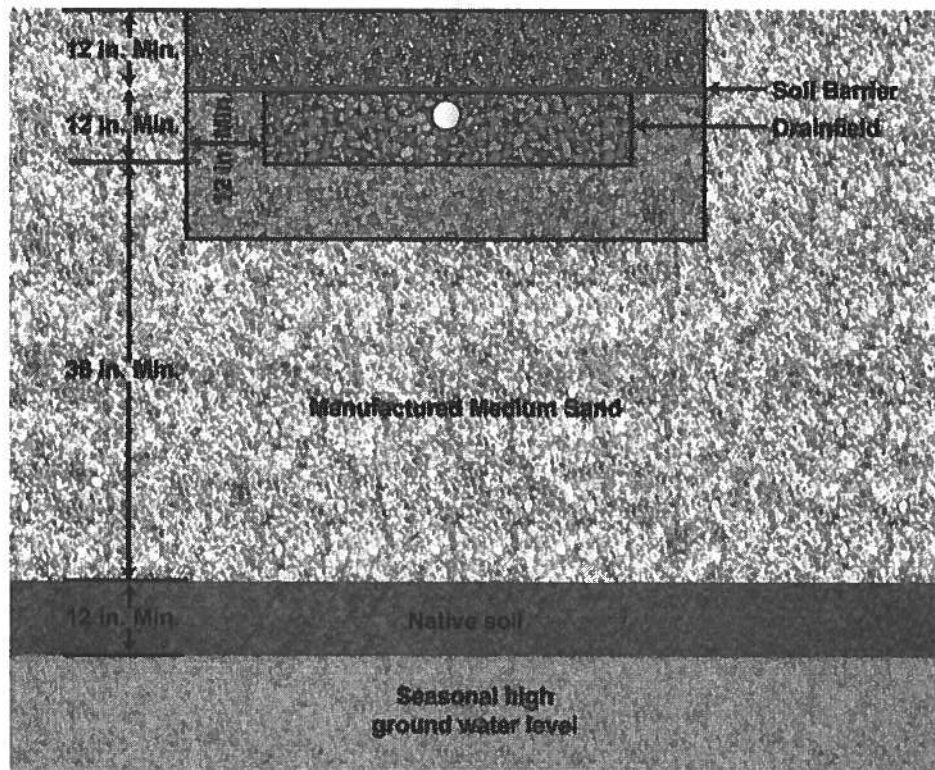


Figure 4-39. Standard enveloped in-trench sand filter for installation in coarse native soils (i.e., coarse or very coarse sand or gravel).

Figure 3 Enveloped In-Trench Sand Filter (Standard) sized based on an application rate of 1.2 gal/day/ft² (From IDEQ TGM Figure 4-39)

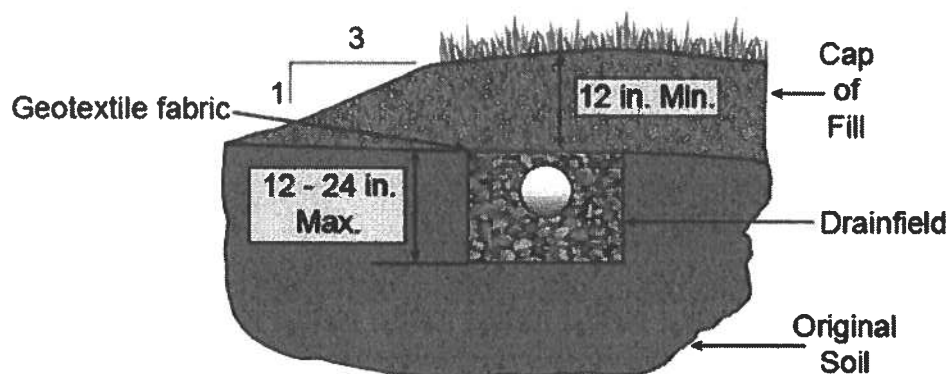


Figure 4-5. Cross-sectional view of a below-grade capping fill trench.

Figure 4 Capping fill below grade system from Figure 4-5 of the TGM

Cover/Topsoil Depth

Topsoil shall be placed on a geotextile fabric soil barrier from the top of the gravel drainfield section to finished grade. Note that the drainfield lateral cover is allowed to vary between a minimum of one foot of cover over the geotextile fabric to a maximum of three feet over the geotextile fabric for below grade systems. A typical installation would be as seen in Figure 4. A Minimum of 12 inches of cover is required over the Gravel drainfield trench. Where feasible, Orton Engineering recommends a greater cover depth to protect the drainfield system. The cover may not exceed three feet (to promote aerobic [with oxygen] treatment in the soil column). The system for the new lot created by Bow-Tie Estates Subdivision must use a capping fill system developed in proximity to the Test Hole. Capping fill systems with an installation depth shallower than 12 inches are considered "Above Grade" capping fill systems and must feature 18 inches of soil cover.

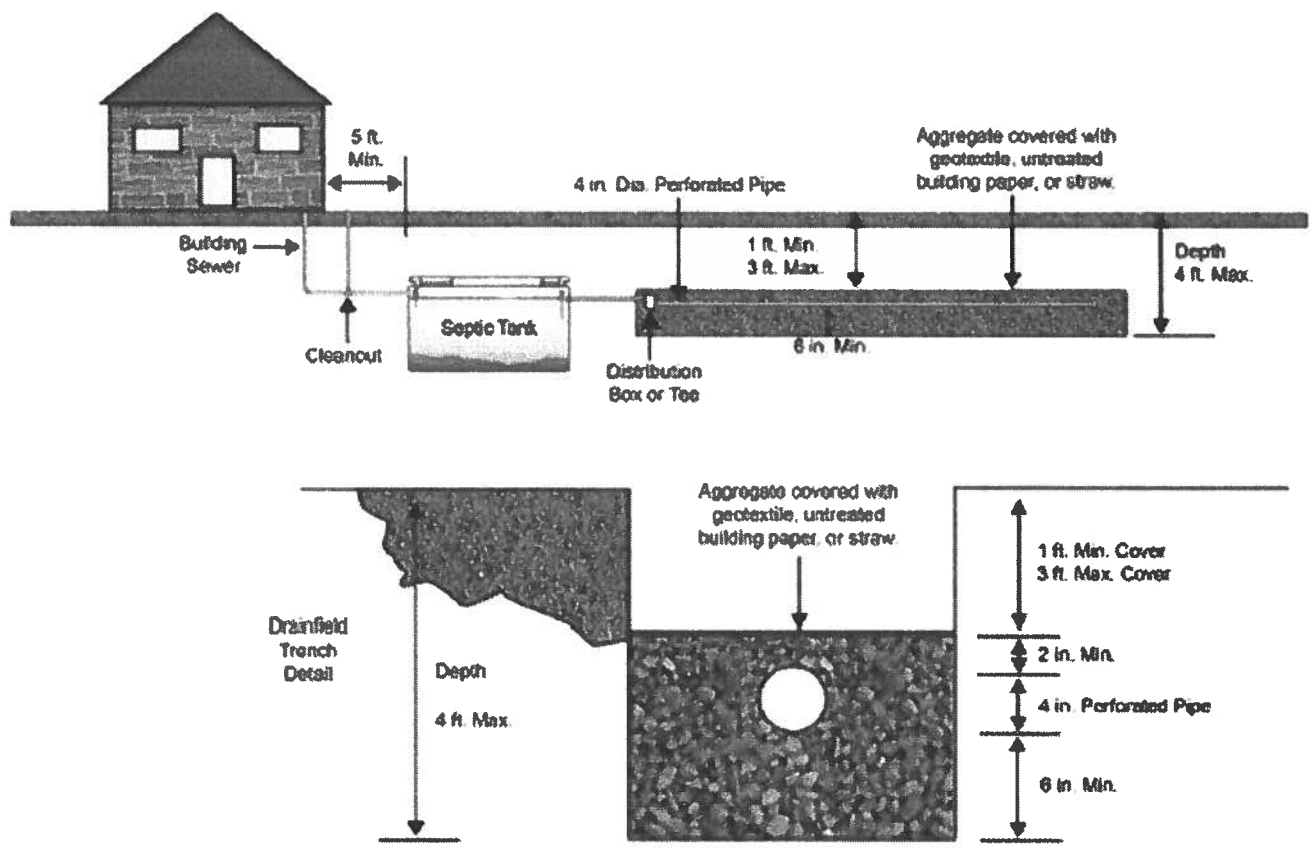


Figure 3-3. Cross-sectional view of a standard drainfield and trench dimensional installation requirements.

Figure 5 Standard Installation details (from IDEQ TGM Figure 3-3)



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Caldwell, ID 83607



Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

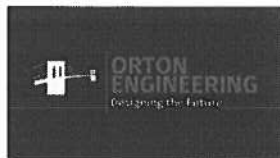
Table 2 Minimum Soil Depths Required Below Bottom of Drainfield (IDAPA 58.01.03.008.02.c)

EFFECTIVE SOIL DEPTHS TABLE			
Site Conditions	Design	Soil	Group
Limiting Layer	A	B	C
Impermeable Layer	4	4	4
Fractured Bedrock, Fissured Bedrock or Extremely Permeable Material	6	4	3
Normal High Groundwater Level	6	4	3
Seasonal High Groundwater Level	1	1	1

(5-7-93)

This report presumes that the Owners intend to construct a +/- five-bedroom home (four-bedroom home with an office capable of serving as a bedroom is a possible variant). Required drainfield areas by soil type are presented in Table 3. Specific recommendations for each lot are given in the applicable section.





Orton Engineering, LLC
17338 Sunnydale Place
Caldwell, ID 83607

Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

Table 3 System Sizes and total Trench Lengths (Based on Table 3-2 of the IDEQ Technical Guidance Manual for Subsurface Sewage Disposal (TGM))

Table 3-2. Area requirements and total trench lengths for standard subsurface sewage disposal systems.

Number of Bedrooms	1	2	3	4	5	6
Gallons per day	150	200	250	300	350	400
Total Trench Lengths (feet)						
<i>Soil Group A-1 total feet</i>	125	167	208	250	292	333
3-ft wide trench	42	56	69	83	97	111
2.5-ft wide trench	50	67	83	100	117	133
2-ft wide trench	63	83	104	125	146	167
<i>Soil Group A-2a total feet</i>	150	200	250	300	350	400
3-ft wide trench	50	67	83	100	117	133
2.5-ft wide trench	60	80	100	120	140	160
2-ft wide trench	75	100	125	150	175	200
<i>Soil Group A-2b total feet</i>	200	267	333	400	467	533
3-ft wide trench	67	89	111	133	156	178
2.5-ft wide trench	80	107	133	160	187	213
2-ft wide trench	100	133	167	200	233	267
<i>Soil Group B-1 total feet</i>	250	333	417	500	583	667
3-ft wide trench	83	111	139	167	194	222
2.5-ft wide trench	100	133	167	200	233	267
2-ft wide trench	125	167	208	250	292	333
<i>Soil Group B-2 total feet</i>	333	444	556	667	778	889
3-ft wide trench	111	148	185	222	259	296
2.5-ft wide trench	133	178	222	267	311	356
2-ft wide trench	167	222	278	333	389	444
<i>Soil Group C-1 total feet</i>	500	667	833	1,000	1,167	1,333
3-ft wide trench	167	222	278	333	389	444
2.5-ft wide trench	200	267	333	400	467	534
2-ft wide trench	250	333	417	500	548	667
<i>Soil Group C-2 total feet</i>	750	1,000	1,250	1,500	1,750	2,000
3-ft wide trench	250	333	417	500	a	a
2.5-ft wide trench	300	400	500	600	a	a
2-ft wide trench	375	500	625	750	a	a

a. Exceeds 1,500 square feet of total trench area. Use an alternative system to reduce the installed square footage of trench area below 1,500 square feet or install a pressure-dosed system.

Required Separation Distances

IDAPA rule making sets forth distances that must be maintained for Drainfield elements. Helpful figures are also presented in the Technical Guidance Manual like Figure 6 below.

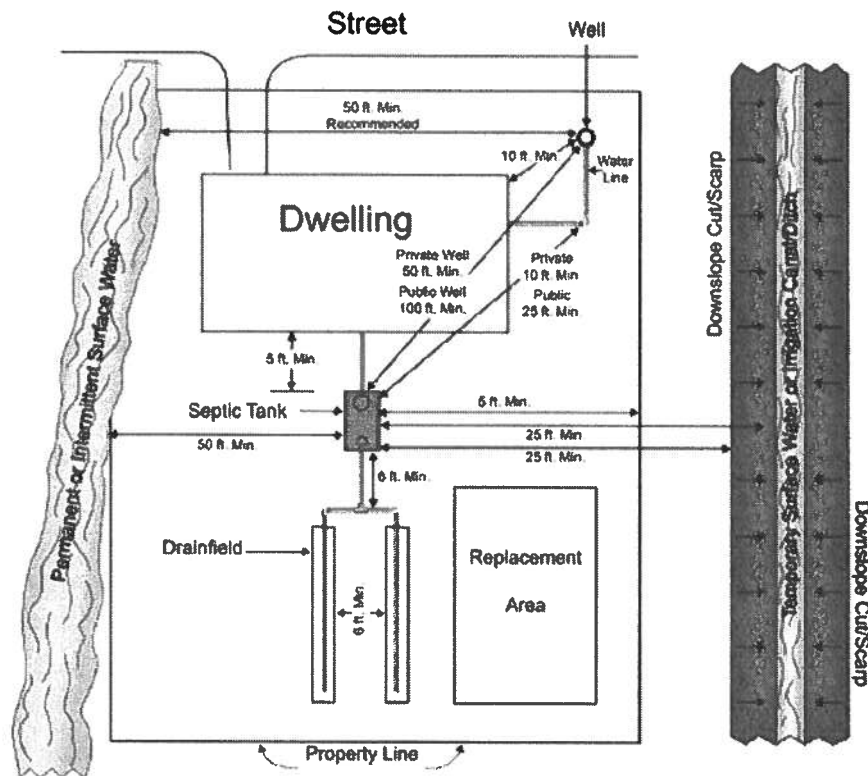


Figure 3-2. Horizontal separation distance requirements for a septic tank (IDAPA 58.01.03.007.17).

Figure 6 Required Separation Distances (from IDEQ TGM Figure 3-2)

More information is presented at the end of this report about required separation distances for wells under the Well Placement and Recommendations section. Important septic system separation distances include:

1. Septic Tanks 50 feet from wells, 10 ft from water mains, five feet from homes/foundations (10 feet if there is a basement) 50 feet from intermittent/permanent waters creeks, rivers, canals, five feet from property boundaries, and six feet from the drainfield splitter/tee/lateral(s).

Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

- Drainfield separation distances vary depending on site soils. Separation requirements for the drainfields themselves include 100 ft separation from wells. Other separation requirements are found in Figure 7. Note that room for a replacement system should be protected. Property owners may choose to install the replacement system to avoid future disturbance of landscaping, grass, and yard finishes. A three-way valve can be used to switch between the primary system and the replacement system in these instances.

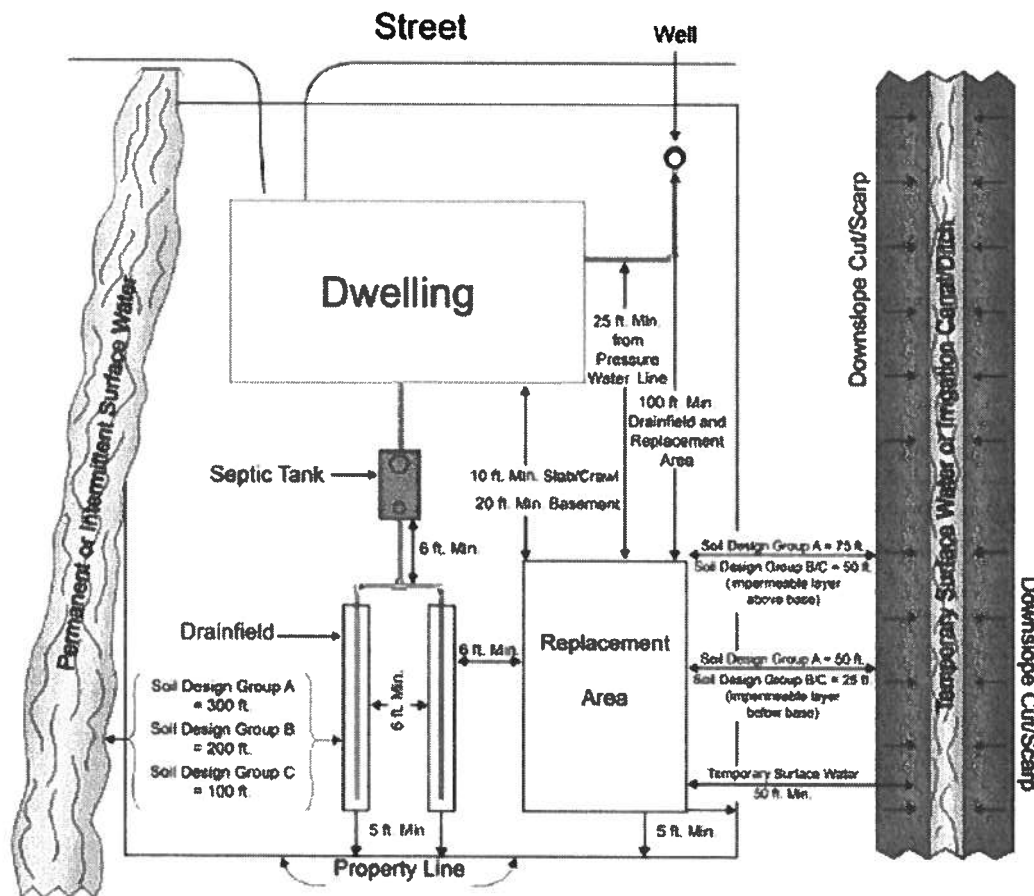
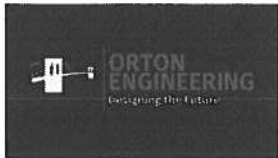


Figure 3-1. Horizontal separation distance requirements for a standard drainfield (IDAPA 58.01.03.008.02.d and 58.01.03.008.04).

Figure 7 Drainfield Separation Distances (from IDEQ TGM Figure 3-1)



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Septic System Specifications: Test Hole 1, Lot 2, Block 1

Bow-Tie Estates Subdivision Lot 2 Block 1

Subsurface System Type:	<u>A capping fill system installation at 14" Below Ground with a minimum of 10" Above Ground.</u>
Soil Design Subgroup at depth:	The Limiting Soil Group for the Test Hole will be C-1
Test Pit:	Test Hole: Excavation to a depth of 8.5 feet below ground level (see the Test Hole exhibit for soil strata).
Effective Depth to high Groundwater:	Groundwater was encountered in the Test Hole at 8.5'.
Septic Tank:	For three or four bedrooms, a 1000 gallons min liquid capacity tank shall be used. For additional bedrooms add 250 gallons of tank capacity for each room. (IDAPA 58.01.03.007.07 a.)

Given observed soil types and necessary system, a six-foot trench drainfield will need to have a minimum total length of 195 feet (two 97.5-foot laterals, for instance) for a 5-bedroom house, or 167 feet for a 4-bedroom house (two 83.5-foot laterals, for instance). A six-foot trench is recommended and used for these calculations. The recommended well and septic zones are provided below. Laterals must be at least 10 feet clear of any structure. Laterals must be level and follow a contour of uniform elevation (they need not be straight). No excavation is permitted in slope zones of 15% slope or greater per Canyon County Ordinance (without a hillside evaluation and report). The permissible zones indicated here are clear of any high-slope areas.

The drainfield laterals must be no closer than 100 feet clear of any well, 100 feet (for this soil group) from a permanent surface water (like a creek or a river), 50 feet clear of seasonal surface water (25 feet from irrigational canal or ditch), 25 feet clear from a pressure water line, 10 feet clear of a foundation with no basement and 20 feet clear of a foundation with basement (See Technical Guidance Manual Figure 3-1). *Place drainfields within 50 feet of the test hole site. If this is not possible, SWDH will require a new test hole in the immediate proximity of the selected drainfield location. If soil findings vary from the original test hole, construction requirements will change accordingly as directed by SWDH Staff.*

The septic tank(s) must be no closer than 50 feet to a private well, 20 feet to a private pressure water line (like supply from well to house – not including yard sprinklers), five feet from a dwelling foundation, five feet from a property line, 50 feet from a permanent surface water (like a creek or river), 25 feet from a seasonal/temporary surface water (25 feet from an irrigation canal or ditch), and six feet from the drainfield laterals. An approved septic tank must be used (see IDEQ TGM Table 5.2)

If conditions encountered during construction vary from test hole results, the system shall meet the minimum requirements of the IDEQ TGM.



Well and Septic Vicinity Map

Legend

5/8" x 30" REBAR - SET
1/2" x 24" REBAR - SET
PROPERTY BOUNDARY LINE
SECTION/ALLOTMENT PART LINE
LOT LINE
INGRESS/EGRESS, UTILITY &
DRAINAGE EASEMENT LINE

Sample Drainfield Layout
Acceptable Drainfield Zone
Acceptable Well Placement Zone



Test Hole



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Project No. 2301MC-MedridgeSub

Date 6 Dec 2024

Drawn by BO

Checked by TKO

Well & Septic Plan

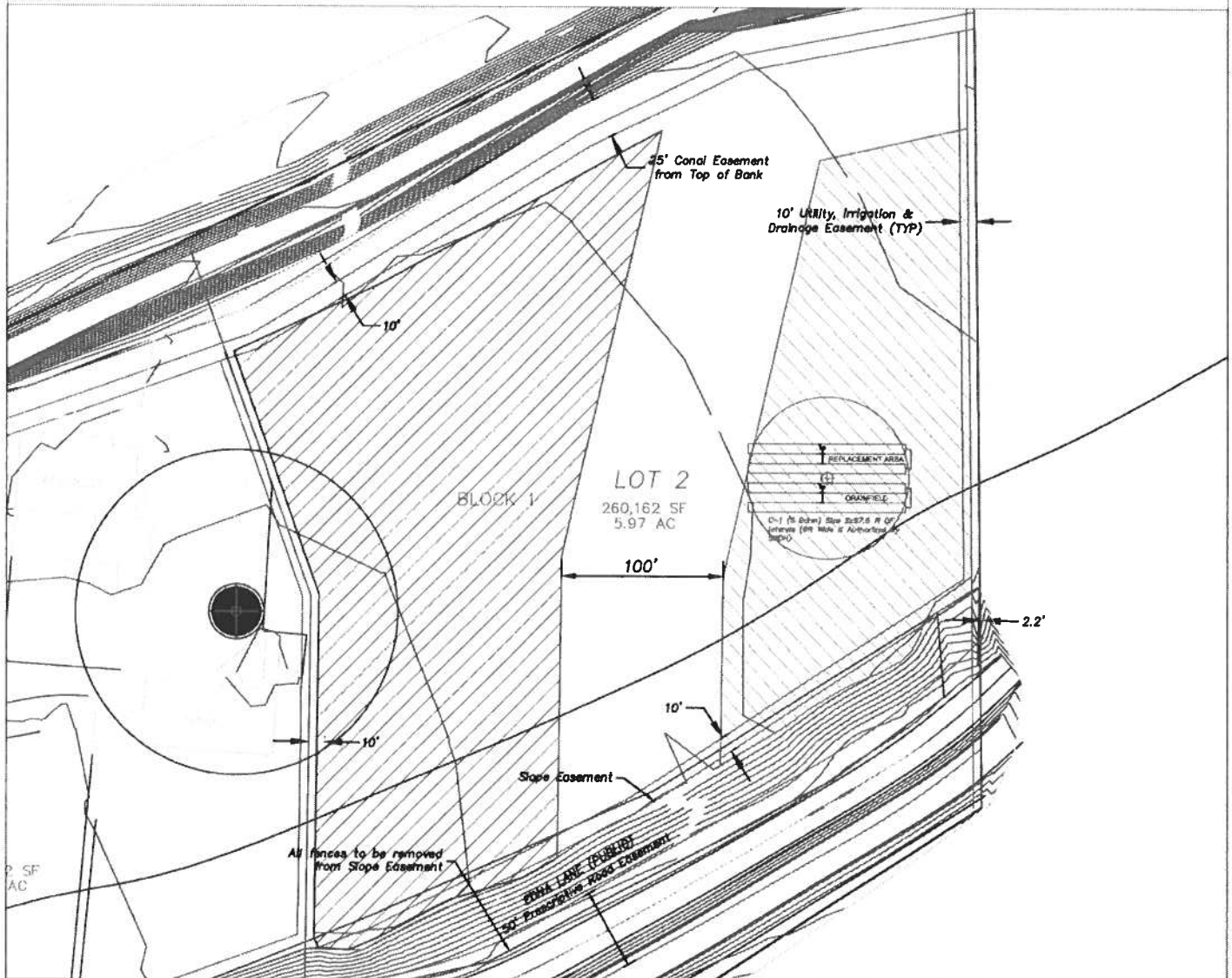
Scale NTS

Lot 2 Block 1 Well & Septic Plan Legend

5/8" x 30" REBAR - SET
1/2" x 24" REBAR - SET
PROPERTY BOUNDARY LINE
SECTION/ALIQUOT PART LINE
LOT LINE
INGRESS/EGRESS, UTILITY &
DRAINAGE EASEMENT LINE

Sample Drainfield Layout
Acceptable Drainfield Zone
Acceptable Well Placement Zone

Test Hole
Proposed Domestic Well
Existing Well
Locations are Approximate



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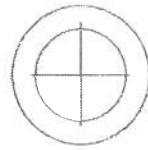
Well & Septic Plan

Scale 1"=100'

Lot 2 Block 1 Test Hole 1

Legend

 5/8" x 30" REBAR - SET
 1/2" x 24" REBAR - SET
 PROPERTY BOUNDARY LINE
 SECTION/ALIQUOT PART LINE
 LOT LINE
 INGRESS/EGRESS, UTILITY & DRAINAGE EASEMENT LINE



Temporary Monitoring Well



Sample Drainfield Layout

Acceptable Drainfield Zone

Acceptable Well Placement Zone



Test Hole

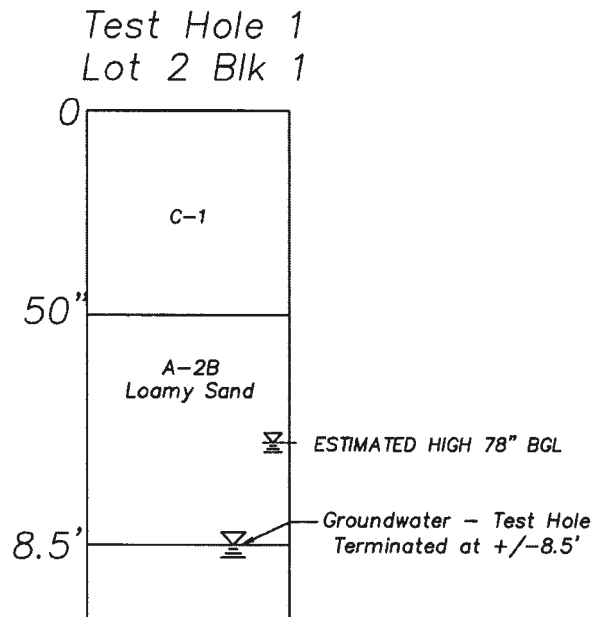


Proposed Culinary Well



Existing Well
Locations are Approximate

Project: Bow-Tie Estates Subdivision
 Excavated by: ASAP Plumbing
 Excavator Type: Unknown
 Logged By: SWDH Personnel
 Excavation Date: 16 Dec 2022
 Lat/Long: W116.55027,N43.74638



Limiting Layer = C1

Groundwater Encountered
at 8.5'



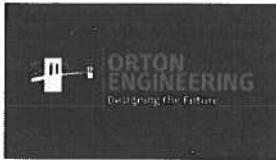
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Well & Septic Plan

Scale



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Exploratory Test Hole Soil Logs

Test hole was observed and classified by Southwest Public Health District Personnel:

Test hole logs and a vicinity map are included with each lot's section above.

Well Placement and Recommendations

Water Sources

Bow-Tie Estates Subdivision is outside of a reasonable proximity to access to a municipal water supply or distribution network. Of necessity, water for this site must be supplied by an individual, shared or community well.

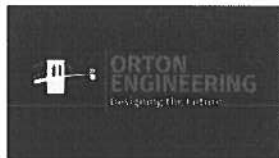
Well Placement

The culinary water well(s) must be placed a minimum of 100 feet clear of the drainfield (or any subsurface sewage disposal system on adjacent property) and at least the same length clear of surface water. Well drilling techniques prove important in rural development where multiple wells and septic systems may be installed in a generally close proximity. Conservative drilling techniques can also prevent cross-mingling or contamination between water bearing strata between the ground surface and the selected production zone.

Orton Engineering ***strongly recommends*** mud rotary drilling with plastic well casing and a full depth annular seal. Mud rotary wells with full depth seals can be obtained for approximately the same cost as other drilling methods which have historically been less expensive.

Well placement is restricted as provided in IDAPA 37.03.09 as given in Table 4 Separation Distances to wells from Idaho Administrative Code IDAPA 37.03.09 Table 4, and further as dictated by the IDEQ Technical Guidance Manual and District Health Office having jurisdiction at the Site (IDAPA 37.03.09 025.01.d)





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Subdivision Engineering Report

2401CJ Bow-Tie Estates– Canyon County, ID

Table 4 Separation Distances to wells from Idaho Administrative Code IDAPA 37.03.09

Separation of Well from:	Minimum Separation Distance (feet)
Existing Public Water Supply well, separate ownership	- 50
Other existing well, separate ownership	- 25
Septic drain field	- 100
Septic tank	- 50
Drainfield of system with more than 2,500 GPD of sewage inflow	- 300*
Sewer line - main line or sub-main, pressurized, from multiple sources	- 100
Sewer line - main line or sub-main, gravity, from multiple sources	- 50
Sewer line - secondary, pressure tested, from a single residence or building	- 25
Effluent pipe	- 50
Property line	- 5
Permanent buildings, other than those to house the well or plumbing apparatus, or both	- 10
Above ground chemical storage tanks	- 20
Permanent (more than six months) or intermittent (more than two months) surface water	- 50
Canals, irrigation ditches or laterals, & other temporary (less than two months) surface water	- 25
*This distance may be less if data from a site investigation demonstrates compliance with IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules," separation distances.	

Irrigation lines used to serve irrigation needs for the Bow-Tie Estates Subdivision would be *temporary (seasonal/irrigation)* for the purposes of well placement. On this basis, an offset of 25 feet from any irrigation mainline is required for culinary well placement.

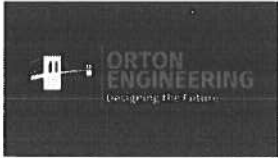
Drilling Recommendations

Wells (and well drillers) are required to comply with Idaho Administrative Code under the Idaho Administrative Procedures Act (IDAPA) 37.03.09 at a minimum. Orton Engineering highly recommends a mud-rotary drilling approach enabling a plastic well casing and a full depth annular seal from the filter pack to ground surface. A plastic casing serves the purposes mentioned above and also discourages the proliferation of Iron-bacteria that are associated with orange staining of production water, taste/palatability impacts, and the decay of steel casings. Orton Engineering can recommend drillers competent in this technique as well as hydrogeology consultants competent in well design and/or related services.

Sand production is a common malady for culinary wells. Care should be taken to place several feet of additional filter pack above the top of the well production screens to allow for consolidation of the filter pack without exposing the screens to formation sands. Consolidation of filter pack below the top of the well production screens is the primary cause of sand production.

The subject property is suitable under the law for individual culinary wells.





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2401CJ Bow-Tie Estates– Canyon County, ID

Appendix 1

NRCS Soil Group Report:





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Canyon Area, Idaho**

Subdivision Engineering Report



December 3, 2024

Exhibit A.7

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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Contents

Preface	2
How Soil Surveys Are Made	5
Soil Map	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Canyon Area, Idaho.....	13
EsA—Elijah-Chilcott silt loams, 0 to 1 percent slopes.....	13
Ha—Harpt loam.....	14
No—Notus soils.....	15
PID—Power-Lankbush silt loams, 7 to 12 percent slopes.....	16
References	18
Glossary	20

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units).

Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

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scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

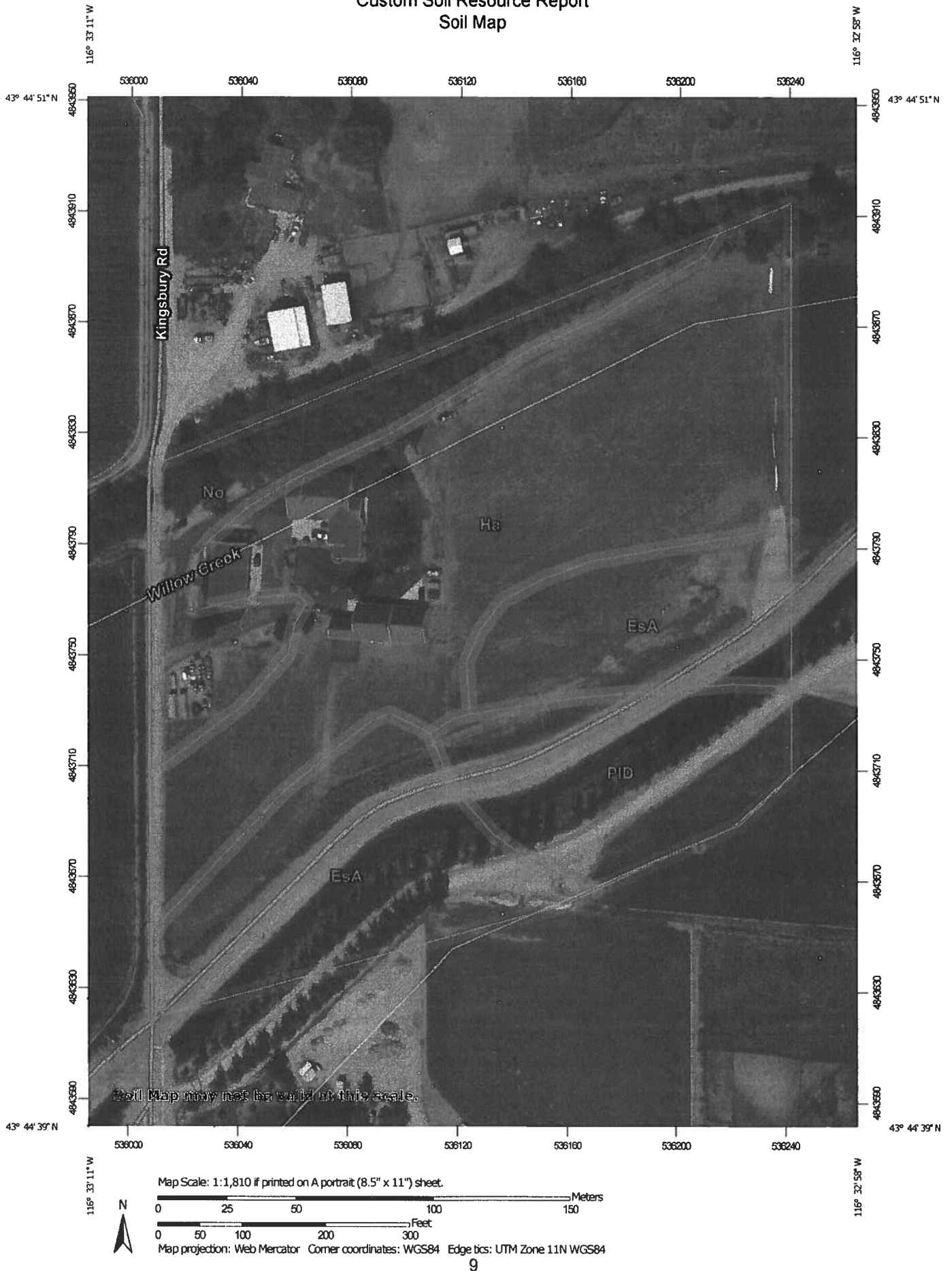
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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



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MAP LEGEND

Area of Interest (AOI)		Spoil Area
Area of Interest (AOI)		Stony Spot
Soils		Very Stony Spot
Soil Map Unit Polygons		Wet Spot
Soil Map Unit Lines		Other
Soil Map Unit Points		Special Line Features
Special Point Features		Water Features
Blowout		Streams and Canals
Borrow Pit		Transportation
Clay Spot		Rails
Closed Depression		Interstate Highways
Gravel Pit		US Routes
Gravelly Spot		Major Roads
Landfill		Local Roads
Lava Flow		Background
Marsh or swamp		Aerial Photography
Mine or Quarry		
Miscellaneous Water		
Perennial Water		
Rock Outcrop		
Saline Spot		
Sandy Spot		
Severely Eroded Spot		
Sinkhole		
Slide or Slip		
Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Canyon Area, Idaho
Survey Area Data: Version 21, Aug 22, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 9, 2023—Sep 14, 2023

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
EsA	Elijah-Chilcott silt loams, 0 to 1 percent slopes	3.5	28.5%
Ha	Harpt loam	5.4	44.5%
No	Notus soils	1.6	13.3%
PID	Power-Lankbush silt loams, 7 to 12 percent slopes	1.7	13.8%
Totals for Area of Interest		12.2	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or

Custom Soil Resource Report

landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Canyon Area, Idaho

EsA—Elijah-Chilcott silt loams, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2q0t
Elevation: 2,300 to 5,300 feet
Mean annual precipitation: 8 to 12 inches
Mean annual air temperature: 45 to 54 degrees F
Frost-free period: 90 to 170 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Elijah and similar soils: 55 percent
Chilcott and similar soils: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Elijah

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Lacustrine deposits and/or loess and/or alluvium

Typical profile

Ap - 0 to 9 inches: silt loam
Bt - 9 to 19 inches: silty clay loam
Bk - 19 to 22 inches: silt loam
Bkqm - 22 to 40 inches: cemented material
C - 40 to 65 inches: very gravelly sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 30 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 6c
Hydrologic Soil Group: C
Ecological site: R011XY001ID - Loamy 8-12 PZ
Hydric soil rating: No

Description of Chilcott

Setting

Landform: Terraces

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Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Volcanic ash and/or mixed alluvium and/or loess

Typical profile

A - 0 to 10 inches: silt loam

Bt - 10 to 26 inches: silty clay

Bk - 26 to 31 inches: loam

Bkqm - 31 to 46 inches: cemented material

2C - 46 to 60 inches: very gravelly sand

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: 3 to 19 inches to abrupt textural change; 20 to 40 inches to duripan

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 30 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Very low (about 2.0 inches)

Interpretive groups

Land capability classification (irrigated): 3s

Land capability classification (nonirrigated): 6c

Hydrologic Soil Group: D

Ecological site: R011XY001ID - Loamy 8-12 PZ

Hydric soil rating: No

Ha—Harpt loam

Map Unit Setting

National map unit symbol: 2q1n

Elevation: 2,000 to 4,500 feet

Mean annual precipitation: 9 to 13 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 120 to 160 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Harpt and similar soils: 90 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Harpt

Setting

Landform: Terraces, fan remnants

Down-slope shape: Linear

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Across-slope shape: Linear

Parent material: Mixed alluvium and/or lacustrine deposits and/or loess

Typical profile

A - 0 to 22 inches: loam

C1 - 22 to 44 inches: sandy clay loam

2C2 - 44 to 60 inches: gravelly coarse sandy loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Available water supply, 0 to 60 inches: High (about 9.4 inches)

Interpretive groups

Land capability classification (irrigated): 2e

Land capability classification (nonirrigated): 6c

Hydrologic Soil Group: B

Ecological site: R011XY001ID - Loamy 8-12 PZ

Hydric soil rating: No

No—Notus soils

Map Unit Setting

National map unit symbol: 2q2y

Elevation: 2,000 to 4,500 feet

Mean annual precipitation: 7 to 13 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 110 to 170 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Notus and similar soils: 85 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Notus

Setting

Landform: Terraces, fan remnants

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Mixed alluvium

Typical profile

A - 0 to 1 inches: sandy loam

C1 - 1 to 14 inches: fine sandy loam

2C2 - 14 to 60 inches: stratified sand to gravel

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Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Somewhat poorly drained

Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)

Depth to water table: About 36 to 60 inches

Frequency of flooding: Occasional

Frequency of ponding: None

Calcium carbonate, maximum content: 5 percent

Available water supply, 0 to 60 inches: Very low (about 2.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 6s

Hydrologic Soil Group: A

Ecological site: R011XY016OR - Sandy 8-11 PZ

Hydric soil rating: No

PID—Power-Lankbush silt loams, 7 to 12 percent slopes

Map Unit Setting

National map unit symbol: 2q3l

Elevation: 2,000 to 5,500 feet

Mean annual precipitation: 8 to 12 inches

Mean annual air temperature: 45 to 52 degrees F

Frost-free period: 100 to 170 days

Farmland classification: Not prime farmland

Map Unit Composition

Power and similar soils: 50 percent

Lankbush and similar soils: 40 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Power

Setting

Landform: Stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Mixed alluvium and/or loess

Typical profile

Ap - 0 to 9 inches: silt loam

Btk - 9 to 17 inches: silt loam

Bk - 17 to 60 inches: silt loam

Properties and qualities

Slope: 7 to 12 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

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Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 30 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: High (about 10.6 inches)

Interpretive groups

Land capability classification (irrigated): 6e

Land capability classification (nonirrigated): 6c

Hydrologic Soil Group: C

Ecological site: R011XY001ID - Loamy 8-12 PZ

Hydric soil rating: No

Description of Lankbush

Setting

Landform: Stream terraces

Landform position (two-dimensional): Backslope

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Mixed alluvium and/or lacustrine deposits and/or loess

Typical profile

A - 0 to 14 inches: silt loam

Bt - 14 to 50 inches: sandy clay loam

2C - 50 to 60 inches: sand

Properties and qualities

Slope: 7 to 12 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 5 percent

Available water supply, 0 to 60 inches: High (about 9.9 inches)

Interpretive groups

Land capability classification (irrigated): 6e

Land capability classification (nonirrigated): 6c

Hydrologic Soil Group: C

Ecological site: R011XY001ID - Loamy 8-12 PZ

Hydric soil rating: No

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Custom Soil Resource Report

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Glossary

Many of the terms relating to landforms, geology, and geomorphology are defined in more detail in the following National Soil Survey Handbook link: "National Soil Survey Handbook."

ABC soil

A soil having an A, a B, and a C horizon.

Ablation till

Loose, relatively permeable earthy material deposited during the downwasting of nearly static glacial ice, either contained within or accumulated on the surface of the glacier.

AC soil

A soil having only an A and a C horizon. Commonly, such soil formed in recent alluvium or on steep, rocky slopes.

Aeration, soil

The exchange of air in soil with air from the atmosphere. The air in a well aerated soil is similar to that in the atmosphere; the air in a poorly aerated soil is considerably higher in carbon dioxide and lower in oxygen.

Aggregate, soil

Many fine particles held in a single mass or cluster. Natural soil aggregates, such as granules, blocks, or prisms, are called peds. Clods are aggregates produced by tillage or logging.

Alkali (sodic) soil

A soil having so high a degree of alkalinity (pH 8.5 or higher) or so high a percentage of exchangeable sodium (15 percent or more of the total exchangeable bases), or both, that plant growth is restricted.

Alluvial cone

A semiconical type of alluvial fan having very steep slopes. It is higher, narrower, and steeper than a fan and is composed of coarser and thicker layers of material deposited by a combination of alluvial episodes and (to a much lesser degree) landslides (debris flow). The coarsest materials tend to be concentrated at the apex of the cone.

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Alluvial fan

A low, outspread mass of loose materials and/or rock material, commonly with gentle slopes. It is shaped like an open fan or a segment of a cone. The material was deposited by a stream at the place where it issues from a narrow mountain valley or upland valley or where a tributary stream is near or at its junction with the main stream. The fan is steepest near its apex, which points upstream, and slopes gently and convexly outward (downstream) with a gradual decrease in gradient.

Alluvium

Unconsolidated material, such as gravel, sand, silt, clay, and various mixtures of these, deposited on land by running water.

Alpha,alpha-dipyridyl

A compound that when dissolved in ammonium acetate is used to detect the presence of reduced iron (Fe II) in the soil. A positive reaction implies reducing conditions and the likely presence of redoximorphic features.

Animal unit month (AUM)

The amount of forage required by one mature cow of approximately 1,000 pounds weight, with or without a calf, for 1 month.

Aquic conditions

Current soil wetness characterized by saturation, reduction, and redoximorphic features.

Argillic horizon

A subsoil horizon characterized by an accumulation of illuvial clay.

Arroyo

The flat-floored channel of an ephemeral stream, commonly with very steep to vertical banks cut in unconsolidated material. It is usually dry but can be transformed into a temporary watercourse or short-lived torrent after heavy rain within the watershed.

Aspect

The direction toward which a slope faces. Also called slope aspect.

Association, soil

A group of soils or miscellaneous areas geographically associated in a characteristic repeating pattern and defined and delineated as a single map unit.

Available water capacity (available moisture capacity)

The capacity of soils to hold water available for use by most plants. It is commonly defined as the difference between the amount of soil water at field moisture capacity and the amount at wilting point. It is commonly expressed as inches of water per inch of soil. The capacity, in inches, in a 60-inch profile or to a limiting layer is expressed as:

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Very low: 0 to 3

Low: 3 to 6

Moderate: 6 to 9

High: 9 to 12

Very high: More than 12

Backslope

The position that forms the steepest and generally linear, middle portion of a hillslope. In profile, backslopes are commonly bounded by a convex shoulder above and a concave footslope below.

Backswamp

A flood-plain landform. Extensive, marshy or swampy, depressed areas of flood plains between natural levees and valley sides or terraces.

Badland

A landscape that is intricately dissected and characterized by a very fine drainage network with high drainage densities and short, steep slopes and narrow interfluvies. Badlands develop on surfaces that have little or no vegetative cover overlying unconsolidated or poorly cemented materials (clays, silts, or sandstones) with, in some cases, soluble minerals, such as gypsum or halite.

Bajada

A broad, gently inclined alluvial piedmont slope extending from the base of a mountain range out into a basin and formed by the lateral coalescence of a series of alluvial fans. Typically, it has a broadly undulating transverse profile, parallel to the mountain front, resulting from the convexities of component fans. The term is generally restricted to constructional slopes of intermontane basins.

Basal area

The area of a cross section of a tree, generally referring to the section at breast height and measured outside the bark. It is a measure of stand density, commonly expressed in square feet.

Base saturation

The degree to which material having cation-exchange properties is saturated with exchangeable bases (sum of Ca, Mg, Na, and K), expressed as a percentage of the total cation-exchange capacity.

Base slope (geomorphology)

A geomorphic component of hills consisting of the concave to linear (perpendicular to the contour) slope that, regardless of the lateral shape, forms an apron or wedge at the bottom of a hillside dominated by colluvium and slope-wash sediments (for example, slope alluvium).

Bedding plane

A planar or nearly planar bedding surface that visibly separates each successive layer of stratified sediment or rock (of the same or different lithology)

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from the preceding or following layer; a plane of deposition. It commonly marks a change in the circumstances of deposition and may show a parting, a color difference, a change in particle size, or various combinations of these. The term is commonly applied to any bedding surface, even one that is conspicuously bent or deformed by folding.

Bedding system

A drainage system made by plowing, grading, or otherwise shaping the surface of a flat field. It consists of a series of low ridges separated by shallow, parallel dead furrows.

Bedrock

The solid rock that underlies the soil and other unconsolidated material or that is exposed at the surface.

Bedrock-controlled topography

A landscape where the configuration and relief of the landforms are determined or strongly influenced by the underlying bedrock.

Bench terrace

A raised, level or nearly level strip of earth constructed on or nearly on a contour, supported by a barrier of rocks or similar material, and designed to make the soil suitable for tillage and to prevent accelerated erosion.

Bisequum

Two sequences of soil horizons, each of which consists of an illuvial horizon and the overlying eluvial horizons.

Blowout (map symbol)

A saucer-, cup-, or trough-shaped depression formed by wind erosion on a preexisting dune or other sand deposit, especially in an area of shifting sand or loose soil or where protective vegetation is disturbed or destroyed. The adjoining accumulation of sand derived from the depression, where recognizable, is commonly included. Blowouts are commonly small.

Borrow pit (map symbol)

An open excavation from which soil and underlying material have been removed, usually for construction purposes.

Bottom land

An informal term loosely applied to various portions of a flood plain.

Boulders

Rock fragments larger than 2 feet (60 centimeters) in diameter.

Breaks

A landscape or tract of steep, rough or broken land dissected by ravines and gullies and marking a sudden change in topography.

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Breast height

An average height of 4.5 feet above the ground surface; the point on a tree where diameter measurements are ordinarily taken.

Brush management

Use of mechanical, chemical, or biological methods to make conditions favorable for reseeding or to reduce or eliminate competition from woody vegetation and thus allow understory grasses and forbs to recover. Brush management increases forage production and thus reduces the hazard of erosion. It can improve the habitat for some species of wildlife.

Butte

An isolated, generally flat-topped hill or mountain with relatively steep slopes and talus or precipitous cliffs and characterized by summit width that is less than the height of bounding escarpments; commonly topped by a caprock of resistant material and representing an erosion remnant carved from flat-lying rocks.

Cable yarding

A method of moving felled trees to a nearby central area for transport to a processing facility. Most cable yarding systems involve use of a drum, a pole, and wire cables in an arrangement similar to that of a rod and reel used for fishing. To reduce friction and soil disturbance, felled trees generally are reeled in while one end is lifted or the entire log is suspended.

Calcareous soil

A soil containing enough calcium carbonate (commonly combined with magnesium carbonate) to effervesce visibly when treated with cold, dilute hydrochloric acid.

