In the matter of the application of:
Pheasant Heights Subdivision - SD2025-0002

The Canyon County Board of County Commissioners considers the following:

The applicant requests approval of the Pheasant Heights Subdivision preliminary plat consisting of 33 lots: 30 residential lots, 2 commercial lots, and 1 private road lot.

The subject property is 23854 Emmett Road, Caldwell (Parcels R34445012A, 012A2, and 012B); also referenced as a portion of the NE¼ of Section 2, T4N, R3W, 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 SD2025-0002.
      1. All exhibits can be found in the case staff report addendum dated October 29, 2029.

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.
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, SD2025-0002, was presented at a public hearing before the Canyon County Board of County Commissioners on October 29, 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	Preliminary plat summary and consistency review per CCCO §07-17-09(1)A through F were completed (See **Exhibit III.3.C.5** *for details*): **Summary of Review – Pheasant Heights Subdivision (Exhibit III.3.B.2):** • Total Acreage: 46.96 acres (38.59 acres after public road dedication and road lot).	

	• Total Number of Lots: 30 residential lots, 2 commercial lots, and one (1) road lot. • Zoning: "R-1" (Single-Family Residential, one-acre minimum lot size, **Exhibit III.3.C.3**) and "C-1" (Neighborhood Commercial, **Exhibit III.3.C.4**). • Roads/Access: The request proposes public roads (Golden Street & Bulwer Avenue) to serve the main entrance from Emmett Road to the commercial development and provides access to the private road network proposed to serve the residential development (Argus Lane, Golden Lane, Reeves Lane, and Fireback Lane). The public roads will be required to meet Highway District #4 requirements (**Exhibit III.3.D.3**). The private road must meet county code. The private roads are located in a 60' wide road lot consistent with CCCO §07-17-31. Private road construction and road users' maintenance agreement must comply with the