Caliche

A general term for a prominent zone of secondary carbonate accumulation in surficial materials in warm, subhumid to arid areas. Caliche is formed by both geologic and pedologic processes. Finely crystalline calcium carbonate forms a nearly continuous surface-coating and void-filling medium in geologic (parent) materials. Cementation ranges from weak in nonindurated forms to very strong in indurated forms. Other minerals (e.g., carbonates, silicate, and sulfate) may occur as accessory cements. Most petrocalcic horizons and some calcic horizons are caliche.

California bearing ratio (CBR)

The load-supporting capacity of a soil as compared to that of standard crushed limestone, expressed as a ratio. First standardized in California. A soil having a CBR of 16 supports 16 percent of the load that would be supported by standard crushed limestone, per unit area, with the same degree of distortion.

Canopy

The leafy crown of trees or shrubs. (See Crown.)

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Canyon

A long, deep, narrow valley with high, precipitous walls in an area of high local relief.

Capillary water

Water held as a film around soil particles and in tiny spaces between particles. Surface tension is the adhesive force that holds capillary water in the soil.

Catena

A sequence, or "chain," of soils on a landscape that formed in similar kinds of parent material and under similar climatic conditions but that have different characteristics as a result of differences in relief and drainage.

Cation

An ion carrying a positive charge of electricity. The common soil cations are calcium, potassium, magnesium, sodium, and hydrogen.

Cation-exchange capacity

The total amount of exchangeable cations that can be held by the soil, expressed in terms of milliequivalents per 100 grams of soil at neutrality (pH 7.0) or at some other stated pH value. The term, as applied to soils, is synonymous with base-exchange capacity but is more precise in meaning.

Catsteps

See Terracettes.

Cement rock

Shaly limestone used in the manufacture of cement.

Channery soil material

Soil material that has, by volume, 15 to 35 percent thin, flat fragments of sandstone, shale, slate, limestone, or schist as much as 6 inches (15 centimeters) along the longest axis. A single piece is called a channer.

Chemical treatment

Control of unwanted vegetation through the use of chemicals.

Chiseling

Tillage with an implement having one or more soil-penetrating points that shatter or loosen hard, compacted layers to a depth below normal plow depth.

Cirque

A steep-walled, semicircular or crescent-shaped, half-bowl-like recess or hollow, commonly situated at the head of a glaciated mountain valley or high on the side of a mountain. It was produced by the erosive activity of a mountain glacier. It commonly contains a small round lake (tarn).

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Clay

As a soil separate, the mineral soil particles less than 0.002 millimeter in diameter. As a soil textural class, soil material that is 40 percent or more clay, less than 45 percent sand, and less than 40 percent silt.

Clay depletions

See Redoximorphic features.

Clay film

A thin coating of oriented clay on the surface of a soil aggregate or lining pores or root channels. Synonyms: clay coating, clay skin.

Clay spot (map symbol)

A spot where the surface texture is silty clay or clay in areas where the surface layer of the soils in the surrounding map unit is sandy loam, loam, silt loam, or coarser.

Claypan

A dense, compact subsoil layer that contains much more clay than the overlying materials, from which it is separated by a sharply defined boundary. The layer restricts the downward movement of water through the soil. A claypan is commonly hard when dry and plastic and sticky when wet.

Climax plant community

The stabilized plant community on a particular site. The plant cover reproduces itself and does not change so long as the environment remains the same.

Coarse textured soil

Sand or loamy sand.

Cobble (or cobblestone)

A rounded or partly rounded fragment of rock 3 to 10 inches (7.6 to 25 centimeters) in diameter.

Cobbly soil material

Material that has 15 to 35 percent, by volume, rounded or partially rounded rock fragments 3 to 10 inches (7.6 to 25 centimeters) in diameter. Very cobbly soil material has 35 to 60 percent of these rock fragments, and extremely cobbly soil material has more than 60 percent.

COLE (coefficient of linear extensibility)

See Linear extensibility.

Colluvium

Unconsolidated, unsorted earth material being transported or deposited on side slopes and/or at the base of slopes by mass movement (e.g., direct gravitational action) and by local, unconcentrated runoff.

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Complex slope

Irregular or variable slope. Planning or establishing terraces, diversions, and other water-control structures on a complex slope is difficult.

Complex, soil

A map unit of two or more kinds of soil or miscellaneous areas in such an intricate pattern or so small in area that it is not practical to map them separately at the selected scale of mapping. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas.

Concretions

See Redoximorphic features.

Conglomerate

A coarse grained, clastic sedimentary rock composed of rounded or subangular rock fragments more than 2 millimeters in diameter. It commonly has a matrix of sand and finer textured material. Conglomerate is the consolidated equivalent of gravel.

Conservation cropping system

Growing crops in combination with needed cultural and management practices. In a good conservation cropping system, the soil-improving crops and practices more than offset the effects of the soil-depleting crops and practices. Cropping systems are needed on all tilled soils. Soil-improving practices in a conservation cropping system include the use of rotations that contain grasses and legumes and the return of crop residue to the soil. Other practices include the use of green manure crops of grasses and legumes, proper tillage, adequate fertilization, and weed and pest control.

Conservation tillage

A tillage system that does not invert the soil and that leaves a protective amount of crop residue on the surface throughout the year.

Consistence, soil

Refers to the degree of cohesion and adhesion of soil material and its resistance to deformation when ruptured. Consistence includes resistance of soil material to rupture and to penetration; plasticity, toughness, and stickiness of puddled soil material; and the manner in which the soil material behaves when subject to compression. Terms describing consistence are defined in the "Soil Survey Manual."

Contour stripcropping

Growing crops in strips that follow the contour. Strips of grass or close-growing crops are alternated with strips of clean-tilled crops or summer fallow.

Control section

The part of the soil on which classification is based. The thickness varies among different kinds of soil, but for many it is that part of the soil profile between depths of 10 inches and 40 or 80 inches.

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Coprogenous earth (sedimentary peat)

A type of limnic layer composed predominantly of fecal material derived from aquatic animals.

Corrosion (geomorphology)

A process of erosion whereby rocks and soil are removed or worn away by natural chemical processes, especially by the solvent action of running water, but also by other reactions, such as hydrolysis, hydration, carbonation, and oxidation.

Corrosion (soil survey interpretations)

Soil-induced electrochemical or chemical action that dissolves or weakens concrete or uncoated steel.

Cover crop

A close-growing crop grown primarily to improve and protect the soil between periods of regular crop production, or a crop grown between trees and vines in orchards and vineyards.

Crop residue management

Returning crop residue to the soil, which helps to maintain soil structure, organic matter content, and fertility and helps to control erosion.

Cropping system

Growing crops according to a planned system of rotation and management practices.

Cross-slope farming

Deliberately conducting farming operations on sloping farmland in such a way that tillage is across the general slope.

Crown

The upper part of a tree or shrub, including the living branches and their foliage.

Cryoturbate

A mass of soil or other unconsolidated earthy material moved or disturbed by frost action. It is typically coarser than the underlying material.

Cuesta

An asymmetric ridge capped by resistant rock layers of slight or moderate dip (commonly less than 15 percent slopes); a type of homocline produced by differential erosion of interbedded resistant and weak rocks. A cuesta has a long, gentle slope on one side (dip slope) that roughly parallels the inclined beds; on the other side, it has a relatively short and steep or clifflike slope (scarp) that cuts through the tilted rocks.

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Culmination of the mean annual increment (CMAI)

The average annual increase per acre in the volume of a stand. Computed by dividing the total volume of the stand by its age. As the stand increases in age, the mean annual increment continues to increase until mortality begins to reduce the rate of increase. The point where the stand reaches its maximum annual rate of growth is called the culmination of the mean annual increment.

Cutbanks cave

The walls of excavations tend to cave in or slough.

Decreasers

The most heavily grazed climax range plants. Because they are the most palatable, they are the first to be destroyed by overgrazing.

Deferred grazing

Postponing grazing or resting grazing land for a prescribed period.

Delta

A body of alluvium having a surface that is fan shaped and nearly flat; deposited at or near the mouth of a river or stream where it enters a body of relatively quiet water, generally a sea or lake.

Dense layer

A very firm, massive layer that has a bulk density of more than 1.8 grams per cubic centimeter. Such a layer affects the ease of digging and can affect filling and compacting.

Depression, closed (map symbol)

A shallow, saucer-shaped area that is slightly lower on the landscape than the surrounding area and that does not have a natural outlet for surface drainage.

Depth, soil

Generally, the thickness of the soil over bedrock. Very deep soils are more than 60 inches deep over bedrock; deep soils, 40 to 60 inches; moderately deep, 20 to 40 inches; shallow, 10 to 20 inches; and very shallow, less than 10 inches.

Desert pavement

A natural, residual concentration or layer of wind-polished, closely packed gravel, boulders, and other rock fragments mantling a desert surface. It forms where wind action and sheetwash have removed all smaller particles or where rock fragments have migrated upward through sediments to the surface. It typically protects the finer grained underlying material from further erosion.

Diatomaceous earth

A geologic deposit of fine, grayish siliceous material composed chiefly or entirely of the remains of diatoms.

Custom Soil Resource Report

Dip slope

A slope of the land surface, roughly determined by and approximately conforming to the dip of the underlying bedrock.

Diversion (or diversion terrace)

A ridge of earth, generally a terrace, built to protect downslope areas by diverting runoff from its natural course.

Divided-slope farming

A form of field stripcropping in which crops are grown in a systematic arrangement of two strips, or bands, across the slope to reduce the hazard of water erosion. One strip is in a close-growing crop that provides protection from erosion, and the other strip is in a crop that provides less protection from erosion. This practice is used where slopes are not long enough to permit a full stripcropping pattern to be used.

Drainage class (natural)

Refers to the frequency and duration of wet periods under conditions similar to those under which the soil formed. Alterations of the water regime by human activities, either through drainage or irrigation, are not a consideration unless they have significantly changed the morphology of the soil. Seven classes of natural soil drainage are recognized—*excessively drained, somewhat excessively drained, well drained, moderately well drained, somewhat poorly drained, poorly drained, and very poorly drained*. These classes are defined in the "Soil Survey Manual."

Drainage, surface

Runoff, or surface flow of water, from an area.

Drainageway

A general term for a course or channel along which water moves in draining an area. A term restricted to relatively small, linear depressions that at some time move concentrated water and either do not have a defined channel or have only a small defined channel.

Draw

A small stream valley that generally is shallower and more open than a ravine or gulch and that has a broader bottom. The present stream channel may appear inadequate to have cut the drainageway that it occupies.

Drift

A general term applied to all mineral material (clay, silt, sand, gravel, and boulders) transported by a glacier and deposited directly by or from the ice or transported by running water emanating from a glacier. Drift includes unstratified material (till) that forms moraines and stratified deposits that form outwash plains, eskers, kames, varves, and glaciofluvial sediments. The term is generally applied to Pleistocene glacial deposits in areas that no longer contain glaciers.

Custom Soil Resource Report

Drumlin

A low, smooth, elongated oval hill, mound, or ridge of compact till that has a core of bedrock or drift. It commonly has a blunt nose facing the direction from which the ice approached and a gentler slope tapering in the other direction. The longer axis is parallel to the general direction of glacier flow. Drumlins are products of streamline (laminar) flow of glaciers, which molded the subglacial floor through a combination of erosion and deposition.

Duff

A generally firm organic layer on the surface of mineral soils. It consists of fallen plant material that is in the process of decomposition and includes everything from the litter on the surface to underlying pure humus.

Dune

A low mound, ridge, bank, or hill of loose, windblown granular material (generally sand), either barren and capable of movement from place to place or covered and stabilized with vegetation but retaining its characteristic shape.

Earthy fill

See Mine spoil.

Ecological site

An area where climate, soil, and relief are sufficiently uniform to produce a distinct natural plant community. An ecological site is the product of all the environmental factors responsible for its development. It is typified by an association of species that differ from those on other ecological sites in kind and/or proportion of species or in total production.

Eluviation

The movement of material in true solution or colloidal suspension from one place to another within the soil. Soil horizons that have lost material through eluviation are eluvial; those that have received material are illuvial.

Endosaturation

A type of saturation of the soil in which all horizons between the upper boundary of saturation and a depth of 2 meters are saturated.

Eolian deposit

Sand-, silt-, or clay-sized clastic material transported and deposited primarily by wind, commonly in the form of a dune or a sheet of sand or loess.

Ephemeral stream

A stream, or reach of a stream, that flows only in direct response to precipitation. It receives no long-continued supply from melting snow or other source, and its channel is above the water table at all times.

Custom Soil Resource Report

Episaturation

A type of saturation indicating a perched water table in a soil in which saturated layers are underlain by one or more unsaturated layers within 2 meters of the surface.

Erosion

The wearing away of the land surface by water, wind, ice, or other geologic agents and by such processes as gravitational creep.

Erosion (accelerated)

Erosion much more rapid than geologic erosion, mainly as a result of human or animal activities or of a catastrophe in nature, such as a fire, that exposes the surface.

Erosion (geologic)

Erosion caused by geologic processes acting over long geologic periods and resulting in the wearing away of mountains and the building up of such landscape features as flood plains and coastal plains. Synonym: natural erosion.

Erosion pavement

A surficial lag concentration or layer of gravel and other rock fragments that remains on the soil surface after sheet or rill erosion or wind has removed the finer soil particles and that tends to protect the underlying soil from further erosion.

Erosion surface

A land surface shaped by the action of erosion, especially by running water.

Escarpment

A relatively continuous and steep slope or cliff breaking the general continuity of more gently sloping land surfaces and resulting from erosion or faulting. Most commonly applied to cliffs produced by differential erosion. Synonym: scarp.

Escarpment, bedrock (map symbol)

A relatively continuous and steep slope or cliff, produced by erosion or faulting, that breaks the general continuity of more gently sloping land surfaces. Exposed material is hard or soft bedrock.

Escarpment, nonbedrock (map symbol)

A relatively continuous and steep slope or cliff, generally produced by erosion but in some places produced by faulting, that breaks the continuity of more gently sloping land surfaces. Exposed earthy material is nonsoil or very shallow soil.

Esker

A long, narrow, sinuous, steep-sided ridge of stratified sand and gravel deposited as the bed of a stream flowing in an ice tunnel within or below the ice (subglacial) or between ice walls on top of the ice of a wasting glacier and left

Custom Soil Resource Report

behind as high ground when the ice melted. Eskers range in length from less than a kilometer to more than 160 kilometers and in height from 3 to 30 meters.

Extrusive rock

Igneous rock derived from deep-seated molten matter (magma) deposited and cooled on the earth's surface.

Fallow

Cropland left idle in order to restore productivity through accumulation of moisture. Summer fallow is common in regions of limited rainfall where cereal grain is grown. The soil is tilled for at least one growing season for weed control and decomposition of plant residue.

Fan remnant

A general term for landforms that are the remaining parts of older fan landforms, such as alluvial fans, that have been either dissected or partially buried.

Fertility, soil

The quality that enables a soil to provide plant nutrients, in adequate amounts and in proper balance, for the growth of specified plants when light, moisture, temperature, tilth, and other growth factors are favorable.

Fibric soil material (peat)

The least decomposed of all organic soil material. Peat contains a large amount of well preserved fiber that is readily identifiable according to botanical origin. Peat has the lowest bulk density and the highest water content at saturation of all organic soil material.

Field moisture capacity

The moisture content of a soil, expressed as a percentage of the oven-dry weight, after the gravitational, or free, water has drained away; the field moisture content 2 or 3 days after a soaking rain; also called *normal field capacity*, *normal moisture capacity*, or *capillary capacity*.

Fill slope

A sloping surface consisting of excavated soil material from a road cut. It commonly is on the downhill side of the road.

Fine textured soil

Sandy clay, silty clay, or clay.

Firebreak

An area cleared of flammable material to stop or help control creeping or running fires. It also serves as a line from which to work and to facilitate the movement of firefighters and equipment. Designated roads also serve as firebreaks.

Custom Soil Resource Report

First bottom

An obsolete, informal term loosely applied to the lowest flood-plain steps that are subject to regular flooding.

Flaggy soil material

Material that has, by volume, 15 to 35 percent flagstones. Very flaggy soil material has 35 to 60 percent flagstones, and extremely flaggy soil material has more than 60 percent flagstones.

Flagstone

A thin fragment of sandstone, limestone, slate, shale, or (rarely) schist 6 to 15 inches (15 to 38 centimeters) long.

Flood plain

The nearly level plain that borders a stream and is subject to flooding unless protected artificially.

Flood-plain landforms

A variety of constructional and erosional features produced by stream channel migration and flooding. Examples include backswamps, flood-plain splays, meanders, meander belts, meander scrolls, oxbow lakes, and natural levees.

Flood-plain splay

A fan-shaped deposit or other outspread deposit formed where an overloaded stream breaks through a levee (natural or artificial) and deposits its material (commonly coarse grained) on the flood plain.

Flood-plain step

An essentially flat, terrace-like alluvial surface within a valley that is frequently covered by floodwater from the present stream; any approximately horizontal surface still actively modified by fluvial scour and/or deposition. May occur individually or as a series of steps.

Fluvial

Of or pertaining to rivers or streams; produced by stream or river action.

Foothills

A region of steeply sloping hills that fringes a mountain range or high-plateau escarpment. The hills have relief of as much as 1,000 feet (300 meters).

Footslope

The concave surface at the base of a hillslope. A footslope is a transition zone between upslope sites of erosion and transport (shoulders and backslopes) and downslope sites of deposition (toeslopes).

Forb

Any herbaceous plant not a grass or a sedge.

Custom Soil Resource Report

Forest cover

All trees and other woody plants (underbrush) covering the ground in a forest.

Forest type

A stand of trees similar in composition and development because of given physical and biological factors by which it may be differentiated from other stands.

Fragipan

A loamy, brittle subsurface horizon low in porosity and content of organic matter and low or moderate in clay but high in silt or very fine sand. A fragipan appears cemented and restricts roots. When dry, it is hard or very hard and has a higher bulk density than the horizon or horizons above. When moist, it tends to rupture suddenly under pressure rather than to deform slowly.

Genesis, soil

The mode of origin of the soil. Refers especially to the processes or soil-forming factors responsible for the formation of the solum, or true soil, from the unconsolidated parent material.

Gilgai

Commonly, a succession of microbasins and microknolls in nearly level areas or of microvalleys and microridges parallel with the slope. Typically, the microrelief of clayey soils that shrink and swell considerably with changes in moisture content.

Glaciofluvial deposits

Material moved by glaciers and subsequently sorted and deposited by streams flowing from the melting ice. The deposits are stratified and occur in the form of outwash plains, valley trains, deltas, kames, eskers, and kame terraces.

Glaciolacustrine deposits

Material ranging from fine clay to sand derived from glaciers and deposited in glacial lakes mainly by glacial meltwater. Many deposits are bedded or laminated.

Gleyed soil

Soil that formed under poor drainage, resulting in the reduction of iron and other elements in the profile and in gray colors.

Graded stripcropping

Growing crops in strips that grade toward a protected waterway.

Grassed waterway

A natural or constructed waterway, typically broad and shallow, seeded to grass as protection against erosion. Conducts surface water away from cropland.

Custom Soil Resource Report

Gravel

Rounded or angular fragments of rock as much as 3 inches (2 millimeters to 7.6 centimeters) in diameter. An individual piece is a pebble.

Gravel pit (map symbol)

An open excavation from which soil and underlying material have been removed and used, without crushing, as a source of sand or gravel.

Gravelly soil material

Material that has 15 to 35 percent, by volume, rounded or angular rock fragments, not prominently flattened, as much as 3 inches (7.6 centimeters) in diameter.

Gravelly spot (map symbol)

A spot where the surface layer has more than 35 percent, by volume, rock fragments that are mostly less than 3 inches in diameter in an area that has less than 15 percent rock fragments.

Green manure crop (agronomy)

A soil-improving crop grown to be plowed under in an early stage of maturity or soon after maturity.

Ground water

Water filling all the unblocked pores of the material below the water table.

Gully (map symbol)

A small, steep-sided channel caused by erosion and cut in unconsolidated materials by concentrated but intermittent flow of water. The distinction between a gully and a rill is one of depth. A gully generally is an obstacle to farm machinery and is too deep to be obliterated by ordinary tillage whereas a rill is of lesser depth and can be smoothed over by ordinary tillage.

Hard bedrock

Bedrock that cannot be excavated except by blasting or by the use of special equipment that is not commonly used in construction.

Hard to reclaim

Reclamation is difficult after the removal of soil for construction and other uses. Revegetation and erosion control are extremely difficult.

Hardpan

A hardened or cemented soil horizon, or layer. The soil material is sandy, loamy, or clayey and is cemented by iron oxide, silica, calcium carbonate, or other substance.

Custom Soil Resource Report

Head slope (geomorphology)

A geomorphic component of hills consisting of a laterally concave area of a hillside, especially at the head of a drainageway. The overland waterflow is converging.

Hemic soil material (mucky peat)

Organic soil material intermediate in degree of decomposition between the less decomposed fibric material and the more decomposed sapric material.

High-residue crops

Such crops as small grain and corn used for grain. If properly managed, residue from these crops can be used to control erosion until the next crop in the rotation is established. These crops return large amounts of organic matter to the soil.

Hill

A generic term for an elevated area of the land surface, rising as much as 1,000 feet above surrounding lowlands, commonly of limited summit area and having a well defined outline. Slopes are generally more than 15 percent. The distinction between a hill and a mountain is arbitrary and may depend on local usage.

Hillslope

A generic term for the steeper part of a hill between its summit and the drainage line, valley flat, or depression floor at the base of a hill.

Horizon, soil

A layer of soil, approximately parallel to the surface, having distinct characteristics produced by soil-forming processes. In the identification of soil horizons, an uppercase letter represents the major horizons. Numbers or lowercase letters that follow represent subdivisions of the major horizons. An explanation of the subdivisions is given in the "Soil Survey Manual." The major horizons of mineral soil are as follows:

Custom Soil Resource Report

O horizon: An organic layer of fresh and decaying plant residue.

L horizon: A layer of organic and mineral limnic materials, including coprogenous earth (sedimentary peat), diatomaceous earth, and marl.

A horizon: The mineral horizon at or near the surface in which an accumulation of humified organic matter is mixed with the mineral material. Also, a plowed surface horizon, most of which was originally part of a B horizon.

E horizon: The mineral horizon in which the main feature is loss of silicate clay, iron, aluminum, or some combination of these.

B horizon: The mineral horizon below an A horizon. The B horizon is in part a layer of transition from the overlying A to the underlying C horizon. The B horizon also has distinctive characteristics, such as (1) accumulation of clay, sesquioxides, humus, or a combination of these; (2) prismatic or blocky structure; (3) redder or browner colors than those in the A horizon; or (4) a combination of these.

C horizon: The mineral horizon or layer, excluding indurated bedrock, that is little affected by soil-forming processes and does not have the properties typical of the overlying soil material. The material of a C horizon may be either like or unlike that in which the solum formed. If the material is known to differ from that in the solum, an Arabic numeral, commonly a 2, precedes the letter C.

Cr horizon: Soft, consolidated bedrock beneath the soil.

R layer: Consolidated bedrock beneath the soil. The bedrock commonly underlies a C horizon, but it can be directly below an A or a B horizon.

M layer: A root-limiting subsoil layer consisting of nearly continuous, horizontally oriented, human-manufactured materials.

W layer: A layer of water within or beneath the soil.

Humus

The well decomposed, more or less stable part of the organic matter in mineral soils.

Hydrologic soil groups

Refers to soils grouped according to their runoff potential. The soil properties that influence this potential are those that affect the minimum rate of water infiltration on a bare soil during periods after prolonged wetting when the soil is not frozen. These properties include depth to a seasonal high water table, the infiltration rate, and depth to a layer that significantly restricts the downward movement of water. The slope and the kind of plant cover are not considered but are separate factors in predicting runoff.

Igneous rock

Rock that was formed by cooling and solidification of magma and that has not been changed appreciably by weathering since its formation. Major varieties include plutonic and volcanic rock (e.g., andesite, basalt, and granite).

Illuviation

The movement of soil material from one horizon to another in the soil profile. Generally, material is removed from an upper horizon and deposited in a lower horizon.

Custom Soil Resource Report

Impervious soil

A soil through which water, air, or roots penetrate slowly or not at all. No soil is absolutely impervious to air and water all the time.

Increasers

Species in the climax vegetation that increase in amount as the more desirable plants are reduced by close grazing. Increasers commonly are the shorter plants and the less palatable to livestock.

Infiltration

The downward entry of water into the immediate surface of soil or other material, as contrasted with percolation, which is movement of water through soil layers or material.

Infiltration capacity

The maximum rate at which water can infiltrate into a soil under a given set of conditions.

Infiltration rate

The rate at which water penetrates the surface of the soil at any given instant, usually expressed in inches per hour. The rate can be limited by the infiltration capacity of the soil or the rate at which water is applied at the surface.

Intake rate

The average rate of water entering the soil under irrigation. Most soils have a fast initial rate; the rate decreases with application time. Therefore, intake rate for design purposes is not a constant but is a variable depending on the net irrigation application. The rate of water intake, in inches per hour, is expressed as follows:

Very low: Less than 0.2

Low: 0.2 to 0.4

Moderately low: 0.4 to 0.75

Moderate: 0.75 to 1.25

Moderately high: 1.25 to 1.75

High: 1.75 to 2.5

Very high: More than 2.5

Interfluve

A landform composed of the relatively undissected upland or ridge between two adjacent valleys containing streams flowing in the same general direction. An elevated area between two drainageways that sheds water to those drainageways.

Interfluve (geomorphology)

A geomorphic component of hills consisting of the uppermost, comparatively level or gently sloping area of a hill; shoulders of backwearing hillslopes can narrow the upland or can merge, resulting in a strongly convex shape.

Custom Soil Resource Report

Intermittent stream

A stream, or reach of a stream, that does not flow year-round but that is commonly dry for 3 or more months out of 12 and whose channel is generally below the local water table. It flows only during wet periods or when it receives ground-water discharge or long, continued contributions from melting snow or other surface and shallow subsurface sources.

Invaders

On range, plants that encroach into an area and grow after the climax vegetation has been reduced by grazing. Generally, plants invade following disturbance of the surface.

Iron depletions

See Redoximorphic features.

Irrigation

Application of water to soils to assist in production of crops. Methods of irrigation are:

Basin: Water is applied rapidly to nearly level plains surrounded by levees or dikes.

Border: Water is applied at the upper end of a strip in which the lateral flow of water is controlled by small earth ridges called border dikes, or borders.

Controlled flooding: Water is released at intervals from closely spaced field ditches and distributed uniformly over the field.

Corrugation: Water is applied to small, closely spaced furrows or ditches in fields of close-growing crops or in orchards so that it flows in only one direction.

Drip (or trickle): Water is applied slowly and under low pressure to the surface of the soil or into the soil through such applicators as emitters, porous tubing, or perforated pipe.

Furrow: Water is applied in small ditches made by cultivation implements. Furrows are used for tree and row crops.

Sprinkler: Water is sprayed over the soil surface through pipes or nozzles from a pressure system.

Subirrigation: Water is applied in open ditches or tile lines until the water table is raised enough to wet the soil.

Wild flooding: Water, released at high points, is allowed to flow onto an area without controlled distribution.

Kame

A low mound, knob, hummock, or short irregular ridge composed of stratified sand and gravel deposited by a subglacial stream as a fan or delta at the margin of a melting glacier; by a supraglacial stream in a low place or hole on the surface of the glacier; or as a ponded deposit on the surface or at the margin of stagnant ice.

Custom Soil Resource Report

Karst (topography)

A kind of topography that formed in limestone, gypsum, or other soluble rocks by dissolution and that is characterized by closed depressions, sinkholes, caves, and underground drainage.

Knoll

A small, low, rounded hill rising above adjacent landforms.

Ksat

See Saturated hydraulic conductivity.

Lacustrine deposit

Material deposited in lake water and exposed when the water level is lowered or the elevation of the land is raised.

Lake plain

A nearly level surface marking the floor of an extinct lake filled by well sorted, generally fine textured, stratified deposits, commonly containing varves.

Lake terrace

A narrow shelf, partly cut and partly built, produced along a lakeshore in front of a scarp line of low cliffs and later exposed when the water level falls.

Landfill (map symbol)

An area of accumulated waste products of human habitation, either above or below natural ground level.

Landslide

A general, encompassing term for most types of mass movement landforms and processes involving the downslope transport and outward deposition of soil and rock materials caused by gravitational forces; the movement may or may not involve saturated materials. The speed and distance of movement, as well as the amount of soil and rock material, vary greatly.

Large stones

Rock fragments 3 inches (7.6 centimeters) or more across. Large stones adversely affect the specified use of the soil.

Lava flow (map symbol)

A solidified, commonly lobate body of rock formed through lateral, surface outpouring of molten lava from a vent or fissure.

Leaching

The removal of soluble material from soil or other material by percolating water.

Custom Soil Resource Report

Levee (map symbol)

An embankment that confines or controls water, especially one built along the banks of a river to prevent overflow onto lowlands.

Linear extensibility

Refers to the change in length of an unconfined clod as moisture content is decreased from a moist to a dry state. Linear extensibility is used to determine the shrink-swell potential of soils. It is an expression of the volume change between the water content of the clod at $1/3$ - or $1/10$ -bar tension (33kPa or 10kPa tension) and oven dryness. Volume change is influenced by the amount and type of clay minerals in the soil. The volume change is the percent change for the whole soil. If it is expressed as a fraction, the resulting value is COLE, coefficient of linear extensibility.

Liquid limit

The moisture content at which the soil passes from a plastic to a liquid state.

Loam

Soil material that is 7 to 27 percent clay particles, 28 to 50 percent silt particles, and less than 52 percent sand particles.

Loess

Material transported and deposited by wind and consisting dominantly of silt-sized particles.

Low strength

The soil is not strong enough to support loads.

Low-residue crops

Such crops as corn used for silage, peas, beans, and potatoes. Residue from these crops is not adequate to control erosion until the next crop in the rotation is established. These crops return little organic matter to the soil.

Marl

An earthy, unconsolidated deposit consisting chiefly of calcium carbonate mixed with clay in approximately equal proportions; formed primarily under freshwater lacustrine conditions but also formed in more saline environments.

Marsh or swamp (map symbol)

A water-saturated, very poorly drained area that is intermittently or permanently covered by water. Sedges, cattails, and rushes are the dominant vegetation in marshes, and trees or shrubs are the dominant vegetation in swamps. Not used in map units where the named soils are poorly drained or very poorly drained.

Mass movement

A generic term for the dislodgment and downslope transport of soil and rock material as a unit under direct gravitational stress.

Custom Soil Resource Report

Masses

See Redoximorphic features.

Meander belt

The zone within which migration of a meandering channel occurs; the flood-plain area included between two imaginary lines drawn tangential to the outer bends of active channel loops.

Meander scar

A crescent-shaped, concave or linear mark on the face of a bluff or valley wall, produced by the lateral erosion of a meandering stream that impinged upon and undercut the bluff.

Meander scroll

One of a series of long, parallel, close-fitting, crescent-shaped ridges and troughs formed along the inner bank of a stream meander as the channel migrated laterally down-valley and toward the outer bank.

Mechanical treatment

Use of mechanical equipment for seeding, brush management, and other management practices.

Medium textured soil

Very fine sandy loam, loam, silt loam, or silt.

Mesa

A broad, nearly flat topped and commonly isolated landmass bounded by steep slopes or precipitous cliffs and capped by layers of resistant, nearly horizontal rocky material. The summit width is characteristically greater than the height of the bounding escarpments.

Metamorphic rock

Rock of any origin altered in mineralogical composition, chemical composition, or structure by heat, pressure, and movement at depth in the earth's crust. Nearly all such rocks are crystalline.

Mine or quarry (map symbol)

An open excavation from which soil and underlying material have been removed and in which bedrock is exposed. Also denotes surface openings to underground mines.

Mine spoil

An accumulation of displaced earthy material, rock, or other waste material removed during mining or excavation. Also called earthy fill.

Mineral soil

Soil that is mainly mineral material and low in organic material. Its bulk density is more than that of organic soil.

Custom Soil Resource Report

Minimum tillage

Only the tillage essential to crop production and prevention of soil damage.

Miscellaneous area

A kind of map unit that has little or no natural soil and supports little or no vegetation.

Miscellaneous water (map symbol)

Small, constructed bodies of water that are used for industrial, sanitary, or mining applications and that contain water most of the year.

Moderately coarse textured soil

Coarse sandy loam, sandy loam, or fine sandy loam.

Moderately fine textured soil

Clay loam, sandy clay loam, or silty clay loam.

Mollic epipedon

A thick, dark, humus-rich surface horizon (or horizons) that has high base saturation and pedogenic soil structure. It may include the upper part of the subsoil.

Moraine

In terms of glacial geology, a mound, ridge, or other topographically distinct accumulation of unsorted, unstratified drift, predominantly till, deposited primarily by the direct action of glacial ice in a variety of landforms. Also, a general term for a landform composed mainly of till (except for kame moraines, which are composed mainly of stratified outwash) that has been deposited by a glacier. Some types of moraines are disintegration, end, ground, kame, lateral, recessional, and terminal.

Morphology, soil

The physical makeup of the soil, including the texture, structure, porosity, consistence, color, and other physical, mineral, and biological properties of the various horizons, and the thickness and arrangement of those horizons in the soil profile.

Mottling, soil

Irregular spots of different colors that vary in number and size. Descriptive terms are as follows: abundance—*few*, *common*, and *many*; size—*fine*, *medium*, and *coarse*; and contrast—*faint*, *distinct*, and *prominent*. The size measurements are of the diameter along the greatest dimension. *Fine* indicates less than 5 millimeters (about 0.2 inch); *medium*, from 5 to 15 millimeters (about 0.2 to 0.6 inch); and *coarse*, more than 15 millimeters (about 0.6 inch).

Mountain

A generic term for an elevated area of the land surface, rising more than 1,000 feet (300 meters) above surrounding lowlands, commonly of restricted summit area (relative to a plateau) and generally having steep sides. A mountain can

Custom Soil Resource Report

occur as a single, isolated mass or in a group forming a chain or range. Mountains are formed primarily by tectonic activity and/or volcanic action but can also be formed by differential erosion.

Muck

Dark, finely divided, well decomposed organic soil material. (See Sapric soil material.)

Mucky peat

See Hemic soil material.

Mudstone

A blocky or massive, fine grained sedimentary rock in which the proportions of clay and silt are approximately equal. Also, a general term for such material as clay, silt, claystone, siltstone, shale, and argillite and that should be used only when the amounts of clay and silt are not known or cannot be precisely identified.

Munsell notation

A designation of color by degrees of three simple variables—hue, value, and chroma. For example, a notation of 10YR 6/4 is a color with hue of 10YR, value of 6, and chroma of 4.

Natric horizon

A special kind of argillic horizon that contains enough exchangeable sodium to have an adverse effect on the physical condition of the subsoil.

Neutral soil

A soil having a pH value of 6.6 to 7.3. (See Reaction, soil.)

Nodules

See Redoximorphic features.

Nose slope (geomorphology)

A geomorphic component of hills consisting of the projecting end (laterally convex area) of a hillside. The overland waterflow is predominantly divergent. Nose slopes consist dominantly of colluvium and slope-wash sediments (for example, slope alluvium).

Nutrient, plant

Any element taken in by a plant essential to its growth. Plant nutrients are mainly nitrogen, phosphorus, potassium, calcium, magnesium, sulfur, iron, manganese, copper, boron, and zinc obtained from the soil and carbon, hydrogen, and oxygen obtained from the air and water.

Organic matter

Plant and animal residue in the soil in various stages of decomposition. The content of organic matter in the surface layer is described as follows:

Custom Soil Resource Report

Very low: Less than 0.5 percent

Low: 0.5 to 1.0 percent

Moderately low: 1.0 to 2.0 percent

Moderate: 2.0 to 4.0 percent

High: 4.0 to 8.0 percent

Very high: More than 8.0 percent

Outwash

Stratified and sorted sediments (chiefly sand and gravel) removed or “washed out” from a glacier by meltwater streams and deposited in front of or beyond the end moraine or the margin of a glacier. The coarser material is deposited nearer to the ice.

Outwash plain

An extensive lowland area of coarse textured glaciofluvial material. An outwash plain is commonly smooth; where pitted, it generally is low in relief.

Paleoterrace

An erosional remnant of a terrace that retains the surface form and alluvial deposits of its origin but was not emplaced by, and commonly does not grade to, a present-day stream or drainage network.

Pan

A compact, dense layer in a soil that impedes the movement of water and the growth of roots. For example, *hardpan*, *fragipan*, *claypan*, *plowpan*, and *traffic pan*.

Parent material

The unconsolidated organic and mineral material in which soil forms.

Peat

Unconsolidated material, largely undecomposed organic matter, that has accumulated under excess moisture. (See Fibric soil material.)

Ped

An individual natural soil aggregate, such as a granule, a prism, or a block.

Pedisediment

A layer of sediment, eroded from the shoulder and backslope of an erosional slope, that lies on and is being (or was) transported across a gently sloping erosional surface at the foot of a receding hill or mountain slope.

Pedon

The smallest volume that can be called “a soil.” A pedon is three dimensional and large enough to permit study of all horizons. Its area ranges from about 10 to 100 square feet (1 square meter to 10 square meters), depending on the variability of the soil.

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Percolation

The movement of water through the soil.

Perennial water (map symbol)

Small, natural or constructed lakes, ponds, or pits that contain water most of the year.

Permafrost

Ground, soil, or rock that remains at or below 0 degrees C for at least 2 years. It is defined on the basis of temperature and is not necessarily frozen.

pH value

A numerical designation of acidity and alkalinity in soil. (See Reaction, soil.)

Phase, soil

A subdivision of a soil series based on features that affect its use and management, such as slope, stoniness, and flooding.

Piping

Formation of subsurface tunnels or pipelike cavities by water moving through the soil.

Pitting

Pits caused by melting around ice. They form on the soil after plant cover is removed.

Plastic limit

The moisture content at which a soil changes from semisolid to plastic.

Plasticity index

The numerical difference between the liquid limit and the plastic limit; the range of moisture content within which the soil remains plastic.

Plateau (geomorphology)

A comparatively flat area of great extent and elevation; specifically, an extensive land region that is considerably elevated (more than 100 meters) above the adjacent lower lying terrain, is commonly limited on at least one side by an abrupt descent, and has a flat or nearly level surface. A comparatively large part of a plateau surface is near summit level.

Playa

The generally dry and nearly level lake plain that occupies the lowest parts of closed depressions, such as those on intermontane basin floors. Temporary flooding occurs primarily in response to precipitation and runoff. Playa deposits are fine grained and may or may not have a high water table and saline conditions.

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Plinthite

The sesquioxide-rich, humus-poor, highly weathered mixture of clay with quartz and other diluents. It commonly appears as red mottles, usually in platy, polygonal, or reticulate patterns. Plinthite changes irreversibly to an ironstone hardpan or to irregular aggregates on repeated wetting and drying, especially if it is exposed also to heat from the sun. In a moist soil, plinthite can be cut with a spade. It is a form of laterite.

Plowpan

A compacted layer formed in the soil directly below the plowed layer.

Ponding

Standing water on soils in closed depressions. Unless the soils are artificially drained, the water can be removed only by percolation or evapotranspiration.

Poorly graded

Refers to a coarse grained soil or soil material consisting mainly of particles of nearly the same size. Because there is little difference in size of the particles, density can be increased only slightly by compaction.

Pore linings

See Redoximorphic features.

Potential native plant community

See Climax plant community.

Potential rooting depth (effective rooting depth)

Depth to which roots could penetrate if the content of moisture in the soil were adequate. The soil has no properties restricting the penetration of roots to this depth.

Prescribed burning

Deliberately burning an area for specific management purposes, under the appropriate conditions of weather and soil moisture and at the proper time of day.

Productivity, soil

The capability of a soil for producing a specified plant or sequence of plants under specific management.

Profile, soil

A vertical section of the soil extending through all its horizons and into the parent material.

Proper grazing use

Grazing at an intensity that maintains enough cover to protect the soil and maintain or improve the quantity and quality of the desirable vegetation. This practice increases the vigor and reproduction capacity of the key plants and

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promotes the accumulation of litter and mulch necessary to conserve soil and water.

Rangeland

Land on which the potential natural vegetation is predominantly grasses, grasslike plants, forbs, or shrubs suitable for grazing or browsing. It includes natural grasslands, savannas, many wetlands, some deserts, tundras, and areas that support certain forb and shrub communities.

Reaction, soil

A measure of acidity or alkalinity of a soil, expressed as pH values. A soil that tests to pH 7.0 is described as precisely neutral in reaction because it is neither acid nor alkaline. The degrees of acidity or alkalinity, expressed as pH values, are:

Ultra acid: Less than 3.5

Extremely acid: 3.5 to 4.4

Very strongly acid: 4.5 to 5.0

Strongly acid: 5.1 to 5.5

Moderately acid: 5.6 to 6.0

Slightly acid: 6.1 to 6.5

Neutral: 6.6 to 7.3

Slightly alkaline: 7.4 to 7.8

Moderately alkaline: 7.9 to 8.4

Strongly alkaline: 8.5 to 9.0

Very strongly alkaline: 9.1 and higher

Red beds

Sedimentary strata that are mainly red and are made up largely of sandstone and shale.

Redoximorphic concentrations

See Redoximorphic features.

Redoximorphic depletions

See Redoximorphic features.

Redoximorphic features

Redoximorphic features are associated with wetness and result from alternating periods of reduction and oxidation of iron and manganese compounds in the soil. Reduction occurs during saturation with water, and oxidation occurs when the soil is not saturated. Characteristic color patterns are created by these processes. The reduced iron and manganese ions may be removed from a soil if vertical or lateral fluxes of water occur, in which case there is no iron or manganese precipitation in that soil. Wherever the iron and manganese are oxidized and precipitated, they form either soft masses or hard concretions or nodules. Movement of iron and manganese as a result of redoximorphic processes in a soil may result in redoximorphic features that are defined as follows:

Custom Soil Resource Report

1. Redoximorphic concentrations.—These are zones of apparent accumulation of iron-manganese oxides, including:
 - A. Nodules and concretions, which are cemented bodies that can be removed from the soil intact. Concretions are distinguished from nodules on the basis of internal organization. A concretion typically has concentric layers that are visible to the naked eye. Nodules do not have visible organized internal structure; *and*
 - B. Masses, which are noncemented concentrations of substances within the soil matrix; *and*
 - C. Pore linings, i.e., zones of accumulation along pores that may be either coatings on pore surfaces or impregnations from the matrix adjacent to the pores.
2. Redoximorphic depletions.—These are zones of low chroma (chromas less than those in the matrix) where either iron-manganese oxides alone or both iron-manganese oxides and clay have been stripped out, including:
 - A. Iron depletions, i.e., zones that contain low amounts of iron and manganese oxides but have a clay content similar to that of the adjacent matrix; *and*
 - B. Clay depletions, i.e., zones that contain low amounts of iron, manganese, and clay (often referred to as silt coatings or skeletons).
3. Reduced matrix.—This is a soil matrix that has low chroma *in situ* but undergoes a change in hue or chroma within 30 minutes after the soil material has been exposed to air.

Reduced matrix

See Redoximorphic features.

Regolith

All unconsolidated earth materials above the solid bedrock. It includes material weathered in place from all kinds of bedrock and alluvial, glacial, eolian, lacustrine, and pyroclastic deposits.

Relief

The relative difference in elevation between the upland summits and the lowlands or valleys of a given region.

Residuum (residual soil material)

Unconsolidated, weathered or partly weathered mineral material that accumulated as bedrock disintegrated in place.

Rill

A very small, steep-sided channel resulting from erosion and cut in unconsolidated materials by concentrated but intermittent flow of water. A rill generally is not an obstacle to wheeled vehicles and is shallow enough to be smoothed over by ordinary tillage.

Custom Soil Resource Report

Sandy spot (map symbol)

A spot where the surface layer is loamy fine sand or coarser in areas where the surface layer of the named soils in the surrounding map unit is very fine sandy loam or finer.

Sapric soil material (muck)

The most highly decomposed of all organic soil material. Muck has the least amount of plant fiber, the highest bulk density, and the lowest water content at saturation of all organic soil material.

Saturated hydraulic conductivity (Ksat)

The ease with which pores of a saturated soil transmit water. Formally, the proportionality coefficient that expresses the relationship of the rate of water movement to hydraulic gradient in Darcy's Law, a law that describes the rate of water movement through porous media. Commonly abbreviated as "Ksat." Terms describing saturated hydraulic conductivity are:

Very high: 100 or more micrometers per second (14.17 or more inches per hour)

High: 10 to 100 micrometers per second (1.417 to 14.17 inches per hour)

Moderately high: 1 to 10 micrometers per second (0.1417 inch to 1.417 inches per hour)

Moderately low: 0.1 to 1 micrometer per second (0.01417 to 0.1417 inch per hour)

Low: 0.01 to 0.1 micrometer per second (0.001417 to 0.01417 inch per hour)

Very low: Less than 0.01 micrometer per second (less than 0.001417 inch per hour).

To convert inches per hour to micrometers per second, multiply inches per hour by 7.0572. To convert micrometers per second to inches per hour, multiply micrometers per second by 0.1417.

Saturation

Wetness characterized by zero or positive pressure of the soil water. Under conditions of saturation, the water will flow from the soil matrix into an unlined auger hole.

Scarification

The act of abrading, scratching, loosening, crushing, or modifying the surface to increase water absorption or to provide a more tillable soil.

Sedimentary rock

A consolidated deposit of clastic particles, chemical precipitates, or organic remains accumulated at or near the surface of the earth under normal low temperature and pressure conditions. Sedimentary rocks include consolidated equivalents of alluvium, colluvium, drift, and eolian, lacustrine, and marine deposits. Examples are sandstone, siltstone, mudstone, claystone, shale, conglomerate, limestone, dolomite, and coal.

Custom Soil Resource Report

Sequum

A sequence consisting of an illuvial horizon and the overlying eluvial horizon. (See Eluviation.)

Series, soil

A group of soils that have profiles that are almost alike, except for differences in texture of the surface layer. All the soils of a series have horizons that are similar in composition, thickness, and arrangement.

Severely eroded spot (map symbol)

An area where, on the average, 75 percent or more of the original surface layer has been lost because of accelerated erosion. Not used in map units in which "severely eroded," "very severely eroded," or "gullied" is part of the map unit name.

Shale

Sedimentary rock that formed by the hardening of a deposit of clay, silty clay, or silty clay loam and that has a tendency to split into thin layers.

Sheet erosion

The removal of a fairly uniform layer of soil material from the land surface by the action of rainfall and surface runoff.

Short, steep slope (map symbol)

A narrow area of soil having slopes that are at least two slope classes steeper than the slope class of the surrounding map unit.

Shoulder

The convex, erosional surface near the top of a hillslope. A shoulder is a transition from summit to backslope.

Shrink-swell

The shrinking of soil when dry and the swelling when wet. Shrinking and swelling can damage roads, dams, building foundations, and other structures. It can also damage plant roots.

Shrub-coppice dune

A small, streamlined dune that forms around brush and clump vegetation.

Side slope (geomorphology)

A geomorphic component of hills consisting of a laterally planar area of a hillside. The overland waterflow is predominantly parallel. Side slopes are dominantly colluvium and slope-wash sediments.

Silica

A combination of silicon and oxygen. The mineral form is called quartz.

Custom Soil Resource Report

Silica-sesquioxide ratio

The ratio of the number of molecules of silica to the number of molecules of alumina and iron oxide. The more highly weathered soils or their clay fractions in warm-temperate, humid regions, and especially those in the tropics, generally have a low ratio.

Silt

As a soil separate, individual mineral particles that range in diameter from the upper limit of clay (0.002 millimeter) to the lower limit of very fine sand (0.05 millimeter). As a soil textural class, soil that is 80 percent or more silt and less than 12 percent clay.

Siltstone

An indurated silt having the texture and composition of shale but lacking its fine lamination or fissility; a massive mudstone in which silt predominates over clay.

Similar soils

Soils that share limits of diagnostic criteria, behave and perform in a similar manner, and have similar conservation needs or management requirements for the major land uses in the survey area.

Sinkhole (map symbol)

A closed, circular or elliptical depression, commonly funnel shaped, characterized by subsurface drainage and formed either by dissolution of the surface of underlying bedrock (e.g., limestone, gypsum, or salt) or by collapse of underlying caves within bedrock. Complexes of sinkholes in carbonate-rock terrain are the main components of karst topography.

Site index

A designation of the quality of a forest site based on the height of the dominant stand at an arbitrarily chosen age. For example, if the average height attained by dominant and codominant trees in a fully stocked stand at the age of 50 years is 75 feet, the site index is 75.

Slickensides (pedogenic)

Grooved, striated, and/or glossy (shiny) slip faces on structural peds, such as wedges; produced by shrink-swell processes, most commonly in soils that have a high content of expansive clays.

Slide or slip (map symbol)

A prominent landform scar or ridge caused by fairly recent mass movement or descent of earthy material resulting from failure of earth or rock under shear stress along one or several surfaces.

Slope

The inclination of the land surface from the horizontal. Percentage of slope is the vertical distance divided by horizontal distance, then multiplied by 100. Thus, a slope of 20 percent is a drop of 20 feet in 100 feet of horizontal distance.

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Slope alluvium

Sediment gradually transported down the slopes of mountains or hills primarily by nonchannel alluvial processes (i.e., slope-wash processes) and characterized by particle sorting. Lateral particle sorting is evident on long slopes. In a profile sequence, sediments may be distinguished by differences in size and/or specific gravity of rock fragments and may be separated by stone lines. Burnished peds and sorting of rounded or subrounded pebbles or cobbles distinguish these materials from unsorted colluvial deposits.

Slow refill

The slow filling of ponds, resulting from restricted water transmission in the soil.

Slow water movement

Restricted downward movement of water through the soil. See Saturated hydraulic conductivity.

Sodic (alkali) soil

A soil having so high a degree of alkalinity (pH 8.5 or higher) or so high a percentage of exchangeable sodium (15 percent or more of the total exchangeable bases), or both, that plant growth is restricted.

Sodic spot (map symbol)

An area where the surface layer has a sodium adsorption ratio that is at least 10 more than that of the surface layer of the named soils in the surrounding map unit. The surface layer of the surrounding soils has a sodium adsorption ratio of 5 or less.

Sodicity

The degree to which a soil is affected by exchangeable sodium. Sodicity is expressed as a sodium adsorption ratio (SAR) of a saturation extract, or the ratio of Na^+ to $\text{Ca}^{++} + \text{Mg}^{++}$. The degrees of sodicity and their respective ratios are:

Slight: Less than 13:1

Moderate: 13-30:1

Strong: More than 30:1

Sodium adsorption ratio (SAR)

A measure of the amount of sodium (Na) relative to calcium (Ca) and magnesium (Mg) in the water extract from saturated soil paste. It is the ratio of the Na concentration divided by the square root of one-half of the Ca + Mg concentration.

Soft bedrock

Bedrock that can be excavated with trenching machines, backhoes, small rippers, and other equipment commonly used in construction.

Custom Soil Resource Report

Soil

A natural, three-dimensional body at the earth's surface. It is capable of supporting plants and has properties resulting from the integrated effect of climate and living matter acting on earthy parent material, as conditioned by relief and by the passage of time.

Soil separates

Mineral particles less than 2 millimeters in equivalent diameter and ranging between specified size limits. The names and sizes, in millimeters, of separates recognized in the United States are as follows:

Very coarse sand: 2.0 to 1.0

Coarse sand: 1.0 to 0.5

Medium sand: 0.5 to 0.25

Fine sand: 0.25 to 0.10

Very fine sand: 0.10 to 0.05

Silt: 0.05 to 0.002

Clay: Less than 0.002

Solum

The upper part of a soil profile, above the C horizon, in which the processes of soil formation are active. The solum in soil consists of the A, E, and B horizons. Generally, the characteristics of the material in these horizons are unlike those of the material below the solum. The living roots and plant and animal activities are largely confined to the solum.

Spoil area (map symbol)

A pile of earthy materials, either smoothed or uneven, resulting from human activity.

Stone line

In a vertical cross section, a line formed by scattered fragments or a discrete layer of angular and subangular rock fragments (commonly a gravel- or cobble-sized lag concentration) that formerly was draped across a topographic surface and was later buried by additional sediments. A stone line generally caps material that was subject to weathering, soil formation, and erosion before burial. Many stone lines seem to be buried erosion pavements, originally formed by sheet and rill erosion across the land surface.

Stones

Rock fragments 10 to 24 inches (25 to 60 centimeters) in diameter if rounded or 15 to 24 inches (38 to 60 centimeters) in length if flat.

Stony

Refers to a soil containing stones in numbers that interfere with or prevent tillage.

Custom Soil Resource Report

Substratum

The part of the soil below the solum.

Subsurface layer

Any surface soil horizon (A, E, AB, or EB) below the surface layer.

Summer fallow

The tillage of uncropped land during the summer to control weeds and allow storage of moisture in the soil for the growth of a later crop. A practice common in semiarid regions, where annual precipitation is not enough to produce a crop every year. Summer fallow is frequently practiced before planting winter grain.

Summit

The topographically highest position of a hillslope. It has a nearly level (planar or only slightly convex) surface.

Surface layer

The soil ordinarily moved in tillage, or its equivalent in uncultivated soil, ranging in depth from 4 to 10 inches (10 to 25 centimeters). Frequently designated as the "plow layer," or the "Ap horizon."

Surface soil

The A, E, AB, and EB horizons, considered collectively. It includes all subdivisions of these horizons.

Talus

Rock fragments of any size or shape (commonly coarse and angular) derived from and lying at the base of a cliff or very steep rock slope. The accumulated mass of such loose broken rock formed chiefly by falling, rolling, or sliding.

Taxadjuncts

Soils that cannot be classified in a series recognized in the classification system. Such soils are named for a series they strongly resemble and are designated as taxadjuncts to that series because they differ in ways too small to be of consequence in interpreting their use and behavior. Soils are recognized as taxadjuncts only when one or more of their characteristics are slightly outside the range defined for the family of the series for which the soils are named.

Terminal moraine

An end moraine that marks the farthest advance of a glacier. It typically has the form of a massive arcuate or concentric ridge, or complex of ridges, and is underlain by till and other types of drift.

Terrace (conservation)

An embankment, or ridge, constructed across sloping soils on the contour or at a slight angle to the contour. The terrace intercepts surface runoff so that water soaks into the soil or flows slowly to a prepared outlet. A terrace in a field

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generally is built so that the field can be farmed. A terrace intended mainly for drainage has a deep channel that is maintained in permanent sod.

Terrace (geomorphology)

A steplike surface, bordering a valley floor or shoreline, that represents the former position of a flood plain, lake, or seashore. The term is usually applied both to the relatively flat summit surface (tread) that was cut or built by stream or wave action and to the steeper descending slope (scarp or riser) that has graded to a lower base level of erosion.

Terracettes

Small, irregular steplike forms on steep hillslopes, especially in pasture, formed by creep or erosion of surficial materials that may be induced or enhanced by trampling of livestock, such as sheep or cattle.

Texture, soil

The relative proportions of sand, silt, and clay particles in a mass of soil. The basic textural classes, in order of increasing proportion of fine particles, are *sand, loamy sand, sandy loam, loam, silt loam, silt, sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, and clay*. The sand, loamy sand, and sandy loam classes may be further divided by specifying "coarse," "fine," or "very fine."

Thin layer

Otherwise suitable soil material that is too thin for the specified use.

Till

Dominantly unsorted and nonstratified drift, generally unconsolidated and deposited directly by a glacier without subsequent reworking by meltwater, and consisting of a heterogeneous mixture of clay, silt, sand, gravel, stones, and boulders; rock fragments of various lithologies are embedded within a finer matrix that can range from clay to sandy loam.

Till plain

An extensive area of level to gently undulating soils underlain predominantly by till and bounded at the distal end by subordinate recessional or end moraines.

Tilth, soil

The physical condition of the soil as related to tillage, seedbed preparation, seedling emergence, and root penetration.

Toeslope

The gently inclined surface at the base of a hillslope. Toeslopes in profile are commonly gentle and linear and are constructional surfaces forming the lower part of a hillslope continuum that grades to valley or closed-depression floors.

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Topsoil

The upper part of the soil, which is the most favorable material for plant growth. It is ordinarily rich in organic matter and is used to topdress roadbanks, lawns, and land affected by mining.

Trace elements

Chemical elements, for example, zinc, cobalt, manganese, copper, and iron, in soils in extremely small amounts. They are essential to plant growth.

Tread

The flat to gently sloping, topmost, laterally extensive slope of terraces, flood-plain steps, or other stepped landforms; commonly a recurring part of a series of natural steplike landforms, such as successive stream terraces.

Tuff

A generic term for any consolidated or cemented deposit that is 50 percent or more volcanic ash.

Upland

An informal, general term for the higher ground of a region, in contrast with a low-lying adjacent area, such as a valley or plain, or for land at a higher elevation than the flood plain or low stream terrace; land above the footslope zone of the hillslope continuum.

Valley fill

The unconsolidated sediment deposited by any agent (water, wind, ice, or mass wasting) so as to fill or partly fill a valley.

Variegation

Refers to patterns of contrasting colors assumed to be inherited from the parent material rather than to be the result of poor drainage.

Varve

A sedimentary layer or a lamina or sequence of laminae deposited in a body of still water within a year. Specifically, a thin pair of graded glaciolacustrine layers seasonally deposited, usually by meltwater streams, in a glacial lake or other body of still water in front of a glacier.

Very stony spot (map symbol)

A spot where 0.1 to 3.0 percent of the soil surface is covered by rock fragments that are more than 10 inches in diameter in areas where the surface of the surrounding soil is covered by less than 0.01 percent stones.

Water bars

Smooth, shallow ditches or depressional areas that are excavated at an angle across a sloping road. They are used to reduce the downward velocity of water and divert it off and away from the road surface. Water bars can easily be driven over if constructed properly.

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Weathering

All physical disintegration, chemical decomposition, and biologically induced changes in rocks or other deposits at or near the earth's surface by atmospheric or biologic agents or by circulating surface waters but involving essentially no transport of the altered material.

Well graded

Refers to soil material consisting of coarse grained particles that are well distributed over a wide range in size or diameter. Such soil normally can be easily increased in density and bearing properties by compaction. Contrasts with poorly graded soil.

Wet spot (map symbol)

A somewhat poorly drained to very poorly drained area that is at least two drainage classes wetter than the named soils in the surrounding map unit.

Wilting point (or permanent wilting point)

The moisture content of soil, on an oven-dry basis, at which a plant (specifically a sunflower) wilts so much that it does not recover when placed in a humid, dark chamber.

Windthrow

The uprooting and tipping over of trees by the wind.

**BEFORE THE COMMISSIONERS
OF THE HIGHWAY DISTRICT NO. 4**

IN THE MATTER OF THE APPLICATION FOR VARIANCE BOW TIE SUBDIVISION	)))))))	FINDINGS OF FACT/ CONCLUSIONS OF LAW AND ORDER OF DECISION
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This matter having come regularly before the Highway District No. 4 (“Highway District”) Board of Commissioners on the 22nd day of October 2025, findings of fact, conclusions of law and an order of decision are issued as follows.

I.

**RECORD OF THE PROCEEDINGS
AND PRELIMINARY FINDINGS OF FACT**

1. **Jurisdiction.** An application for a variance relating to public roadways within the highway district was submitted by Keri Smith of Treasure Valley Planning, LLC (“Applicant Representative”) on September 10, 2025. The application fee was paid. The Commissioners of this Highway District have exclusive general supervision and jurisdiction over all highways and public rights-of-way as provided by Idaho Code Section 40-1313 (1). The Commissioners in the exercise of their authority have adopted the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho.
2. **Hearings.** A hearing was held October 22, 2025, in this matter (“the hearing”).
3. **Meeting Minutes:** Meeting minutes were drafted by the highway district clerk. Those meeting minutes were accepted as true and accurate reflections of the record at the November, 5, 2025, highway district meeting. The meeting minutes are attached and incorporated to this decision as Exhibit A hereto.
4. **Admissions of Exhibits and Testifying Parties.** The meeting minutes attached as Exhibit A accurately reflect the names of the parties that testified and what they testified. Two exhibits were admitted: Exhibit 1—Staff Report written by Senior Assistant Engineer Riccio and attachments; dated October 22, 2025, Exhibit 2—Notes, provided by Treasure Valley Planning, LLC

5. **Requested Variance.** The applicant requested the following variance:

- a. Table shown in HSDP 3030.010 identifies arterial roadway right-of-way dedications of 100 ft. [50 ft half-width]. The applicant requested a reduction in the right-of-way dedication width from 50 feet to approximately 35 feet across the property's frontage abutting the future extension of Kingsbury Road.

6. **Subject Property.** The property location is accurately reflected in the Staff Report. The subject properties are Canyon County parcels: R37468012A and R37468012A1, totaling approximately 10.97 acres currently zoned A (Agriculture). The Canyon County Assessor's records indicate parcel R37468012A is owned by Avery Family Revocable Trust, Avery Preston J Trustee and parcel R37468012A1 owned by Jaggars Family Revocable Trust.

II.

LEGAL STANDARDS

1. **Controlling Code Sections Relating to the Variance.**

The current Association of Canyon County Highway District's (ACCHD) Highway Standards and Development Procedures (HSDP) adopted by Highway District No. 4 in Section 3030.010 states:

The required width of right-of-way is as follows:

Type of Roadway	Minimum Right-of-Way ¹
Expressway	200 ft.
Arterial ^{2,3}	100 ft.
Collector ^{2,3}	80 ft.
Local Rural Road ⁴	60 ft.
Local Urban Road	56 ft.
Low Volume Local Rural Road	56 ft.
Low Volume Local Urban Road	50 ft.

¹ Additional width may be required for accommodation of extreme cut or fill sections, turn bays or other site characteristics. Where identified on the District's Planning Functional Classification Map or Transportation Plan, additional right-of-way may be required at intersections for turn lanes or roundabouts.

² Arterial/Collector intersections shall have 100 feet of right-of-way in all directions for a distance of 600 feet from the centerline of the intersection.

³ For the purpose of future planning, all section and quarter section line roads or boundaries may be considered as potential arterials or collector highways. Section line and quarter section line road right-of-way widths shall correspond to the functional classification shown on the Planning Functional Classification Map. Where not designated on the Planning Functional Classification Map, section line roads shall require Arterial right-of-way widths (except where waived by variance) and quarter section line roads shall require Collector right-of-way widths. Some other roads may also be similarly designated. Presently these roads, where established, serve as farm-to-market and/or commuter routes. The District desires to preserve the integrity of these routes by designating them as potential arterials or collectors, and for this reason it is also deemed advisable to restrict the number of access points (driveways, etc.) in order to reduce safety problems and allow traffic to flow expeditiously and unimpeded.

⁴ Where public road right-of-way or property boundaries existed prior to August 8, 1991 and are necessary for a public road access to a parcel(s), the minimum width of right-of-way for a local road may be 56 feet with District Approval.

2. Variance Standards.

The Highway District may grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships as would result from literal interpretation and enforcement of regulations prescribed by the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho. *See* ACCHD 2130.010. A variance is not a right or special privilege but may be granted to an applicant only upon showing (1) undue hardship because of special characteristics applicable to the site; and (2) the variance is not in conflict with the public interest. *See* ACCHD 2130.010.

The District may grant a variance if, on the basis of application, investigation and evidence submitted, the District makes the following findings:

1. That literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of these Standards.
2. That there are extraordinary site characteristics applicable to the property involved or to the intended use of the property, which do not apply generally to other properties.
3. That literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties.
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties.
5. That the granting of the variance will not be detrimental to the public health, safety or welfare or be materially injurious to properties or improvements in the vicinity.

See ACCHD 2130.020 (A).

III.

RECORD OF DECISION

The Board adopts the summaries of testimony and exhibits as stated in the October 22, 2025 minutes (“meeting minutes”) that are attached and incorporated as Exhibit A, hereto as true and accurate reflections of the parties’ testimony.

After testimony was closed on the issue, the Board considered the Variance Standards as listed in Section II. The Board unanimously held that:

1. That literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of these Standards.
2. That there are extraordinary site characteristics applicable to the property involved or to the intended use of the property, which do not apply generally to other properties.
3. That literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties.
5. That the granting of the variance will not be detrimental to the public health, safety or welfare or be materially injurious to properties or improvements in the vicinity.

THEREFORE, the Board voted to **APPROVE** the variance requests, but not as applied for by the applicant. As stated in the meeting minutes, a fifth option not mentioned in the Staff Report (Exhibit 1) was recommended and approved. It is memorialized in the order of decision below.

IV.

ORDER OF DECISION

IT IS HEREBY ORDERED AND THIS DOES ORDER THAT:

Order No. 1: The Application of Keri Smith to grant a variance to HSDP Section 3030.010 for the following is allowed when subdivided:

THEREFORE, Applicant shall, dedicate a 50' width right-of-way across the frontage approximately 615 linear feet) with exception of the vicinity of the existing garage.

- a. If a rural residential setback is granted by the County, Applicant shall dedicate a right-of-way allowing a 21' buffer measured from the garage to the right-of-way;
- b. If rural residential setback is denied by the County, Applicant shall apply a 31' buffer measured from garage to right-of-way

Staff for the Highway District will have final approval on whether the dedication meets the standards set forth in this order and will not unreasonably withhold the same.

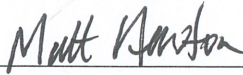
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Order to Secretary: The Secretary of the Highway District shall forthwith provide and serve a copy of these Findings of Fact and Conclusions of Law and Order of Decision upon the applicant and anyone who has been provided notice of the proceedings and retain the original in the official records of this Highway District.

DATED this 19th day of November, 2025



Rick Youngblood, Chairman Subdistrict No. 3

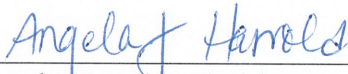


Matt Newton, Commissioner Subdistrict No. 1



Justin Bollinger, Commissioner Subdistrict No. 2

ATTEST:



Angela Harrold, Clerk/Treasurer

Exhibit A—October 22, 2025 Meeting Minutes

Exhibit A

These Minutes have been approved by the Board of Commissioners and are the official record relating to the conduct or administration of the District's business, as reflected herein.

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF HIGHWAY DISTRICT NO. 4 October 22, 2025

PRESENT: Commissioners Rick Youngblood, Matt Newton, and Justin Bollinger, Director Bruce Bayne, Maintenance Superintendent Lee Weymouth, Engineer Chris Hopper, Senior Assistant Engineer Lenny Riccio, Attorney Bill Gigray, and Administrative Assistant Stephanie Ahlborn.

GUESTS: Winston Goss, Keri Smith with Treasure Valley Planning, and Chris Jaggers.

Chairman Youngblood called the meeting to order at 9:00 a.m.

REVIEW AND APPROVE AGENDA INCLUDING AMENDMENTS

Administrative Assistant Ahlborn presented the agenda as posted on October 20, 2025 to the Board. Engineer Hopper requested that items 12) b) & c) be moved to a future meeting. **Commissioner Bollinger made a MOTION TO MOVE ITEM 12) b) & c) TO A FUTURE MEETING AND TO APPROVE THE REMAINDER OF THE AGENDA . Commissioner Newton SECONDED the motion. The motion passed unanimously.**

CONSENT AGENDA

The consent agenda included minutes for the October 8, 2025 Board Meeting, Payroll through October 18, 2025, and Accounts Payable through October 20, 2025. **Commissioner Bollinger made a MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. Commissioner Newton SECONDED the motion. The motion passed unanimously.**

MAINTENANCE SUPERINTENDENT REPORT

Superintendent Weymouth reported:

- Farmway Road is now open and the Road Crew just finished the Weitz Road project at Hwy 19. They have just begun the project on the Middleton Road cul-de-sac, North of Goodson Road. Paving for this project should begin tomorrow.
- The Bridge Crew closed Harvey Road two days ago and is slip lining a pipe between Galloway Road and Goodson Road that is in serious condition.
- The Roadside Crew will be finishing up shouldering next week and will start on tree trimming.
- The Shop is servicing a dozer and a loader as well as other equipment used this past summer.

LEGAL COUNSEL'S REPORT

Attorney Gigray spoke about eminent domain related to future work on Hwy 20/26.

Gigray notified the Board of a group of people visiting different local government agencies to “audit” 1st amendment rights. He advised the Board and staff members on how to handle this appropriately if the situation occurred.

ENGINEER’S REPORT

Engineer Hopper reported:

- Idaho Power is working on their power pole relocates ahead of the Farmway and Ustick Roundabout project.
- Knife River, the contractor for the Farmway and Ustick Roundabout project, is estimated to begin construction at the beginning of November.
- The contractor for the construction at the railroad crossing at Weitz Road and Hwy 19 replaced the old materials. This crossing should last for many years and will make the rebuild on Weitz Road in 2026 simpler to complete.
- The sign replacements for increased intersection safety that began this past summer is almost complete. This included more than 200 signs at 22 different intersections identified within the district.
- A request for an update to the Association of Canyon County Highway Districts (ACCHD) Manual was made by Nampa Highway District. Hopper will be meeting with the other highway districts in Canyon County to discuss necessary changes.
- Hopper had further communication with ITD regarding Hwy 44 intersections. At this time, ITD is not willing to advance those projects until July 2026.

DIRECTOR’S REPORT

Director Bayne showed the Board pictures of:

- The railroad crossing construction and completion at Wietz Road and Hwy 19.
 - Thermite welding used on the rails.
 - The starting cut at the crossing.
 - The road prior to paving.
- Blessinger Road closure improvement.
- Bridge construction on Farmway Road.
- The electrical work being done on the new brine building.
- Geophysical surveying that was permitted by the district in Subdistrict No. 1.
 - This surveying will attempt to locate hydrogen sources.
- The construction at the cul-de-sac on Middleton Road.
- HD4’s conditional use permit (CUP) from Canyon County Planning & Zoning for the District’s Kapicka Gravel Pit expires in 2026 and Director Bayne and Assistant Engineer Riccio held a neighborhood meeting last night regarding this.

NEW BUSINESS

1. *Preliminary Plat for Easy Flyer Subdivision – Galloway Road*: Senior Assistant Engineer Riccio presented the preliminary plat for Easy Flyer Subdivision located on Galloway

Road just East of Duff Lane. The Board conditionally approved the development in July of 2023 but Canyon County denied the rezone application. The applicant is seeking a conditional rezone to rural residential from the County and has updated their preliminary plat to show this. The preliminary plat has now been reduced from 13 lots to 7 lots. The proposed preliminary plat is generally consistent with HD4 policy and matches the previous proposed plat improvements. **Commissioner Bollinger made a MOTION TO APPROVE THE EASY FLYER PRELIMINARY PLAT DATED JUNE 18, 2025 WITH STAFF RECOMMENDATIONS. Commissioner Newton SECONDED the motion. The motion passed unanimously.**

UNFINISHED BUSINESS

1. *District Health, Dental and Vision Policies – Winston Goss:* Goss presented the Board with the increases in medical, dental, and vision policies as well as comparable policies from other companies. The Board will discuss this information at a future meeting.

NEW BUSINESS (cont'd)

2. *Variance Hearing for Bow-Tie Subdivision – Kingsbury Road: At 10:10 a.m.,* **Commissioner Bollinger made a MOTION TO OPEN THE VARIANCE HEARING FOR BOWTIE SUBDIVISION – KINGSBURY ROAD. Commissioner Newton SECONDED the motion. The motion passed unanimously.**

Senior Assistant Engineer Riccio reviewed his Staff Report with the Board regarding the Bowtie Subdivision Variance Request. The applicant is requesting a variance from HD4 standards that requires a 50' right-of-way dedication and requests reduction in right-of-way to 35'. The development is located at the NE corner of Edna and Kingsbury. Staff presented multiple options for dedication of right-of-way. **Commissioner Bollinger made a MOTION TO ACCEPT THE STAFF REPORT AS EXHIBIT 1. Commissioner Newton SECONDED the motion. The motion passed unanimously.**

Keri Smith with Treasure Valley Planning represents the applicants. Ms. Smith asked the Board for approval of the requested 35' right-of-way and presented notes based on this request. **Commissioner Bollinger made a MOTION TO ACCEPT NOTES PROVIDED BY KERI SMITH AS EXHIBIT 2. Commissioner Newton SECONDED the motion. The motion passed unanimously.**

Staff offered a fifth solution of a 50' right-of-way dedication across the entire frontage with the exception to a buffer space around the existing shop consistent with the frontage setback of the parcel's zone in addition to the other options included in the Staff Report. The buffer space width varied based upon the frontage setback and applicable zone.

At 11:12 a.m., Commissioner Bollinger made a MOTION TO CLOSE THE PUBLIC TESTIMONY PORTION OF THE PUBLIC HEARING. Commissioner Newton SECONDED the motion. The motion passed unanimously.

Commissioner Bollinger made a **MOTION TO APPROVE THE ADDITIONAL RECOMMENDATION ADDED TO THE STAFF REPORT: 50' RIGHT-OF-WAY DEDICATION ACROSS THE ENTIRE FRONTAGE WITH THE EXCEPTION TO A BUFFER SPACE AROUND THE EXISTING SHOP CONSISTENT WITH THE FRONTAGE SETBACK OF THE PARCEL'S ZONE IN ADDITION TO THE OTHER OPTIONS INCLUDED IN THE STAFF REPORT. THE BUFFER SPACE WIDTH VARIED BASED UPON THE FRONTAGE SETBACK AND APPLICABLE ZONE.** Commissioner Newton **SECONDED** the motion. The motion passed unanimously.

3. *Approve COMPASS Dues:* Director Bayne presented fiscal year 2026 COMPASS dues in the amount of \$53,163.00 to the Board. **Commissioner Newton made a MOTION TO APPROVE FISCAL YEAR 2026 COMPASS DUES IN THE AMOUNT OF \$53,163.00. Commissioner Bollinger SECONDED the motion. The motion passed unanimously.**
4. *Purchase of 2026 Ford F350 Crew Cab Pickup:* Superintendent Weymouth presented a memorandum detailing the purchase of one 2026 Ford F350 Crew Cab Pickup. **Commissioner Bollinger made a MOTION TO APPROVE THE PURCHASE OF ONE 2026 FORD F350 CREW CAB PICKUP FROM MOUNTAIN HOME AUTO RANCH AS A PIGGYBACK TO STATE OF IDAHO PURCHASING CONTRACT SBP018200324 IN THE AMOUNT OF \$70,664.40. Commissioner Newton SECONDED the motion. The motion passed unanimously.**
5. *Purchase of 2026 Ford F550 Regular Cab Pickup:* Superintendent Weymouth presented a memorandum detailing the purchase of one 2026 Ford F550 Regular Cab Pickup. **Commissioner Bollinger made a MOTION TO APPROVE THE PURCHASE OF ONE 2026 FORD F550 REGULAR CAB PICKUP FROM MOUNTAIN HOME AUTO RANCH PER CONTRACT SBP018200324 IN THE AMOUNT OF \$70,664.40. Commissioner Newton SECONDED the motion. The motion passed unanimously.**
6. *Purchase of 2025 Ford F550 Super Cab Pickup:* Superintendent Weymouth presented a memorandum detailing the purchase of one 2025 Ford F550 Super Cab Pickup. **Commissioner Bollinger made a MOTION TO APPROVE THE PURCHASE OF ONE 2025 FORD F550 SUPER CAB PICKUP WITH STELLAR MECHANIC BODY FROM METROQUIP PER SOURCEWELL CONTRACT #032824-OLA IN THE AMOUNT OF \$207,666.50. Commissioner Newton SECONDED the motion. The motion passed unanimously.**
7. *Purchase of Etnyre 4-wheel Drive Chip Spreader:* Superintendent Weymouth presented a memorandum detailing the purchase of one Etnyre 4-wheel drive chip spreader. **Commissioner Bollinger made a MOTION TO APPROVE THE PURCHASE OF ONE ETNYRE 4-WHEEL DRIVE CHIP SPREADER PER SOURCEWELL CONTRACT #050625-ETN IN THE AMOUNT OF \$455, 514.50 AND TO APPROVE THE SALE OF AN EXISTING 2011 ETNYRE CHIP SPREADER TO**

NOTUS-PARMA HIGHWAY DISTRICT NO. 2 IN THE AMOUNT OF \$50,000.00. Commissioner Newton SECONDED the motion. The motion passed unanimously.

8. *Upgrade Existing Buildings HVAC Split Systems*: Director Bayne presented the Board with an estimate from Centerline Electric to upgrade the existing district buildings HVAC split systems. **Commissioner Newton made a MOTION TO APPROVE THE ESTIMATE FROM CENTERLINE ELECTRIC TO UPGRADE THE EXISTING DISTRICT BUILDINGS HVAC SPLIT SYSTEMS. Commissioner Bollinger SECONDED the motion. The motion passed unanimously.**

EXECUTIVE SESSION

At 11:47 a.m., Commissioner Youngblood made a MOTION TO OPEN EXECUTIVE SESSION PER IDAHO CODE 74-206(c). Commissioner Bollinger SECONDED the motion. Commissioner Youngblood – aye; Commissioner Newton – aye; Commissioner Bollinger – aye. The motion passed unanimously. The board asked that Director Bayne remain.

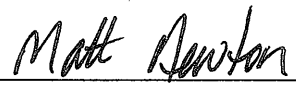
At 11:55 a.m., Commissioner Youngblood made a MOTION TO CLOSE THE EXECUTIVE SESSION, NOTING NO DECISIONS WERE MADE. Commissioner Bollinger SECONDED the motion. The motion passed unanimously.

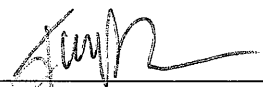
NEXT BOARD MEETING

Commissioner Youngblood made a MOTION TO CONFIRM THE NOVEMBER 5, 2025 BOARD MEETING AT 9 A.M. Commissioner Bollinger SECONDED the motion. The motion passed unanimously.

Chairman Youngblood asked if there was any further business to be conducted by the Board. Hearing none, at 11:56 A.M., Chairman Youngblood declared the meeting adjourned.



Commissioner Rick Youngblood

Commissioner Matthew Newton

Commissioner Justin Bollinger

HD4 MINUTES - October 22, 2025

ACCOUNTS PAYABLE for 10/22/25

AFLAC	\$ 249.88
APA Benefits	\$ 19,130.50
Boise Rigging Supply	\$ 445.46
Caldwell Peterbilt - Jackson Group	\$ 1,375.04
Christensen Inc. DBA United Oil	\$ 1,953.90
Cintas Corporation	\$ 427.34
CNA Surety	\$ 78.00
Commercial Tire Center	\$ 1,307.06
COMPASS	\$ 53,163.00
Cornwell Tools	\$ 332.95
Corwin Ford	\$ 599.86
Costco	\$ 130.00
CXT Incorporated	\$ 1,608.23
D&B Supply	\$ 187.93
Delta Dental	\$ 4,589.54
DKS Associates	\$ 7,032.29
Hamman Trucking & Excavation	\$ 34,063.48
Hardin Sanitation	\$ 674.85
Idaho Power	\$ 1,551.59
Idaho State Tax Commission	\$ 25.72
Idaho Tool & Equipment	\$ 30.78
Idaho Traffic Control	\$ 11,628.88
Jamar Technologies	\$ 421.32
Kenworth	\$ 556.69
Kerr Consulting	\$ 2,375.00
LHTAC	\$ 520.00
Metroquip	\$ 780.39
Nampa Paving & Asphalt	\$ 455,111.39
Napa Auto Parts	\$ 623.43
NCPERS	\$ 704.00
NICE Healthcare	\$ 1,935.00
Norco	\$ 192.23
Oldcastle Infrastructure	\$ 3,032.12
Pacific Mobile Structures	\$ 1,501.25
Portapros	\$ 490.60
Prime Construction & Asphalt	\$ 29,275.62
Rocky Mountain Steel	\$ 699.80
Sawtooth Technology	\$ 1,176.52
Schmidt Construction	\$ 7,314.38
Shannon & Wilson	\$ 29,708.65
Signs N Lines Idaho	\$ 7,270.75
Site Consulting	\$ 1,198.00
Smith's Lawnmower Sales & Service	\$ 144.44
Specialty Construction Supply	\$ 336.56
Strive Workplace Solutions	\$ 308.83
Sunbelt Rentals	\$ 380.08
Sunbusters Window Tinting	\$ 450.00
Syringa Networks	\$ 857.16
Tacoma Screw Products	\$ 541.26
TopCon Solutions	\$ 1,800.00
United Heritage Vision Insurance	\$ 873.11
Valley Wide Co-op	\$ 28,588.48
Western States Equipment	\$ 1,230.62

PERMITS REFUNDED

Robinson, Harry	\$ 200.00
	<u>\$ 721,183.96</u>

PAID October 23, 2025 Payroll

Payroll	\$ 90,884.07
EFTPS (Electronic)	\$ 32,392.76
Nationwide Trust (Electronic)	\$ 8,145.61
PERSI (Electronic)	\$ 26,705.08
PERSI Choice (Electronic)	\$ 14,099.46
	<u>\$ 172,226.98</u>

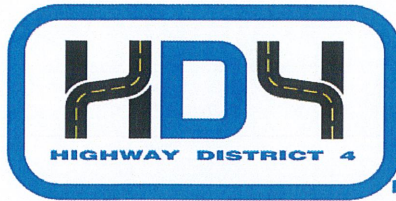
\$ 893,410.94

**BEFORE THE BOARD OF COMMISSIONERS HIGHWAY DISTRICT NO. 4
SECRETARY'S EXHIBIT LIST**

Case Name: Bow Tie Subdivision		Case Number:
Subject	Staff:	Hearing Date(s): October 22, 2025
Board of Commissioners ____	Court Reporter ____ Tape Recorded: ____	Hearing location: Highway District No. 4

Ex. No.	Description of Evidence	Withdrawn	Refused	Admitted
1	Staff Report Dated October 22, 2025 and Included Attachments A-E			X
2	Applicant Notes (Not Dated) consisting of 4 pages			X
3				
4				
5				
6				
7				
8				
9				
10				
11				

Z:\Engineering\Development\Variance\Kingsbury-Jaggers ROW Reduction\Exhibit List.doc



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

TELEPHONE 208.454.8135
FAX 208.454.2008

October 22, 2025 (LJR)

**RE: HD4 Board of Commissioners
Bow Tie Subdivision
Variance Request**

Staff reviewed the variance application for Bow Tie Subdivision developer Chris Jagers and Avery Family Revocable Trust. The variance request affects parcels R37468012A and R37468012A1 totaling 10.97 acres. The parcels are located in the NW ¼ of Section 26 within T 5N R 2W of the Boise Meridian. See attached vicinity map for more detail location information.

Request

Kingsbury Road is classified as a principal arterial with a 100' ROW dedication. The applicant is requesting to dedicate 35' of ROW rather than the required 50' (1/2 of 100') per policy and is seeking a variance from HSDP 3030.010:

3030. Right-of-Way

3030.010. The required width of right-of-way is as follows:

Type of Roadway	Minimum Right-of-Way ¹
Expressway	200 ft.
Arterial ^{2,3}	100 ft.

General

The property fronts the future extension of Kingsbury Road and existing Edna Lane. Kingsbury Road is designated as a principal arterial and Edna Lane is designated as a local road. Principal arterial Kingsbury Road will connect to Goodson Road which is planned to connect to Highway 16 and have a potential interchange with I-84. Kingsbury Road will then extend south and connect to Franklin Boulevard and to the I-84 interchange. Kingsbury Road has the potential to be the most significant regional road within HD4. See attached functional classification map for further information.

ROW Dedication

Per HSDP 2010.060 "The District requires construction of all roadways and drainage improvements within the development, as well as improvements to the roadway and drainage system contiguous to the frontage of the Development in accordance with these standards. The District further requires construction of new and existing arterial and/or collector roads adjacent to developments as shown on the functional classification map. HSDP 3030.010 identifies the ROW dedication for said road. The ROW dedication of 50' from section line is consistent with standards. Furthermore, as shown in the chart below, the area for dedication is consistent with past dedications.

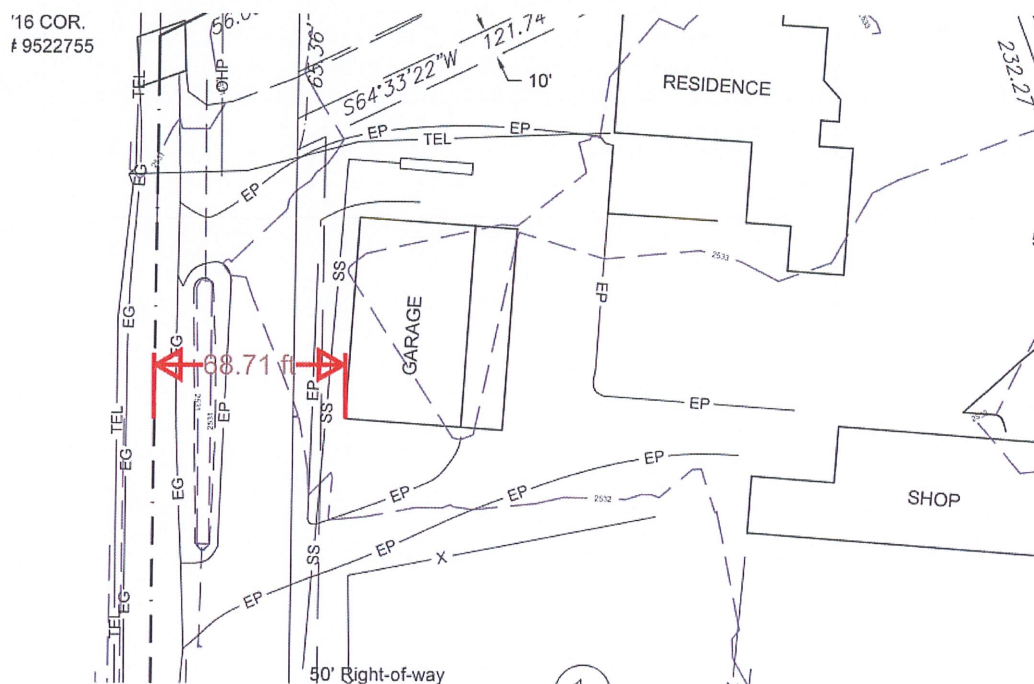
ROW dedications for subdivisions with 1 and 2 lots vary from 0.39 acres to 1.21 acres. Bow Tie ROW dedication of 0.72 acres is within that range. The ROW dedication area on a per lot basis varies from 0.39 to 0.60 acres/lot. Dedication for Bow Tie of 0.36 acres/lot is less than the previous minimum. Therefore, the ROW dedication for Bow Tie Subdivision is less impactful on a per lot basis and consistent with policy and other developments of similar size.

Subdivision Name	Lots	Average Lot Size	ROW Width	ROW Length	ROW Dedication (Acre)	ROW Per Lot (Ac./Lot)
Tuckett Subdivision	1.00	5.44	40	430	0.39	0.39
Echo Estates	1	2.35	irr	irr	0.52	0.52
North Southwick	2.00	5.27	40	1,315	1.21	0.60
Bow Tie	2.00	5.49	50	630	0.72	0.36
Pickett	3.00	5.05	irr	irr	1.53	0.51

Background

The developer did not follow the County process for splitting the property, the property was split by deed. To correct the lot split, the County required the developer to first apply for a rezone then a subdivision.

Per HSDP 2010.070 at time of preliminary plat submittal applicant is required to utilize the current ACCHD Manual. Per current HD4 standards, ROW dedication for Kingsbury Road of 50' from the section line applies. The resulting dedication makes an existing structure non-conforming due to setbacks. The existing structure is approximately 68' from the section line. See picture below from preliminary plat dated 2/23/23 for confirmation of setback.



While the setback affects the rear of the building the ROW dedication will create new road frontage. Therefore, the resulting (68' setback-50' ROW=18') 18' setback does not comply with the minimum 30' frontage setback required within an agriculture zone. See Canyon County setback requirements below:

07-10-21: SETBACKS; MINIMUM PARCEL OR LOT SIZE; HEIGHT REGULATIONS:

(1) Setback Requirements:

A. Agricultural And Residential Zones:

TABLE 1

AGRICULTURAL AND RESIDENTIAL ZONES

SETBACK REQUIREMENTS

	Front	Side	Rear	Corner
Agricultural Zone A	30'	10'	20'	30'
Residential Zones R-R, R-1, and R-2	20'	10'	20'	20'

With exception to the section line setback, the above agriculture setbacks are the same today as they were when the structure was built in 2001. An access permit and building permit for the existing structure was issued in August 2001 ZC2006-2910. Access permit indicated, "...If Kingsbury Road is extended, 40 feet of right-of-way would be required to meet standards..." In addition to the setback table the County assessed a section line setback at time of building permit. The section line setback at time of permit was 60'. To note, the applicant chose to exceed the section line setback and placed their building at 68' from the section line. Nonetheless, if the Highway District were to acquire the 40' of ROW the resulting frontage setback of 28' still does not conform to the agriculture front setback. As a result, the County inadvertently set up this development to be non-conforming from the beginning.

Current Status

Prior to seeking HD4 Board and Canyon County approval of their short plat the applicant is working towards a rezone of the property. The applicant received a conditional rezone of the properties. FCOs are not signed at this time. The approval uses agriculture setbacks; however, after the HD4 Board's decision on this variance request the applicant's representative may request a change to the County's decision and request applying Rural Residential setbacks. Those setbacks are shown above. Canyon County staff are open to recommending approval of said request.

To note, the applicant was aware of the 50' ROW dedication for Kingsbury Road since 2022/2023 when they first submitted their short plat to HD4 for staff review.

Design

Staff have attached multiple concepts for the future construction of Kingsbury Road:

1. 3-lane concept with a 50' ROW
2. 3-lane concept with a 50' ROW with reduced dedication across the existing shop
3. 3-lane concept with 40' ROW
4. 5-lane rural concept
5. 5-lane ACHD concept

When construction of Kingsbury Road occurs, it will begin as a 3-lane road for the following reasons:

1. 3-lane roadway will likely address 20-years of growth for the region
 - a. 20-year growth is the typical planning horizon
2. Saves on maintenance costs for the District. Less asphalt to maintain compared to a 5-lane road
3. When building $\frac{1}{2}$ of the road at a time, the 3-lane section provides the minimum asphalt width, 20', as required by policy.
 - a. Typically, development only owns one side of the section line and results in a half width of road being constructed at a time

The 50' ROW dedication will accommodate all the grading necessary for a 3-lane road without a retaining wall.

When this area urbanizes the ultimate build out of 5-lanes will apply. Staff assembled two 5-lane concepts, one concept using HD4's 5-lane rural section and the other concept using ACHD's 5-lane urban section. The road grading daylights 52'-60' (Rural) and 60'-73' (urban) from the section line. At time of future widening, additional ROW can be acquired, or construction of a retaining wall can be implemented. Min 2.5' to max 7.5' tall wall for rural and min 5' to max 10' tall wall for ACHD section. To note, no guardrail needed for rural design as it complies with AASHTO clear zone for 50 mph up to 6,000 ADT. For urban section, pedestrian rail at back of pathway likely required due to height difference from back of walk to existing ground.

Section 2140.020. Findings Required for Variance:

1. Literal interpretation and enforcement of the regulation would result in practical difficulty or physical hardship inconsistent with the objective of the standards
2. There are extraordinary site characteristics applicable to the subject property, which do not generally apply to other properties
3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties
4. Granting the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties
5. Granting the variance will not be detrimental to the public health, safety, or welfare

In the opinion of District Staff, the findings required for granting a variance are satisfied in this case.

Staff Recommendation:

In order of conformity to HD4 standards (3 options)

1. Dedicate 50' of ROW
 - a. The applicant will not receive final plat approval if the 50' ROW dedication is shown on the final plat as the County will not sign a final plat that makes an existing building non-conforming
 - b. Condition of approval
 - i. Dedicate 30' of ROW by plat

- ii. Prior to final plat signature the landowner provides the final 20' of ROW (as measured from behind the platted ROW). This to be done by deed. HD4 to record the deed after the final plat is recorded
 - c. Result
 - i. Meets HD4 standards
 - ii. County will sign the final plat
 - iii. Accommodates the entirety of the 3-lane roadway—no retaining wall
 - iv. Will not meet County setbacks
 - 1. Existing building will be a legal non-conforming structure. This will affect approximately the south half of the structure. If work requires a building permit on the south half of the structure that permit likely denied by the County.
- 2. ROW dedication of 50' half-width from section line as required per policy with exception to the area near the shop
 - a. Condition of approval
 - i. Applicant to use staff's horizontal geometry, vertical geometry, and assembly to identify limit of fill for 3-lane road. ROW dedication to not exceed the minimum frontage setback of an RR zone.
 - ii. ROW dedication to occur with final plat
 - b. Result:
 - i. Existing building will conform to the Rural Residential setbacks—no building permit restrictions
 - ii. Accommodates the entirety of the 3-lane roadway—no retaining wall
 - iii. HD4 to acquire the difference between the 50' ROW and reduced ROW width at a future date
- 3. Dedicate 40' from section line plus 10' slope easement behind ROW dedication
 - a. Condition of approval
 - i. Dedicate 40' width of Kingsbury Road ROW and show 10' slope easement behind ROW dedication on final plat
 - b. Result:
 - i. Past direction was to obtain ROW for the entirety of the road and slope—this direction is contrary to past practice
 - ii. Captures the entirety of the 3-lane roadway
 - iii. Setbacks are measured from the ROW not from the slope easement
 - 1. Provides greater flexibility for applicant
 - iv. Highway District retains its needs for construction of a 3-lane roadway and applicant retains underlying ownership of the 10' slope easement. As a result, the 10' slope easement will not reduce lot size.
 - v. Existing building will conform to the Rural Residential setbacks—no building permit restrictions
- 4. Dedicate 40' from section line
 - a. Condition of approval
 - i. Dedicate 40' width of Kingsbury Road ROW by plat

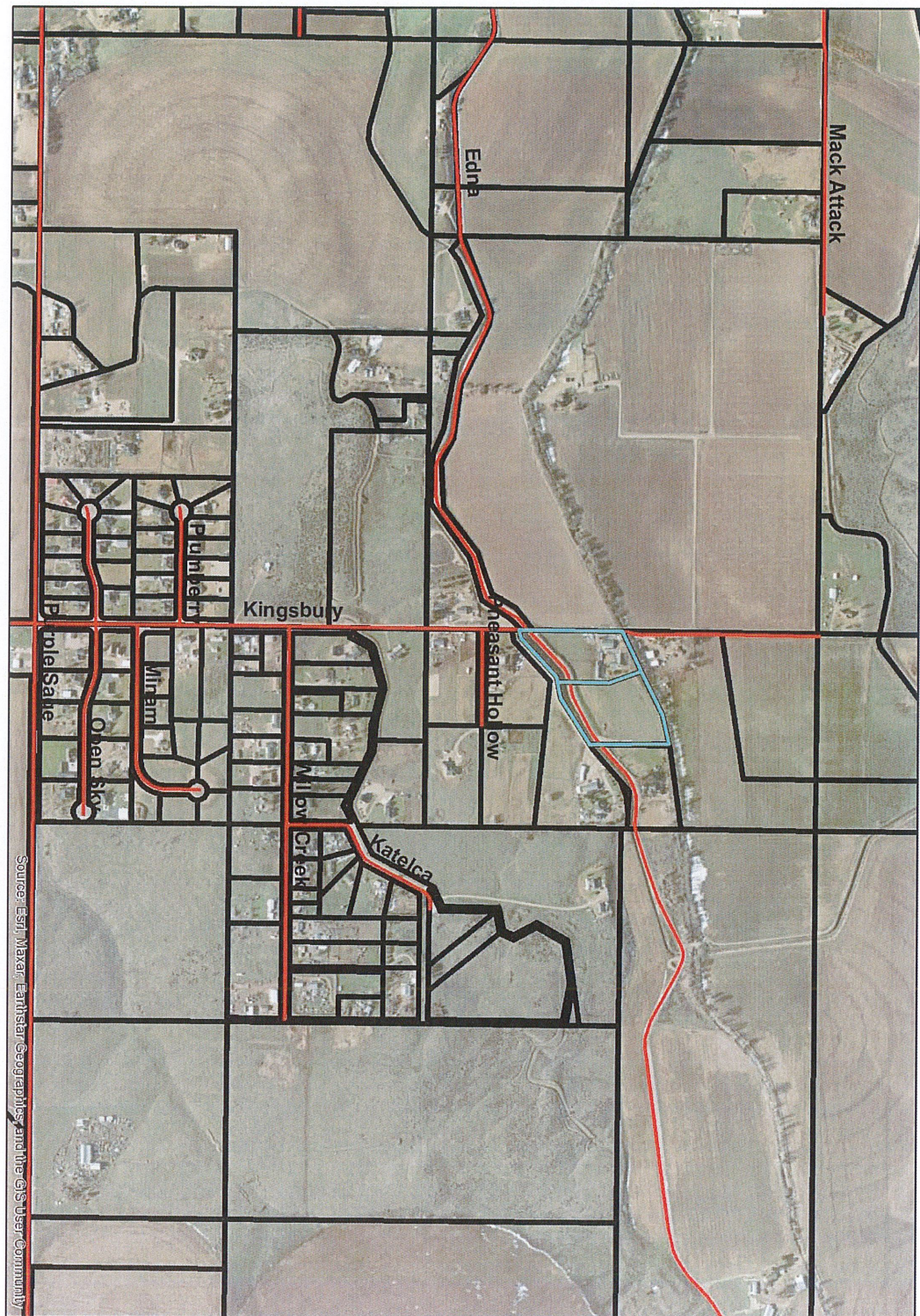
b. Result:

- i. The entire 3-lane roadway will daylight outside of the ROW unless retaining wall installed
 - 1. Will require max 7.5' tall retaining wall.
 - a. Increase in maintenance costs for HD4
- ii. Existing building will conform to the Rural Residential setbacks—no building permit restrictions
- iii. HD4 to acquire the 10' difference (approximately 6300 SF) at a future date
- iv. Existing building will conform to the Rural Residential setbacks—no building permit restrictions

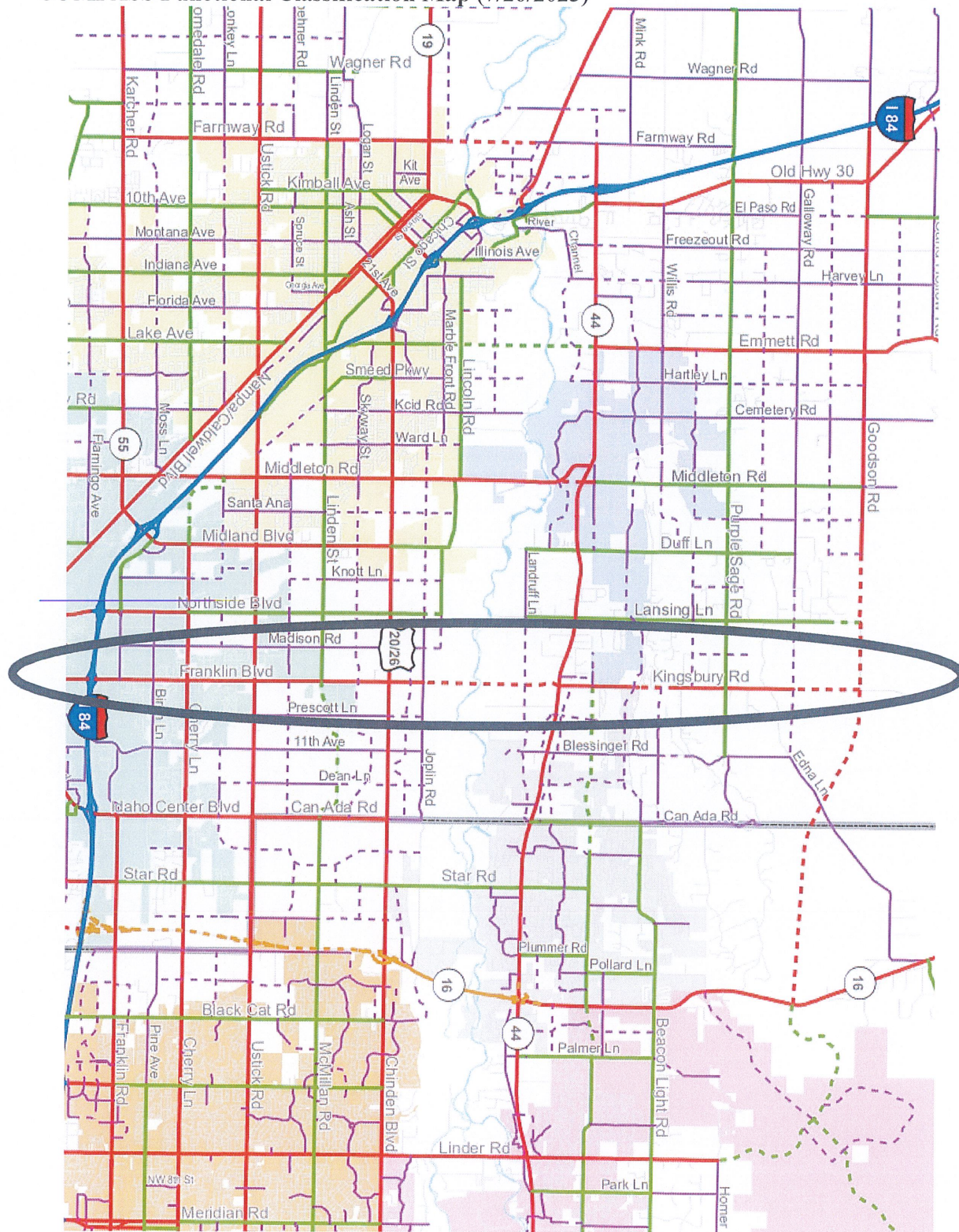
- 5. Dedicate 50' right-of-way across frontage with exception to vicinity of existing garage
 - a. If rural residential setback granted dedicate right-of-way allowing a 21' buffer measured from garage to right-of-way
 - b. If rural residential setback denied apply 31' buffer measured from garage to right-of-way

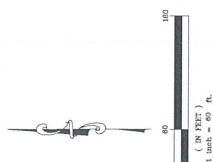
option 5 added during public hearing
ZJR

Vicinity Map



COMPASS Functional Classification Map (7/26/2023)



[illegible][illegible]

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

SITF:

CURRENT ZONING: AG
PROPOSED ZONING: R-R
LOT SIZE MIN.: 182,562 SF/4.19 AC
TOTAL AREA: 477,989 SF/10.97 AC
SITE ADDRESS: 25744 KINGSBURY LANE

OWNER/DEVELOPER:

JAGGERS FAMILY REVOCABLE TRUST
CHRIS M. AND MARY L. JAGGERS

08-850-8390
WEDDING FAMILY PHOTOGRAPHY

MIDDLETON, W. 83644
AND SURVEYOR:

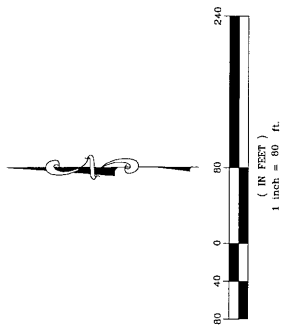
MARTHA STUGGELFIELD
25501 KINGSBURY RD
MIDDLETON, ID 83644

*PRELIMINARY PLAT
OF
ROW-TIE ESTATES SUR*

REVISED:	5-24-22 2-23-23	DATE: 5-24-22 DRAWN BY: JDP				PROJECT: 22-074 JOB: 200	ON: 5/24/22	SHEET: 1
SEC. 26, T. 5 N., R. 2 W., B.M.								

A

FINAL PLAT BOW-TIE ESTATES SUBDIVISION PART OF THE W 1/2 OF THE NW 1/4 OF SECTION 26, T. 5 N., R. 2 W.B.M. CANYON COUNTY, IDAHO 2023



NOTES

1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF CEASANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR FARM STRUCTURE SHALL BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED OR CHANGING USE OF THE LAND OR ANY CHANGING ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT APPLIED FOR A PERMIT. THIS SECTION DOES NOT APPLY TO ANY CHANGING USE OF THE LAND OR ANY CHANGING ACTIVITIES AFTER AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
3. IRRIGATION WATER SHALL BE PROVIDED TO EACH LOT THROUGH A PRESSURIZED IRRIGATION SYSTEM, OWNED AND MAINTAINED BY THE BOW-TIE SUBDIVISION HOMEOWNERS ASSOCIATION IN COMPLIANCE WITH THE IDAHO CODE SECTION 22-4503(1)(b). ALL LOTS WILL BE SUBJECT TO ASSESSMENTS OF THE BLACK CANYON IRRIGATION DISTRICT.
4. ALL REAR LOT LINES ADJACENT TO THE SUBDIVISION BOUNDARY, SHALL HAVE A 10' UTILITY EASEMENT FOR THE SUBDIVISION BOUNDARY, IRRIGATION, AND PUBLIC UTILITY EASEMENT UNLESS SHOWN OTHERWISE.
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
6. ALL LOTS WILL BE REQUIRED TO DRILL A WELL FOR DOMESTIC WATER.
7. ALL LOTS WILL BE REQUIRED TO PROVIDE AN INDIVIDUAL SEPTIC SYSTEM.
8. STORM DRAINAGE FACILITIES OUTSIDE THE PUBLIC RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNER. THE STORM DRAINAGE FACILITY SHALL BE CONSTRUCTED IF NO HOMEOWNER'S ASSOCIATION EXISTS. RESPONSIBILITY FOR STORM DRAINAGE FACILITIES INCLUDES ALL MAINTENANCE BOTH ROUTINE AND NON-ROUTINE.
9. NO NEW DEVELOPMENT OR REDEVELOPMENT OF LAND MAY DISCHARGE STORM WATER ONTO HIGHWAY DISTRICT RIGHT-OF-WAY OR INTO THE DISTRICTS MUNICIPAL SEWERAGE STORM SEWER SYSTEM.
10. NO PERMANENT STRUCTURES SHALL BE LOCATED CLOSER THAN SEVENTY FEET TO ANY SECTION LINE OR QUARTER SECTION LINE UNLESS THE HIGHWAY DISTRICT WAIVES THE SEVENTY FEET SETBACK REQUIREMENT.
11. A PORTION OF THE PROPERTY IS WITHIN THE "ZONE A" FLOODPLAIN PER PANEL NUMBER 16027C075F DATED 5/24/2011.

LEGEND

- Found Brass Cap
- Set 1 1/2" rebar with plastic cap labeled "PLS 12220"
- Set 5/8" rebar with plastic cap labeled "PLS 12220"
- Found 1 1/2" rebar. Replaced with 1 1/2" rebar with plastic cap labeled "PLS 12220"
- Calculated Point
- Found 5/8" rebar. Set cap. Found 1 1/2" rebar.

() Record Distance

② Lot Number

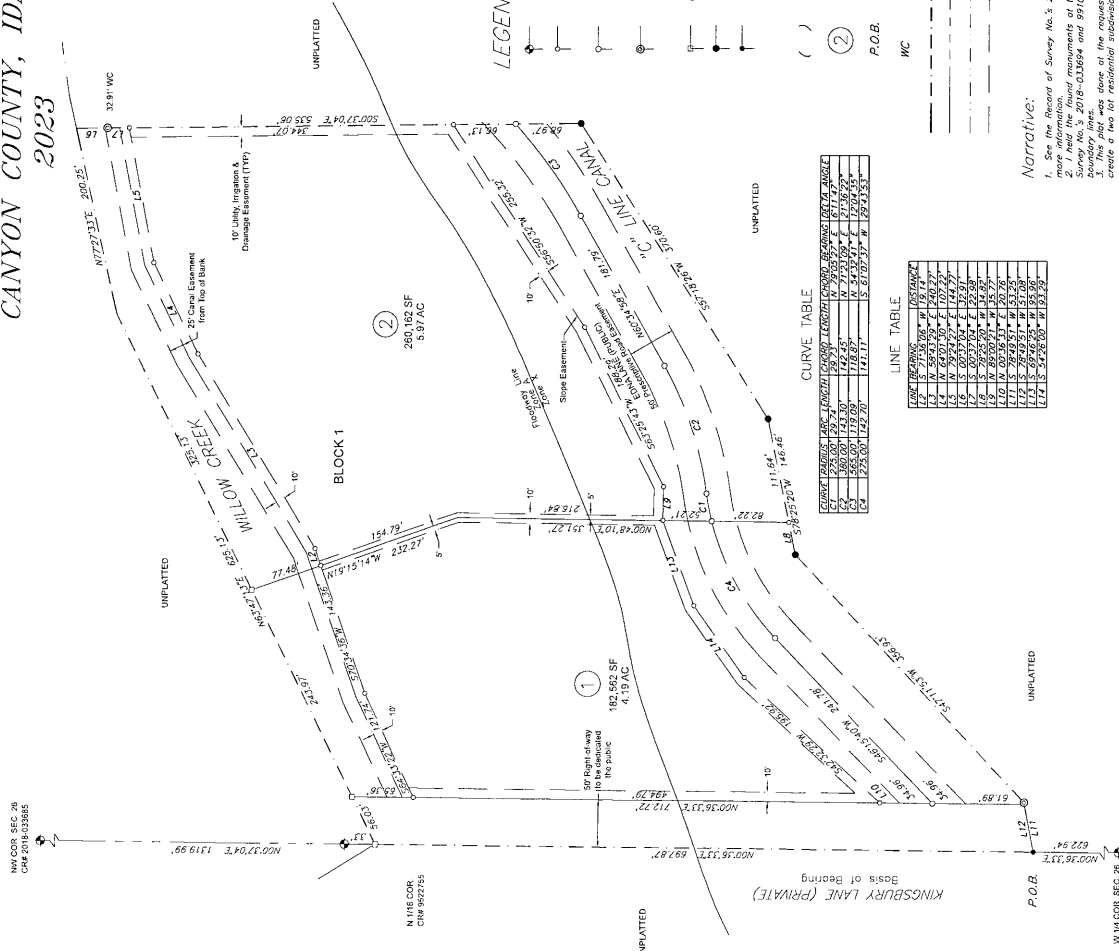
P.O.B. Point of Beginning

WC Witness Corner

Boundary Line
Section Line
Property Line
Easement Line

Narrative:

1. See the Record of Survey No. 3, 2018-031684 and 891053 for more information.
2. The plat was prepared by the undersigned on the basis of the Record of Survey No. 3, 2018-031684 and 891053 to establish the overall boundary lines.
3. The plat was done at the request of Chris and Mary Jagers to create a two lot residential subdivision.



Curve	Stationing	Angle	Radius	Chord	Delta	Length
1	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
2	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
3	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
4	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
5	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
6	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
7	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
8	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
9	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
10	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
11	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
12	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
13	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
14	100+00.00	111.64°	146.48'	111.64'	111.64°	111.64'
15	100+00.00	111.64°	146.48'	111.64'	111.64°	1

BUILDING PERMIT

**CANYON COUNTY DEVELOPMENT
SERVICES DEPARTMENT**
1115 ALBANY STREET
CALDWELL, IDAHO 83605



Permit No: 20084
Issued: 8/29/01
Permit Cond:
Item No: 328

B

ADDRESS

25744 Kingsbury Road MI

OWNER/APPLICANT-----
CHRIS OR MARY JAGGERS
3823 GLENDALE
BOISE, ID 83703
208/371-6401
T:

PROPERTY LOCATION-----
25744 KINGSBURY ROAD MI
Sect: 26 Town: 5N Range: 2W QTR: NW
Lot: 0 Block: Long Legal:
Sub:
Parc No: 1R37468-012A

CONTRACTOR-----
SAME

DESIGNER-----

00000
208/000-0000

000/000-0000

PROJECT INFO-----
Prj Value: \$47,674.00
Item No: 328 SHEDS/BARN/STOR.
Prj Type: NEW
Occ Type: BARN
Occ Group: U1
Occ Load:
Cnstr Type: VM
Land Use: A

SQ FT-----
First Floor: 0
Second Floor: 0
SUBTOTAL: 0
Basement: 0
Garage: 2,952
Other: 0
TOTAL: 2,952

PROJECT NOTES-----
SETBACKS F60-S10-R20
ELEVATE 2' ABOVE ADJACENT GRADE
41' x 72' FRAMED DETACHED GARAGE

FEES ASSESSMENT-----
Building Permit: \$401.50
Plan Check: \$0.00
Mobile Home: \$0.00
IRES: \$0.00
ZC: \$40.00
\$0.00
\$0.00
TOTAL FEE: \$441.50
AMT PAID: \$441.50
BALANCE DUE: \$0.00

IMPORTANT INFORMATION FOR INSPECTIONS CALL 454-7460

Inspection Request: It is the duty of the contractor or owner to notify this office when the work project is ready for required inspections. Persons making the request must provide the following information.

1) owner/contractor; 2) project address; 3) date and time when the inspection is needed; 4) type of inspection.

Separate Permits are required for electrical and plumbing from the Idaho Department of Labor and Industrial Services. Homeowner's permit applications are available at this office.

Permit Suspension/Expiration: The Building Official reserves the right to revoke any permit issued in error or on the basis of incorrect information. Permits expire in 180 days if work is not started or is abandoned. In hardship cases an unexpired permit may be extended 180 days. Total not to exceed 12 months.

This permit is issued subject to the regulations contained in the building code and zoning regulations of Canyon County, Idaho and it is hereby agreed that the work to be done as shown in the plans and specifications will be completed in accordance with the regulations pertaining and applicable there to.

[Signature] 8-29-01
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT DATE

[Signature]
SIGNATURE OF BUILDING OFFICIAL/INSPECTOR

8/29
RECEIVED BY

APPLICATION AND PERMIT TO USE RIGHT-OF-WAY
APPROACHES AND OTHER

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

PUBLIC ROAD SURFACE TYPE (DIRT) (GRAVEL) (PAVEMENT)

START DATE: _____

COMPLETION DATE: _____

ROAD NAME: Edna

LOCATION: Extension of Kingsbury N.

SIGHT DISTANCE: _____

POSTED SPEED: _____

NOTICE

This permit shall not be valid for excavation until, or unless, the Permittee has complied with the provisions of Idaho Code Title 55, Chapter 22. PRIOR TO EXCAVATION, CALL DIGLINE:

1 (800) 342-1585

APPROACH <u>Existing</u>	QUANTITY <u>1</u> WIDTH <u>20</u> SURFACE TYPE <u>gravel</u> ESTIMATED VOLUME _____ (VEHICLE COUNT) TYPE <u>RESIDENCE, BUSINESS, FIELD, ETC.</u> TYPE OF BUSINESS _____
OTHER	EXPLAIN: _____

ATTACH SKETCH OF PROPOSED WORK AND TRAFFIC CONTROL PLANS:

SPECIAL PROVISIONS: Approach is in good order, no requirements.

If Kingsbury Road is extended, 40 Feet of Right-of-Way would be required to meet standards, (shared access).

See Reverse side for General Provisions

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL REQUIREMENTS PRINTED ON THE REVERSE SIDE, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

NAME AND ADDRESS OF PERMITEE

Chris Jagers
3823 BIENDALE
BOISE ID 83703
CITY STATE ZIP
323-4733
PHONE

Chris Jagers
APPLICANT-PLEASE TYPE OR PRINT
[Signature]
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE AND DATE

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

BY: [Signature]

CANYON HIGHWAY DISTRICT NO. 4
ENTITY

TITLE: R/W inspector

PHONE: (208) 454-8135

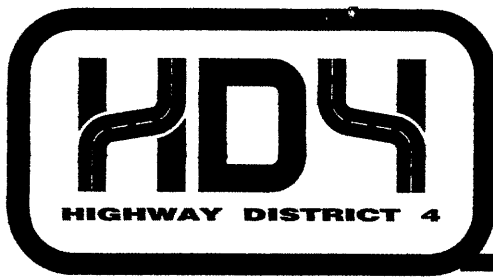
DATE: 6-6-01

AMOUNT DUE \$ 25⁰⁰

This form may be reproduced for use in making multiple application.

REFUND _____

A11



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

TELEPHONE 208.454.8135
FAX 208.454.2008

MASTER DEVELOPMENT APPLICATION

(Required for all development submittals)

Name of Project: Bowtie Estates Subdivision
Owner/Developer: Chris & Mary Jagers and Avery Family Trust c/o Preston Avery
Telephone No.: 2088508390
Email Contact: cjagers.classics@gmail.com

Representative (if different than above): Treasure Valley Planning Idaho, Keri Smith
Telephone No.: 208.960.4811
Email Contact: keri@tvpidaho.com

Project Location (Street/highway frontage or nearest intersection): North East of Kingsbury and Edna Ln.

Project Address: 25744 Kingsbury Ln. Middleton, ID 83644

Canyon Co Parcel No.: R 27468012A

City Impact Area (Any within one mile): ☐ Caldwell ☐ Middleton ☐ Nampa ☒ Star

Development Application Type:

- | | |
|---|---|
| ☐ Entitlements Inquiry | ☐ Development Concept Review |
| ☐ Rezone or Conditional Use Permit | ☐ Administrative Lot Split (\$250) |
| ☐ Preliminary Plat (\$200 + \$6 / buildable lot) | ☐ Improvement Dwg (\$450 + \$15 / buildable lot) |
| ☐ Final Plat (\$300 + \$20 / buildable Lot) | ☐ Commercial Building Permit (Fee Varies) |

Development Description: ROW variance

Is this a re-submittal? ☐ Yes ☒ No

Application Fee and required submittals included? ☒ Yes Amount: \$ 750

Applicant Signature: 

Date: September 8, 2025

New project applications will be reviewed in the order received, subject to staff availability and workload. Reviews are prioritized based on application type and date received (older projects are reviewed first).

Specific application checklists and submittal requirements are available on the HD4 website at <https://hwydistrict4.org/resources/forms-and-maps/> applications & requests

Current HD4 access and development related policy may be found in the latest edition of the Highway Standards and Development Procedures Manual (HSDP Manual) available on the CHD4 website at <https://hwydistrict4.org/resources/forms-and-maps/> standards manual

D

REVISED 5/11/05



CANYON HIGHWAY DISTRICT No. 4

15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208/454-8135
FAX 208/454-2008

CANYON HIGHWAY DISTRICT NO. 4
Application for Variance HSDP § 214

Application Information:

1. The Applicant must complete this form and pay the filing fee before the Highway District will process this form.
2. All relevant information and attachments must be supplied. Please mark non- applicable portions of the application form "N.A." The information on the application for completeness shall be determined by the Secretary of the Highway District, which shall include a determination of the application/s fee/s. No application shall be considered filed by the Highway District unless the application form is completed, and the application/s fee/s has been received by the Highway District's Secretary/Treasurer.
3. This form includes relevant initial routing information which is completed by Highway District staff.
4. All applications provided in this form are filed with the Secretary of the Highway District at the administrative office located at 15435 Hwy 44, Caldwell, ID, 83607.
5. Applicant, if a natural person, must be over the age of 18. Applicant must be, if not a natural person, an entity in good standing in the State of Idaho; or a registered trust.

ATTACH CERTIFICATE OF SECRETARY OF STATE IN THE EVENT THE APPLICANT IS A
LEGAL ENTITY: CERTIFICATE OF SECRETARY OF STATE ATTACHED: _____
TRUST REGISTRATION STATEMENT: _____

**CANYON HIGHWAY DISTRICT No. 4**15435 HIGHWAY 44
CALDWELL, IDAHO 83607TELEPHONE 208/454-8135
FAX 208/454-2008**Application for Variance Permit - HSDP § 214****To:** Work Director and Commissioners Canyon Highway District No.4**Applicant:** Keri Smith: Treasure Valley Planning**Date:** September 4, 2025**Address:** 17741 Linden Lane Caldwell, Idaho 83607**Phone:** 2089604811

Information to Applicant: In accordance with Section 214.01 of the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho [March 2002 edition] the same provides:

Purpose: The Highway District may grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships as would result from a literal interpretation and enforcement in certain of the regulations prescribed by these Standards.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing 1) undue hardship because of special characteristics applicable to the site, and 2) the variance is not in conflict with public interest. Hardships must result from special site characteristics, from geographic, topographic or other physical conditions, or from population densities, existing street locations or traffic conditions.

Variances are not intended to allow something done that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control.

In accordance with Section 214.03 of the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho [March 2002 edition] the same provides:

Duration of Approval: The use or construction permitted under the terms of any variance shall be commenced within a six month period. If such use or construction has not commenced within such time period, the variance shall no longer be valid. Prior to the expiration of the six month period, the Highway District, upon request of the applicant, may extend the variance for up to an additional six months from the original date of approval.

APPLICATION INFORMATION:

Description of Right of Way which is subject to the requested variance [Use this space or attach the specific description of subject Right of Way]: 50' ROW dedication for the private driveway north of Kingsbury Rd

Identify the Section in Highway Standards and or Development Procedures from which the applicant seeks a variance [Identify the section number and standard in this space.]: _____

3030.010: Proposed Arterial Minimum ROW dedicationme dr

See attached document for answers to all questions below. REVISED 5/11/05

Description of requested variance [Use this space or attach a narrative which includes a complete description of proposed variance]:

State what undue hardship will result if the application is not granted because of the following:

What are the special characteristics applicable to the site?

Why the granting of the variance will not be detrimental to the public health, safety or welfare or be materially injurious to properties or improvements in the vicinity?

Why the literal interpretation and enforcement of the Highway Standard or Development Procedures would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of those standards or procedures?

What are the extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties?

Why would a literal interpretation and enforcement of the standards deprive the applicant of privileges enjoyed by the owners of other properties?

Why the granting of the requested variance will not constitute a grant of special privilege inconsistent with the limitations on other properties?

I do hereby certify to the Commissioners of the CANYON HIGHWAY DISTRICT NO.4 that I am the applicant or a duly authorized agent for the applicant and that the statements and representations here in are true and correct. This 4 day of September, 2025.


Applicant's Signature

THIS SIDE OF FORM FOR HIGHWAY DISTRICT USE ONLY

CANYON HIGHWAY DISTRICT NO. 4 ACTIONS:

Date received: _____

Filing Fee: _____ / Paid _____ [Highway District Secretary to initial and date fee paid]

Work Director or designee recommendation to Highway District Commissioners:

Reviewed by Work Director or designee: _____

Denial _____ Approval _____ Approval Subject to Conditions _____

Recommended Wording for order granting variance including recommended conditions: _____

Basis for recommendation: _____

Applicant notified of meeting of Highway District Commissioners when matter to be considered:

Notification Sent: _____ [date] by: _____ Applicant Appeared: _____ Did Not Appear: _____

Action of Board of Highway District Commissioners:

Denial _____ Approval _____ Approval Subject to Conditions _____

Conditions: _____

Basis for Decision: _____

In the event the Application is approved a PERMIT/LICENSE FOR THE USE OF RIGHT-OF-WAY FOR Approved purposes to be drafted and approve and entered into by the applicant and the Commissioners.

Dated: _____ Signed _____
Chairman, Canyon Highway District No. 4

Original Permit/License Agreement prepared and signed by Applicant and Approved by Board of Commissioners: _____ [Initialed by Secretary when completed]

Original Permit/License together with this Applications form is retained in the official Records of the Canyon Highway District No. 4 by Secretary and a copy provided to applicant and anyone demanding notice of the decisions.

Signed: _____
Secretary Canyon Highway District No. 4

Bow-Tie Estates Subdivision Variance of ROW

1. Description of the Variance

The applicant requests a variance from Highway District No. 4's (HD4) standard 50-foot right-of-way (ROW) dedication requirement along Kingsbury Road, which in this location is a privately maintained driveway, not an established or publicly dedicated roadway.

The variance would allow for the dedication of 35 feet of ROW rather than the required 50 feet. This adjustment is necessary to maintain compliance with Canyon County's 30-foot front setback standard for an existing, legally permitted accessory structure. If the full 50 feet were required, the structure would be located only 19 feet from the ROW, resulting in a zoning conflict — despite having been approved and constructed in full compliance with HD4 and County standards in 2001.

2. Special Characteristics Applicable to the Site

This parcel is accessed via Kingsbury Road, which at this location functions solely as a private driveway serving just two other residences and surrounding agricultural ground. It is not currently proposed for public dedication, extension, or improvement.

When the structure was approved in 2001, the Highway District's permit explicitly stated:

"Approach is in good order, no requirements. If Kingsbury Road is extended, 40 feet of right-of-way would be required to meet standards. (shared access)."

To date, no extension of Kingsbury Road is proposed, nor is this segment a public street. The owner is nonetheless willing, in good faith, to dedicate 35 feet of ROW — even though no ROW was required or triggered under the original permit. The site's current condition — with a legally permitted structure built under prior standards — creates a unique regulatory conflict not generally present on other parcels.

3. No Detriment to Public Health, Safety, or Welfare

Granting this variance will not result in any detriment to public health, safety, or welfare. Kingsbury Road in this area is not a public roadway and experiences limited use, providing access only to two other rural residences and adjacent farmland.

The 35-foot ROW dedication preserves flexibility for any potential future planning needs while preventing retroactive noncompliance for an existing structure built under lawful permits. This approach protects

surrounding properties and avoids unnecessary disruptions or enforcement actions while honoring the public interest through the owner's voluntary dedication.

4. Practical Difficulty or Unnecessary Hardship

Strict enforcement of the 50-foot dedication would create a practical hardship by retroactively applying a standard that was not in place at the time of construction. As noted, the 2001 HD4 permit did not require any ROW dedication unless Kingsbury was extended — a condition that remains untriggered. The building was legally constructed with the understanding that a 40-foot ROW would be sufficient if an extension occurred, and that condition has not materialized.

Despite this, Canyon County has indicated it will deny the subdivision if the building does not maintain a 30-foot setback — which it cannot do if the full 50-foot ROW is imposed. Because the County is also statutorily barred from granting a variance (due to the lack of physical site hardship), failure to approve this HD4 variance would effectively take away the landowner's ability to divide the property, in contradiction to existing entitlements and procedural fairness.

5. Extraordinary Site Characteristics

Extraordinary conditions exist here due to the clear, documented approval by the Highway District on June 6, 2001, which stated that no ROW was required unless Kingsbury Road was extended. That extension is not occurring, and yet the County now applies a setback standard based on an assumed ROW shift that is being triggered solely by this dedication process.

This puts the property in a regulatory catch-22: compliant under past standards, but noncompliant under an updated ROW expectation that did not exist — and still doesn't — under current road conditions. The combination of agency cross-standards, no extension, and prior permits makes this a highly unique situation that does not apply generally to other properties.

6. Deprivation of Privileges

Without this variance, Canyon County has confirmed it will deny the subdivision request, solely due to setback issues arising from HD4's ROW expectation. As noted, the County cannot grant its own variance because the conditions do not meet state statute for site-specific hardship.

As a result, the applicant is effectively denied the right to divide and use the land in a manner routinely available to others. The property owner followed all rules at the time of construction and is now being penalized for a changed regulatory interpretation over two decades later — a clear deprivation of privileges enjoyed by other similarly situated landowners.

7. No Grant of Special Privilege

This request does not constitute a grant of special privilege. While a 50-foot right-of-way dedication is now required under current Highway District standards for subdivisions, the applicant is requesting a reduced 35-foot dedication to reconcile prior approvals with current regulations in a way that preserves the owner's ability to legally develop the property.

The accessory structure in question was permitted by Highway District No. 4 on June 6, 2001, with the understanding that no right-of-way dedication was required unless Kingsbury Road was extended — a condition that has not occurred. The building was constructed legally in reliance on that approval and in full compliance with the standards in effect at that time.

To now apply the full 50-foot dedication without allowance for the existing structure would force noncompliance with County setback requirements and result in the denial of the subdivision, despite the owner's lawful actions and good-faith development history.

The variance request — including the applicant's voluntary offer to dedicate 35 feet — is a reasonable, good-faith compromise that aligns with the intent of current standards, avoids regulatory contradictions, and prevents undue harm. It simply ensures that the applicant is not penalized for changes in policy that occurred long after the structure was approved and built.

APPLICATION AND PERMIT TO USE RIGHT-OF-WAY
APPROACHES AND OTHER

COPY OF PERMIT MUST BE PRESENT AT WORK SITE DURING CONSTRUCTION

PUBLIC ROAD SURFACE TYPE (DIRT) (GRAVEL) (PAVEMENT)

START DATE: _____

COMPLETION DATE: _____

ROAD NAME: Edna

LOCATION: Extension of Kingsbury N.

SIGHT DISTANCE: _____

POSTED SPEED: _____

NOTICE

This permit shall not be valid for excavation until, or unless, the Permittee has complied with the provisions of Idaho Code Title 55, Chapter 22. PRIOR TO EXCAVATION, CALL DIGLINE:

1 (800) 342-1585

APPROACH

Existing

QUANTITY 1 WIDTH 20 SURFACE TYPE gravel

ESTIMATED VOLUME _____ (VEHICLE COUNT)

TYPE RESIDENCE, BUSINESS, FIELD, ETC.

TYPE OF BUSINESS

OTHER

EXPLAIN:

ATTACH SKETCH OF PROPOSED WORK AND TRAFFIC CONTROL PLANS:

SPECIAL PROVISIONS: Approach is in good order, no requirements.
If Kingsbury Road is extended, 40 Feet of Right-of-Way
would be required to meet standards. (shared access).

See Reverse side for General Provisions

I CERTIFY THAT I AM THE OWNER OR AUTHORIZED REPRESENTATIVE OF THE PROPOSED PROPERTY TO BE SERVED AND AGREE TO DO THE WORK REQUESTED HEREON IN ACCORDANCE WITH THE GENERAL REQUIREMENTS PRINTED ON THE REVERSE SIDE, THE SPECIAL PROVISIONS AND THE PLANS MADE A PART OF THIS PERMIT.

NAME AND ADDRESS OF PERMITEE

Chris Jagers

3823 BIENDALE

BOISE ID 83703

CITY STATE ZIP

323-4733

PHONE

Chris Jagers

APPLICANT-PLEASE TYPE OR PRINT

[Signature]

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE AND DATE

SUBJECT TO ALL TERMS, CONDITIONS, AND PROVISIONS SHOWN ON THIS FORM OR ATTACHMENTS, PERMISSION IS HEREBY GRANTED TO THE ABOVE NAMED APPLICANT TO PERFORM THE WORK DESCRIBED ABOVE.

BY: [Signature]

CANYON HIGHWAY DISTRICT NO. 4

ENTITY

TITLE: SW Inspector

PHONE: (208) 454-8135

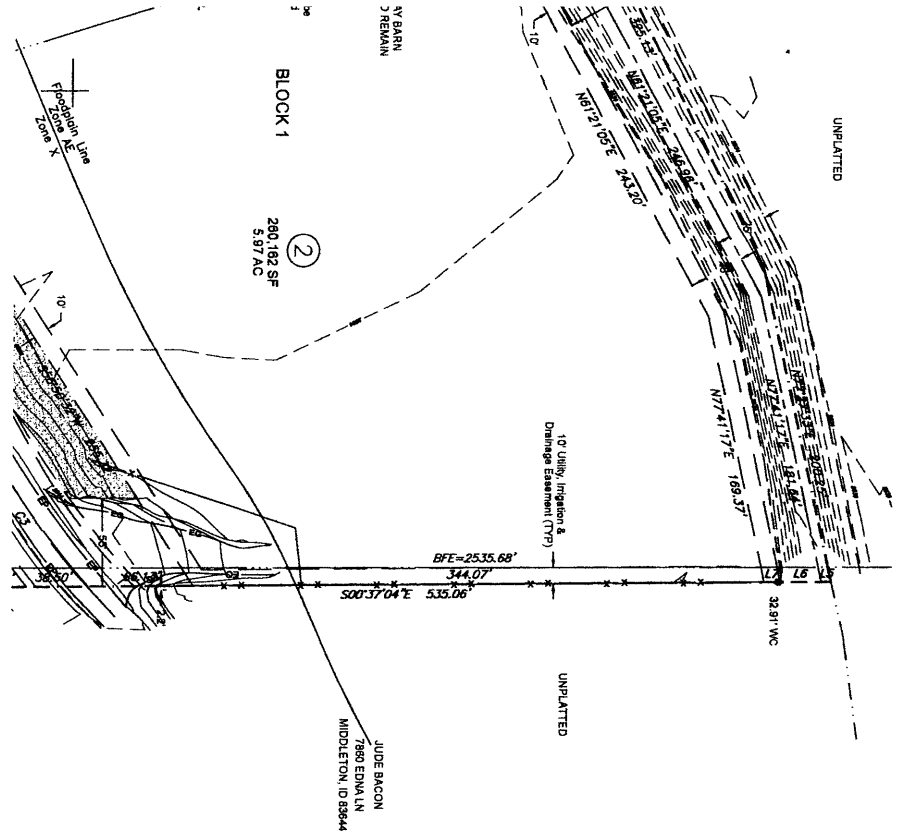
DATE: 6-6-01

AMOUNT DUE 25⁰⁰

This form may be reproduced for use in making multiple application.

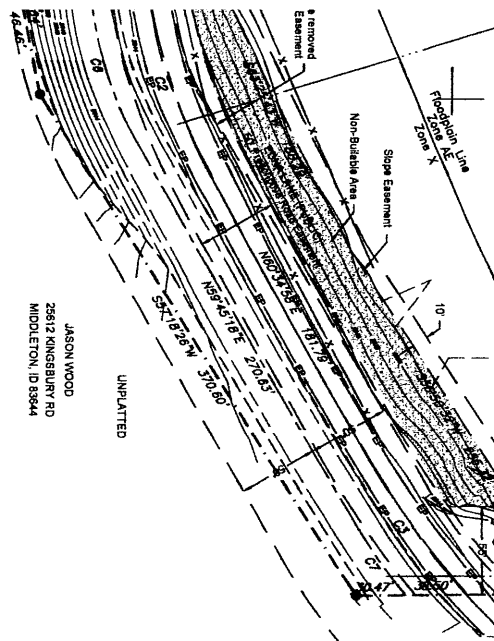
REFUND _____

PRELIMINARY PLAT OF BOW-TIE ESTATES SUBDIVISION PART OF THE W 1/2 OF THE NW 1/4 OF SECTION 26, T. 5 N., R. 2 W., B.M. CANYON COUNTY, IDAHO 2025



NOTES

1. MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS, OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE RIGHT TO FARM ACT, WHICH STATES: NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS THAT THE OPERATION FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BECAME A NUISANCE. THIS NOTE IS CONSIDERED AN OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
3. IRRIGATION WATER SHALL BE PROVIDED TO EACH LOT THROUGH A PREDESIGNED IRRIGATION SYSTEM, OWNED AND MAINTAINED BY THE BOW-TIE SUBDIVISION HOMEOWNERS ASSOCIATION IN COMPLIANCE WITH THE IDAHO CODE SECTION 31-2803(1)(b). ALL LOTS WILL BE SUBJECT TO ASSESSMENTS OF THE BLACK CANYON IRRIGATION DISTRICT.
4. ALL REAR LOT LINES ADJACENT TO THE SUBDIVISION BOUNDARY SHALL HAVE A TEN (10) FOOT WIDE PROPERTY DRAINAGE, IRRIGATION, AND PUBLIC UTILITY EASEMENT UNLESS SHOWN OTHERWISE.
5. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SUBDIVISION.
6. ALL LOT 2 WILL BE REQUIRED TO DRILL A WELL FOR DOMESTIC WATER. LOT 1 HAS AN EXISTING WELL.
7. ALL LOT 9 WILL BE REQUIRED TO DRILL AN AGRICULTURAL CENTER CROPPED LOT 1 LANE ALL



CURVE TABLE

DATE	TIME	LOCATION	SEASON	TIME	LOCATION	SEASON
1	28.74	N	21.3.50	E	6.11.49	225.00
2	1.1.30	N	21.3.50	E	2.1.53.32	360.00
3	1.1.30	N	5.1.52.41	E	12.04.55	365.00
4	1.18.08	N	5.1.52.41	E	12.04.55	365.00
5	1.48.70	S	6.1.57.31	E	29.74.53	373.00
6	1.18.01	N	6.6.19.55	E	40.48.54	385.00
7	1.46.04	N	23.4.46	E	27.18.53	395.00
8	1.46.04	N	23.4.46	E	27.18.53	395.00
9	1.46.04	N	23.4.46	E	27.18.53	395.00
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11	1.46.04	N	23.4.46	E	27.18.53	395.00
12	1.46.04	N	23.4.46	E	27.18.53	395.00
13	1.46.04	N	23.4.46	E	27.18.53	395.00
14	1.46.04	N	23.4.46	E	27.18.53	395.00
15	1.46.04	N	23.4.46	E	27.18.53	395.00
16	1.46.04	N	23.4.46	E	27.18.53	395.00
17	1.46.04	N	23.4.46	E	27.18.53	395.00
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20	1.46.04	N	23.4.46	E	27.18.53	395.00
21	1.46.04	N	23.4.46	E	27.18.53	395.00
22	1.46.04	N	23.4.46	E	27.18.53	395.00
23	1.46.04	N	23.4.46	E	27.18.53	395.00
24	1.46.04	N	23.4.46	E	27.18.53	395.00
25	1.46.04	N	23.4.46	E	27.18.53	395.00
26	1.46.04	N	23.4.46	E	27.18.53	395.00
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32	1.46.04	N	23.4.46	E	27.18.53	395.00
33	1.46.04	N	23.4.46	E	27.18.53	395.00
34	1.46.04	N	23.4.46	E	27.18.53	395.00
35	1.46.04	N	23.4.46	E	27.18.53	395.00
36	1.46.04	N	23.4.46	E	27.18.53	395.00
37	1.46.04	N	23.4.46	E	27.18.53	395.00
38	1.46.04	N	23.4.46	E	27.18.53	395.00
39	1.46.04	N	23.4.46	E	27.18.53	395.00
40	1.46.04	N	23.4.46	E	27.18.53	395.00
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48	1.46.04	N	23.4.46	E	27.18.53	395.00
49	1.46.04	N	23.4.46	E	27.18.53	395.00
50	1.46.04	N	23.4.46	E	27.18.53	395.00
51	1.46.04	N	23.4.46	E	27.18.53	395.00

LINE TABLE

L1	N	00.8	0.4	E	15.7
L2	N	00.8	0.4	E	15.7
L3	N	00.8	0.4	E	15.7
L4	N	00.8	0.4	E	15.7
L5	N	00.8	0.4	E	15.7
L6	N	00.8	0.4	E	15.7
L7	N	00.8	0.4	E	15.7
L8	N	00.8	0.4	E	15.7
L9	N	00.8	0.4	E	15.7
L10	N	00.8	0.4	E	15.7
L11	N	00.8	0.4	E	15.7
L12	N	00.8	0.4	E	15.7
L13	N	00.8	0.4	E	15.7
L14	N	00.8	0.4	E	15.7
L15	N	00.8	0.4	E	15.7

SITE:

CURRENT ZONING: CR-R-R
LOT SIZE MIN.: 182,562 SF/4.19 AC
TOTAL AREA: 477,989 SF/10.97 AC
SITE ADDRESS: 25744 KINGSBURY LANE

OWNER/DEVELOPER:

JAGGERS FAMILY REVOCABLE TRUST
CHRIS M. AND MARY L. JAGGERS
25744 KINGSBURY LN.
MIDDLETON, ID. 83644
208-850-8390

AVERY FAMILY REVOCABLE TRUST
25744 KINGSBURY LN
MIDDLETON, ID. 83644

LAND SURVEYOR:
JEREMY FIELDING
EAGLE LAND SURVEYING, LLC,
106 W. MAIN ST. UNIT D
MIDDLETON, ID. 83644
208-861-7513

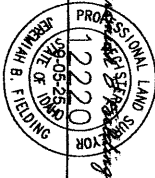
OTHERWISE:

5. ANY RE-SELECTION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RE-SELECTION.
6. ALL LOT 2 WILL BE REQUIRED TO DRILL A WELL FOR DOMESTIC WATER. LOT 1 HAS AN EXISTING WELL.
7. ALL LOT 2 WILL BE REQUIRED TO PROVIDE AN INDIVIDUAL SEPTIC SYSTEM. LOT 1 HAS AN EXISTING SEPTIC SYSTEM.
8. THE HOMEOWNER'S 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 LAND USE DISCHARGE STORM WATER ONTO HIGHWAY DISTRICT RIGHT-OF-WAY OR INTO THE DISTRICTS MUNICIPAL SEPARATE STORM SEWER SYSTEM.
9. NO FURNACE STRUCTURES SHALL BE LOCATED CLOSER THAN SEVENTY FEET TO ANY SECTION LINE OR QUARTER SECTION LINE UNLESS THE HIGHWAY DISTRICT WAIVES THE SEVENTY FEET SETBACK REQUIREMENT.
10. NO FURNACE STRUCTURES SHALL BE LOCATED CLOSER THAN SEVENTY FEET TO ANY SECTION LINE OR QUARTER SECTION LINE UNLESS THE HIGHWAY DISTRICT WAIVES THE SEVENTY FEET SETBACK REQUIREMENT.
11. A PORTION OF THE PROPERTY IS WITHIN THE TOWNE #1 FLOODPLAIN PER PANEL NUMBER TWO (2) OF THE FLOOD MAP DATED 6/24/2011. FLOOD STUDY COMPLETED IN OCTOBER 2002 BY HORNBECK-STEVES ENGINEERING.
12. LOTS FRONTING EDNA LAKE ARE SUBJECT TO A ROADWAY SLOPE EASEMENT FOR THE ROAD RIGHT-OF-WAY EASEMENT, IN FAVOR OF HIGHWAY DISTRICT NO. 4 FOR THE CONSTRUCTION AND MAINTENANCE OF THE ROADWAY SHOWN HEREON.
13. THE HOMEOWNER'S ASSOCIATION OR ADJACENT PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING ANY AND ALL ADJACENTS (LAWNS, SPRAWKLEYS, SIDEWALKS, LANDSCAPING ETC.) APPROVED BY THE DISTRICT TO BE WITHIN THE PUBLIC RIGHT-OF-WAY.
14. NO DEVELOPMENT IS ALLOWED IN AREAS WITH SLOPES GREATER THAN 15% AS IDENTIFIED AS THE "NON-BUILDABLE" AREAS ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

JEREMIAH B. FIELDING, P.L.S.



IDAHO LICENSE NO. 12220

EAGLES LAND SURVEYING, LLC.

106 W. MAIN ST. UNIT D, MIDDLETON, ID 83601
(208) 861-7513; ph12230@yahoo.com

**PRELIMINARY PLAT
OF
BOW-TIE ESTATES SUB.**

SEC. 26, T. 5 N., R. 2 W., B.M.

REVISED:		5-24-22	SHEET
		2-23-23	
		3-12-25	
DATE		5-24-22	PROJECT
DRAWN BY		22-074	
CHECKED BY		0P	
		1	DESIGNED AND SET ALL DIMENSIONS

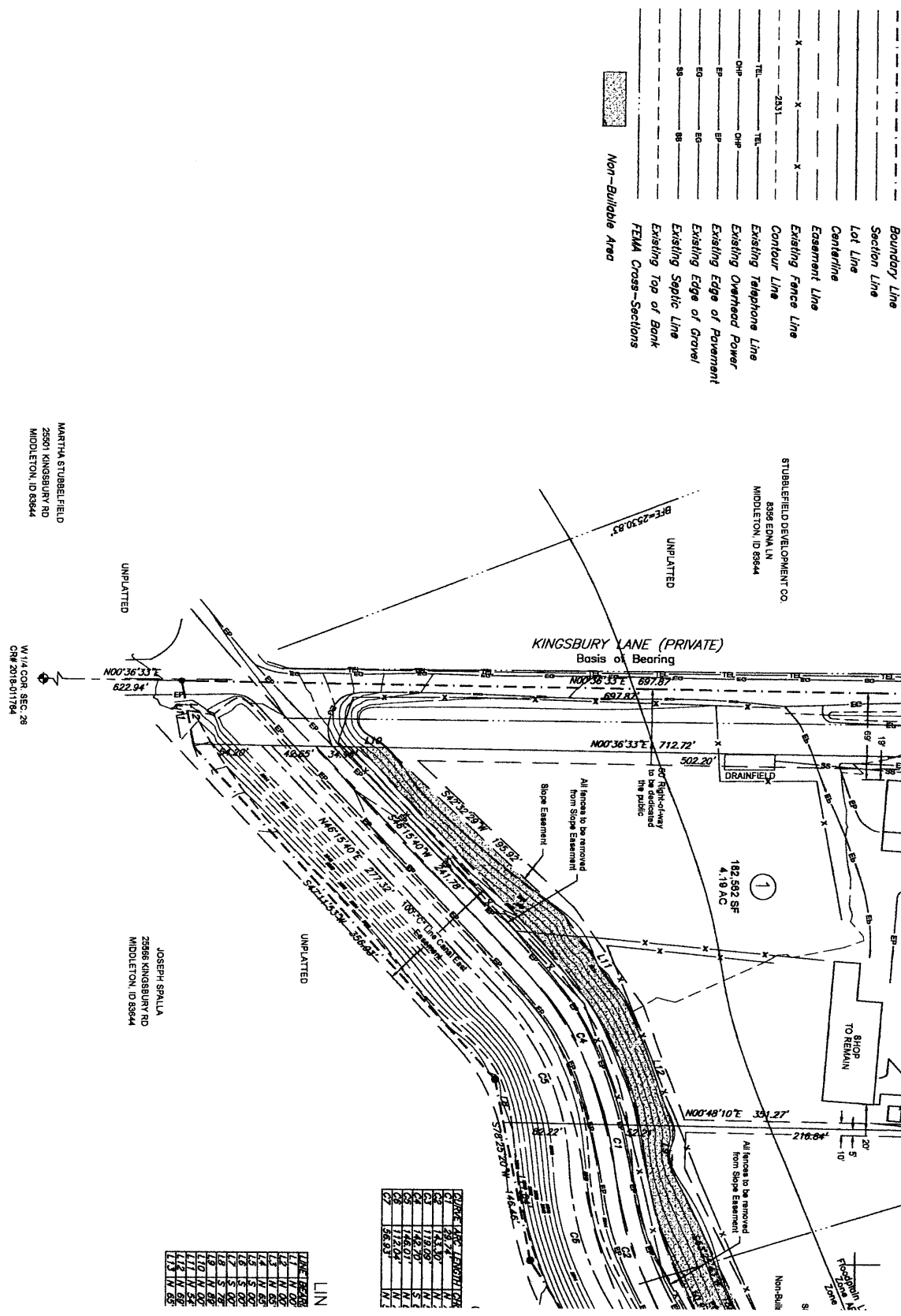


Exhibit A.8

From: PRESTON preston208@msn.com
Subject: Middleton propert
Date: September 9, 2025 at 6:36 PM
To: Keri Smith keri@tvpidaho.com

I give Karri Smith and Chris Jagers my permission to negotiate on my property
Preston Avery
Sent from my iPhone

HIGHWAY DISTRICT NO. 4

15435 Highway 44
CALDWELL, IDAHO 83607

RECEIPT NO 7998

Date September 10, 2025

RECEIVED FROM Chris or Mary Jagers

Address Bowtie Estates

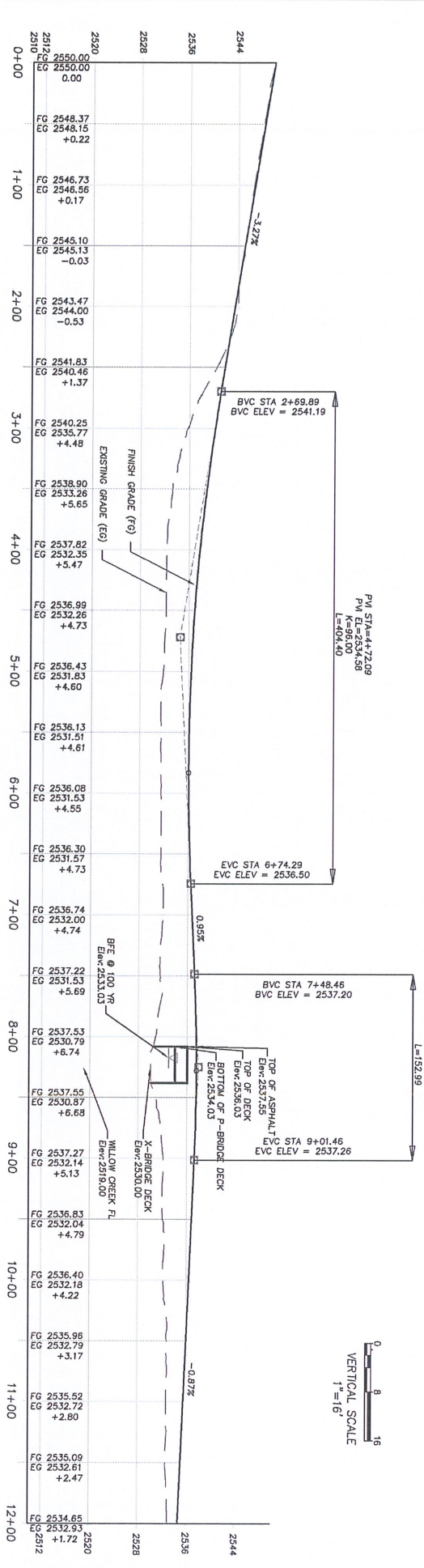
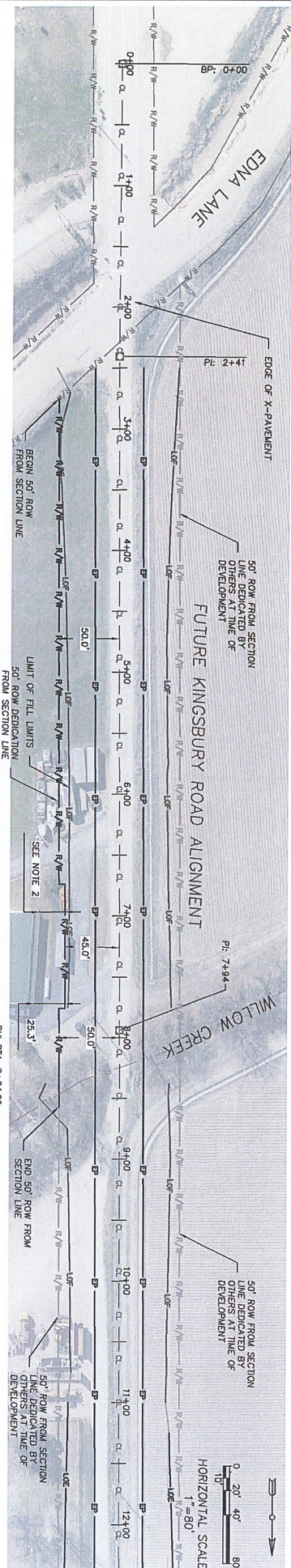
DOLLARS \$ 750.00

For ROW Variance

- ☐ Cash
☒ Check
☐ Transfer

HIGHWAY DISTRICT NO. 4

BY SA



NOTES

1. DIMENSIONS TO OBJECTS ARE BASED ON AERIAL PHOTOGRAPHY AND GIS TAX PARCELS AND ARE THEREFORE APPROXIMATE.
2. SW CORNER OF SHOP IS CLOSER TO THE SECTION LINE THEN THE OTHER PARTS OF THE BUILDING. ROW DEDICATION USING APPLICANTS' PLAT TO BE NO CLOSER THAN 20' FROM STRUCTURE TO BE CONSISTENT WITH RURAL RESIDENTIAL SERVICES

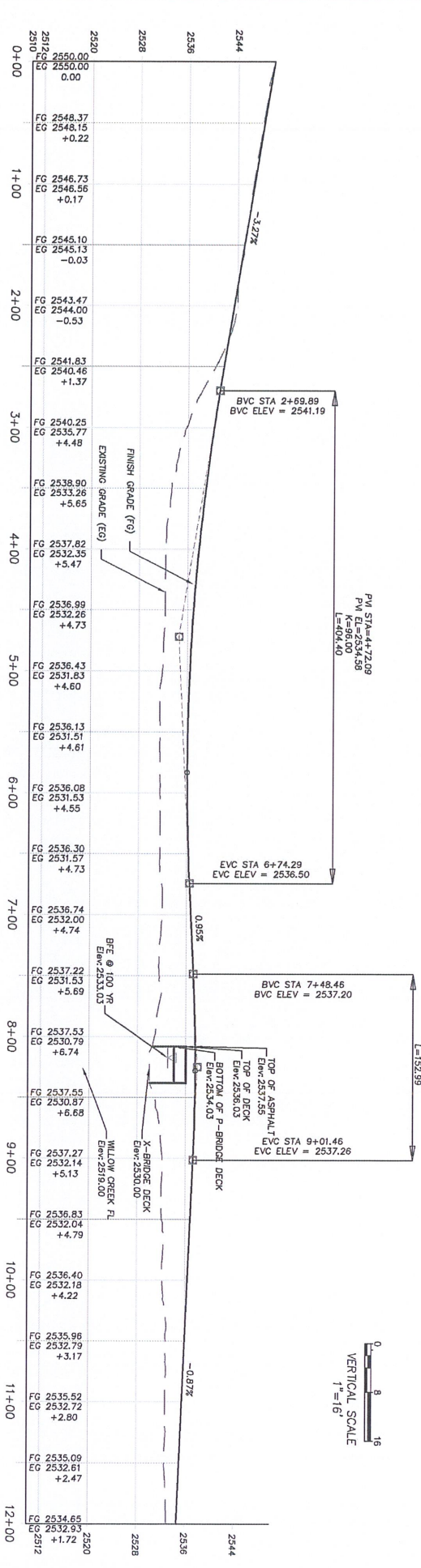
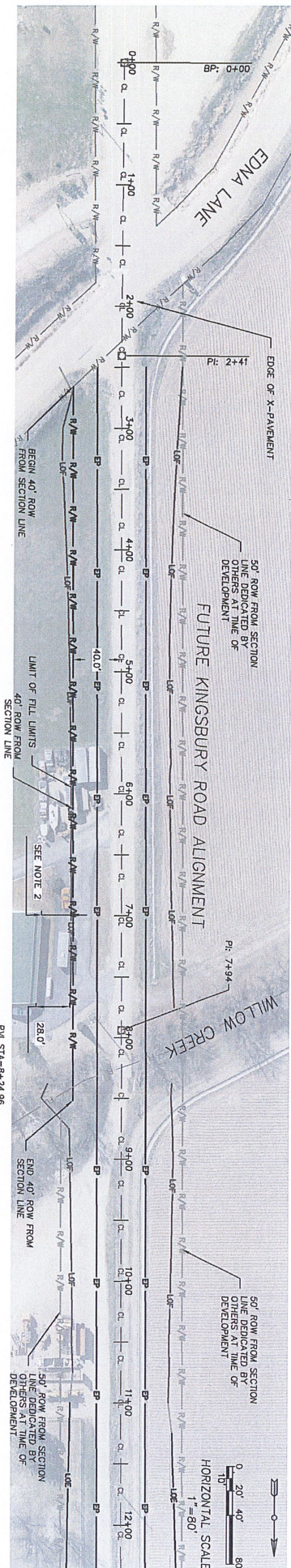
KINGSBURY ROAD (1021D) ROAD AND BRIDGE CONCEPT

HIGHWAY DISTRICT NO. 4
15425 HWY 14
Caldwell, Idaho 83607
Phone: 208.454.8705
Fax: 208.454.2008



CAD FILE:
PROJECT: 1021D
DRAWING NO.:
DESIGN BY: LHM
CHECKED BY: LHM
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY
HDS SCALE: SCALEBAR
VER SCALE: NA

3-LANE CONCEPT
(50' ROW REDUCED AT SHOP)
KINGSBURY ROAD: STA 0+00 TO STA 12+00
PLAN & PROFILE
SHEET
3 OF 7



- NOTES
1. DIMENSIONS TO OBJECTS ARE BASED ON AERIAL PHOTOGRAPHY AND GIS TAX PARCELS AND ARE THEREFORE APPROXIMATE. SW CORNER OF SHOP IS CLOSER TO THE SECTION LINE THEN THE OTHER PARTS OF THE BUILDING. ROW DEDICATION USING APPLICANT'S PLAT RESULTS IN 28' SETBACK.
 - 2.

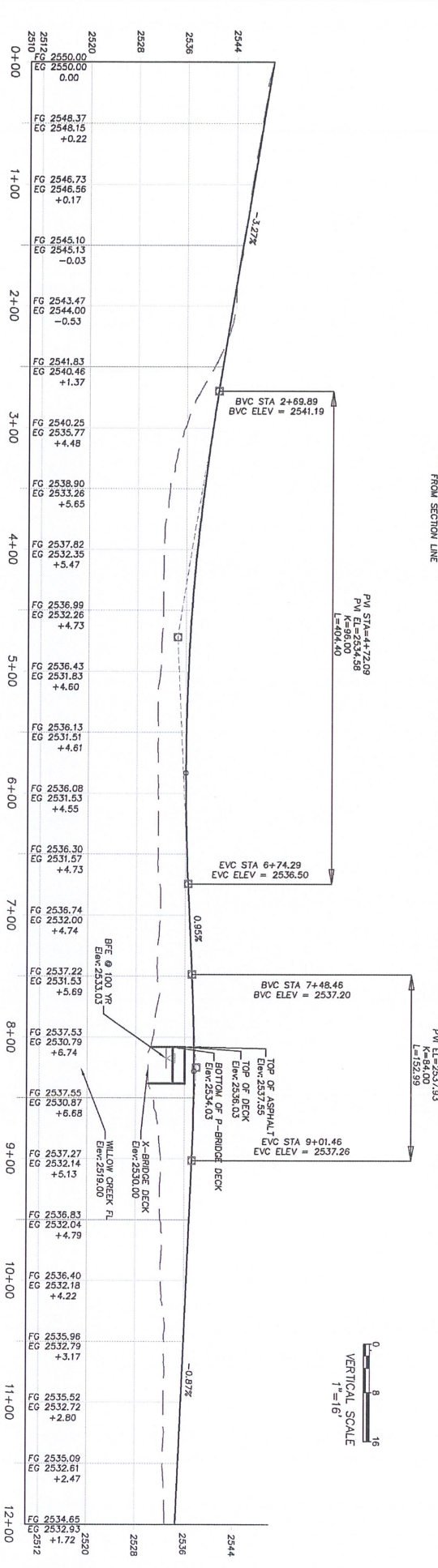
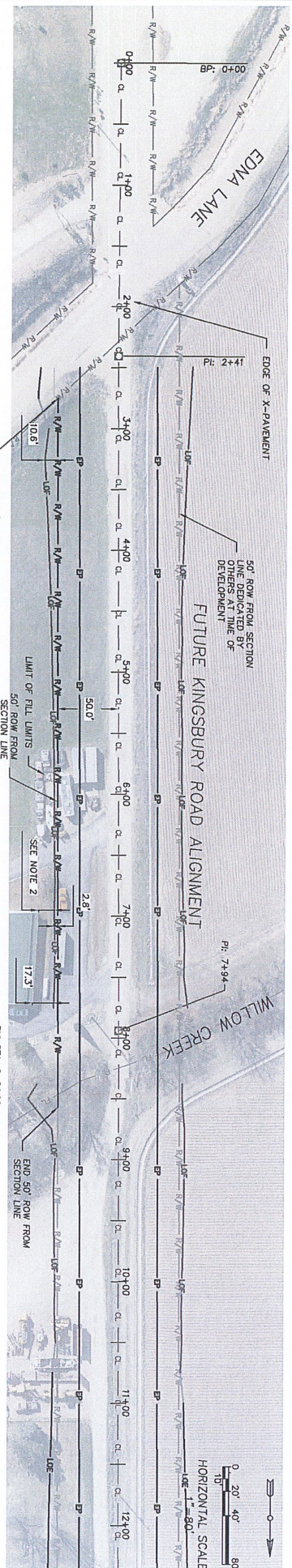
KINGSBURY ROAD (1021D) ROAD AND BRIDGE CONCEPT

HIGHWAY DISTRICT NO. 4
15435 Hwy. 44
Caldwell, Idaho 83607
Phone: 208.454.8105
Fax: 208.454.2008



CAD FILE:	PROJ. # 1021D.F
DRAWN BY:	LJR
DESIGN BY:	LJR
CHECKED BY:	
AT FULL SIZE, IF NOT ONE INCH, SCALE OF SHEET	SCALE OF SHEET
VER. SCALE:	1"=16'

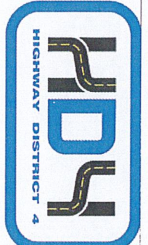
3-LANE CONCEPT (40' ROW)
KINGSBURY ROAD: STA 0+00 TO STA 12+00
PLAN & PROFILE



- NOTES**
- DIMENSIONS TO OBJECTS ARE BASED ON AERIAL PHOTOGRAPHY AND GIS TAX PARCELS AND ARE THEREFORE APPROXIMATE. SW CORNER OF SHOP IS CLOSER TO THE SECTION LINE THEN THE OTHER PARTS OF THE BUILDING. ROW DEDICATION USING APPLICANT'S PLAT LIKELY RESULTS IN AN 18' SETBACK. FROM LIMITS OF FILL APPROXIMATELY 19' SEPARATION FROM 102' TO WALL OF BUILDING.

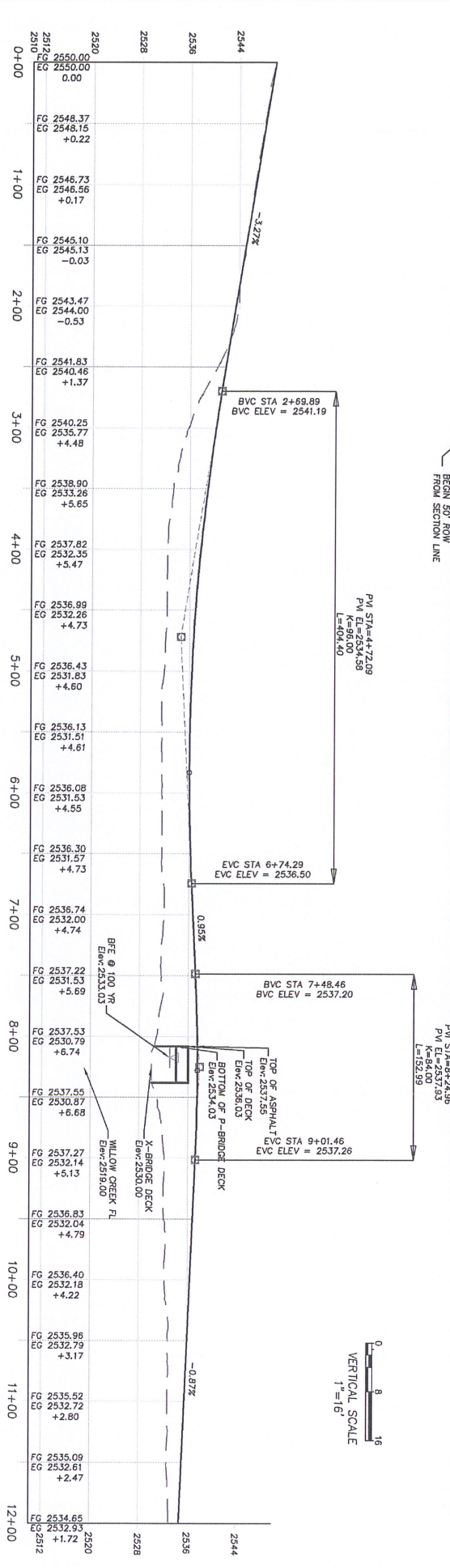
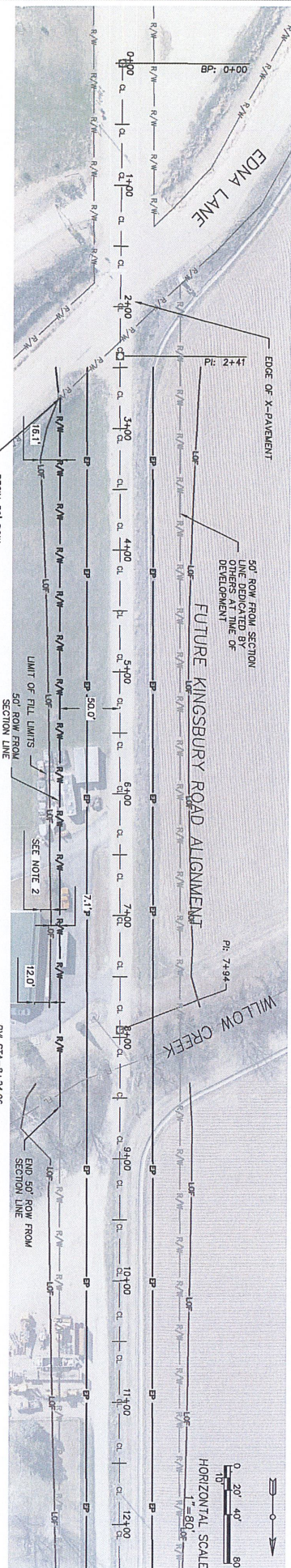
KINGSBURY ROAD (1021D) ROAD AND BRIDGE CONCEPT

HIGHWAY DISTRICT NO. 4
15435 Hwy. 44
Caldwell, Idaho 83607
Phone: 208.454.8105
Fax: 208.454.2008



CAD FILE: PROJ. # 1012DF
DRAWING NO.:
DESIGN BY: LMR
CHECKED BY:
AT FULL SIZE, IT IS NOT ONE INCH.
SCALE OF SHEET: SCALEBAR
VER. SCALE: 1"=16'

5-LANE RURAL CONCEPT KINGSBURY ROAD: STA 0+00 TO STA 12+00 PLAN & PROFILE



NOTES:
 1. DIMENSIONS TO OBJECTS ARE BASED ON AERIAL PHOTOGRAPHY AND GIS TAX PARCELS AND ARE THEREFORE APPROXIMATE.
 2. SW CORNER OF SHOP IS CLOSER TO THE SECTION LINE THAN THE OTHER PARTS OF THE BUILDING. ROW DEDICATION USING APPLICANTS PLAT LIKELY RESULTS IN AN 18' SETBACK FROM LIMITS OF FILL. APPROXIMATELY 7' SEPARATION FROM TOE TO WALL OF BUILDING.

KINGSBURY ROAD (1021D) ROAD AND BRIDGE CONCEPT

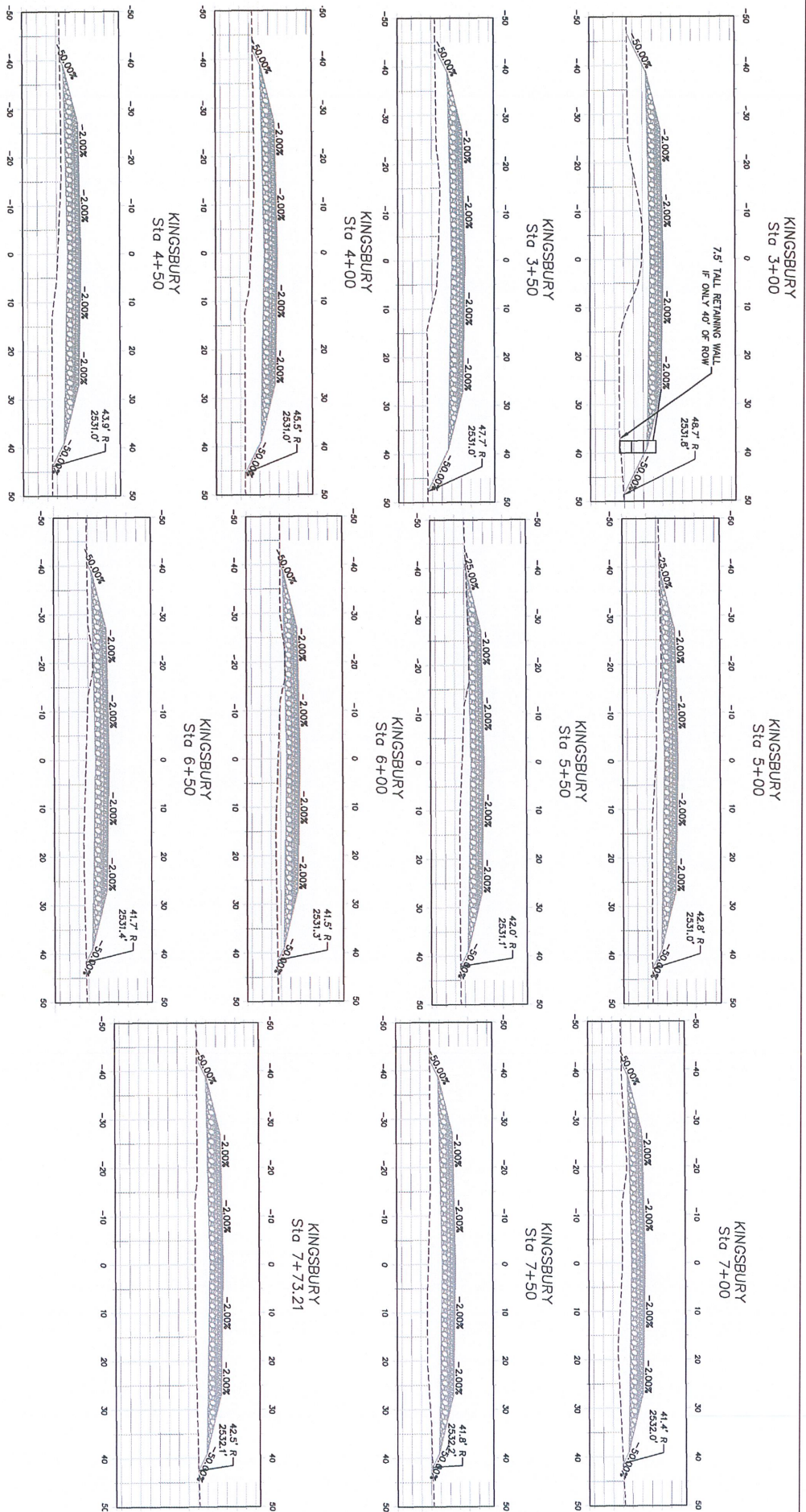
HIGHWAY DISTRICT NO. 4
 15435 HWY. 44
 Caldwell, Idaho 83607
 Phone: 208.454.8306
 Fax: 208.454.2008



CAD FILE:
 PROJ. # 1021D-F
 DRAWING NO.:
 DRAWN BY: LHM
 DESIGN BY: LHM
 CHECKED BY:
 AT FULL SIZE, IF NOT ONE INCH,
 SCALE SCALE ACCORDINGLY
 HDS SCALE: SCALEBAR
 VERT. SCALE: 1"=16'

5-LANE ACHD CONCEPT KINGSBURY ROAD: STA 0+00 TO STA 12+00 PLAN & PROFILE

Exhibit A.8



KINGSBURY ROAD (1021D) ROAD AND BRIDGE CONCEPT

HIGHWAY DISTRICT NO. 4
15435 Hwy. 44
Caldwell, Idaho 83607
Phone: 208.454.8105
Fax: 208.454.2008



CAD FILE:
PROJ. # 1021D-F
DRAWING NO.:
DRAWN BY: LJR
DESIGN BY: LJR
CHECKED BY:
AT FULL SIZE, IF NOT ONE INCH,
SCALE OF SHEET:
HORIZ. SCALE: SCALEBAR
VERT. SCALE: N/A

3-LANE CONCEPT CROSS SECTIONS

LAST UPDATED: 9/25/25
SHEET
7 OF 7

Good morning Commissioners,

Thank you for the opportunity to speak today. My name is Keri Smith, with Treasure Valley Planning, and I'm here representing the Avery and Jagger families, owners of the property now known as Bow Tie Estates, located at the northwest corner of Kingsbury Road and Edna Lane.

We are here today to respectfully request a variance from the Highway District's 50-foot right-of-way dedication requirement for Kingsbury Road. Specifically, we are asking for a reduced dedication of no more than 39 feet, with a preference for 35 feet. This request is reasonable, proportionate, and legally sound. It would allow the final plat to proceed without jeopardizing a legally constructed structure or undermining the District's long-term transportation goals.

Background and Context of Entitlements

This property came under review after the entire original acreage, including parcels held by both Mr. Jaggers and the Avery Family Trust, was conditionally rezoned by Canyon County. That rezone was required by the County to correct an earlier deed-based land division and to move forward with a short plat application.

As part of that rezone approval, the applicants agreed to prohibit secondary dwellings—a condition that is now binding and clearly documented. As a result, each lot is entitled to only one single-family residence, and no more. There has been no increase in use intensity or traffic impact from this subdivision compared to what was legally allowed before the rezone.

Mr. Jaggers constructed a new approach on Edna Lane for the newly created lot, while the existing garage and home continues to access Kingsbury Road through an HD4-approved approach from 2001. There are no new driveway cuts to Kingsbury. In practical terms, this project:

- Adds no new trips to Kingsbury
- Adds no new burden to the road system
- Does not alter the functional character of the corridor

Where the Conflict Lies

The issue arises from the new 50-foot ROW dedication requirement. The existing garage was built in 2001, with an approved approach permit referencing a 40-foot ROW standard. The structure sits 65–68 feet from the section line, exceeding the 60-foot setback required at that time.

Under today's 50-foot ROW requirement, the garage would sit only 18–19 feet from the ROW, causing the structure to violate Canyon County's current 30-foot setback rule. That single

change now prevents the County from processing or signing the final plat—despite the fact that the building itself hasn't changed and was built fully in compliance with local standards.

However, there's a path forward. The rezone and platting process has positioned the project to benefit from Rural Residential (RR) setbacks, including a 20-foot front setback. County staff has already indicated they would support a modification to apply those standards, which could bring the building back into full compliance—but only if the ROW requirement is reduced.

So this variance not only avoids a hardship, it facilitates compliance—something we all want to achieve.

Why the Variance Is Justified

This request meets every requirement under your own variance policy:

1. Literal enforcement causes a hardship – A 50-foot ROW makes the plat unrecordable and turns a legal building into a non-conforming structure.
2. Extraordinary site conditions exist – The structure was built under a prior ROW standard and legally permitted. The issue arises only because HD4 changed its standard after the fact.
3. Denial deprives the applicant of equal treatment – This is a two-lot rural plat with no added traffic, being asked to give arterial-level ROW.
4. This is not a special privilege – We're not asking for exemption from dedication—just for a reduced width that respects the actual impact of the project.
5. The public health and safety are protected – Staff has confirmed that a 3-lane section can be constructed within the requested 35-~~30~~-foot dedication without the need for a retaining wall and that such a road will meet 20-year capacity planning standards.

On Proportionate Share and Legal Standards

We appreciate the time staff has spent modeling different design options for Kingsbury Road. That level of analysis shows genuine care and vision. But as a former County Commissioner myself, I also know that even good policy must be filtered through the lens of the law.

And the law—particularly U.S. Supreme Court precedent—is clear.

Under *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*, any exaction like a ROW dedication must meet two tests:

There must be an essential nexus between the dedication and a legitimate public interest.

The exaction must be roughly proportional to the actual impact of the development.

The Idaho Supreme Court reaffirmed these standards in *Ada County Highway District v. Brooke View, Inc.* and *City of Coeur d'Alene v. Simpson*. These are not suggestions. They are constitutional standards binding on all local governments—including highway districts.

Yes, we agree Kingsbury Road serves a legitimate public interest. But the law also requires that the burden placed on this property be individualized, not generalized. And in this case, there is no new impact—no added traffic, no new access—so imposing a 50-foot ROW is not constitutionally proportionate.

Even if policy says 50 feet, the Constitution says otherwise.

To help put this into perspective: Staff indicates that Kingsbury Road is being planned to handle approximately 6,000 daily vehicle trips in the future. Meanwhile, this subdivision—with just two homes, both restricted to single-family use—will generate fewer than 20 vehicle trips per day based on standard traffic generation estimates. That's less than 0.35% of the anticipated traffic volume.

And yet this small, rural plat is being asked to dedicate land suitable for five-lane arterial construction—right now. That's not just disproportionate. It's the exact situation that courts have repeatedly warned public agencies to avoid.

A Common-Sense Approach — Echoing the Board's Stated Values

I want to take a moment to commend this Board—particularly the new Commissioners—for bringing a thoughtful, pragmatic perspective to these decisions.

I saw Commissioner Matt Newton quoted during his campaign saying:

“Improvements should only be required if they are linked to traffic study data or other quantifiable information about the impacts of added traffic, instead of the board having ‘an emotional response’ to a specific development.”

I couldn't agree more.

That's not just a sound campaign principle—it reflects what the courts have said over and over. We must link requirements to measurable, site-specific impacts. That's not just smart government—it's legal government.

As a former Commissioner, I understand the weight of these decisions. We're all working to protect the public interest, reduce long-term costs to taxpayers, and uphold the integrity of adopted ordinances and procedures. But we must also ensure that individual property owners are not forced to carry the weight of regional infrastructure when their development doesn't create the need.

Our Proposed Solution

We're not saying "no" to a ROW dedication. We're saying let's right-size it. We're proposing a dedication of 35–39 feet—enough to build a 3-lane section today, preserve grading flexibility, and avoid burdening this plat with a retaining wall or condemnation down the road.

And we're doing it in a way that:

- Respects HD4's long-range goals
- Respects prior legal approvals
- Keeps the project consistent with both County and constitutional law

Closing

This is not about sidestepping the process. This is about good government—balancing planning, fairness, and legal integrity.

I respectfully ask for your support of this variance so that the project can move forward in a way that protects the property owner, supports the County, and keeps the Highway District in alignment with both its policy and its constitutional responsibilities.

Thank you for your time, and I'm happy to answer any questions.

** Oh, just to be clear, we do not consent to any future ROW dedication as the proposed conditions state.*

EXHIBIT 3

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# SD2023-0012

Hearing date June 4, 2026

R37468012A PARCEL INFORMATION REPORT

5/27/2026 6:43:50 PM

PARCEL NUMBER: R37468012A**OWNER NAME: AVERY FAMILY REVOCABLE TRUST****CO-OWNER: AVERY PRESTON J TRUSTEE****MAILING ADDRESS: 250 VALLI HI RD EAGLE ID 83616****SITE ADDRESS: 25744 KINGSBURY LN****TAX CODE: 0310000****TWP: 5N RNG: 2W SEC: 26 QUARTER: NW****ACRES: 5.00****HOME OWNERS EXEMPTION: No****AG-EXEMPT: No****DRAIN DISTRICT: NOT In Drain Dist****ZONING DESCRIPTION: AG / AGRICULTURE****HIGHWAY DISTRICT: HIGHWAY DISTRICT #4****FIRE DISTRICT: MIDDLETON FIRE****SCHOOL DISTRICT: MIDDLETON SCHOOL DIST #134****IMPACT AREA: Star****FUTURE LAND USE 2011-2022 : RES****FLU Overlay Zone Desc 2030:****FLU RR Zone Desc 2030: RURAL RESIDENTIAL****FUTURE LAND USE 2030: AGRICULTURE****IRRIGATION DISTRICT: BLACK CANYON IRRIGATION DIST****FEMA FLOOD ZONE: A / X FLOODWAY: NOT In FLOODWAY FIRM PANEL:
16027C0275F****WETLAND: Riverine****NITRATE PRIORITY: NO Nitrate Prio****FUNCTIONAL Classification: PRINCIPAL ARTERIAL****INSTRUMENT NO. : 2023001447****SCENIC BYWAY: NOT In Scenic Byway****LEGAL DESCRIPTION: 26-5N-2W NW TX 23024 IN NW****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.

R37468012A PARCEL INFORMATION REPORT

5/27/2026 6:44:10 PM

1

PARCEL NUMBER: **R37468012A1**

OWNER NAME: **JAGGERS FAMILY REVOCABLE TRUST**

CO-OWNER: **JAGGERS CHRISTOPHER MICHAEL TRUSTEE**

MAILING ADDRESS: **25744 KINGSBURY LN MIDDLETON ID 83644**

SITE ADDRESS: **0 KINGSBURY LN**

TAX CODE: **0310000**

TWP: **5N** RNG: **2W** SEC: **26** QUARTER: **NW**

ACRES: **5.97**

HOME OWNERS EXEMPTION: **No**

AG-EXEMPT: **Yes**

DRAIN DISTRICT: **NOT In Drain Dist**

ZONING DESCRIPTION: **AG / AGRICULTURE**

HIGHWAY DISTRICT: **HIGHWAY DISTRICT #4**

FIRE DISTRICT: **MIDDLETON FIRE**

SCHOOL DISTRICT: **MIDDLETON SCHOOL DIST #134**

IMPACT AREA: **Star**

FUTURE LAND USE 2011-2022 : **RES**

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030: **RURAL RESIDENTIAL**

FUTURE LAND USE 2030: **AGRICULTURE**

IRRIGATION DISTRICT: **BLACK CANYON IRRIGATION DIST**

FEMA FLOOD ZONE: **A / X** FLOODWAY: **NOT In FLOODWAY** FIRM PANEL:
16027C0275F

WETLAND: **Riverine**

NITRATE PRIORITY: **NO Nitrate Prio**

FUNCTIONAL Classification: **NOT In COLLECTOR**

INSTRUMENT NO. : **2022036127**

SCENIC BYWAY: **NOT In Scenic Byway**

LEGAL DESCRIPTION: **26-5N-2W NW TX 22703 IN NW**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

SMALL CITY ZONING TYPE:



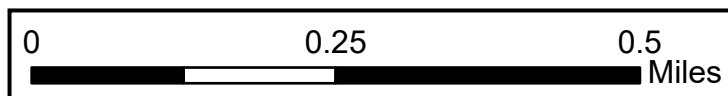
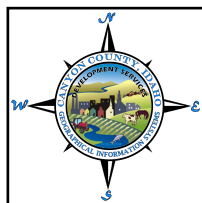
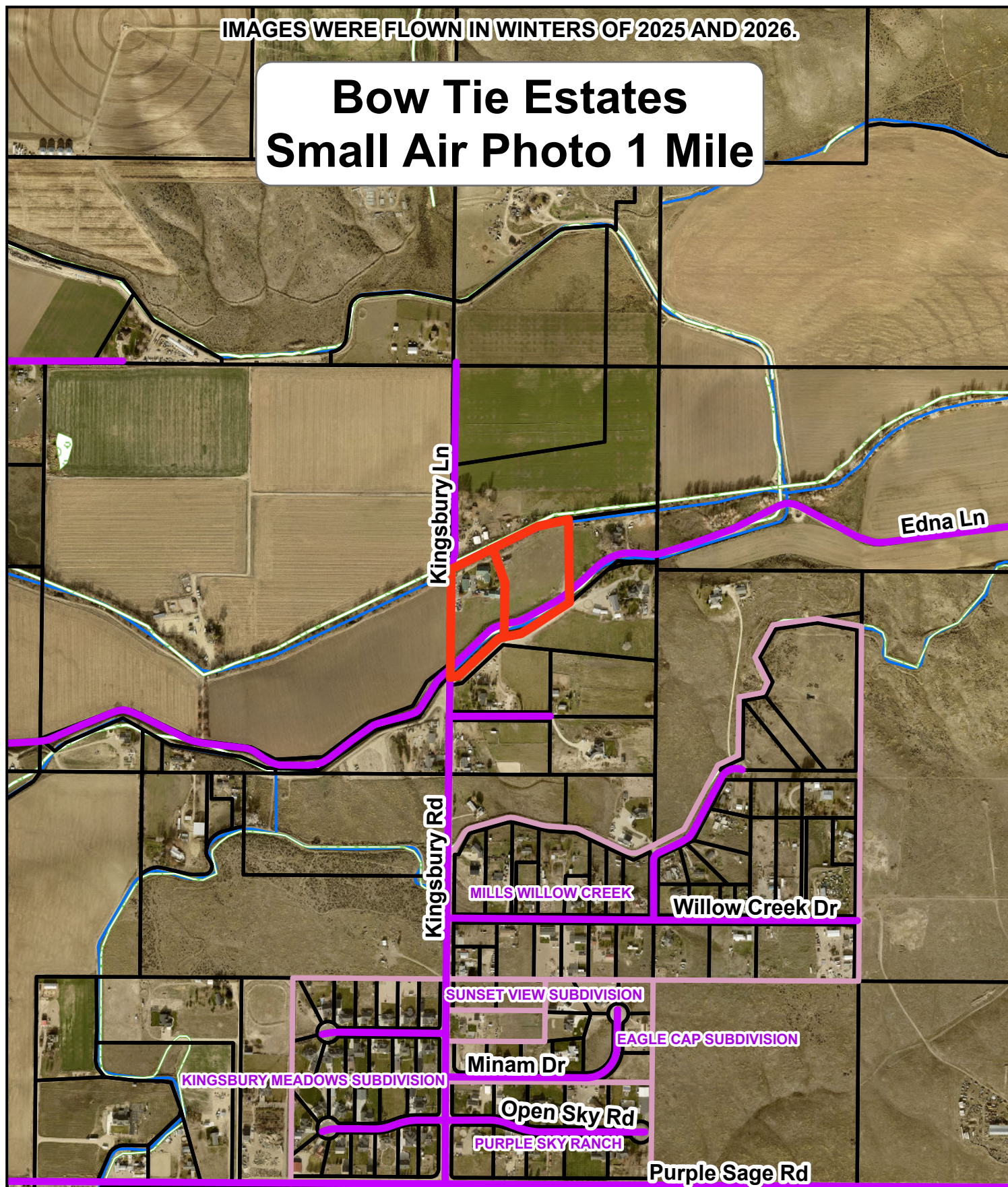
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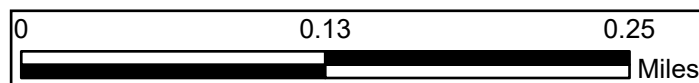
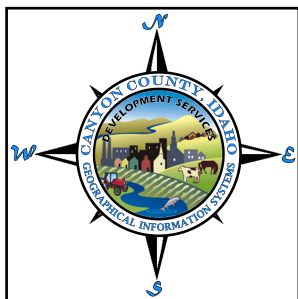
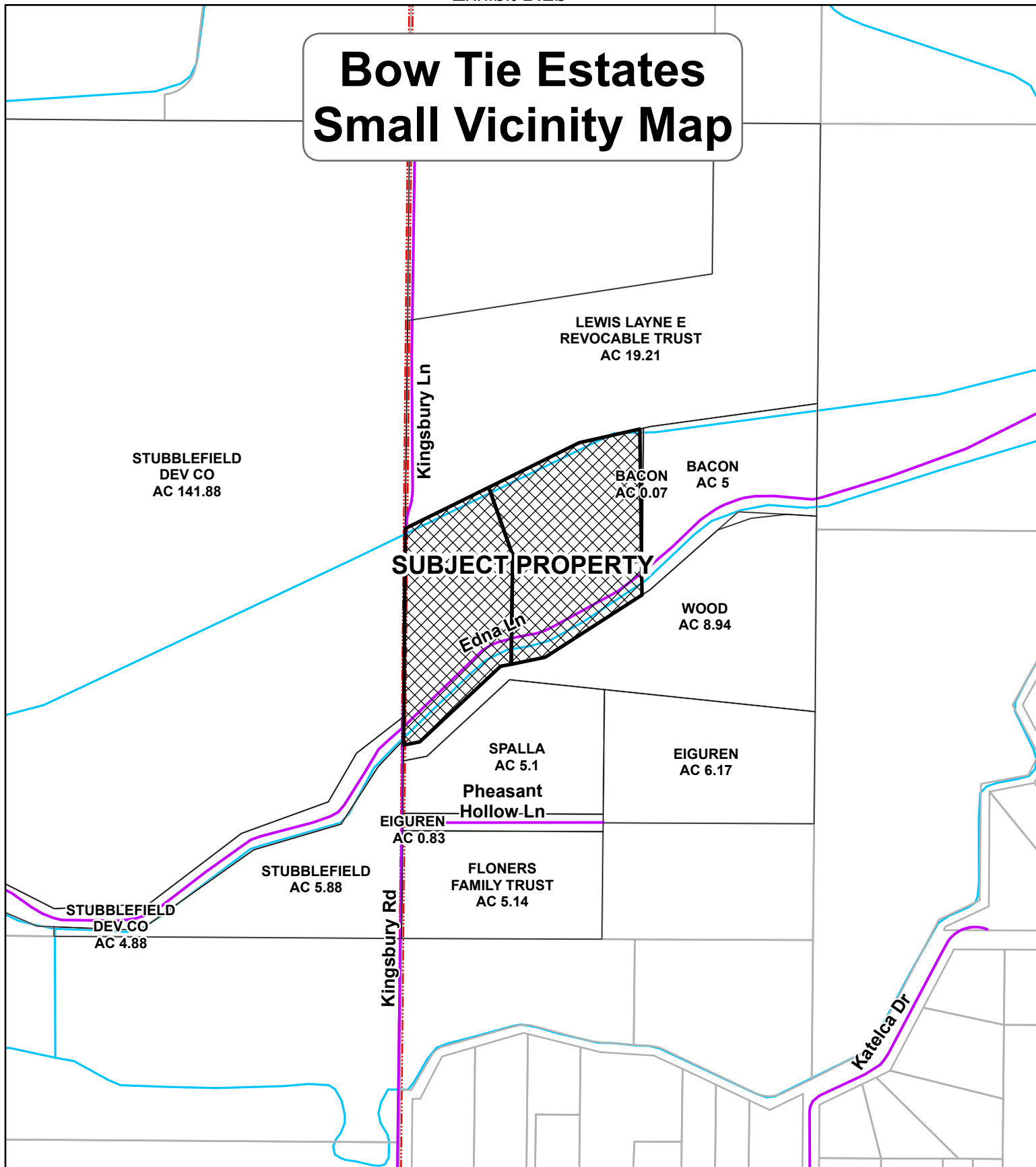
CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM
THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

IMAGES WERE FLOWN IN WINTERS OF 2025 AND 2026.

Bow Tie Estates Small Air Photo 1 Mile



Bow Tie Estates Small Vicinity Map





BOARD OF COUNTY COMMISSIONERS
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

In the matter of the application of **Jaggers/Avery – RZ2023-0003**, the Canyon County Board of County Commissioners considers the following:

- 1) Conditional Rezone of parcels R37468012A and R3768012A1 from an “A” (Agricultural) zone to a “CR-R-R” (Conditional Rezone – Rural Residential). The request includes a development agreement limiting the parcels to meet a five-acre minimum lot size.
- 2) Location: 25744 Kingsbury Lane, Middleton; as referenced as a portion of the NW¼ of Section 26, T5N, R2W, B-M, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File RZ2023-0003.
 - a. *See Staff Report Addendum dated May 8, 2025, for all exhibits.*

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), and CCCO §09-19-12 (Area of City Impact Agreement).
 - a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509.
 - b. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See CCCO §07-06-07(1).*
 - c. All conditional rezones for land use shall commence 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. *See CCCO §07-05-01*
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. *See I.C. §67-6504, §67-6511.*
3. The Board has the authority to hear this case and make its own independent determination. *See I.C. §67-6519, §67-6504, 67-6509 & 67-6511.*
4. The Board can sustain, modify, or reject the Commission’s recommendations. *See CCCO §07-05-03.*
5. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
6. 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. 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. CCCO §07-05-03(1)(I).

The application, RZ2023-0003, was presented at a public hearing before the Canyon County Board of County Commissioners on May 8, 2025. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Board of County Commissioners decides as follows:

CONDITIONAL REZONE CRITERIA – CCCO §07-06-07(6)

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

Conclusion: As conditioned, the proposed conditional rezone is generally consistent with the 2030 Comprehensive Plan because it complies with the intent and definition of the rural residential land use designation, located in an area of city impact, and aligns with goals and policies of the Comprehensive Plan.

Findings:

- (1) The Future Land Use Plan in the 2030 Canyon County Comprehensive Plan (Comp. Plan) designates a majority of the parcels as “agriculture” with a small portion along the southern boundary near Edna Lane as “rural residential” (Exhibit 3.B.2c of the staff report).
- (2) The Rural Residential designation identifies rural transitional areas to create a boundary between agricultural and urban areas. Within the mapped transition areas, the “R-R” (Rural Residential) zone is the promoted residential growth. Outside of the mapped transition area, some residential uses are encouraged where the use supports the continuing agricultural use (Pages 25 and 26 of the Comp. Plan).
- (3) The property is located in the Star Area of City Impact (Exhibit 3.B.2d of the staff report). The City of Star designates the future land use of the parcel and area as “Rural Residential, 1 unit per 2-5 acres.”
- (4) The request aligns with, but is not limited to, the following goals and policies of the Comp. Plan:
 - a. Property Rights G1.01.00: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.”
 - i. *See supporting evidence in criteria 07-06-07(6)A2, 3, and 4 in this document.*
 - b. Population G2.01.00: “Incorporate population growth trends and projections when making land-use decisions.”
 - c. Population G2.02.00: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”
 - i. Per population projects (page 14 of the 2030 Comp Plan), the current figures (Community in Motion Regional Plan) project the County population to be 359,180 by 2050, a thirty-two percent increase from 2020. In the next twenty-eight years, Canyon County expects to add an estimated 128,070 people.”
 - ii. The subject parcel is located in TAZ (Traffic Analysis Zone) 2127 (Approximately a 620-acre area): Star-Canyon Rural (Exhibit B.2l of the staff report). Based on the TAZ forecasts used by the state and/or local transportation officials and COMPASS for tabulating traffic-related data for future growth and needed transportation funding for improvements, approximately 10 households are anticipated between 2024 and 2050. The forecast shows the TAZ area is not a residential growth area. The nearest growth area is south of Purple Sage Road, approximately 3,000 feet south of the request. The request, as conditioned, maintains agricultural uses and character (Exhibits 3.A.2 & 3 of the staff report).
 - d. Land Use and Community Design P4.01.01: “Maintain a balance between residential growth and agriculture that protects the rural character.”

- e. Land Use and Community Design P4.01.02: “Planning, zoning, and land-use decisions should balance the community’s interests and protect private property rights.”
- f. Land Use and Community Design P4.02.01: “Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.”
- g. Land Use and Community Design P4.03.01: “Designate areas that may be appropriate for industrial, commercial, and residential land uses while protecting and conserving farmland and natural resources.”
- h. Land Use and Community Design P4.03.02: “Encourage the development of individual parcels and subdivisions that do not fragment existing land use patterns.”
- i. Land Use and Community Design P4.03.03: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.”
- j. Land Use and Community Design P4.05.01: “Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.”

See supporting evidence in criteria 07-06-07(6)A2, 3, and 4 in this document. See Attachment A for recommended development agreement conditions.

- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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

Conclusion: In consideration of the surrounding land uses, and as conditioned, the proposed conditional zone to “R-R” is more appropriate than the current zoning designation of “A”.

- Findings:**
- (1) The subject parcels and a majority of the surrounding parcels are zoned “A” (Agricultural, Exhibit 3.B.2e of the staff report). The subject parcels consist of best to moderately suited soils (Class II-III) and are considered prime farmland if irrigated (Exhibit 3.B.2i of the staff report). As conditioned, the parcels will continue to be used for agricultural purposes (Exhibit 3.A.2 of the staff report). The Canyon Soils Conservation District had no comments regarding the request (Exhibit 3.D.2 of the staff report).
 - (2) The five-acre parcel lot sizes requested are commensurate with the median lot size within a 600-foot radius (Exhibit 3.B.2e of the staff report).
 - (3) The Future Land Use plan within the 2030 Canyon County Comprehensive Plan designates the parcels as “agriculture” and “rural residential” (Exhibit 3.B.2c of the staff report). Between Purple Sage Road and the southern boundaries of the subject parcels, the 2030 Canyon County Comprehensive Plan designated the area as “rural residential,” which supports rural residential lot sizes as a transitional buffer between residential growth and agricultural preservation. The property is located in the Star Area of City Impact (Exhibit 3.B.2d of the staff report). The City of Star designates the future land use of the parcel and area as “Rural Residential, 1 unit per 2-5 acres.” Therefore, the area is anticipated to support rural residential densities in the future.
 - (4) As conditioned, the request will allow the subject parcels to maintain a five-acre minimum lot size. The five-acre parcel lot sizes requested are commensurate with the median lot size within a 600-foot radius (Exhibit 3.B.2e of the staff report). The parcels will be subject to the standards, use, and requirements of the “A” Zone to ensure consistency with the surrounding area. *See Attachment A for recommended development agreement conditions.*
 - (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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

Conclusion: As conditioned, the proposed conditional rezoning to “R-R” is compatible with surrounding land uses and lot sizes.

- Findings:**
- (1) Pursuant to CCCO §07-02-03: “Land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another and b) they do not exclude or diminish one another's use of public and private services.”
 - (2) The majority of the area is zoned “A” (Agricultural, Exhibit 3.B.2e of the staff report). Within a 600-foot radius, the average lot size is 22.23 acres with a median of 5.88 acres (Exhibit 3.B.2g of the staff report). However, the subject parcels are located near existing subdivisions and a similar land use decision.
 - (3) Similar Land Use Decisions (Exhibit 3.B.2f of the staff report):
 - a. CR2023-0001 – Johns (Exhibit 3.B.11 of the staff report): Conditional Rezone from an “A” Zone to a “R-1” (Single Family Residential) Zone. The rezone allowed the 2.9-acre parcel to be divided once. The approval is approximately 2,000 feet south of the subject parcels.
 - b. RZ2022-0011 – Sierra Vista (Exhibit 3.B.12 of the staff report): Rezone from an “A” Zone to an “R-R” zone. The request was denied due to cumulative traffic and school impacts. The denial is approximately 2,000 feet southwest of the subject parcels.
 - c. RZ2021-0034 – Cotner (Exhibit 3.B.13 of the staff report): Rezone from an “A” Zone to an “R-R” zone. The approval is approximately 4,100 feet southwest of the subject parcels and approved as Hawk View Estates Subdivision in 2024.
 - d. RZ2021-0012 – Reynolds (Exhibit 3.B.14 of the staff report): Rezone from an “A” Zone to a “R-1” (Single Family Residential) Zone. The case was denied due to the surrounding area supporting an “R-R” zone lot size and character. The denial is approximately 4,800 feet west of the subject parcels.
 - e. RZ2020-0024 – Spohn (Exhibit 3.B.15 of the staff report): Rezone from an “A” Zone to a “R-1” (Single Family Residential) Zone. The approval is approximately 2,500 feet south of the subject parcels and approved as Eagle Cap Subdivision in 2024.
 - (4) Within a one-mile radius, there are seven (7) subdivisions (Exhibit 3.B.2g of the staff report). The nearest subdivision, approximately 1,000 feet south of the subject parcels, is Mill Willow Creek, approved in 1987 with 38 lots, a 2.18-acre average lot size.
 - (5) A large portion of the request is located in a mapped floodplain (Zone A). The floodplain does not have base flood elevation data. Per CCCO §07-10A-11(1)O, all subdivision proposals greater than fifty (50) lots or five (5) acres must include base flood elevation data. The applicant submitted a base flood elevation determination stating the assumed flood elevation is 2535.7, and any structures would need the lowest floor to be raised to an elevation of 2537.7 (Exhibits 3.A.8 and 5.a of the staff report). The BFE determination will require review by the DSD Floodplain Administrator before preliminary plat approval via a Floodplain Development Permit per CCCO §07-10A-09. Therefore, floodplain impacts on the surrounding area will be minimized via the subdivision platting process before any physical development on Parcel R37468012A1.
 - (6) As conditioned, the subject parcels must maintain a minimum lot size of five acres. Other than lot size, the parcels will be subject to the minimum standards, use, and requirements of the “A” Zone to ensure consistency with the surrounding area. As conditioned, the rezoning would be consistent with the surrounding land uses. *See Attachment A for recommended development agreement conditions.*
 - (7) A notice of the request was published in the newspaper, posted on-site, and sent to property owners within 600 feet on January 21, 2025, and April 3, 2025. Five letters were received in support of the request (Exhibit 3.E of the staff report).

- (8) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?

Conclusion: As conditioned, the proposed conditional rezone will not negatively affect the character of the area because the result of the request will maintain the agricultural and rural character found in the area.

- Findings:**
- (1) The subject parcels and a majority of the surrounding parcels are zoned “A” (Agricultural, Exhibit 3.B.2e of the staff report). The subject parcels consist of best to moderately suited soils (Class II-III) and are considered prime farmland if irrigated (Exhibit 3.B.2i of the staff report). As conditioned, the parcels will continue to be used for agricultural purposes (Exhibit 3.A.2 of the staff report).
 - (1) As conditioned, the request will allow the subject parcels to maintain a five-acre minimum lot size. The five-acre parcel lot sizes requested are commensurate with the median lot size within a 600-foot radius and will allow existing hobby farming activities to continue (Exhibits 3.A.2 and 3.B.2e of the staff report). The parcels will be subject to the standards, use, and requirements of the “A” Zone to ensure consistency with the surrounding area. *See Attachment A for recommended development agreement conditions.*
 - (2) A notice of the request was published in the newspaper, posted on-site, and sent to property owners within 600 feet on January 21, 2025, and April 3, 2025. Five letters were received in support of the request (Exhibit 3.E of the staff report).
 - (3) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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

Conclusion: The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone.

- Findings:**
- (1) Sewer: Individual Septic Systems.
 - a. A septic system currently serves the dwelling on Parcel R37468012A. A new septic system is required for development on Parcel R37468012A1 (Exhibits 3.A.2 & A.5 of the staff report).
 - (2) Water: Individual Domestic wells. One well currently serves the dwelling on Parcel R37468012A. A new well is required for development on Parcel R37468012A1 (Exhibits 3.A.2 & A.5 of the staff report).
 - (3) Drainage: Retained on-site (Exhibits A.2 & A.5 of the staff report). A drainage plan was not submitted as part of the rezoning application. The DSD Engineering Department recommends a detailed drainage plan and stormwater management system at the time of platting (Exhibit 3.D.3 of the staff report).
 - (4) Irrigation: Surface water rights from Willow Creek will serve both parcels regulated by Black Canyon Irrigation District. Gravity irrigation exists and is proposed to remain (Exhibits 3.A.2, A.5 & A.7.d of the staff report). An irrigation plan was not submitted as part of the rezoning application. An irrigation plan is required at the time of platting (CCCO §07-17-09).
 - (5) Utilities are currently provided to the existing dwelling on Parcel R37468012A (Exhibit 3.C of the staff report). Extension of utilities to Parcel R37468012A1 will be provided through a utility easement at the time of platting (CCCO §07-17-09).
 - (6) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on October 9, 2024 & January 21, 2025. A newspaper notice was published on January

21, 2025. Property owners within 600' were notified by mail on January 21, 2025. Full political notice was provided on January 21, 2025. The property was posted on January 21, 2025.

- a. Southwest District Health requires a subdivision pre-application review and subdivision engineering report (Exhibits A.7a & D.1 of the staff report). The applicant submitted a Subdivision Engineering Report (SER) for review by Southwest District Health which was approved and will be included in the subsequent platting review if the rezone is approved (Exhibit D.1a of the staff report).

- (7) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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: As conditioned, the result of the request will not create undue interference with existing and/or future traffic patterns.

- Findings:**
- (1) The result of the request will allow a two-lot subdivision that equates to 19.04 average daily trips (38.08 average daily trips if secondary residences are allowed). Per CCCO §07-10-03(3), Note 3: "Trip generation per dwelling is 9.52 trips/day per ITE, "Trip Generation 9th Edition", rates for single-family detached housing."
 - (2) The applicant completed an agency acknowledgment review with Highway District 4 on April 5, 2023 (Exhibits 3.A.7c & 3.D.6 of the staff report). Comments received do not state any traffic concerns. At the time of platting and building permits, impacts will be addressed through impact fees, road improvements, and right-of-way dedication.
 - (3) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on October 9, 2024 & January 21, 2025. A newspaper notice was published on January 21, 2025. Property owners within 600' were notified by mail on January 21, 2025. Full political notice was provided on January 21, 2025. The property was posted on January 21, 2025.
 - a. ITD has no comments or concerns about the request (Exhibit 3.D.4 of the staff report).
 - (4) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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

Conclusion: The subject properties do have legal access. A new access and approach for Parcel R37468012A1 will be established at the time of platting.

- Findings:**
- (1) Parcel R37468012A has frontage along Edna Lane, a minor collector, and a portion of Kingsbury Road that is unmaintained right-of-way. Parcel R37468012A has frontage onto Edna Lane (Exhibit 3.B.2.j of the staff report).
 - (2) Parcel R37468012A currently has access via an open, unmaintained, public right-of-way, Kingsbury Road. The result of the request will allow Parcel R37468012A to maintain the current access, while Parcel R37468012A1 will use frontage along Edna Lane as access (Exhibit A.4 of the staff report). The frontage along Edna Lane has slopes that exceed 15% (Exhibit B.2i of the staff report). At the time of platting, the subdivision will be required to meet hillside development requirements if development is proposed on slopes 15% or greater (CCCO §07-17-33(1)).
 - (3) Highway District 4 requests a license agreement for the use and location within the Kingsbury public right-of-way before final plat approval (Exhibits 3.A.7.c & 3.D.6 of the staff report). Kingsbury Right of Way dedication is required.

- (4) Notice of the public hearing was provided per CCCO §07-05-01. Affected agencies were noticed on October 9, 2024 & January 21, 2025. A newspaper notice was published on January 21, 2025. Property owners within 600' were notified by mail on January 21, 2025. Full political notice was provided on January 21, 2025. The property was posted on January 21, 2025.
 - a. ITD has no comments or concerns about the request (Exhibit 3.D.4 of the staff report).
- (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

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

Conclusion: As conditioned, the result of the request will allow the creation of a two-lot subdivision. The result of the request is not anticipated to impact essential public services.

- Findings:**
- (1) Schools: The parcels are served by the Middleton School District (Exhibit 3.B.1 of the staff report). The school district was noticed on October 9, 2024, and January 21, 2025. No comments were received.
 - a. Although the Middleton School District did not respond, the subject property is served by Mill Creek Elementary which the school district has provided letters for other cases in the area stating the school is 118% over capacity (Exhibits 3.B.9 & B.10 of the staff report) with six (6) portable classroom units. The cases associated with the letter proposed the creation of over 10 lots.
 - b. The result of the request creates a total of two lots with the potential to create a total of four (4) dwellings (two primary dwellings and two secondary dwellings per CCCO §07-02-03, §07-10-27, and §07-14-25). The school district states residential development creates approximately 0.5 to 0.7 students per dwelling. The request, including the existing dwelling, created approximately two new students which may be considered a cumulative impact regarding the school district's capacity concerns. To address the cumulative impact, the hearing body included a condition of the development agreement prohibiting secondary residences on each lot limiting the number of dwellings to a total of two (2) primary dwellings. When the parcel was 11.05 acres (Exhibit 3.B.3 of the staff report), the property was allowed a primary and secondary dwelling per CCCO §07-10-27. The condition limits the number of dwellings to what was initially allowed before division resulting in no net change to allowed residential development. *See Attachment A for recommended development agreement conditions.*
 - (2) Police: The parcels are served by the Canyon County Sheriff's Office. The Sheriff's Office was noticed on October 9, 2024, and January 21, 2025. No comments were received.
 - (3) Emergency Medical Services: The parcels are served by the Canyon County Paramedics/EMT. The Paramedics/EMT were noticed on October 9, 2024, and January 21, 2025. No comments were received.
 - (4) Fire Protection: The parcels are served by the Star Fire Protection District (Exhibit 3.B.1 of the staff report). The fire district was noticed on October 9, 2024, and January 21, 2025. No comments were received. The applicant completed an agency acknowledgment review with the Star Fire Protection District on April 26, 2023 (Exhibit 3.A.7b of the staff report).
 - (5) Irrigation District: The parcels are served by the Black Canyon Irrigation District (Exhibit 3.B.1 of the staff report). The district was noticed on October 9, 2024, and January 21, 2025. No comments were received. The applicant completed an agency acknowledgment review with Black Canyon Irrigation District where they identified water rights allocated to each parcel (Exhibit 3.A.7d of the staff report).

- (6) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

**Canyon County Code of Ordinance (CCCO) §09-19-12
STAR AREA OF CITY IMPACT AGREEMENT ORDINANCE**

Conclusion: The property is located within the Star Area of City Impact. A notice was sent to the City on October 9, 2024, and January 21, 2025, per CCCO §09-19-12. The City of Star has no opposition to the request.

- Findings:**
- (1) Pursuant to CCCO §09-19-12: APPLICATION PROCEDURES: *The following procedures shall be adhered to in processing applications within the Star area of city impact:*
 - (1) *Land Use Applications: All land use applications submitted to Canyon County including, but not limited to, conditional use permits, variances, and land divisions requiring notification of a public hearing, shall be referred to the City of Star in the manner as provided for in subsection 09-01-08(3) of this chapter.*
 - (2) Pursuant to CCCO §09-01-08(3): *Notice of all proposals to amend the city or county comprehensive plans, which may pertain to the area of impact, shall be given to the community development director at least thirty (30) calendar days prior to the first public hearing at which such proposal is considered by the city or county, and Star or Canyon County may make a recommendation before or at said public hearing. After an initial thirty (30) days' notice is received, any further notice of proposed changes to the proposal will be provided to the city or county at least seven (7) days prior to the public hearing. If a recommendation is received, the recommendation shall be given consideration, provided it is factually supported. Such a recommendation shall not be binding. If no recommendation is received, the proceedings may continue without the recommendation.*
 - (3) The subject parcels are located in the Star Area of City Impact (Exhibit 3.B.2d of the staff report). The City of Star designates the parcels and area as "Rural Residential 1 unit/2-acre to 1 unit/5 acres."
 - (4) The City of Star was noticed on October 9, 2024, and January 21, 2025. No comments were received. However, the applicant contacted the City of Star as part of the agency acknowledgment requirements. The City of Star responded by stating they "do not see any concerns from the City" regarding the request (Exhibit 3.A.7e of the staff report).
 - (5) Evidence includes the application, supporting materials submitted by the applicant, public testimony, and the staff report with exhibits found in Case No. RZ2023-0003.

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission recommends the Board of County Commissioners **approve** Case #RZ2023-0003, a conditional rezone of Parcels R37468012A and R3768012A1 from an "A" zone to a "CR-R-R" subject to conditions of the development agreement (Attachment A).

DATED this 2nd day of December, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

X Motion Carried Unanimously
 _____ Motion Carried/Split Vote Below
 _____ Motion Defeated/Split Vote Below


 Commissioner Leslie Van Beek

Yes	No	Did Not Vote
<u>✓</u>	_____	_____


Commissioner Brad Holton

X _____


Commissioner Zach Brooks

Attest: Rick Hogaboam, Clerk

By: 
Deputy

Date: 12/2/25

**ATTACHMENT A
DRAFT CONDITIONS OF APPROVAL**

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The subject parcels, R37468012A and R37468012A1 shall be recognized through the division application process in compliance with Chapter 7, Article 17 of the Canyon County Code of Ordinances (CCCO), subject to the following restrictions:
 - a. The parcels shall maintain a five-acre average lot size.
 - b. Other than the minimum lot size and setbacks, the subject parcels shall meet the uses and minimum requirements of the "A" (Agricultural) Zone.
 - c. Future division of the subject parcels is prohibited.
 - d. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited.
3. Prior to preliminary plat approval, the adjustment between Parcel R37468012A1 and R37468 shall be corrected through the property boundary adjustment application process per CCCO §07-10-17.
4. The request shall comply with CCCO §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."

2025-044906

RECORDED

12/10/2025 10:34 AM



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RICK HOGABOAM

CANYON COUNTY RECORDER

Pgs=9 ABARDEN

NO FEE

AGR

CANYON COUNTY



**Canyon County
Recorder's Office
Document
Cover Sheet**





CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 N. 11th Avenue #310 • Caldwell, Idaho • 83605 • Phone (208) 454-7458

**DEVELOPMENT AGREEMENT
BETWEEN CANYON COUNTY AND APPLICANT(S)**

Agreement number: 25-172

THIS AGREEMENT, made and entered into this 2nd day of December, 2025, by and between Canyon County, Idaho, a political subdivision of the state of Idaho, hereinafter referred to as "COUNTY," and Jagers Family Revocable Trust with Avery Family Revocable Trust, hereinafter referred to as "Applicant."

RECITALS

WHEREAS, The Applicant(s) has applied to the County for a conditional rezone from an "A" (Agricultural) Zone to "CR-R-R" (Conditional Rezone – Rural Residential) Zone, which is legally described in the attached EXHIBIT "A", incorporated by reference herein (hereinafter referred to as "Subject Property"); and

WHEREAS, Parcels R37468012A and R3768012A1, approximately 10.97 acres, are owned by the Applicant(s); and

WHEREAS, on the 2nd day of December, 2025, the Canyon County Board of Commissioners approved a conditional rezone with conditions of the Subject Property to a "CR-R-R" Zone, which was done with the Applicant's approval. The conditions of the approval for the conditional rezone are attached hereto as EXHIBIT "B"; and

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, or as amended, and to ensure the Applicants will implement and be bound by the conditions of the rezone order issued by the Canyon County Board of Commissioners; and

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 Rezone).

SECTION 2. PROPERTY OWNER.

Applicants are the owner(s) of Subject Properties which are 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 with regard 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 the 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 Properties, 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 Properties from "A" (Agricultural) Zone to "CR-R-R" (Rural Residential) Zone, which conditions are attached hereto as EXHIBIT "B".

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

The density or intensity of use of the Subject Properties is specified in the commitments of Section 7 unless conditioned otherwise (see Exhibit "B"). 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 do 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 RZ2023-0003 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 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 Properties; (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 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 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 the Applicant(s) 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 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 Subject Properties conditionally rezoned from "A" (Agricultural) Zone designation to "CR-R-R" (Rural Residential) Zone designation shall revert 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 that appertain to the Subject Property.

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 the County shall be addressed to, and delivered at, the following address:

Director
Development Services Department
Canyon County Administration
111 North 11th Avenue, #140
Caldwell, Idaho 83605

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

Name: Jagers Family Revocable Trust
Street Address: 25744 Kingsbury Lane
City, State, Zip: Middleton, ID 83644

Name: Avery Family Revocable Trust
Street Address: 250 Valli Hi Rd.
City, State, Zip: Eagle, ID 83616

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

Applicant(s), 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.

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**



Commissioner, Leslie Van Beek

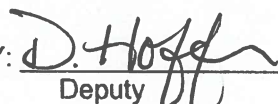


Commissioner, Brad Holton



Commissioner, Zach Brooks

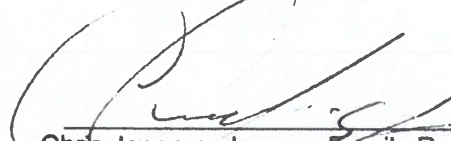
ATTEST: Rick Hogaboam, Clerk

BY: 

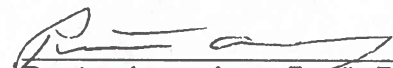
Deputy

DATE: 12/2/25

APPLICANT



Chris Jagers, Jagers Family Revocable Trust



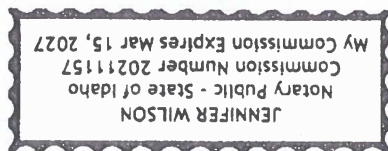
Preston Avery, Avery Family Revocable Trust



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

STATE OF IDAHO)
County of Ada) ss.
~~Canyon~~

On this 15 day of July, 2025, before me, a notary public, personally appeared Chris Jagers, 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.



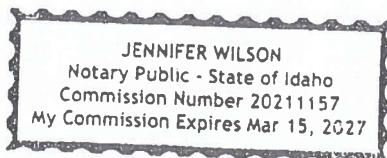
[Signature]
Notary Public for Idaho

Residing at: 150 W. State St. Eagle ID. 83616

My Commission Expires: 3/15/2027

STATE OF IDAHO)
County of Ada) ss.
~~Canyon~~

On this 15 day of July, 2025, before me, a notary public, personally appeared Preston Avery, 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.



[Signature]
Notary Public for Idaho

Residing at: 150 W. State St. Eagle ID. 83616

My Commission Expires: 3/15/2027

EXHIBIT "A"
LEGAL DESCRIPTION

Part of the West ¼ of the Northwest ¼ of Section 26, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho described as:

Commencing at the West Quarter corner of Section 26, Township 5 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence N00°36'33"E 622.94 feet along the West line of the Northwest ¼ of said Section to the Point of Beginning; thence N00°36'33"E 697.87 feet along said West line to the Northwest corner of the Southwest ¼ of the Northwest ¼ of said Section (said point marking the centerline of Willow Creek); thence along said centerline the following two (2) courses; (1) thence N63°47'13"E 625.13 feet; (2) thence S00°37'04"E 535.06 feet; thence S57°18'26"W 370.60 feet; thence S78°25'20"W 146.46 feet; thence S47°11'53"W 356.93 feet; thence S78°49'51"W 53.25 feet to the Point of Beginning.

Parcel contains 477, 989 square feet or 10.97 acres, more or less.

EXHIBIT "B"

CONDITIONS

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. The subject parcels, R37468012A and R37468012A1 shall be recognized through the division application process in compliance with Chapter 7, Article 17 of the Canyon County Code of Ordinances (CCCO), subject to the following restrictions:
 - a. The parcels shall maintain a five-acre average lot size.
 - b. Other than the minimum lot size, the subject parcels shall meet the uses and minimum requirements of the "A" (Agricultural) Zone.
 - c. Future division of the subject parcels is prohibited.
 - d. Secondary residences per CCCO §07-02-03, §07-10-27, and §07-14-25 are prohibited.
3. The request shall comply with CCCO §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."



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

▪ Planning & Engineering Division ▪

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

Applicant: Treasure Valley Planning		Case Number: SD2023-0012	
Subdivision Name: Bow-Tie Estates Sub.		Plat Date (Review #2): 2/5/2026	
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	
2. Check for compliance with FCOs and/or Development Agreement from the entitlement process, if applicable.	Reference to DA required as a plat note. 2/5/26: Meets	
3. Check for compliance with CCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived.	<u>A review by the City of Star is required.</u>	
4. Check for applicable agency comments. These comments could have been made at the entitlement stage or after.	Agency notice sent 6/20/2025. All agency comments provided to applicant 12/9/2025	

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.

A. FORM OF PRESENTATION	Meets Code / Comments	
	Planning	Engineering
1. Scale of Drawing (No more than 1" = 100' unless approved by DSD before submission).	Meets, 1" = 60'.	
2. Size of Drawing (No larger than 24' x 36"). • <i>Obtain an electronic version of all submittals.</i>	Meets	
B. IDENTIFICATION AND DESCRIPTIVE DATA	Meets Code / Comments	
	Planning	Engineering
1. Proposed name of the subdivision and its location by section, township, and range. • <i>Name of sub needs to be reserved through DSD GIS</i>	<u>Bow-Tie Estates, check with GIS</u> <u>Update the title date to 2025. 2/5/2026: Meets</u>	
2. Reference by dimension and bearing to a section corner or quarter section corner.	Meets	
3. Name, address, and phone number of the developer.	Meets	
4. Name, address, and phone number of the person preparing the plat.	Meets	
5. North arrow.	Meets	

6. Date of preparation.	2/5/2026, meets	
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.	Meets	
8. The vicinity map is drawn to scale, clearly showing the proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc. • Check for consistency between the pre-plat and the vicinity map.	Meets	

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.	1-foot contours. <u>Changes to 2-foot contours.</u> Slopes along Edna Lane appear to be over 15%. Highlight areas over 15% and provide a note that development is (1) either prohibited on slopes or (2) provide a hillside development application, grading/drainage plan and require reports. 2/5/2026: Slopes 15% or greater highlighted. Note 14 calls the slopes no-build areas. Access to Lot 2 from Edna Lane will not impact slopes since the access already exists.	Show 2-foot contours. Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and necessary geotechnical reports.
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.	The existing well and septic location are missing or not labeled. 2/5/2026: Well and septic show. Property in "CR-R-R" Zone. 2/5/2026: Fixed under site information. A Floodplain Development Permit is required.	The preliminary plat does not clearly show the required existing water features
3. Location, widths, and names of all platted streets, railroads, utility rights of way of public record, public areas, permanent structures to remain,	Demonstrate existing structures meet setbacks. Per DA	Label all existing structures to remain on-site, including

including water wells and municipal corporation lines within or adjacent to the tract. <i>Future use of remaining wells, if applicable</i>	conditions, setback minimums are to match the "A" Zone. Existing structures on Lot 2 are missing. 2/5/2026: Structures that don't meet setback will be removed. HD4 reduced ROW dedication requirements to ensure existing structures meet a 30' setback from Kingsbury Lane. However, the distance between the garage and ROW says 21' on the preliminary plat when it's supposed to be 30'. Please fix.	garages, sheds, and wells. Provide dimensions for all existing and proposed rights-of-way and easements. Verify that remaining structures meet required setbacks; if they do not, revise the layout or note any necessary adjustments.
4. Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract.	N/A	
5. Existing zoning classification, by note. <i>Proposed zoning, by note, if new zoning is being proposed concurrently with a pre-plat application</i>	Update the site note to show the current zone as CR-R-R. Remove the proposed zone. 2/5/2026: Fixed under site information.	
6. Approximate acreage of the tract, by note.	Meets	
7. Boundary dimensions of the tract.	Meets	
8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract.	Missing southeast property: HABEL JOHN KIRK 2/5/2026: Meets	
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. <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>	Meets. Check with Hwy District #4 If access to Lot 2 is from Edna Lane, provide a hillside development application and meet requirements.	Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and

- 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>	Option: Create an access through Lot 1 to Lot 2 to avoid development on slopes. 2/5/2026: Access to Lot 2 from Edna Lane will not impact slopes since the access already exists.	necessary geotechnical reports
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. <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> <i>Consider any phasing shown</i>	Meets	Meets
3. Location, width, and use of easements <i>Provide documentation of or reference to any existing easements, especially access easements for existing parcels that are part of the plat.</i> <i>Show easements for all shared infrastructure</i>	Meets	Meets
4. Designation of all land to be dedicated or reserved for public use, with use indicated	Meets. Dedication along Kingsbury is shown. The applicant may need to work with CHD4 if the dedication makes it so that the existing garage does not meet setbacks. 2/5/2026: Structures that don't meet setback will be removed. HD4 reduced ROW dedication requirements to ensure existing structures meet a 30' setback from Kingsbury Lane. However, the distance between the garage and ROW says 21' on the preliminary plat when it's supposed to be 30'. Please fix.	

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	
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	
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 - 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	Slopes along Edna Lane appear to be over 15%. Highlight areas over 15% and provide a note that development is (1) either prohibited on slopes or (2) provide a hillside development application, grading/drainage plan, and reports. 2/5/2026: Slopes 15% or greater highlighted. Note 14 calls the slopes no-build areas. Access to Lot 2 from Edna Lane will not impact slopes since the access already exists. Property in "A" Zone. A Floodplain Development Permit is required. 2/5/2026 – See Engineering comment →	Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and necessary geotechnical reports. A Floodplain Development Permit is required. See notes
8. All roads must be labeled as either "private" or "public" behind or beneath the road name	Meets	
E. PROPOSED UTILITY METHODS	Meets Code / Comments	
	Planning	Engineering
1. Sewage: A statement as to the type of proposed sanitary sewage facilities - 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 financial arrangements. Also include a preliminary sewer plan. DSD should complete a high-level feasibility review of shared utilities	Fix the plat note to say Lot 1 has a septic, and Lot 2 will require a septic system. 2/5/2026: Fixed Applicant submitted SER.	Same as planning note Sewage facilities are generally addressed through the SER
2. Water Supply: A statement as to the type of proposed water supply facilities - Preliminary location/layout of proposed potable water facilities - If potable water facilities will be shared, provide preliminary arrangements for future operation and maintenance of the facilities,	Fix the plat note to say Lot 1 has a well, and Lot 2 will be required to drill a well. 2/5/2026: Fixed	Clearly label the location of any existing wells on the plat.

<i>including financial arrangements. Also include a preliminary potable water plan. DSD should complete a high-level feasibility review of shared utilities</i>		Water supply is generally addressed by the SER and the preliminary plat
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 • <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>	Stormwater/drainage notes and plan are missing. 2/5/2026 – See Engineering comment →	The preliminary plat does not include a stormwater drainage plan or stormwater design statement
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 • 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: - 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.	Note 3. The irrigation plan, showing existing and proposed, appears to be missing. 2/5/2026 – 2/5/2026: See Engineering comment →	The preliminary plat submittal does not include an irrigation plan
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.	Plat Note 5, meets	MEETS
GENERAL RECOMMENDED CONDITIONS		
1. All subdivision improvements (public 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. 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 be the highway district's signature on the final plat. 4. Development shall comply with irrigation district requirements. Evidence shall include written correspondence from the irrigation district approving the final plat 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. 6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the Fire District approving the final plat before the Board of County Commissioners' signature on the final plat. 7. The final shall include a plat note stating all lots are subject to development agreement #25-172, which includes conditions regarding lot size, zoning, future divisions, and prohibits secondary residences.		

- a. Add a plat note stating secondary residences are prohibited
8. The final plat shall highlight areas with slopes over 15% and include a note stating development is prohibited in those areas.
9. The final plat shall clearly note that the lots are in a floodplain and subject to floodplain development permitting requirements.

Date Reviewed**Reviewer**

6/18/2025	Dan Lister
7/18/25	Dalia Alnajjar
2/5/2026	Dan Lister
3/30/26	Dalia Alnajjar

Engineering Notes:

1. An FDP is required, along with an engineer's hydrologic and hydraulic analysis. [See DP2025-0040](#)
2. While hydrology layers are visible, Zone A floodplain boundaries are still not mapped on the plat (The floodplain area must be clearly shown and labeled on the plat).

Planning Notes: [N/A](#)



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

• Planning & Engineering Division •

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

Applicant: Treasure Valley Planning		Case Number: SD2023-0012	
Subdivision Name: Bow-Tie Estates Sub.		Plat Date (Review #1): 2-23-2023	
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	
2. Check for compliance with FCOs and/or Development Agreement from the entitlement process, if applicable.	Reference to DA required as a plat note.	Jeremy Add note #15 ✓
3. Check for compliance with CCO Chapter 9 - Areas of City Impact. Chapter 9 lists requirements unless waived.	A review by the City of Star is required.	Kivi Send to Star, ask for Wainers ✓
4. Check for applicable agency comments. These comments could have been made at the entitlement stage or after.	Agency notice sent 6/20/2025.	
<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'. ✓	
2. Size of Drawing (No larger than 24' x 36"). • Obtain an electronic version of all submittals.	Meets ✓	
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	Bow-Tie Estates, check with GIS Update the title date to 2025	Kivi to ✓ Jeremy, 2026
2. Reference by dimension and bearing to a section corner or quarter section corner.	Meets ✓	
3. Name, address, and phone number of the developer.	Meets ✓	
4. Name, address, and phone number of the person preparing the plat.	Meets ✓	
5. North arrow.	Meets ✓	
6. Date of preparation.	2/23/2023, meets ✓	
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.	Meets ✓	

8. The vicinity map is drawn to scale, clearly showing the proposed subdivision location in relationship to adjacent subdivisions, main arterial routes, collector streets, etc. • Check for consistency between the pre-plat and the vicinity map.	Meets ✓	
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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. * Updated plat shows correct topo 3 identifies no development. Note 14.	1-foot contours. <u>Changes to 2-foot contours.</u> Slopes along Edna Lane appear to be over 15%. Highlight areas over 15% and provide a note that development is (1) either prohibited on slopes or (2) provide a hillside development application, grading/drainage plan and require reports.	Jeremy? Jeremy Completed? Show 2-foot contours. Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and necessary geotechnical reports.
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. ✓ Willow Creek ✓ C-Line N/A N/A Jeremy to Add	The existing well and septic location are missing or not labeled. Property in "A" Zone. A Floodplain Development Permit is required.	The preliminary plat does not clearly show the required existing water features Ken Completed
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. • Future use of remaining wells, if applicable Jeremy - need to move ROW around the garage per H04 Variance - 20' setback They are shown	Demonstrate existing structures meet setbacks. Per DA conditions, setback minimums are to match the "A" Zone. <u>The garage (off Kingsbury) and shed structure near the east boundary) do not appear to meet setbacks.</u> Existing structures on Lot 2 are missing. -H04 Submitted late w/ variance	Label all existing structures to remain on-site, including garages, sheds, and wells. Provide dimensions for all existing and proposed rights-of-way and easements. Verify that remaining structures meet required setbacks; if they do not, revise the layout or note any necessary adjustments.
4. Name, book, and page numbers of any recorded adjacent subdivisions having a common boundary with the tract.	N/A ✓	

5. Existing zoning classification, by note. Proposed zoning, by note, if new zoning is being proposed concurrently with a pre-plat application	Update the site note to show the current zone as CR-R-R. Remove the proposed zone.	Jeremy
6. Approximate acreage of the tract, by note.	Meets ✓	
7. Boundary dimensions of the tract.	Meets ✓	
8. Names and addresses of adjoining property owners within three hundred (300) feet of the exterior boundary of the tract.	Missing southeast property: HABEL JOHN KIRK	Jeremy
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. - Confirmation that the highway district will allow proposed access if new access is on an arterial - Check the ownership of the access location if a separate lot - Check the alignment of stub streets with adjacent developments, if applicable. - 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 - If typical sections are shown, make sure they are consistent with what will be required	Meets. Check with Hwy District #4 If access to Lot 2 is from Edna Lane, provide a hillside development application and meet requirements. Option: Create an access through Lot 1 to Lot 2 to avoid development on slopes.	Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and necessary geotechnical reports. N/A per revised plat w/ correct elevations
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. - Curve table is present and matches the data shown graphically - Minimum lot size - Average lot size (calculated as total residential area divided by the number of residential lots) - Check block numbering - Consider any phasing shown	Meets ✓	Meets ✓
3. Location, width, and use of easements - 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	Meets ✓	Meets ✓
4. Designation of all land to be dedicated or reserved for public use, with use indicated	Meets. Dedication along Kingsbury is shown. The applicant may need to work with CHD4 if the dedicated makes it so that the	Done ✓

	existing garage does not meet setbacks.	
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 ✓	
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 ✓	
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 - 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	Slopes along Edna Lane appear to be over 15%. Highlight areas over 15% and provide a note that development is (1) <u>either prohibited on slopes</u> or (2) provide a hillside development application, grading/drainage plan, and require reports. Property in "A" Zone. A Floodplain Development Permit is required.	<i>See Platist Plat w/ elevations Note 11</i> Areas exceeding 15% slope must either prohibit development or submit a Hillside Development Application, including a grading and drainage plan and necessary geotechnical reports. A Floodplain Development Permit is required. See notes <i>Complete - update Note 11 ...</i> <i>N/A</i> <i>kin</i>
8. All roads must be labeled as either "private" or "public" behind or beneath the road name	Meets ✓	<i>New BOFE Study 2025</i>
E. PROPOSED UTILITY METHODS	Meets Code / Comments	
	Planning	Engineering
1. Sewage: A statement as to the type of proposed sanitary sewage facilities - 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 financial arrangements. Also include a preliminary sewer plan. DSD should complete a high-level feasibility review of shared utilities	Fix the plat note to say Lot 1 has a septic, and Lot 2 will require a septic system. Applicant submitted SER. ✓	<i>Jeremy</i> ✓ <i>Note 6-7</i> Same as planning note
2. Water Supply: A statement as to the type of proposed water supply facilities - Preliminary location/layout of proposed potable water facilities - 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	Fix the plat note to say Lot 1 has a well, and Lot 2 will be required to drill a well.	Clearly label the location of any existing wells on the plat <i>Jeremy</i>
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 Include a statement that all stormwater shall be retained on site, if appropriate	Stormwater/drainage notes and plan are missing.	The preliminary plat does not include a stormwater drainage plan or stormwater design statement <i>Note 9</i> <i>Jeremy</i>

- Consider any required protection for roadside swales during home construction and/or long-term protection from landscaping, roadside parking, regrading/filling swale, etc. - Maintenance easements for storm drain facilities treating drainage from public roads should be in place		
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 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: - 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.	<i>Tracy Adams</i> Note 3. The irrigation plan, showing existing and proposed, appears to be missing. <i>Chris provide to Jeremy to draft</i>	The preliminary plat submittal does not include an irrigation plan
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.	Plat Note 5, meets ✓	MEETS ✓

GENERAL RECOMMENDED CONDITIONS

- All subdivision improvements (public 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. *N/A*
- Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved. ✓
- 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. ✓
- 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. *- Ken Request letter ✓*
- 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. *- Confirm this is recieved*
- 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. *- Confirm*
- The recorded development agreement shall be referenced as a plat note on the final plat. *- Jeremy - needs DA #*
- A water user's maintenance agreement shall be recorded. The agreement with the instrument number shall be added as a plat note on the final plat. *- Keri to provide or attorney?*

Date Reviewed	Reviewer
6/18/2025	Dan Lister
7/18/25	Dalia Alnajjar

Engineering Notes

1. An FDP is required, along with an engineer's hydrologic and hydraulic analysis. ✓ Approved w/ F.D.P.
2. While hydrology layers are visible, Zone A floodplain boundaries are still not mapped on the plat (The floodplain area must be clearly shaded and labeled on the plat).

Additional Planning Notes: N/A

Jeremy to "shade" Zone A on prelim. plat

Irrigation Plan Narrative

Project: Bow-Tie Estates – Canyon County, Idaho

1) Existing Irrigation System

The subject property is served by an existing irrigation system that has been in continuous operation for approximately 25 years. The system includes an existing headgate and pump located in the east/northeast corner of the property, gated pipe conveyance, and an existing ditch system returning flows to the creek. All major irrigation facilities are shown on the preliminary plat, including the pump location and associated easements.

2) Irrigation Conveyance and Return Flow

Water is pumped into gated pipe and conveyed along road corridors in a general east-to-west direction. Distribution occurs through gated outlets serving individual parcels. After irrigation use, return flows enter the existing ditch system and are conveyed back to the creek. This established conveyance and return pattern will remain unchanged.

Each lot will receive irrigation independently through the gated pipe system. Irrigation delivery to any individual lot is not dependent on adjacent or neighboring lots, and no shared internal distribution system is proposed.

3) Improvements and Final Plans

No new irrigation facilities, relocations, or system modifications are proposed. The only improvement required is installation of gated pipe where shown on the preliminary plat.

Because the headgate, pump, conveyance piping, and return ditches are fully identified and no system changes are proposed, no separate final irrigation plans are required.

4) Operation, Maintenance, and Ownership Responsibility

Each lot owner shall be solely responsible for the operation and maintenance of the irrigation facilities serving their respective lot, including gated pipe, outlets, and on-lot distribution.

There is no shared maintenance obligation between lots. Routine maintenance, repairs, and replacement of irrigation components shall be the responsibility of the individual lot owner.

Access to existing irrigation facilities will be maintained through the plat and applicable easements or rights-of-way.

BLACK CANYON IRRIGATION DISTRICT-EASEMENT EXHIBIT

CANYON COUNTY, IDAHO



(IN FEET)
1 inch = 80 ft.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 63°47'13" E	56.03'
L2	S 00°37'04" E	31.73'
L3	N 00°36'33" E	43.78'



EAGLE LAND SURVEYING, LLC.

106 W MAIN ST. UNIT D, MIDDLETON, ID 83644
(208) 861-7513; pls12220@yahoo.com

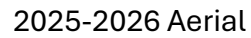
SEC. 26, T. 5 N., R. 2 W., B.M.

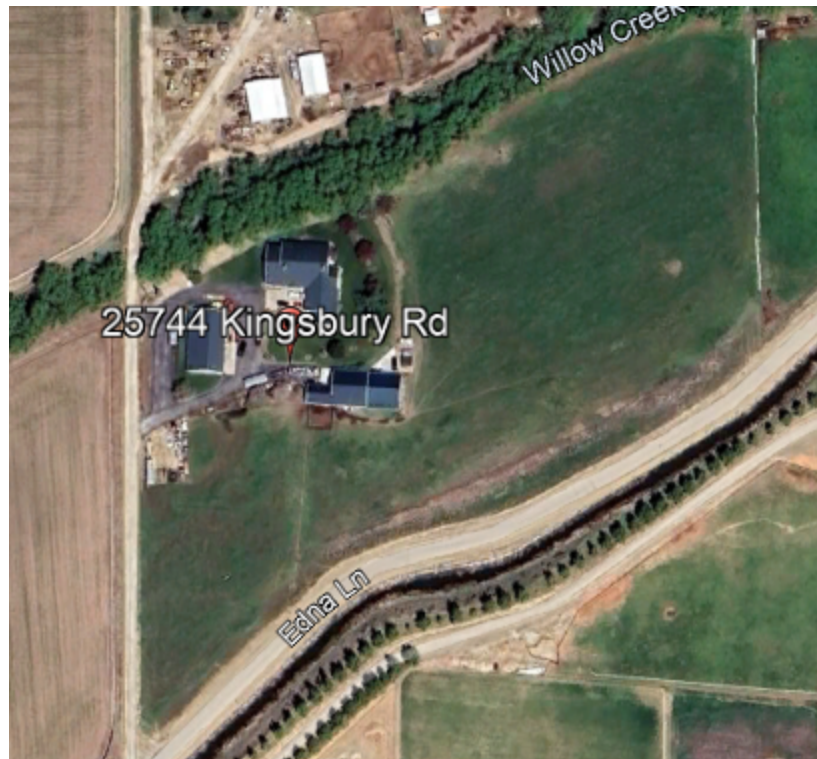
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DATE:	8-07-25	PROJECT:	22-07
DRAWN BY:	JBF		
CHECKD. BY:	JBF		

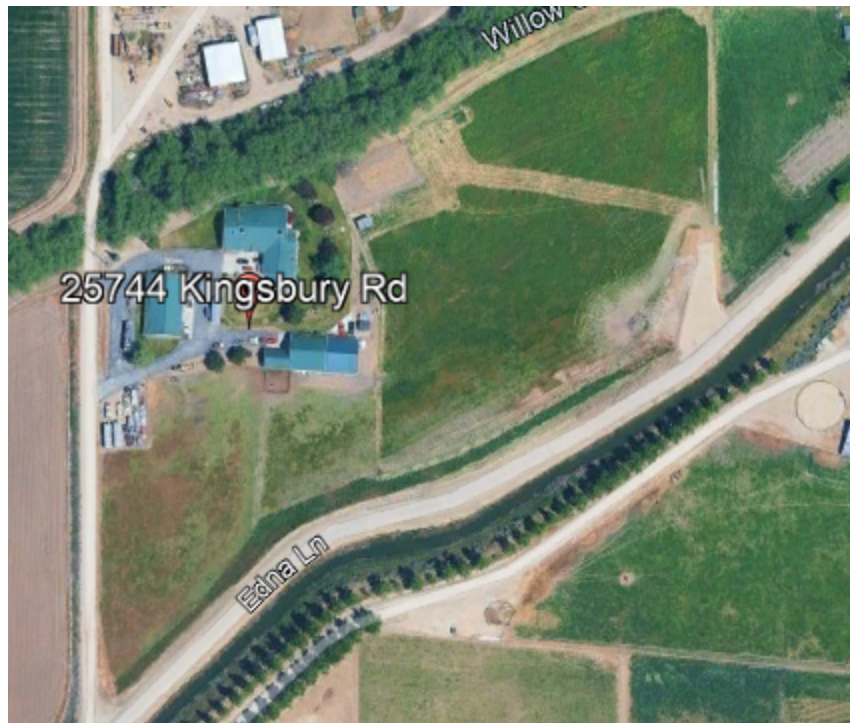
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LOT 2 ACCESS REVIEW





Google Earth 5/9/2023



Google Earth 5/13/2024



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

▪ Engineering Division ▪

November 25, 2025

RE: Engineering Review of the BFE Study for Bow Tie Final Plat

Dear Keri,

Thank you for submitting the Base Flood Elevation (BFE) Determination Study prepared by Ackerman-Estvold, dated October 21, 2025. The Engineering Division has completed its review of the submitted analysis for the subject property located within FEMA Approximate Zone A as mapped on FIRM Panel 16027C0257F.

The BFE study complies with FEMA guidance for Zone A analysis and Canyon County floodplain requirements. The hydrologic and hydraulic methods used, including contour interpolation and the HEC-RAS step-backwater model—provide a defensible regulatory BFE suitable for use in floodplain permitting and final plat documentation

Conditions of Approval

1. Flood Development Permit (FDP) Required

A **Flood Development Permit (FDP)** will be required prior to any construction or development activity within the mapped floodplain.

2. Elevation Certificate (EC)

At the time of applying for building permits, the applicant must provide:

- o Construction-Stage Elevation Certificate, and
- o Final As-Built Elevation Certificate prior to Certificate of Occupancy.

3. Plat Note Requirement

The following information **must be added as a note on the Final Plat**:

“A Flood Development Permit (FDP) and Elevation Certificate (EC) are required at the time of applying for building permits.”

4. CC&Rs Requirement

The same floodplain requirement must be included in **(CC&Rs)**.



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

▪ Engineering Division ▪

5. Use of Approved BFE

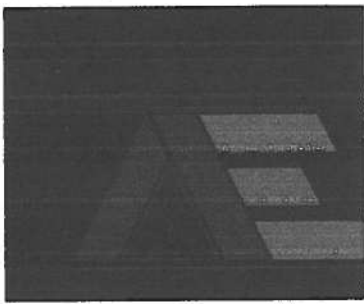
The BFE identified in the study (2535.20 ft NAVD88) shall serve as the regulatory Base Flood Elevation for all permitting and construction activities, including establishing the Flood Protection Elevation (FPE) in accordance with Canyon County Code (BFE + required freeboard).

Based on the submitted documentation and subject to the Conditions of Approval listed above, the Engineering Division has **no objection** to the use of this BFE determination for Final Plat and permitting purposes.

Sincerely,

Dalia Alnajjar
Engineering Supervisor
Canyon County Development Services





1907 17th Street Southeast
Minot, ND 58701
701.837.8737
www.ackerman-estvold.com

TECHNICAL MEMORANDUM

To: File

From: Ackerman-Estvold

Date: October 21st, 2025

Re: BFE Determination, 25744 Kingsbury Road, Middleton, ID

The purpose of this Memorandum is to document a BFE determination at 25744 Kingsbury Road, Middleton, ID. This exercise is necessary because the property is located within a Zone A area along Willow Creek in Canyon County, Idaho. Figure 1 is a FIRMette on which the property is located based on FIRM Panel 16027C0275F (reference 1). Two methods consistent with the FEMA Document 265, *Managing Floodplain Development in Approximate Zone A Areas* (reference 2) were conducted including:

1. Contour interpolation method (simplified method)
2. Step-backwater analysis using HEC-RAS (detailed method)

Contour Interpolation Method

The contour interpolation method includes superimposing the Special Flood Hazard Area delineation over a contour map and drawing a cross section at the building location across the delineated floodplain. The ground elevation at the edge of water is determined by interpolation between the contours at each end of the cross section. The method also states that 1/2 the contour interval should be added to lower ground elevation to determine the BFE.

The FIRM database (NFHL_16027C, dated 05/25/2022) was downloaded from the Map Service Center website. This was superimposed over a USGS Quad map. The floodplain delineation generally conforms to the contour lines of the map but did not match up with survey data collected by Eagle Landing Survey, LLC. Due to this discrepancy, it was determined that Contour Interpolation would not produce an accurate base flood elevation. For this reason, the Step Backwater methodology utilizing HEC-RAS will be used to determine the base flood elevation.

Step Backwater Analysis using HEC-RAS

The best available terrain data for this area appears to be the 10-meter NED data available from the USGS website (Reference 5). According to the website, this data has an accuracy of 2.44-meters (8-feet) and with a vertical datum base on NAVD 88. This data could be enhanced using survey data and the site topographic plan based on survey.

Based on the site topographic plan the difference between the NED elevation data and the site survey is approximately 5-feet, with the survey data being higher. For use in the development of a HEC-RAS model, the NED elevation data was adjusted upward by 5-feet. In addition to the site topographic mapping, additional survey was obtained for Kingsbury Road, the Willow Creek bridge at Kingsbury Road, and channel cross sections of Willow Creek. This survey data was used to create a surface that was combined with the NED data using the RAS Mapper tool in HEC-RAS version 6.6. To determine the BFE, a detailed HEC-RAS model was developed for this portion of Willow Creek. Cross sections were "cut" from the modified NED-Data. The location of these cross sections is shown on Figure 2.

The discharge rate for the 1%-annual chance event was determined for Willow Creek as part of the Flood Insurance Study and is shown in Table 2 of that document. The discharge was determined to be 2,700 cfs for both the Upper and Lower Willow Creek.

The USGS tool Stream Stats determined a 1% annual chance event flow rate of 1,870 cfs using the USGS Regional Regression equations, but this value was discarded due to the Mean Annual Precipitation and the Forest Land Cover parameters being outside of the suggested ranges.

Because the Willow Creek channel does not appear in the NED-data, the terrain modification tool in RAS Mapper was used to extend the shape of the surveyed channel upstream and downstream of the property. The downstream boundary condition for this model was assumed to be normal depth at 0.45%. Manning's n roughness coefficients were estimated to be 0.04 for the channel representing a mountain stream, no vegetation in channel, banks usually steep, trees and brush along banks submerged at high stations, bottom consisting of gravels, cobbles, and some boulders and 0.04 for the overbank area representing .

Results of Detailed Modeling

The results of the detailed modeling are included in Table 1 below.

River Station (Cross Section)	Computed Water Surface Elevation (feet)
3209.134	2536.58
2657.162	2533.95
2493.31	2533.20
2028.951	2532.74

1694.89	2532.41
Kingsbury Road Bridge	
1650.385	2528.08
1414.82	2526.55
864.725	2524.03

Table 1: HEC-RAS Results

Recommendations

Because FEMA generally issues a BFE information for single lots based on the most upstream limits of the BFE at the most upstream limits of the lot, it is recommended that the assumed flood elevation for the building be chosen to be 2533.2. At a minimum the lowest floor (including crawl space or basement) of the building needs to be above the BFE, if the owner is to avoid mandatory flood insurance requirements. In addition, Canyon County floodplain ordinance requires 2-feet of freeboard above the before for locations do not have an elevation specified on the FIRM. Based on this ordinance any structure built on this property should have a low floor elevation of 2535.2.

References

1. Federal Emergency Management Agency Map Service Center.
<https://msc.fema.gov/portal/advanceSearch>
2. Federal Emergency Management Agency (1995), *Managing Floodplain Development in Approximate Zone A Areas, A guide for Obtaining and Developing Base (100-year) Flood Elevations*. FEMA 265. July.
3. Federal Emergency Management Agency (2019), *Flood Insurance Study, Canyon County, Idaho and Incorporated Areas*, Revised May 25, 2022.
4. Chow, V.T. (1959), *Open-Channel Hydraulics*, McGraw-Hill Book Company, New York.
5. USGS NED Websites referenced: <https://datagateway.nrcs.usda.gov/>,
https://www.usgs.gov/core-science-systems/eros/topochange/science/accuracy-assessment-elevation-data?qt-science_center_objects=0#qt-science_center_objects,
https://www.usgs.gov/faqs/what-vertical-accuracy-3d-elevation-program-3dep-dems?qt-news_science_products=0#qt-news_science_products, and https://www.usgs.gov/faqs/what-are-projection-horizontal-and-vertical-datum-and-resolution-3d-elevation-program-3dep?qt-news_science_products=0#qt-news_science_products.

Attachments:

1. HEC-RAS Results
2. Survey

Electronic Attachments:

1. HEC-RAS model

National Flood Hazard Layer FIRMette



116°33'25"W 43°45'N

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Legend

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) <i>Zone A, V, AE, AH</i> With BFE or Depth <i>Zone AE, AD, AH, VE, AR</i> Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> Effective LOMRs Area of Undetermined Flood Hazard <i>Zone D</i>
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS	Digital Data Available No Digital Data Available Unmapped

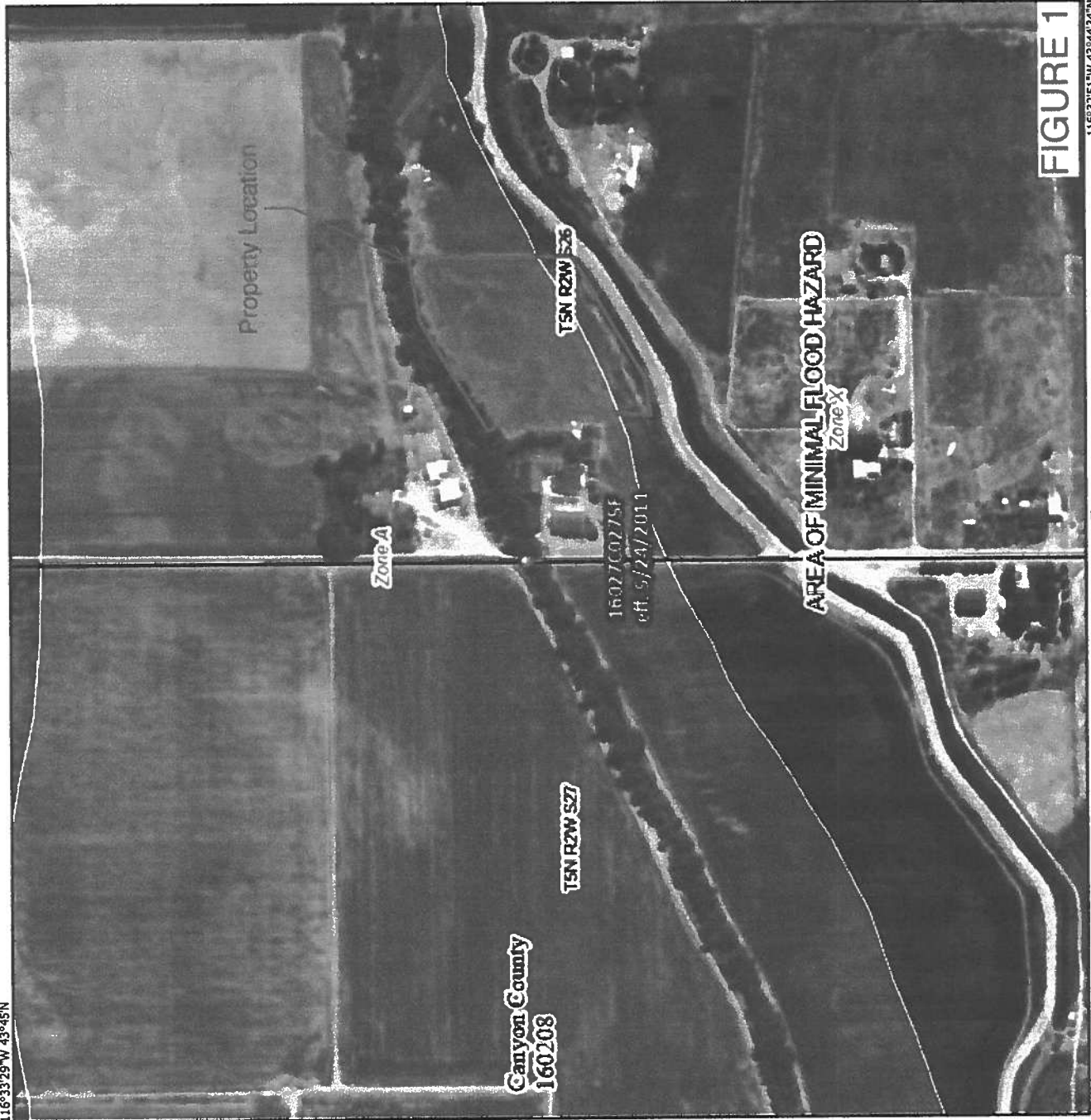


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/3/2022 at 4:50 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

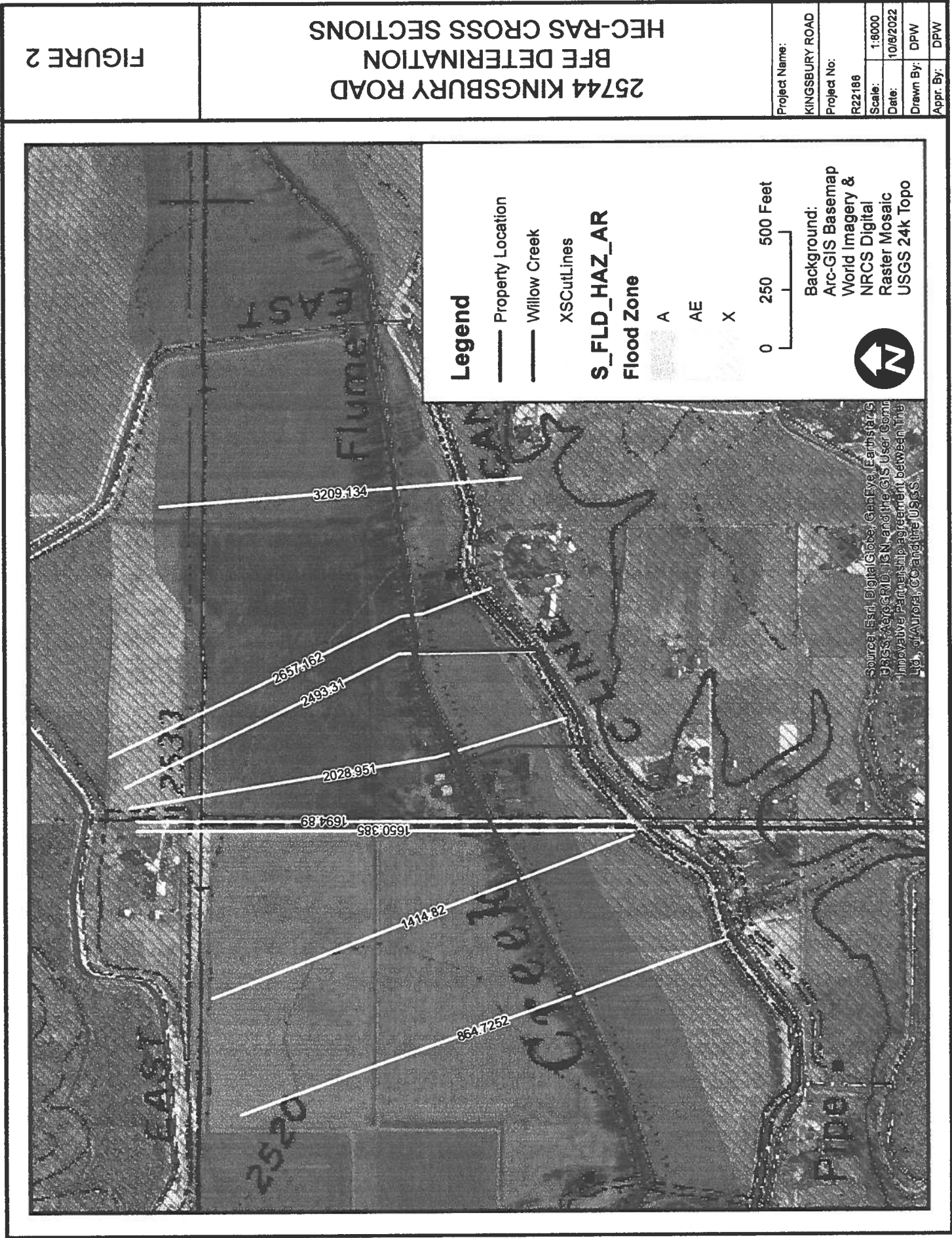
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



116°33'25"W 43°44'34"N

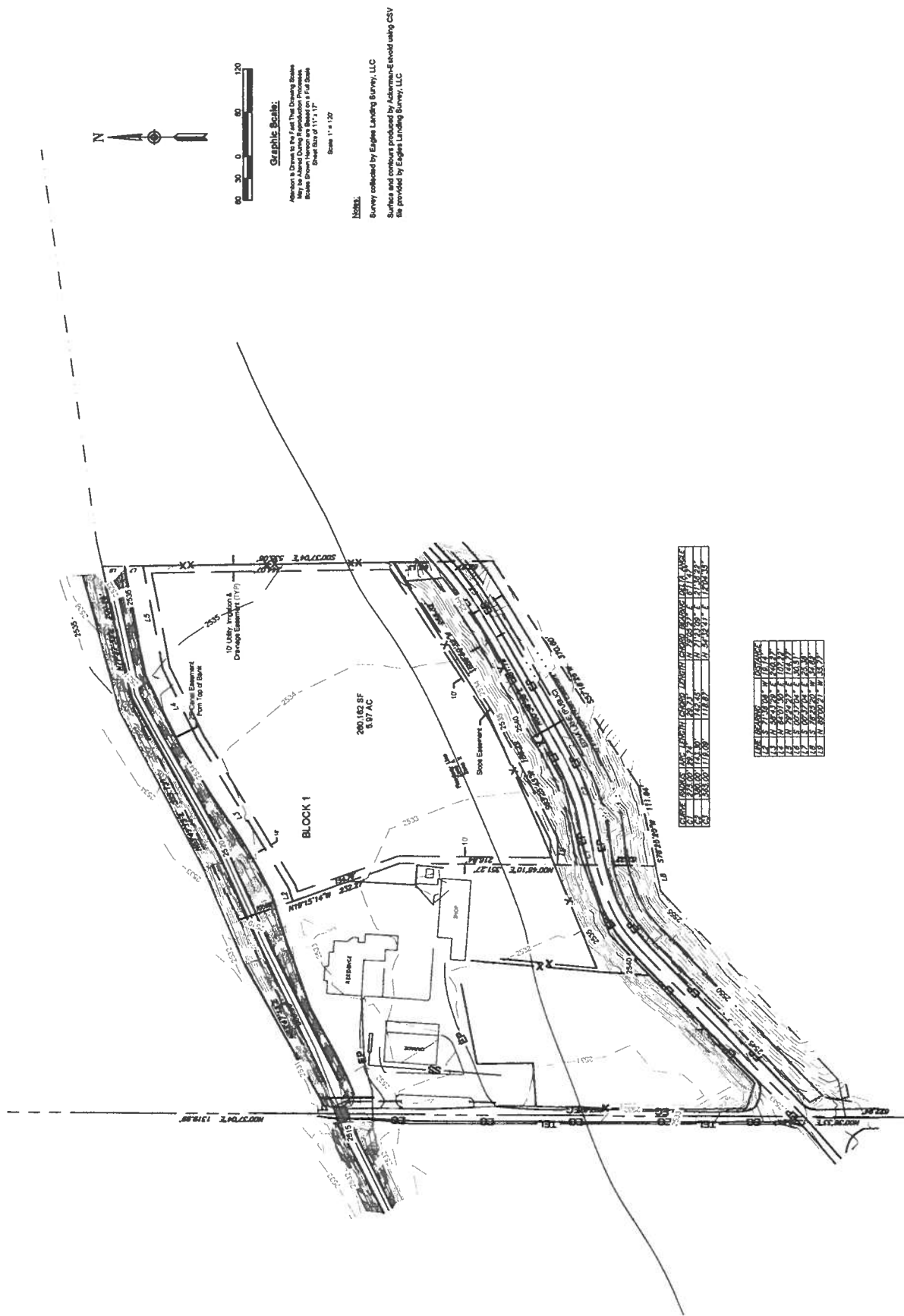
Feet 1:6,000
0 250 500 1,000 1,500 2,000

Basemap: USGS National Map: OrthoImagery: Data refreshed October, 2020



HEC-RAS Plan BFE2025FEMAMannings River: Willow Creek Reach: Willow Creek Profile: 100-year

Reach	River Sta	Profile	Q Total	Min Ch El	W.S. Elev	Crit W.S.	E.G. Elev	E.G. Slope	Vel Chnl	Flow Area	Top Width	Froude # Chl
			(cfs)	(ft)	(ft)	(ft)	(ft)	(ft/ft)	(ft/s)	(sq ft)	(ft)	
Willow Creek	3209.134	100-year	2700.00	2527.41	2535.58	2535.24	2538.24	0.008568	10.34	281.16	44.10	0.75
Willow Creek	2857.162	100-year	2700.00	2523.34	2533.95	2530.95	2534.92	0.003977	7.93	340.52	47.81	0.52
Willow Creek	2493.31	100-year	2700.00	2522.13	2533.20	2530.25	2534.23	0.004471	8.13	331.97	48.42	0.55
Willow Creek	2028.951	100-year	2700.00	2518.17	2532.74	2528.41	2533.10	0.001125	4.81	571.90	169.65	0.29
Willow Creek	1904.89	100-year	2700.00	2518.12	2532.41	2525.58	2532.68	0.001226	4.52	1019.48	1139.07	0.29
Willow Creek	1872.638	Bridge										
Willow Creek	1650.385	100-year	2700.00	2514.75	2528.08		2529.00	0.004586	7.70	350.79	52.25	0.52
Willow Creek	1414.82	100-year	2700.00	2514.52	2526.55		2527.79	0.004851	8.93	302.32	37.20	0.55
Willow Creek	864.7252	100-year	2700.00	2511.78	2524.03	2520.49	2525.20	0.004502	8.68	310.91	37.71	0.53



Graphic Scale:

As shown in this drawing, the Survey is based on a Full Scale Survey of 1/4" = 1'.

Notes:

Survey collected by Eagles Landing Survey, LLC
 Surface and contours produced by Adamson-Evold using CSV
 file provided by Eagles Landing Survey, LLC

Point	Easting	Northing	Height	Remarks
1	1000.00	1000.00	100.00	Corner of Block 1
2	1000.00	1000.00	100.00	Corner of Block 1
3	1000.00	1000.00	100.00	Corner of Block 1
4	1000.00	1000.00	100.00	Corner of Block 1
5	1000.00	1000.00	100.00	Corner of Block 1
6	1000.00	1000.00	100.00	Corner of Block 1
7	1000.00	1000.00	100.00	Corner of Block 1
8	1000.00	1000.00	100.00	Corner of Block 1
9	1000.00	1000.00	100.00	Corner of Block 1
10	1000.00	1000.00	100.00	Corner of Block 1
11	1000.00	1000.00	100.00	Corner of Block 1
12	1000.00	1000.00	100.00	Corner of Block 1
13	1000.00	1000.00	100.00	Corner of Block 1
14	1000.00	1000.00	100.00	Corner of Block 1
15	1000.00	1000.00	100.00	Corner of Block 1
16	1000.00	1000.00	100.00	Corner of Block 1
17	1000.00	1000.00	100.00	Corner of Block 1
18	1000.00	1000.00	100.00	Corner of Block 1
19	1000.00	1000.00	100.00	Corner of Block 1
20	1000.00	1000.00	100.00	Corner of Block 1

Point	Easting	Northing	Height	Remarks
1	1000.00	1000.00	100.00	Corner of Block 1
2	1000.00	1000.00	100.00	Corner of Block 1
3	1000.00	1000.00	100.00	Corner of Block 1
4	1000.00	1000.00	100.00	Corner of Block 1
5	1000.00	1000.00	100.00	Corner of Block 1
6	1000.00	1000.00	100.00	Corner of Block 1
7	1000.00	1000.00	100.00	Corner of Block 1
8	1000.00	1000.00	100.00	Corner of Block 1
9	1000.00	1000.00	100.00	Corner of Block 1
10	1000.00	1000.00	100.00	Corner of Block 1
11	1000.00	1000.00	100.00	Corner of Block 1
12	1000.00	1000.00	100.00	Corner of Block 1
13	1000.00	1000.00	100.00	Corner of Block 1
14	1000.00	1000.00	100.00	Corner of Block 1
15	1000.00	1000.00	100.00	Corner of Block 1
16	1000.00	1000.00	100.00	Corner of Block 1
17	1000.00	1000.00	100.00	Corner of Block 1
18	1000.00	1000.00	100.00	Corner of Block 1
19	1000.00	1000.00	100.00	Corner of Block 1
20	1000.00	1000.00	100.00	Corner of Block 1

Exhibit B.6



Floodplain Development Permit

Development Services Department
111 North 11th Ave., Suite 310
Caldwell, ID 83605

Permit Number:

DP2025-0040

Date:

11/20/2025

Project Name: REZONE, PRELIMINARY, FINAL

Parcel Number: 37468012A0

Site Address: 25744 KINGSBURY LN
Middleton ID 83644

Latitude:

Longitude:

Section:

Project Flood Zone:

Township:

Parcel Flood Zone:

Range:

Parcel Acreage: 5.00

Property Owner:

Applicant:

Contractor:

AVERY FAMILY REVOCABLE
TRUST
250 VALLI HI RD
EAGLE ID 83616

Comments: A Flood Development Permit (FDP), along with an Elevation Certificate (EC), will be required at the time of applying for building permits. This information must be added as a note on the Final Plat and included in the CC&Rs.

Standard Zoning / Building Condition(s)

✓ H&H STUDAY

Fees

Date	Fee Item	Amount
11/20/2025	Flood Plain Development Permit (Engineering Fees May Also Apply)	\$150.00
		<u>\$150.00</u>

Receipts

Date	Receipt Number	Amount
11/20/2025	86930	\$150.00
	Total Paid:	<u>\$150.00</u>

The degree of flood protection required by Canyon County Code of Ordinance Chapter 7 and the Development Permit is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Issuance of this permit shall not create liability on the part of Canyon County or any officer or employee thereof for any flood damages that result from reliance on this permit or any administrative decision. This Development Permit is only valid for the proposed development associated with the Building Permit identified above. Any changes to or amendments made to the proposed development may nullify this permit.

There may be additional State and Federal guidelines and permits required in addition to this Development Permit. It is highly recommended that you verify any additional requirements with your flood insurance provider prior to initiating the proposed development.

Applicant's Signature:



Date: 11/26/2025

DSD Staff Accepting Application:


DALIA

Date: November 25, 2025

DSD Flood Plain Administrator:



Date: 11/25/25

EXHIBIT 3
EXHIBIT C

Agency Comments Received by May 26, 2026

Planning & Zoning Commission

Case# SD2023-0012

Hearing date: June 4, 2026

City of Star

P.O. Box 130
Star, Idaho 83669



Mayor:
Trevor A. Chadwick

Council:
Kevin Nielsen
Jennifer Salmonsens
Kevan Wheelock
David Hershey

December 22, 2025

Canyon County Development Services
111 North 11th Ave Suite 140
Caldwell, ID 83605

RE: Bow-Tie Estates Subdivision

Dear Development Services:

This letter serves as the City of Star's response to the proposed preliminary plat for Bow-Tie Estates Subdivision, located at 25744 Kingsbury Road in unincorporated Canyon County. Based on the City's current Comprehensive Plan Future Land Use Map, the proposed subdivision meets the intent of the plan. This property is located in the Rural Residential land use designation, where maximum densities of 1 dwelling unit per 2 acres is required.

The request for waivers of City of Star subdivision standards, including waiver of sidewalk and streetlights are consistent with the preservation of the rural character in the area. Therefore, the City supports these waivers.

Thank you for the opportunity to respond to this request.

Sincerely,

Shawn L. Nickel
Planning Director and Zoning Administrator

Dan Lister

From: Anthony Lee [REDACTED]
Sent: Friday, June 20, 2025 3:36 PM
To: Dan Lister
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice SD2023-0012 / Bow Tie Estates
Attachments: SER.Approval.Letter.Signed.12.10.2024 .pdf

Hi Dan,

1. Will a Nutrient Pathogen Study and SER be required? **A Nutrient Pathogen Study was not required, and the SER was approved on 12/10/2024 (see attached SER approval letter).**
2. Will adequate sanitary systems be provided to accommodate the use? **The proposed well and drainfield(s) have been approved and outlined in the SER.**
3. Any concerns about the request subdivision? **SWDH does not have any concerns about he requested subdivision.**
4. Any revisions to the plat? **To my knowledge, there have not been any revisions to the plat since the approval of the SER.**

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

[REDACTED]

[REDACTED]

[13307 Miami Ln., Caldwell, ID 83607](#)

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, June 20, 2025 9:39 AM
To: [REDACTED]

[REDACTED]



Facilities Number: 020532

December 10, 2024

Brent Orton
Orton Engineering
17338 Sunnydale Pl
Caldwell, ID 83607

Re: Bow-Tie Estates Subdivision

Mr. Orton,

Southwest District Health has reviewed the subdivision engineering report (SER) and does approve the SER for the proposed **Bow-Tie Estates Subdivision**, located in the ***NW ¼ of Section 13, Township 18N, Range 2W, B.M.*** The property is reported to be 11 acres. The proposed development includes one (1) buildable lot with a minimum lot size of 6.00 acres. The SER was approved on December 10, 2023.

The Engineering Report and associated plans and specifications appear to meet applicable regulations. If changes are made in the design to the plat submitted to Southwest District Health at the time of this approval, re-engineering will be required.

Condition(s) of final subdivision approval:

- The final plat map must be signed by the designated REHS/RS from Southwest District Health.
- A physical copy of the SER and a full scale 18"x 27" or larger informational plat map must be submitted to Southwest District Health.

If you have questions, please contact me at [REDACTED], or via e-mail: [REDACTED]

Sincerely,

Anthony Lee, REHS/RS
Land Development Senior

Cc: Chris & Mary Jagers (Property Owner)

Healthier Together

13307 Miami Lane • Caldwell, ID 83607 • [REDACTED]

Exhibit C.2



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

November 19, 2024

Canyon County Commissioners, P&Z
Commission, & Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Dan Lister

Treasure Valley Planning LLC
17741 Linden Ln.
Caldwell, ID 83607
Attention: Keri Smith-*Via email*

RE: Bow-Tie Estates Subdivision SD2023-0012 & 13, (CR2022-0019; SD2022-0029; RZ2023-0003)
Canyon County Parcels , R37468012A0 and R37468012A1

Dear Commissioners:

HD4 has reviewed the preliminary plat dated 10/1/24, for Bow-Tie Estates Subdivision case number SD2023-0013. Subject parcels, R37468012A0 and R37468012A1, are located in 5N 2W Section 26 of the Boise Meridian. Total acreage of 11.03 acres, And offers the following comments:

General

1. HD4 will require a license agreement for the use/location of improvements within Kingsbury ROW (50'), executed prior to final plat signature.

Preliminary Plat

1. HD4 has no comments for the Preliminary Plat and will recommend approval. Preliminary plats are presented to the HD4 Board of Commissioners for approval after review by staff. Please revise the preliminary plat to address the comments above, and submit a single full size hard copy and an electronic copy for subsequent review. Preliminary plats can generally be included on a board agenda for consideration within two weeks of staff approval, subject to available space.

Final Plat

1. Revise on sheet 3, "*Approval of Highway District 4: Highway District No. 4 does hereby accept this plat, and the dedicated public streets, highways and rights-of-way as are depicted on this plat, in accordance with the provisions of I.C. § 50-1312.*" Remove Private reference.
2. Provide license agreement, signed by property owners.

Final plats are presented to the HD4 Board within 30 days of staff approval.

Please revise and resubmit a single hard copy and electronic copy of the plat, including supplementary materials requested above, for additional review.

Please feel free to contact me with any questions on these comments or HD4 development standards.

Respectfully,

A handwritten signature in blue ink, reading 'Kraig Wartman', is positioned above the typed name.

Kraig Wartman
Senior Engineering Tech.

Highway District No. 4
CC Chris Hopper, District Engineer

**OAKLEE ESTATES SUBDIVISION
PERMIT/LICENSE FOR THE USE OF RIGHT-OF-WAY
FOR PRESSURIZED IRRIGATION SYSTEM
AND MISCELLANEOUS UTILITIES**

PARTIES:

Highway District No. 4

Developer: Dale and Kathi Lee

THIS LICENSE AGREEMENT made and entered this 27th day of March, 2024, by and between Dale and Kathi Lee 9640 Purple Sage Road Middleton, ID 83644 and HIGHWAY DISTRICT NO. 4 of 15435 Hwy. 44 Caldwell, Canyon County, Idaho, 83607 a Highway District organized and existing pursuant to Chapter 13 of Title 40 Idaho Code, **District** herein, acting by and through its Board of Commissioners;

ARTICLE 1. DEFINITIONS

Wherever used in this Agreement, the following terms shall have the following meaning, unless the context indicates to the contrary.

Section 1.1 “Developer”: means Dale and Kathi Lee, who owns and is developing the “Development” and who is a party to this agreement.

Section 1.2 “Development”: means and refers to the following development as identified on the following engineering plan on file with the District to wit: **Oaklee Estates Subdivision.**

Section 1.3 “District”: means the Highway District No. 4, a Highway District organized and existing under and by virtue of the Laws of the State of Idaho, located in Canyon County, Idaho party to this agreement.

Section 1.4 “Highways and Public Rights-of-Way”: means and refers to roads, streets, alleys and bridges laid out or established for the public or dedicated or abandoned to the public and includes rights-of-way open to the public and under the jurisdiction of the “District.”

Section 1.5 “Permit”: means and refers to “Application and Permit to Use Right-Of-Way Utilities” which form is a part of the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho latest edition. A true and correct copy of the present form contained in the 2022 Edition is attached marked **Exhibit A** “Application and Permit to Use Right-Of-Way Utilities,” a copy of which shall be provided to the Developer and is herein referenced. Reference to “General Provisions (Utilities)” is to the reverse side of the Application and Permit to Use Right-Of-Way Utilities form.

Section 1.6 “Pressure Irrigation System”: means and refers to the private, non-potable irrigation water system, including pressurized pipe lines, valves, Miscellaneous Utilities, and appurtenances serving the Development.

Section 1.7 “Miscellaneous Utilities”: means and refers to the private electrical wiring, conduit, sprinkler control wiring, and other various minor utilities serving the Development. Also includes fencing and irrigation within the Purple Sage Road right-of-way along the frontage of 9504 Purple Sage Road (R37513013).

ARTICLE 2. RECITALS

Section 2.1 WHEREAS, the developer has determined that the Development shall include a Pressure Irrigation System and Miscellaneous Utilities, portions of which will need to be placed in the “Highways and Public Right-of-Way” of the “District”; and

Section 2.2 WHEREAS, the Commissioners of the District have exclusive general supervision and jurisdiction over all highways and public rights-of-way within their highway system and the District has legal title to all property acquired; and

Section 2.3 WHEREAS, the District regulates the use of its highways and public rights-of-way for utility installations and other uses therein and requires that applicants complete and file an Application and Permit To Use Right-Of-Way Utilities and that applicants as a condition of granting the permit agree to all of its terms, conditions and provisions as provided on the form; and

Section 2.4 WHEREAS, the District is willing to provide a license to the Developer for the construction, operation, and maintenance of Pressure Irrigation System and miscellaneous utilities within the Highways and Public Rights-of-ways subject to the Developer agreeing to the terms, conditions and provisions of an Application and Permit to Use Right-of-Way Utilities and agreeing to the terms and conditions set forth herein; and

Section 2.5 WHEREAS, the Developer and the Highway District find that it is in their mutual best interests to craft an agreement that standardizes the process and the terms and conditions by which the Developer obtains the license and right to construct, and maintain a “Pressure Irrigation System” within the Highways and Public Rights-of-ways of the District which terms and conditions are agreed to by the parties and set forth in this Agreement.

ARTICLE 3. GRANT OF UTILITY PERMIT/LICENSE FOR NONEXCLUSIVE USE OF HIGHWAY RIGHT OF WAY FOR PRESSURE IRRIGATION SYSTEM AND MISCELLANEOUS UTILITIES.

Section 3.1 There shall be granted by District to the Developer a permit/license to construct, operate, and maintain "Pressure Irrigation System" and "Miscellaneous Utilities" within the Highways and Public Rights-of-way of the District. The "Pressure Irrigation System" crossings are specifically located within the rights-of-way of Basin Ranch Way. One crossing located approximately 100' south of the Purple Sage/Basin Ranch intersection and the second crossing approximately 50' north of the C-Line Canal crossing within Basin Ranch Way right-of-way as shown on the Official Map of the Highway District No. 4 Highway System, and to operate the same as is necessary or convenient for the Pressure Irrigation System and Miscellaneous Utilities and subject to the conditions and regulations hereinafter set forth.

Section 3.2 In accordance with the Permit General Provisions (Utilities) #11 of the Permit, the right to so use and occupy said Highways and Public Rights-of-way for the purposes herein set forth shall not be exclusive. The Highway District reserves the right to grant use of said Highways and Public Rights-of-way, within its boundaries, to any utility authorized by the Idaho Code to be placed therein and any other person or firm at any time during the period of this Agreement, so long as such subsequent grant [limited to any other person] does not interfere with Developer's licensed use hereunder.

Section 3.3 The terms, conditions and provisions as set forth on the Permit form, a true and correct copy of which is attached hereto marked Exhibit A and by this reference incorporated herein, are included and are part of the terms and conditions of this Permit/License.

ARTICLE 4. COMPLIANCE WITH APPLICABLE LAWS.

Section 4.1 The Developer shall, at all times during the life of this Permit/License, be subject to the lawful exercise of the police power by the State of Idaho and/or the County of Canyon and to such reasonable regulations as the Highway District shall hereafter provide that shall appertain to the construction, maintenance and/or operation of the Pressure Irrigation System and Miscellaneous Utilities within the Highway District's Right-of-Way.

ARTICLE 5. CONDITIONS ON HIGHWAYS AND PUBLIC RIGHT-OF-WAY UTILITY OCCUPANCY.

Section 5.1 Plans for proposed Pressure Irrigation System and Miscellaneous Utilities showing the location and construction shall be prepared and stamped by an Idaho Licensed Professional Engineer and/or landscape architect and shall provide the information required in Permit General Provisions (Utilities) #14. Plans for proposed Pressure Irrigation System and Miscellaneous Utilities are subject to approval by the Work Director or Engineer of the Highway District.

Section 5.2 The proposed Pressure Irrigation System and Miscellaneous Utilities shall be so located so as not to interfere with the proper use of Highways and Public Rights-of-way as well as not to interfere with existing public utility, and electrical street light systems installations. Unless otherwise approved in writing by the District, any Pressure Irrigation System and Miscellaneous Utilities shall be constructed in locations consistent with and subject to the requirements of the applicable Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho latest edition and as subsequently amended, and specifically the provisions applicable to permitting of Utilities within the Highways and Public Rights-of-Way.

Section 5.3 Developer shall comply with the "Digline" law (Idaho Code Chapter 22, Section 55) and any future amendments thereto.

Section 5.4 The Pressure Irrigation System and Miscellaneous Utilities shall be so constructed, maintained, operated and located as not to injure or damage unnecessarily any existing electrical conduit, drains, storm sewers, catch basins or other like improvements or the subsurface or surface of Highways and Public Rights-of-Way streets, roads, alleys, sidewalks, bridges and other public ways and places, but should any of the aforesaid be damaged or injured, whether by act or omission to act on the part of the Developer, his/her/its officers, employees or agents, or proximately damaged or injured by any property or instrumentality under the care, custody or control of the Developer, his/her/its officers, employees or agents, the Developer shall immediately notify the affected owner of the damage and shall forthwith, at its own expense, either repair the damage and restore the aforesaid to as good condition as existed prior to the time of the said injury or damage, or Developer shall make other arrangements that are acceptable to the affected owner for accomplishing said repair. Developer shall keep the affected owner informed of all significant repairs being performed to allow the agency to perform inspection of the repair work, in accordance with Section 5.7 of this Agreement. All of the work done for the construction, maintenance, operation and location, and the repair and restoration of any damage or injury, shall be done in accordance with the standards of the affected owner as well as the provisions of any and all general regulations of the District governing the excavation in and repair of said streets, roads, alleys, bridges, sidewalks and other public ways and places.

Section 5.5 Pursuant to Permit General Provisions (Utilities) # 9 and after notice from the District, the Developer shall in a timely manner and at his/her/its expense, cause to be relocated any Pressure Irrigation System and Miscellaneous Utilities as the case may be at a location within the Highway and/or Public Right-of-Way designated by the District, in the event the same is necessary as a part of a Highway and/or Public Right-of-Way relocation and/or reconstruction.

Section 5.6 The Developer shall file one (1) copy in digital format compatible with the District's computer mapping system in use at time of execution of this agreement, or a format mutually agreed upon during the term of this agreement, with the District to the attention of the District Engineer and one (1) paper copy with the District, a current map and plan disclosing the location and character of structures and facilities of his/her/its

Pressure Irrigation System and Miscellaneous Utilities constructed and maintained in, upon, across and under the streets, alleys and public places or ways within the District. In the event the Developer inaccurately maps any of its facilities or lines installed after the date of this License Agreement, and such inaccuracy results in the misplacement of utility lines by any other public agency or utility as authorized by the District, it shall be the Developer's responsibility to move its facilities or lines, or pay the extra cost for any rerouting of District facilities necessary as a result of such inaccurate maps in an effort to coordinate the activities of the District and the Developer. The Developer shall provide the office of the District's Engineer fourteen (14) days prior to construction, drawings of proposed and new projects. The District shall review the construction drawings and provide the Developer with comments regarding the project.

Section 5.7 In the event Developer is required to excavate or disturb pavement in order to operate, maintain, and/or reconstruct Pressure Irrigation System and Miscellaneous Utilities at a time subsequent to the construction and installation of the same by the Developer pursuant to this Permit/License, the Developer shall not less than 7 days prior to such work [except in the case of an emergency and in such case as soon as possible] notify the District work director or his designee and advise of the reasons, and the nature and extent of the work to be performed and shall follow the Permit General Provisions (Utilities) #16 in this regard and all other Permit General Provisions (Utilities) therein applicable to the work.

Section 5.8 The Developer, his/her/its agents and contractors shall provide traffic control in routine maintenance and operation of the Pressure Irrigation System and Miscellaneous Utilities in accordance with the then current Manual on Uniform Traffic Control Devices for Streets and Highways and as provided in Permit General Provisions (Utilities) # 3 of the Permit.

Section 5.9 The Developer shall be responsible that all Pressure Irrigation System and Miscellaneous Utilities or other appurtenances are to finished grade after resurfacing, widening, or other reconstruction conducted by Developer or by District affecting the same.

Section 5.10 The Developer is responsible for the coordination of the location, construction and installation of its Pressure Irrigation System and Miscellaneous Utilities in relationship with any other utility lines permitted by or installed by the District.

ARTICLE 6. INSURANCE FOR LIABILITY AND PROPERTY DAMAGE AND FAITHFUL PERFORMANCE.

Section 6.1 The Developer shall indemnify and save and hold harmless the District from and for any and all losses, claims, actions or judgments for damages or injury to persons or property and losses and expenses caused or incurred by the Developer, his/her/its officers, employees and agents and as provided in Permit General Provisions (Utilities) #4 of the Permit.

Section 6.2 Developer shall maintain, and by his/her/its acceptance of this License Agreement specifically agrees that it will maintain throughout the term of this

Agreement, liability insurance for any and all losses, claims, actions or judgments for damages or injury to persons or property and losses and expenses caused or incurred by the his/her/its officers, employees and agents. The District shall be named as a named insured in an amount equal to the minimum coverage required by the Idaho Tort Claims Act and Idaho's Worker's Compensation Law. The limits of insurance shall not be deemed a limitation of the Developer's covenant to indemnify and save and hold harmless the District from such losses, claims, actions or judgments, and if the District becomes liable for an amount in excess of the insurance limits herein provided, the Developer covenants and agrees to indemnify and save and hold harmless the District from any and all such losses, claims, actions, judgments or expenses for damages or injury to persons or property.

Section 6.3 The insurance policies obtained by the Developer in compliance with this section must be approved by the District Commissioners and such insurance policy, along with written evidence of payments of required premiums, shall be filed and maintained with the District Secretary during the term of this Agreement; or in lieu of an insurance policy, the Developer may submit, and keep on file with the District Secretary, during the term of this Agreement, a current certificate of insurance showing compliance with this section, but said certificate of insurance must disclose that District is a named insured, the policy period, and that the premium has been paid for the policy period.

ARTICLE 7. OPERATION AND MAINTENANCE OF SYSTEM

Section 7.1 All Pressure Irrigation System and Miscellaneous Utilities, in, upon, over, across, along and under each and all of the streets, roads, avenues, bridges, and other public ways and places of the Highways and Public Rights-of-Way wherever situated or located, and whether now existing or not, shall be kept and maintained in a safe, suitable, substantial condition and in good order and repair.

Section 7.2 The Developer shall maintain a listed telephone, and be so operated that complaints and requests for repairs or adjustments regarding the Pressure Irrigation System and Miscellaneous Utilities may be received at any time.

Section 7.3 The Developer shall be liable to the District for any damages to District property or expenses reasonably incurred by the District as a result of the Developer's failure to comply with the provisions of this Article or failure to comply with the General Provisions of the Permit.

ARTICLE 8. RIGHTS RESERVED TO DISTRICT.

Section 8.1 The right is hereby reserved by the District to adopt, in addition to the provisions contained herein, such additional regulations as it shall find necessary; provided, that such regulations shall be reasonable and not in conflict with the rights herein granted and not in conflict with the laws, rules and regulations of other governmental regulatory agencies having jurisdiction over Developer's Pressure Irrigation System and Miscellaneous Utilities operation.

Section 8.2 The District shall have the right to inspect and copy the maps, plats, plans and other records of the locations and character of the structures and facilities of the treatment, collection, transmission and distribution of the Developer's Pressure Irrigation System and Miscellaneous Utilities at any time during normal business hours.

Section 8.3 The District shall have the right to regulate the location and installation of the Developer's Pressure Irrigation System and Miscellaneous Utilities which shall subsequently lie within the Highways and Public Rights-of-Way to insure compliance with the terms of this Agreement.

ARTICLE 9. TERM:

Section 9.1 This License Agreement and the rights, privileges and authority hereby granted will be in full force and effect as of the date first written above and shall continue in full force and shall apply to and be in effect for as long as there is a Pressure Irrigation System and Miscellaneous Utilities, of the Developer's "Pressure Irrigation System and Miscellaneous Utilities" within the Highways and Public Rights-of-way.

ARTICLE 10. ASSIGNMENT OF LICENSE AGREEMENT.

Section 10.1 This License Agreement shall not be assigned, transferred or sold without the written consent of the District with the provision that:

10.1.1 Other than as herein agreed, this License Agreement shall not be assigned, transferred, or sold without the consent of the District and shall at all times be held by the owner of the Pressure Irrigation System and Miscellaneous Utilities which is the subject of this License Agreement.

ARTICLE 11. FORFEITURE OF LICENSE.

Section 11.1 The License granted by this Agreement may be terminated and canceled, amended, or amplified at any time for failure of the Developer to comply with the terms and conditions hereof and as provided in Permit General Provisions # 12. Prior to notice of intent to terminate and cancel, the District shall give written notice of the matters and facts of which Developer is claimed to be in default or noncompliance, such notice to be given by personal service or by registered mail. Should Developer fail to correct and remedy such default or noncompliance within a reasonable time from the day of receipt of said notice, such reasonable time to depend upon the exigencies surrounding the matters and facts set forth in said notice, then and in that event said District may forthwith give Developer notice of its intent to terminate and cancel this License and grant. Such notice of intent to terminate and cancel shall be by Resolution of the Commissioners of the District duly adopted after ninety (90) days notice to Developer by certified mail or personal service of such intent to terminate and cancel and after a public hearing in which the Developer has been given an opportunity to be heard before the District's Commissioners.

ARTICLE 12. SEVERABILITY.

Section 12.1 The provisions of this License Agreement are hereby declared separable and if any section, clause or phrase hereof is hereafter declared invalid and unconstitutional, the same shall not affect the validity of the remaining portions of this Agreement.

ARTICLE 13. GENERAL PROVISIONS:

Section 13.1 Changes-alterations. No change, alteration, modification, or addition to this agreement shall be effective unless in writing and properly executed by the parties hereto.

Section 13.2 Governing Law. This Agreement shall in all respects be subject to, and governed by, the laws of the State of Idaho.

Section 13.3 Attorney's Fees. If any legal action or other proceeding is brought for the enforcement of this agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this agreement, the successful or prevailing party or parties shall be entitled to recover reasonable attorney's fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.

Section 13.4 Notices. All notices required to be given to each of the parties hereto under the terms of this Agreements shall be given by depositing a copy of such notice in the United States mail, postage prepaid, to the respective parties hereto at the following address:

Developer:
Dale and Kathi Lee
9640 Purple Sage Road
Middleton, ID 83644

District:
Highway District No. 4
15435 Hwy. 44
Caldwell, Idaho, 83607

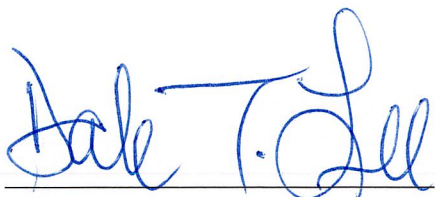
Or to such other address as may be designated by writing delivered to the other party. All notices given shall be deemed completed as of the date of mailing except as otherwise expressly provided herein.

Section 13.5 Captions. The subject headings of the paragraphs and subparagraphs of this agreement are included for purposes of convenience only and shall not affect the construction of interpretation of any of its provisions.

Section 13.6 Counterparts. This agreement shall be executed by the parties in two (2) counterparts, and each such counterpart shall be deemed an "original".

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first written above.



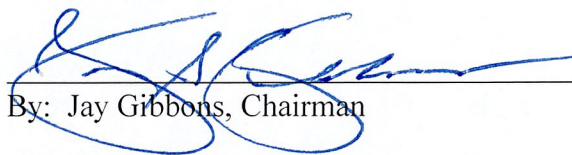
Dale Lee

DEVELOPER



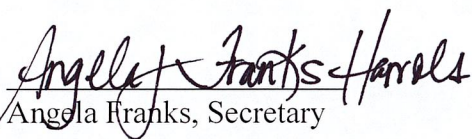
Kathi Lee

HIGHWAY DISTRICT NO. 4



By: Jay Gibbons, Chairman

ATTEST:



Angela Franks, Secretary

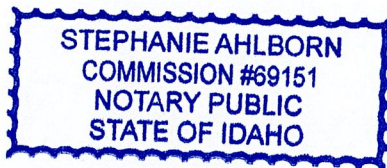
STATE OF IDAHO)

: ss.

County of Canyon)

On this 27 day of March, 2024, before me, the undersigned, a notary public in and for said County and State, personally appeared Jay Gibbons, of the Highway District No. 4, known to me or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same, and was authorized to do so for and on behalf of said Highway District.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Stephanie Ahlborn
Notary Public for Idaho
Residing at: Nampa, ID
Commission Expires: 12/21/28

STATE OF IDAHO)

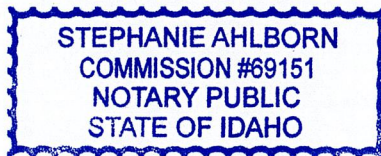
:ss.

County of Canyon)

On this 11 day of March, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Dale Lee and Kathi Lee, husband and wife, known or identified to me to be the persons who executed the said instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)



Stephanie Ahlborn
Notary Public for Idaho
Residing at: Nampa, ID
My Commission Expires: 12/21/28

EXHIBIT A - GENERAL PERMIT (UTILITIES)



TEMPORARY HIGHWAY USE PERMIT APPLICATION
 UTILITIES AND OTHER
 DIG LINE: 1-800-342-1585 or 811
 ALL APPLICATIONS MUST HAVE AN ATTACHED TRAFFIC
 CONTROL PLAN FOR REVIEW

FOR OFFICE USE ONLY

Road Segment Number: _____
 Moratorium Road: ☐ Yes / ☒ No
 Fees Due: _____
 Work Hours: _____

Permits may be submitted to utilitypermits@canyonhd4.org

Dig Line Ticket Number: _____ Permit Number: _____ ☐ Certificate of Insurance ☐ Bond on File

Date of Application: _____	Start Date: _____	End Date: _____
----------------------------	-------------------	-----------------

Application Submitter's Contact Name and Phone Number: _____
 Contractor Name and Phone Number: _____
 Subcontractor Name and Phone Number: _____
 Responsible Person and Phone Number: _____
 RP Certificate Number: _____ CON: _____-_____ Exp. Date: ____/____/____
 24 Hour Emergency Contact: _____
 Traffic Control Company and Contact: _____

UTILITY WORK: ☐ Sanitary Sewer ☐ Gas Mains ☐ Water Mains ☐ Electric ☐ Communications ☐ Other	WHICH SIDE OF THE ROAD WILL YOU BE ON? ☐ North ☐ East ☐ South ☐ West	IDAHO TRANSPORTATION DEPARTMENT PERMIT REQUIRED? ☐ Yes / ☒ No IF YES, ITD PERMIT MUST BE INCLUDED CONTRACTOR JOB NUMBER: _____
---	---	---

JOB SITE ADDRESS OR ROAD NAME: _____
NEAREST CROSSROAD: _____ **CITY:** _____

DESCRIPTION OF WORK—BE SPECIFIC AS POSSIBLE.

ANGLE OF ROAD CROSSINGS: _____ **SIZE OF PIPE:** _____ **DEPTH:** _____ **VERTICAL CLEARANCE:** _____

DIRT DISTURBANCE WORK BELL HOLE <50' QTY TRENCH WORK FT BORE (INCLUDES TWO BELL HOLES) FT BORE (NUMBER OF CROSSINGS) QTY Aerial Work Only ☐ Yes / ☐ No Sidewalk Obstruction ☐ Yes / ☐ No	MISC. CONCRETE OR ASPHALT WORK: CURB CUTTING ONLY L/F CONCRETE APPROACH (C/G/SW) L/F CONCRETE APPROACH (C/G) L/F CURB AND GUTTER ONLY L/F SIDEWALK ONLY L/F CURB/GUTTER/SIDEWALK L/F ASPHALT APPROACH L/F
---	--

FOR MORATORIUM PURPOSES, IS THE ROAD TO BE CUT? ☐ YES / NO ☐

DAILY FEES ON ROADWAYS FOR UTILITY AND OTHER PERMITS

Canyon Highway District No. 4 • 15435 Highway 44, Caldwell, Idaho 83607 • (208) 454-8135 • info@canyon4hd.org

This form may be reproduced for use in making multiple applications.

Revised 05/2021

EXHIBIT A - GENERAL PROVISIONS (UTILITIES)

1. A DEPOSIT IN AN AMOUNT TO BE DETERMINED BY THE HIGHWAY DISTRICT (MINIMUM \$200.00) SHALL ACCOMPANY THIS APPLICATION. IF PROPER REPAIR IS MADE AND ACCEPTED WITHIN TEN (10) DAYS, THE DEPOSIT WILL BE REFUNDED. IF PROPER REPAIR IS NOT COMPLETED WITHIN TEN (10) DAYS, THE HIGHWAY DISTRICT WILL MAKE THE REPAIR AND INVOICE APPLICANT AND/OR RESPONSIBLE PARTY.
2. ALL UTILITIES MUST BE INSTALLED UNDER CULVERTS.
3. DURING THE PROGRESS OF THE WORK, SUCH BARRICADES, LIGHTS AND OTHER TRAFFIC CONTROL DEVICES SHALL BE ERECTED AND MAINTAINED AS MAY BE NECESSARY OR AS MAY BE DIRECTED FOR THE PROTECTION OF THE TRAVELING PUBLIC. SAID BARRICADES, LIGHTS AND OTHER TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE CURRENT ISSUE OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS. PARKED EQUIPMENT AND STORED MATERIALS SHALL BE AS FAR FROM THE TRAVELWAY AS FEASIBLE. ITEMS LEFT OVERNIGHT WITHIN 30 FT. OF TRAVELWAY SHALL BE MARKED AND/OR PROTECTED.
4. IN ACCEPTING THIS PERMIT, THE PERMITTEE, ITS SUCCESSORS AND ASSIGNS, AGREES TO HOLD THE HIGHWAY DISTRICT HARMLESS FROM ANY AND ALL LIABILITY ON ACCOUNT OF THE ERECTION, INSTALLATION, CONSTRUCTION, MAINTENANCE OR OPERATION OF THE FACILITIES LOCATED UNDER THIS PERMIT.
5. ANY DISTURBANCE OF THE TRAVELED SURFACE OF THE ROAD AND/OR TRAFFIC CONTROL DEVICES SHALL BE RESTORED TO THE SATISFACTION OF THE HIGHWAY DISTRICT. PERMITTEE SHALL BE RESPONSIBLE FOR PROPER PAVEMENT CUT, EXCAVATION, BACKFILL, COMPACTION AND ASPHALT REPAIR. ASPHALT REPAIR SHALL BE IN ACCORDANCE WITH STANDARD DRAWING NO. ACCHD-110.
6. IF THE WORK DONE UNDER THIS PERMIT INTERFERES IN ANY WAY WITH THE DRAINAGE OF THE HIGHWAY, THE PERMITTEE SHALL WHOLLY AND AT HIS OWN EXPENSE MAKE SUCH PROVISION AS THE HIGHWAY DISTRICT MAY DIRECT TO TAKE CARE OF SAID DRAINAGE.
7. ON COMPLETION OF SAID WORK HEREIN CONTEMPLATED, ALL RUBBISH AND DEBRIS SHALL BE IMMEDIATELY REMOVED AND THE ROADWAY AND ROADSIDE SHALL BE LEFT NEAT AND PRESENTABLE TO THE SATISFACTION OF THE HIGHWAY DISTRICT.
8. ALL OF THE WORK HEREIN CONTEMPLATED SHALL BE DONE TO CONFORM WITH CURRENT GOVERNMENT AND INDUSTRY STANDARDS UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE HIGHWAY DISTRICT AND THE ENTIRE EXPENSE OF SAID SUPERVISION SHALL BE BORNE BY THE PERMITTEE.
9. THE HIGHWAY DISTRICT HEREBY RESERVES THE RIGHT TO ORDER THE CHANGE OF LOCATION OR THE REMOVAL OF ANY STRUCTURE(S) OR FACILITY(IES) AUTHORIZED BY THIS PERMIT. SAID CHANGE OR REMOVAL TO BE MADE AT THE SOLE EXPENSE OF THE PERMITTEE, OR ITS SUCCESSORS AND ASSIGNS.
10. ALL SUCH CHANGES, RECONSTRUCTION OR RELOCATION BY THE PERMITTEE SHALL BE DONE IN SUCH A MANNER AS WILL CAUSE THE LEAST INTERFERENCE WITH ANY OF THE HIGHWAY DISTRICT WORK.
11. THIS PERMIT SHALL NOT BE DEEMED OR HELD TO BE AN EXCLUSIVE ONE AND SHALL NOT PROHIBIT THE HIGHWAY DISTRICT FROM GRANTING OTHER PERMITS OR FRANCHISE RIGHTS OF LIKE OR OTHER NATURE TO OTHER PUBLIC OR PRIVATE UTILITIES, SO LONG AS SUCH GRANT [AS IS RELATES TO PRIVATE UTILITIES] DOES NOT INTEREFERE WITH DEVELOPER'S LICENSED USE HEREUNDER, NOR SHALL IT PREVENT THE HIGHWAY DISTRICT FROM USING ANY OF ITS ROADS, STREETS, OR PUBLIC PLACES, OR AFFECT ITS RIGHT TO FULL SUPERVISION AND CONTROL OVER ALL OR ANY PART OF THEM, NONE OF WHICH IS HEREBY SURRENDERED.
12. THE HIGHWAY DISTRICT MAY REVOKE, AMEND, AMPLIFY, OR TERMINATE THIS PERMIT OR ANY OF THE CONDITIONS HEREIN ENUMERATED IF PERMITTEE FAILS TO COMPLY WITH ANY OR ALL OF ITS PROVISIONS, REQUIREMENTS OR REGULATIONS AS HEREIN SET FORTH (AFTER THE CURE PERIOD DESCRIBED IN SECTION 11.1 OF THE AGREEMENT) OR THROUGH WILLFUL OR UNREASONABLE NEGLECT, FAILS TO HEED OR COMPLY WITH NOTICES GIVEN, OR IF THE UTILITY HEREIN GRANTED IS NOT INSTALLED OR OPERATED AND MAINTAINED IN CONFORMITY.
13. THE PERMITTEE SHALL MAINTAIN AT HIS SOLE EXPENSE THE STRUCTURE OR SUBJECT FOR WHICH THIS PERMIT IS GRANTED.
14. ADEQUATE DRAWINGS OR SKETCHES SHALL BE INCLUDED SHOWING THE EXISTING AND/OR PROPOSED LOCATION OF THE FACILITY WITH RESPECT TO THE EXISTING AND/OR PLANNED LOCATION OF THE HIGHWAY IMPROVEMENT, THE TRAVELED WAY, THE RIGHTS-OF-WAY LINES, AND WHERE APPLICABLE, THE CONTROL OF ACCESS LINES AND APPROVED ACCESS POINTS.
15. IF TRENCH OR PAVEMENT SETTLEMENT SHOULD OCCUR WITHIN TWO YEARS FROM THE DATE OF INSTALLATION, REPAIRS SHALL BE MADE BY THE PERMITTEE AS DIRECTED BY THE HIGHWAY DISTRICT AT NO COST TO THE DISTRICT. IF THE PERMITTEE FAILS TO MAKE THE NECESSARY REPAIRS THE HIGHWAY DISTRICT WILL MAKE THE REPAIRS AND INVOICE APPLICANT AND/OR RESPONSIBLE PARTY. NO NEW PERMITS SHALL BE ISSUED TO THE PERMITTEE UNTIL SUCH CLAIM HAS BEEN SETTLED.
16. NO WORK SHALL BE STARTED UNTIL AN AUTHORIZED REPRESENTATIVE OF THE HIGHWAY DISTRICT HAS GIVEN NOTICE TO THE PERMITTEE TO PROCEED. PERMITTEE SHALL NOTIFY THE HIGHWAY DISTRICT TO SCHEDULE A TIME FOR ROAD CLOSURE AND OPENING. IF THE WORK WILL PREVENT EMERGENCY TRAFFIC FROM TRAVELING THROUGH, THE CANYON COUNTY SHERIFF'S OFFICE MUST BE NOTIFIED.
17. A BOND IN THE AMOUNT OF \$ 0 IS REQUIRED FOR THE PROTECTION OF THE HIGHWAY DISTRICT AS SET FORTH IN THE TERMS OF THE BOND.
18. ANY REPLACEMENT OF, ADDITION TO, OR CHANGE IN THE FACILITY GRANTED BY THIS PERMIT SHALL REQUIRE A NEW PERMIT PRIOR TO INITIATION OF SUCH WORK.

REQUEST FOR ACCEPTANCE OF ROAD(S)

It is requested that Highway District No. 4 accept the following public streets, highways, and alleys within Oaklee Estates Subdivision (Subdivision Name) into the Highway District's Highway System for perpetual maintenance:

Street Name(s) (as designated on the Subdivision Plat):

Basin Ranch Way

Basin Kid Court

DEVELOPER: Dale and Kathi Lee

Dale T. Lee
(Signature, Dale Lee)

Date: 11 Mar 2024

Kathi Lee
(Signature, Kathi Lee)

Date: 3/11/2024

Name:	<u>Dale and Kathi Lee</u>
Title:	<u>Developer</u>
Company:	<u>Not Applicable</u>
Address:	<u>9640 Purple Sage Road</u>
	<u>Middleton, ID 83644</u>
Phone:	<u>208-989-7397</u>



July 15, 2025

Canyon County Planning & Zoning and
Board of Commissioners
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Dan Lister, Planner

Treasure Valley Planning, LLC
17741 Linden Lane
Caldwell, ID 83607
Attention: Keri Smith

RE: SD2023-0012 Bow-Tie Estates Subdivision
NW ¼ of Section 26, T 5N R 2W
Subject Parcels R37468012A0 and R37468012A1

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the preliminary and final plat dated January 3, 2025, for Bow-Tie Estates Subdivision and provides the following comments:

General

The proposed development consists of 2 residential lots on approximately 11.03 acres. The subject parcels are located at the northeast corner of the Kingsbury/Edna intersection. The property fronts the westerly section line of Section 26. This section line is planned for the extension of Kingsbury Road.

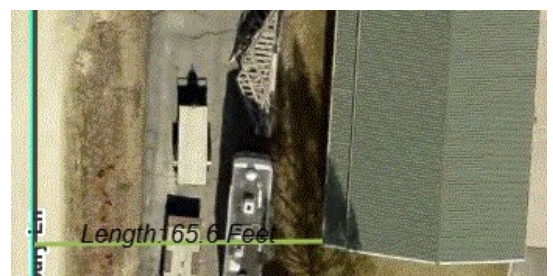
Kingsbury Road is designated as a principal arterial per the Canyon County Functional Classification Map. In the vicinity of the development, 1.25 miles north of the subject parcels, Goodson Road is identified as a principal arterial. Planning for Goodson Road identifies a connection to Highway 16 and an interchange with I-84. The plan for Kingsbury Road is to intersect Goodson and ultimately provide a connection to I-84 via Franklin Road. Kingsbury Road is critical for the future movement of patrons in this area.

Kingsbury Road dedication of 50' from section line is consistent with HD4's policy for a 5-lane road section. Furthermore, ROW in addition to the 50' may be required for construction of the future Willow Creek Bridge. Staff will review the need for additional ROW at the time of bridge design.

Variance

Adjacent to the westerly section line of Section 26 is an existing shop. Said shop is approximately 65' from the section line as shown.

The applicant brought to HD4 staff's attention their desire to reduce the ROW width to accommodate a 30' setback for that structure. To move forward with the request the



applicant will need to apply for a variance with HD4. Based on the aforementioned information in **General**, staff will recommend denial of the variance. Staff suggest the applicant seek a setback reduction from Canyon County.

HD4 provided comments on the subdivision and rezone. The preliminary plat dated 1/3/25 generally complies with those comments and HD4 policy:

1. Plat identifies ROW dedication for Kingsbury Road of 50' from section line
2. Plat provides a roadway easement for the maintenance of Edna Lane including a slope easement to allow HD4 maintenance of the road embankment

The most recent comments on the subdivision (comments dated January 28, 2025), are provided below:

Preliminary Plat (dated 1/3/25)

1. HD4 will require a license agreement for the use/location of improvements within Kingsbury ROW (50'), executed prior to final plat signature.

Final Plat (dated 1/3/25)

1. Revise legal in certificate of owners to describe entire subdivision (2 lots -10.16 Ac) including 50' dedication of E ½ of Kingsbury from lot 1 and match/revise POB location, etc. of face of plat (sht 1).
2. Provide license agreement, signed by property owners.

The HD4 Board will consider the preliminary plat and final plat (short plat) after the final plat is updated and staff receives a signed license agreement (agreement to be prepared by HD4). If the applicant chooses to move forward with a variance request, the variance application can be submitted with the revised final plat as a combined request or prior to as a separate request.

Please feel free to call me with any questions about these comments.

Sincerely,



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

Dan Lister

From: Keri Smith <[REDACTED]>
Sent: Friday, July 18, 2025 10:26 AM
To: Lenny Riccio; Dan Lister
Subject: [External] Re: Bow Tie SD 2023-0012

Hi Lenny,

Thank you for the July 15th comment letter on the Bow Tie Estates subdivision (SD2023-0012). I've reviewed it alongside prior correspondence and the original 2001 HD4 permit issued for the Kingsbury/Edna approach.

After comparing the current requirements to the historical approvals, I'd like to respectfully raise a few concerns.

First, it's important to note that:

- The garage structure already has legal access from Kingsbury, via an HD4-approved approach permit;
- No new access points to Kingsbury are being proposed with this subdivision;
- The original HD4 permit references and accepts a 40' ROW, which at the time was considered consistent with HD4 policies.

The current staff position now requiring a 50' ROW dedication—with the possibility of additional ROW for future bridge improvements—represents a significant departure from the District's previously documented stance. My client is not asking to retain the full 40'. We are requesting a reduction to 35'–39', which still exceeds typical road construction widths and recognizes the potential for shared ROW burden with future development to the west.

The contradiction between past and present requirements is creating a regulatory impasse. Under the previously accepted 40' ROW, the existing shop met the required 60' setback from centerline. However, the new 50' ROW dedication pushes the structure to within 19' of the ROW, which now causes Canyon County to deny the subdivision on the grounds of non-compliance with current setbacks—even though nothing on the site has changed.

This situation raises legitimate regulatory takings concerns under Idaho law. Specifically:

- In *Ada County Highway District v. Brooke View, Inc.*, 162 Idaho 138 (2017), the Idaho Supreme Court affirmed that dedications which interfere with a property's use and development potential—particularly those not roughly proportional to the impacts—may constitute a compensable taking.
- Similarly, in *City of Coeur d'Alene v. Simpson*, 142 Idaho 839 (2006), the Court held that dedications must meet the proportionality standards set forth in *Nollan* and *Dolan*.

Here, a two-lot rural subdivision with no new approaches is being subjected to arterial-level ROW standards based on a long-range future buildout plan that is not yet designed or imminent. Imposing that burden entirely on this property is neither proportional nor equitable.

We would like to avoid a variance and litigation path. We are still willing to present this formally to the HD4 Board if required, but we would strongly prefer a staff reconsideration that recognizes:

- the prior 40' ROW acceptance;
- the limited scale of development;
- and the proposed compromise of a 35'–39' ROW dedication.

Please advise whether HD4 staff will reevaluate its position or if we should proceed with a formal hearing request before the Board.

Thank you for your time and continued collaboration.

Best regards,
Keri K. Smith
Treasure Valley Planning, LLC
[REDACTED]

Highway District No. 4

Staff Report: **Bow-Tie Estates
Preliminary Plat**



May 7, 2026

Attachments

- Vicinity Map
- Preliminary Plat dated January 3, 2025

Staff reviewed the preliminary plat dated 1/3/2025 for Bow-Tie Estates Subdivision. The development request affects parcels R37468012A and R37468012A1 of 10.97 acres. The subject parcels are located on the NE corner of the Edna/Kingsbury intersection. The parcel has about 940' of frontage onto Edna Lane and about 615' of frontage onto future extension of Kingsbury Road as measured from centerline of Edna Lane to the north property line. The development consists of 2 residential lots. COMPASS Long-Range Functional Classification Map (July 26, 2023) identifies Kingsbury Road as a principal arterial and Edna Lane across the property's frontage as a local road.



The property is more than 1 mile from city limits and is considered rural by HD4 for purposes of development and access spacing.

Right-of-Way Dedication

Policy requires 50' half-width ROW dedication for Kingsbury Road from section line. The resulting dedication of Kingsbury Road reduces the frontage setback of an existing garage and will cause that garage to be non-conforming. The applicant requested a variance to reduce the ROW dedication width. The Board heard the variance and granted a reduction in ROW dedication around the existing building. The FCOs are attached as a separate document and the Order of Decision from the meeting is shown below:

Order No. 1: The Application of Keri Smith to grant a variance to HSDP Section 3030.010 for the following is allowed when subdivided:

THEREFORE, Applicant shall, dedicate a 50' width right-of-way across the frontage approximately 615 linear feet) with exception of the vicinity of the existing garage.

- If a rural residential setback is granted by the County, Applicant shall dedicate a right-of-way allowing a 21' buffer measured from the garage to the right-of-way;
- If rural residential setback is denied by the County, Applicant shall apply a 31' buffer measured from garage to right-of-way

Staff for the Highway District will have final approval on whether the dedication meets the standards set forth in this order and will not unreasonably withhold the same.

At time of final plat signature, the right-of-way to be accepted by HD4 as open public right-of-way.

Traffic Mitigation

No public improvements are anticipated with this proposal. Therefore, mitigation will be made through impact fees and right-of-way dedication.

To note, prior to final plat signature the applicant to sign a road access and maintenance agreement. The agreement specifies that the developer is responsible for maintaining the road within the dedicated ROW and that HD4 has no obligation to maintain the open public right-of-way. This prevents future demands on the district to begin maintaining the road. The agreement also requires the applicant to consent in advance to the formation of a Local Improvement District (LID) should the Highway District choose to improve the right-of-way in the future. Furthermore, the maintenance agreement will identify allowed licensed uses within the ROW that includes asphalt parking on the west side of the garage, vehicle storage, fencing and other encroachments. Those encroachments are to be removed from the ROW once Kingsbury Road is publicly maintained.

Access

HSDP 3061.030.A, does not allow new direct access onto arterial roads. Second, HSDP 3061.070 indicates no access shall be allowed to lots in a platted subdivision ... other than to internal subdivision streets or as otherwise shown on a plat.” Lastly, HSDP 3061.040 does not allow circle driveways onto arterial roads. Therefore, for Lot 1 Block 1 at time of public maintenance of Kingsbury Road the existing circular drive located 140’ south of the parcel’s north property line will be relocated and limited to one approach. This to be identified by note on the final plat.

Access for Lot 2 Block 1 to come by local road Edna Lane. Access can be considered onto Edna as allowed by the HSDP.

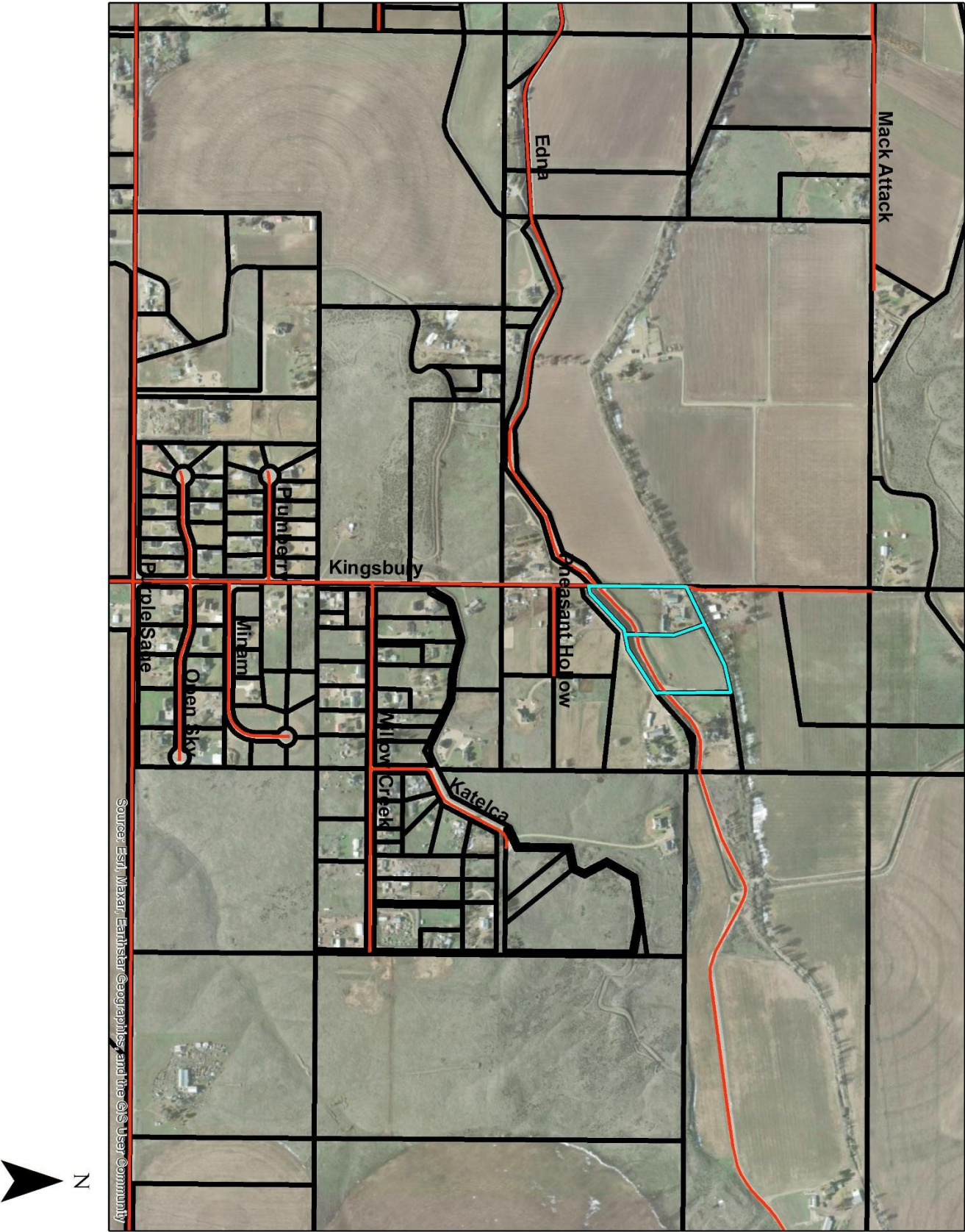
Staff Recommendation

Staff finds the preliminary plat dated January 3, 2025, is in general conformance to HD4 policy and recommends approval of the preliminary plat with the following conditions:

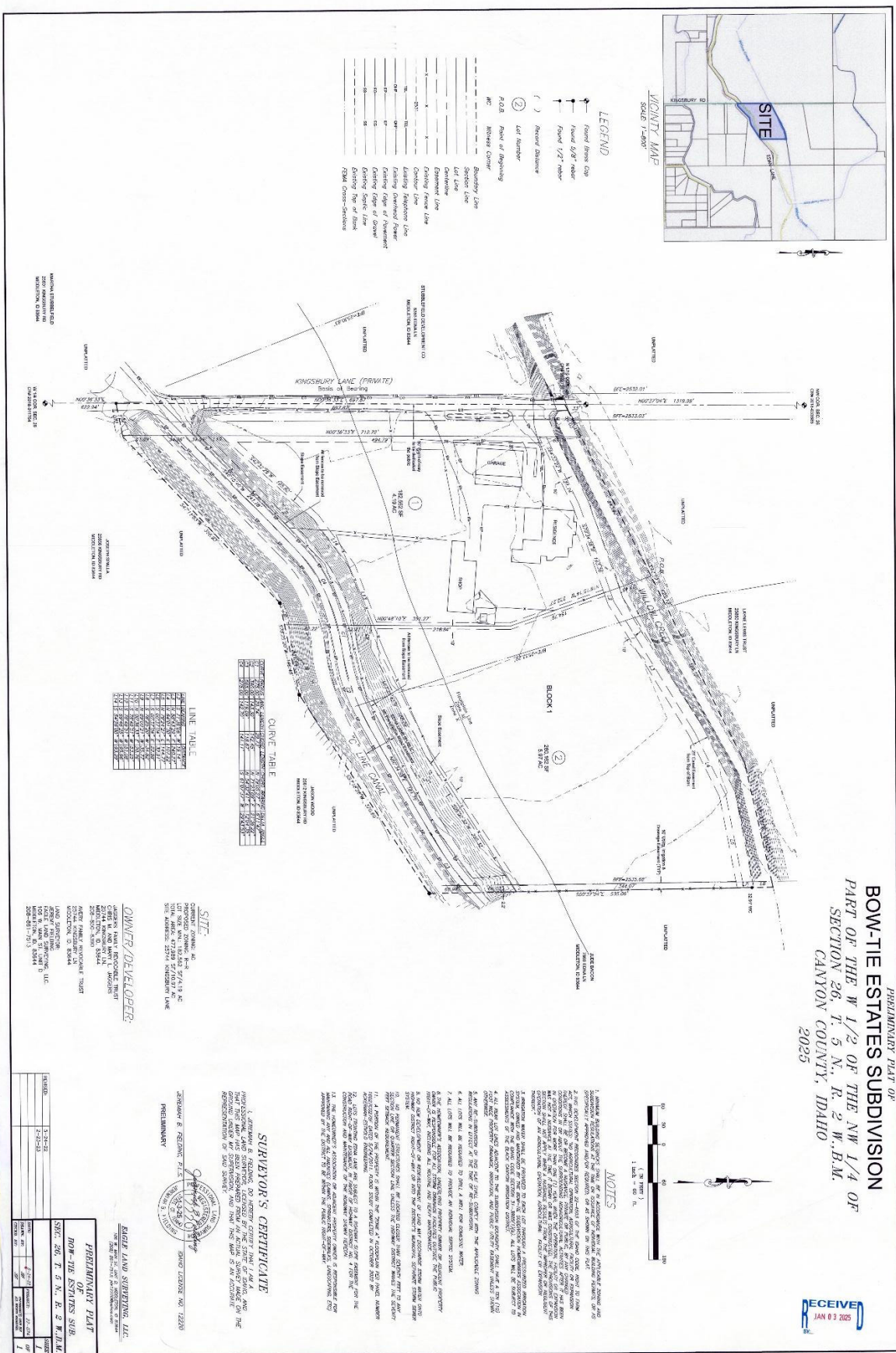
1. At time of final plat signature:
 - a. Dedicate Kingsbury Road ROW as identified in the variance order of decision.
 - b. Signed road access and maintenance agreement
 - c. Add note on final plat, “At the time of public maintenance of Kingsbury Road, the existing approaches serving Lot 1, Block 1 shall be relocated and consolidated into a single approach onto Kingsbury Road. The location of the new approach shall be determined by the road authority having jurisdiction.”

All other platting requirements to be in accordance with the current edition of the Highway Standards and Development Procedures Manual in effect at the time of final plat submittal.

Vicinity Map



Preliminary Plat





Canyon County Development Services Department
 111 North 11th Ave. Suite 140
 Caldwell, ID 83605
 (208) 454-7458

RE: Bow-Tie Estates Rezone & Preliminary Plat Submission. Parcels R37468012A and A1
 Case No. SD2023-0012
 Applicant: Keri Smith
 Property Owner: Chris & Mary Jaggers
 Planner: Dan Lister

The properties are located at 25744 Kingsbury Lane, Middleton ID. (Parcels R37468012A and A1). According to existing records, the parcels are within the Black Canyon Irrigation District (District) service area boundary and receive water from the District.

The District has the following initial comments.

*****Prior to District concurrence of the Rezone & Preliminary Plat:**

1. Based on our records, the District has not received a New Project Application Form for the two-parcel subdivision development of Bow-Tie Estates (Parcels R37468012A and A1). The District requests the Applicant to complete the form found on the District's website (<https://blackcanyonirrigation.com/development>).
2. District mapping indicates that the Willow Creek Wasteway is located adjacent to the northern property boundary and has a historical 50-foot easement (25-feet from centerline). The Applicant will need to prepare and provide the District with a legal description and exhibit for the easement along the Willow Creek Wasteway per District Resolution 2023-04 if one does not exist. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho.
3. District mapping indicates that the C-Line Canal East is located adjacent to the southern property boundary and has a historical 100-foot easement (50-feet from centerline). The Applicant will need to prepare and provide the District with a legal description and exhibit for the easement along the C-Line Canal East per District Resolution 2023-04 if one does not exist. All documents must be stamped and signed by a licensed land surveyor in the State of Idaho.
4. In February 2023, the property owner requested and received approval from the District for a water transfer related to the split of Parcels R37468012A and A1. The District

BLACK CANYON IRRIGATION DISTRICT

NOTUS, IDAHO

approved the owner's request to permanently allocate one acre of water to Parcel R37468012A and four acres to Parcel R37468012A1. Note that the lot split for these parcels has already been finalized and is separate from this application process.

5. Access for the newly created parcel appears to use Edna Ln. This roadway appears to encroach onto the District's easements. A use agreement should be in place for this access. The District will request additional information from the BOR along Edna Way once an application is submitted.
6. All outstanding account balances and development fees need to be paid prior to the District providing concurrence for rezone and preliminary plat approval.

General Comments:

1. Any and all maintenance road right-of ways, lateral right-of ways and drainage right-of ways will need to be protected (including the restriction of all encroachments and including any proposed overlapping rights of ways). Also, any crossing agreement(s) and/or piping agreement(s) will need to be acquired from the Bureau of Reclamation (Reclamation), once approved by the District, to cross over or under any existing lateral, pipe any lateral or encroach in any way the right-of ways of the District or Reclamation.
2. The District recommends that fencing is installed along the Willow Creek Wasteway and the C-Line Canal East easements per District Resolution 2023-01.

The District is requesting that all the above requirements be satisfactorily addressed, including any others that arise during future reviews, prior to providing District concurrence.

Thank You,



Mike Meyers
District Manager
Black Canyon Irrigation District

Dan Lister

From: Caitlin Ross
Sent: Wednesday, June 25, 2025 11:03 AM
To: Dan Lister
Subject: FW: [External] RE: Agency Notice SD2023-0012 / Bow Tie Estates

FYI – thanks!
-Caitlin

From: D3 Development Services [REDACTED]
Sent: Wednesday, June 25, 2025 10:57 AM
To: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Subject: [External] RE: Agency Notice SD2023-0012 / Bow Tie Estates

Hello,

After careful review of the transmittal submitted to ITD on June 20, 2025 regarding, SD2023-0012/Bow Tie Estates , 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 [REDACTED]

Thank you

Mila Kinakh

D3 Planning and Development



YOUR Safety •••▶ **YOUR Mobility** •••▶ **YOUR Economic Opportunity**

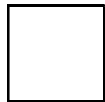
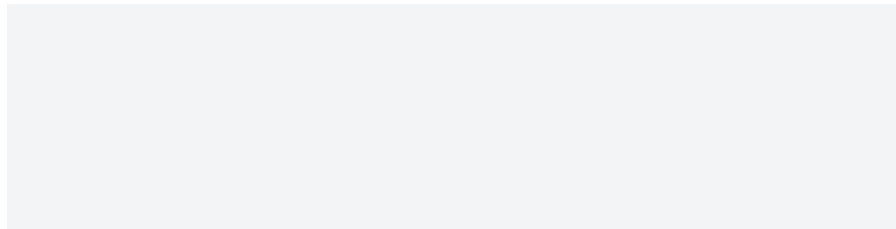
From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Friday, June 20, 2025 9:39 AM
To: [REDACTED]

Dan Lister

From: Tony Almeida
Sent: Friday, August 15, 2025 9:28 AM
To: Dan Lister
Subject: FW: [External] [You're assigned] SD2025-0012 Falcon Rim SD Final Plat R37527011

Bow-Tie Estates name is good.

From: Daniel Lister via monday.com <notifications@monday.com>
Sent: Thursday, August 14, 2025 2:31 PM
To: Tony Almeida <[REDACTED]>
Subject: [External] [You're assigned] SD2025-0012 Falcon Rim SD Final Plat R37527011



Daniel Lister [assigned you](#) to **SD2025-0012 Falcon Rim SD Final Plat R37527011**

[Current Planning - Hearings](#) ☐ [Staff Review](#)

[View Item](#)

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*Want to manage your work on the go?
Download the monday.com mobile app*

1445 N Orchard St
Boise, ID 83706 • [REDACTED]



Brad Little, Governor
Jess Byrne, Director

June 23, 2025

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

Subject: Agency Notice SD2023-0012 Bow Tie Estates

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 [REDACTED].

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 [REDACTED]

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 [REDACTED]

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 [REDACTED]
- 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 [REDACTED] 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 [REDACTED] for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at [REDACTED].

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 [REDACTED].

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 [REDACTED].

Sincerely,

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

Troy Smith
Regional Administrator

EXHIBIT 4

Comments/Material Received by July 27, 2026

-

Board of County Commissioners

Case# SD2023-0012

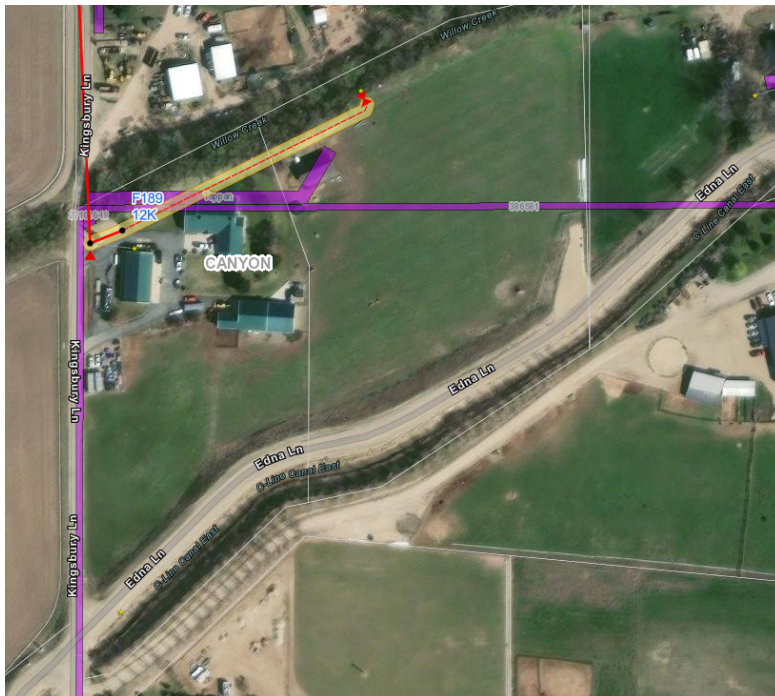
Hearing Date: August 6, 2026

From: Letson, Leon <[REDACTED]>
Sent: Monday, July 6, 2026 2:09 PM
To: Dan Lister <[REDACTED]>
Cc: Caitlin Ross <[REDACTED]>
Subject: [External] Bow-Tie Estates Subdivision

Hi Dan,

Reviewing the agency transmittal for this project, there are some Idaho Power easements the developer will need to vacate or depict on their subdivision plat (see below). Vacation looks to be the best option for those shown in purple as they do not appear to be associated with any facilities in the area. I've included a copy of the easement documents. Below is a link to an Idaho Power webpage concerning easement vacations.

[Easement Services - Idaho Power](#)



Thanks,

Leon Letson

FACILITY SITING COORDINATOR

Idaho Power | Economic & Community Development

Office [REDACTED] 4 | Cell [REDACTED]

idahopower.com

POWER LINE EASEMENT

Carl E. Tappan and Avon Holbert Tappan
his wife, Grantor(s), of Canyon County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to a line of poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Canyon County, State of Idaho, in the following location, to-wit:
The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 5 North, Range 2 West of the Boise Meridian.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 24th day of October, 19 50.

WITNESS:

Carl E. Tappan
Avon Holbert Tappan

STATE OF Idaho }
County of Canyon } ss.

On this 24th day of October, 19 50, before me, L. D. Bader, a Notary Public, personally appeared Carl E. Tappan and Avon Holbert Tappan, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

Notary Public, residing at Caldwell, Idaho
(Notarial Seal) Commission expires March 15, 19 53

STATE OF }
County of } ss.

On this day of 19 , before me, a Notary Public, personally appeared , to me personally known, who being duly sworn, did say that they are respectively the President and the Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as the free act and deed of said corporation.

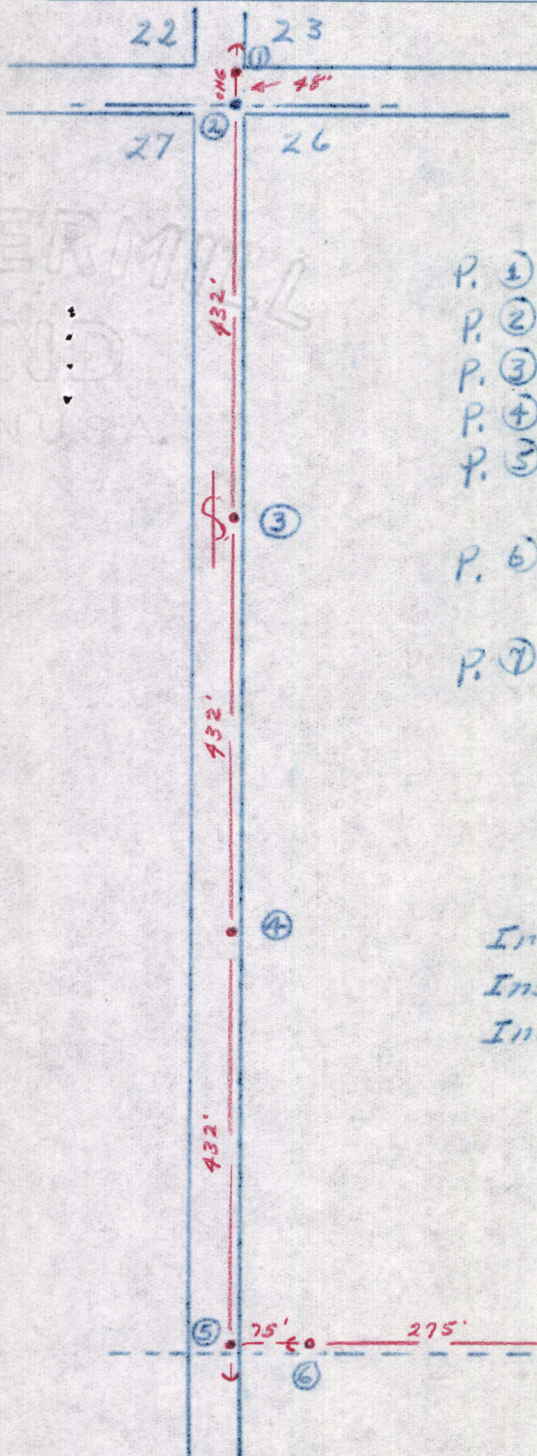
Notary Public, residing at
(Notarial Seal) Commission expires , 19

If individuals, use this form.

If corporation, use this form.

IDAHO POWER COMPANY
WORK ORDER MAP

JOB LOCATION C-7/dwell COUNTY Canyon SEC. 26 TWP. 5N RGE. 3W
DESCRIPTION Carl Tippen - Inst. Poles, Prim. Service & Transf.
1/4 mile So. 1 1/2 east 1/4 So. of Purple Sage Station



Pole Notes

- P. ① Inst. 1-35' P. 1-DG. 1-OMG-To Pole# 2
P. ② Inst. 1-DG. 1-DE 2-6' + 1-NDE.
P. ③ Inst. 1-35' P. 1-SG. 2-DE 2-6' - 1-4-KV P+I. 11509-5
P. ④ Inst. 1-35' P. 1-SG. 1-12 + 1-4-KV P+I
P. ⑤ Inst. 1-35' P. 2-DG. 1-DG. 1-Key. 1-DE 2-6' - 1-NDE
2-12KV + 2-4KV P+I.
P. ⑥ Inst. 1-35' P. 1-DG. 1-DG. 1-DE 2-6' + 1-NDE. 2-12KV
+ 2-4-KV P+I
P. ⑦ Inst. 1-40' P. 1-DG. 1-DG. 1-DE 2-6' + 1-NDE. 1-Key
1-3-SPR. 1-3 KVA. 7200V. P.M. 1-17292. Tol

Wire Notes

- Inst. 48A Prim. 1296' From Pole# 2. To Pole# 5
Inst. 2/6 BE Prim. 75' From Pole# 5. To Pole# 6
Inst. 2/6 333 Prim. 275' From Pole# 6. To Pole# 7

PREPARED BY P.P. Radley DATE 10-20-50 SCALE

GENL. OFFICE PLATTING BY DATE

MAP SECTION NUMBER

Z-2875-41

WORK ORDER NUMBER

C-A-3809

POWER LINE EASEMENT

A. V. Bentz

and

Alta M. Bentz

his wife, Grantor(s), of Shafter, Kern County, State of California, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Canyon County, State of Idaho, in the following location, to-wit: adjacent to the North and East lines of The S.W. Quarter (SW $\frac{1}{4}$) of the N.W. Quarter (NW $\frac{1}{4}$) of Section Twenty Six (26) and the West Half (W $\frac{1}{2}$) of the NE Quarter (NE $\frac{1}{4}$) of the NW Quarter (NW $\frac{1}{4}$) all in Township Five (5) North, Range Two (2) West of the Boise Meridian. All in Section Twenty six (26) consisting of sixty acres more or less.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 6th day of July, 1951.

WITNESS:

STATE OF California, }
County of Kern } ss.

On this 6th day of July, 1951, before me, Sam L. Becker,
a Notary Public, personally appeared A. V. Bentz and
Alta M. Bentz, known to me to be the person(s)
who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

Notary Public, residing at Shafter, California Notary Public in and for the County of Kern,
State of California.
Commission expires 19
MY COMMISSION EXPIRES FEB. 14, 1953

STATE OF _____, }
County of _____ } ss.

On this _____ day of _____, 19____, before me, _____,
a Notary Public, personally appeared _____ and
_____, to me personally known, who being duly
sworn, did say that they are respectively the _____ President and the _____ Secretary of the
corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as the
free act and deed of said corporation.

Notary Public, residing at _____
Commission expires _____, 19____

386581

A. V. Bently, et al

To

Recorded	
Completed	
Ind. - Direct	J.P.
Ind. - Return	J.P.
Bk. & P. O.	J.P.
W. H. R.	J.P.
Assigned	
Released	

DAVID P. WINTER

Exemption

STATE OF IDAHO } ss.
County of Canyon

I hereby certify that this instrument
was filed for record at the request of

DAVID P. WINTER
MAR 12 1952

at 8 minutes past 10 o'clock A.M.
in my office, and duly recorded in book

33 of Misc.

at page 126

S. S. FOOTE,
Ex Officio Recorder

By *Barbara Day* Deputy
Fee \$.75

EXHIBIT 5

Draft FCOs

-

Board of County Commissioners

Case# SD2023-0012

Hearing Date: August 6, 2026



BOARD OF COUNTY COMMISSIONERS
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Bow-Tie Estates Subdivision - SD2023-0012

The Canyon County Board of County Commissioners considers the following:

The applicant, Treasure Valley Planning, representing Jaggers Family Revocable Trust and Avery Family Revocable Trust, requests approval of the Bow-Tie Estates Subdivision preliminary plat consisting of two residential lots on Parcels R37468012A1 and R37468012A (**Attachment A**). The request includes a waiver of City of Star subdivision improvements.

The subject properties, approximately 10.9 acres, are located at 25744 Kingsbury Lane, Middleton, also referenced as a portion of the NW quarter of Section 26, T5N, R2W, BM, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:

- A. The record includes all testimony, the staff report, exhibits, and documents in Case File SD2023-0012.
 - 1. All exhibits can be found in the case staff report dated August 6, 2026.
 - 2. The Planning and Zoning Commission heard the case on June 4, 2026, and recommended approval (**Exhibits 1 & 2**).

Applicable Law

- 1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-17-09 (Preliminary Plat Criteria); and Idaho Code §67-6513.
 - a. Notice of the public hearing was provided per CCCO §07-05-01 and Idaho Code §67-6509. Agencies were notified on July 2, 2026. JEPA notice was sent to the City of Star on June 20, 2025. Property owners within 600 feet of the subject property boundaries were notified on July 2, 2026. A newspaper notice was published on July 7, 2026. The subject property was posted with a notice on July 6, 2026.
- 2. Per CCCO §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 application, SD2023-0012, was presented at a public hearing before the Canyon County Board of County Commissioners on August 6, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:

Table 1. Preliminary Plat Standards of Evaluation – CCCO §07-17-09

County Ordinance and Review		
Criteria Met?	Code Section	Criteria

Yes	1	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.
Analysis		On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). The last revision to the preliminary plat was submitted on April 2, 2026 (Attachment A). The applicant was told the request could not be processed as a short plat (preliminary and final plat processed concurrently) due to the parcel being in a floodplain. Therefore, the final plat cannot be processed until the preliminary is approved. Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See Exhibit 3.B.4 for details): Summary of Review – Bow-Tie Estates Subdivision: • Total Acreage: 10.97 acres (10.17 acres after dedication). • Total Number of Lots: Two (2) residential lots. • Zoning: “CR-R-R” (Condition Rezone – Rural Residential, two-acre average minimum lot size). The zone was approved in 2025, subject to a development agreement (RZ2023-0003/DA No. 25-172 (Exhibit 3.B.3)). • Roads/Access: Lot 1 will continue to utilize the Kingsbury open, unmaintained, right-of- way. Lot 2 has frontage from Edna Lane, a public road. - o Highway District #4 (HD4) will require a 50’ right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> ▪ A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (Exhibit 3.A.8). - o Idaho Transportation Department (ITD) has no concerns and finds the request does not meet the threshold to require an impact study (Exhibit 3.C.5). • Area of City Impact: The City of Star finds the request meets the city’s future land use map in its comprehensive plan. The city waives city subdivision standards and improvements (Exhibit 3.C.1). • Water/ Sewage Disposal: Lot 2 will require a domestic well and individual septic system (Plat Notes 6 & 7). Lot 1 has a well and septic system (Exhibits 3.A.2 & 3.A.6). • Irrigation: Irrigation water will be provided to all lots through a pressurized irrigation delivery system (Exhibit 3.A.2, Plate Note #3). The existing irrigation pump from Willow Creek is located in an easement on Lot 2. The irrigation line is located near the east and south property boundary of Lot 2 and terminates at Lot 1 via an easement. The property has surface water rights (45.5%) from Black Canyon Irrigation District (Exhibit 3.A.4). <i>See Irrigation Narrative in Exhibit 3.B.4a.</i> • Drainage: Stormwater runoff shall be retained onsite (Plat note #15, Exhibit 3.A.2). The Homeowner’s 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 (Plat Note #8). The Site Runoff Plat (Exhibit 3A.5) demonstrates runoff flows east to west into 12” drainpipes. • Hillside Development: Plat Note #14 states no development is allowed in areas with slopes greater than 15%, as identified as the “non-buildable” areas on this plat (Exhibit 3.A.2). - o Access to Lot 2 appears to have been improved after the submittal of SD2023-0012 on slopes 15% or greater (Exhibit 3.B.5) and encroaching into a Black Canyon Irrigation District (BCID) easement (Exhibit 3.C.4). BCID requires a user agreement; see condition 4a. An as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E. See condition 1a. • Floodplain: The subject property is located in an “A” Zone (Floodplain without Base Flood Elevation (BFE) data). A BFE study was submitted and reviewed by the DSD Engineering Division and was approved (Exhibit 3.B.6). <i>See Condition 11.</i>

Criteria Met? Yes	2	<u>Acknowledgment:</u> Upon receipt of the application, preliminary plat, and applicable fees, DSD shall acknowledge, sign, and date the application and deem it accepted.
Analysis	On April 28, 2023, the applicant submitted a preliminary plat application, concurrently with a conditional rezone (RZ2023-0003) and final plat (SD2023-0013). <i>See Exhibit A</i>	
Criteria Met? Yes	3	<u>Agency Review:</u> <u>A:</u> 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. <u>B:</u> 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>
Analysis	Affected agencies were notified on June 20, 2025 (courtesy notice), April 30, 2026 (P&Z Commission hearing notice), and July 2, 2026 (Board hearing notice). The following agency comments were received: <u>DSD Engineering Division (Exhibit 3.B.6):</u> - The BFE study complies with FEMA guidance for Zone A analysis and Canyon County floodplain requirements. The hydrologic and hydraulic methods used, including contour interpolation and the HEC-RAS step-backwater model, provide a defensible regulatory BFE suitable for use in floodplain permitting and final plat documentation (DP2025-0040). <i>See Condition 11.</i> <u>Idaho Transportation Department - ITD (Exhibit 3.C.5):</u> - ITD has no concerns and finds the request does not meet the threshold to require an impact study. <u>DSD GIS (Exhibit 3.C.6):</u> - Subdivision name meets Idaho Code §50-1307 (No duplication/similar-sounding names). <u>Southwest District Health - SWDH (Exhibit 3C.2):</u> - SWDH does not have any concerns. The SER (Subdivision Engineering Report) is approved (<u>Exhibit 3.A.7</u>). A nutrient pathogen study is not required. <i>See Condition 5.</i> <u>City of Star (Exhibit 3.C.1):</u> - Correspondence from the City of Star finds the request meets the city's future land use map in their comprehensive plan. The city waives city subdivision standards and improvements. <i>See Condition 9.</i> <u>Black Canyon Irrigation District (Exhibit 3.C.4):</u> - The applicant has not submitted a review application. Willow Creek Wasteway along the north boundary has a historical 50- foot easement (25 feet from centerline). The C-Line Canal East is located on the southern property boundary with a historical 100-foot easement (50 feet from centerline). <i>See survey provided by applicant, Exhibit B.4a.</i> In February 2023, the District approved the water transfer split between Parcels R37468012A and A1(one acre to Parcel R37468012A and four acres of water to Parcel R37468012A1). Access created from Edna Lane (Lot 2) encroaches into the district's easement, which needs a user agreement. <i>See Condition 4.</i> <u>Highway District #4 (Exhibit 3.C.3):</u> - Highway District #4 (HD4) will require a 50' right-of-way (ROW) dedication along Kingsbury Road and a license agreement for use of the Kingsbury ROW. HD4 recommends approval of the preliminary plat. The comment letter requires final plat revisions. <i>See Condition 3.</i> - A 38.5 ROW variance was approved to ensure the existing garage on Lot 1 meets setbacks (<u>Exhibit 3.A.8</u>). <u>Idaho Department of Environmental Quality (Exhibit 3.C.7):</u> - The letter from DEQ is informational, not project-specific. <u>Idaho Power (Exhibit 4.a):</u> - ID Power provided comments identifying easements that will need to either be depicted on the plat or vacated before final plat signature (<u>Exhibit 4.a</u>). The request has been added as a condition of approval.	

Table 2. Commission Review – CCCO §07-17-09(5)

Commission Review: 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:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	A	The board shall consider the commission's recommendation at a noticed public hearing.
Analysis	The Planning and Zoning Commission heard the case on June 4, 2026, and recommended approval (Exhibits 1 & 2).	
Yes	B.1	The ordinance and standards used in evaluating the application.
Analysis	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, Exhibit 3.A.2), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation); and E. Canyon County Zoning Ordinance, Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met?	B.2	Recommendations for conditions of approval that would minimize adverse conditions, if any.
Yes		
Analysis	<i>See Order Section for conditions of approval.</i>	
Criteria Met?	B.3	The reasons for recommending the approval, conditional approval, modification, or denial.
Yes		
Analysis	The request (Attachment A), as conditioned, is compliant with all applicable minimum requirements for a preliminary plat. <i>See Table 1 and Table 2, Sections 1 & 2.</i>	
Criteria Met?	4	If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.
Yes		
Analysis	N/A	

Order

Based upon the Findings of Fact, Conclusions of Law, and Order contained herein, the Board of County Commissioners **approves** Case #SD2023-0012, the Bow-Tie Estates Subdivision Preliminary Plat, subject to the following conditions:

1. All subdivision improvements (public 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.
 - a. Regarding the access on Lot 2, an as-built grading and drainage plan prepared by a licensed engineer shall be submitted demonstrating consistency per CCCO §07-17-33(1)C.2, D, and E.
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 (**Exhibits 3.C.3 & 3.A.8**). Evidence of compliance shall be the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements and agreements (**Exhibit 3.C.4**). Evidence shall include written correspondence from the irrigation district approving the final plat before the Board of County Commissioners' signature on the final plat.
 - a. Regarding the access to Lot 2, a user agreement must be approved by the irrigation district to allow access to encroach into the district's easement.
5. Development shall comply with Southwest District Health requirements (**Exhibit 3.C.2**). Evidence of compliance shall be the Southwest District Health signature on the final plat.

6. Development shall comply with Fire District requirements. Evidence shall include written correspondence from the fire district approving the final plat before the Board of County Commissioners' signature on the final plat.
7. Compliance with the recorded development agreement (**Exhibit 3.B.3**) or any future amendments shall be noted as a plat note on the final plat.
8. The shared irrigation line/delivery system must include a recorded water user's maintenance agreement. The agreement with the instrument number shall be added as a plat note on the final plat.
9. Per CCCO 09-19-09(5): 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 before the City engineer signs the plat.
10. The final plat shall highlight areas where slopes over 15% exist and note that residential development is prohibited in the highlighted area.
11. Applicable floodplain development approval conditions per DP2025-0040 shall be met prior to final plat signing (**Exhibit 3.B.6**).
12. Idaho Power easement must be depicted on the final plat or vacated prior to the Board of County Commissioners' signature on the final plat.

DATED this _____ day of _____, 2026.

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	_____	_____	_____
_____ Commissioner Brad Holton	_____	_____	_____
_____ Commissioner Zach Brooks	_____	_____	_____

Attest: Jess Urresti, Clerk

By: _____ Date: _____
Deputy

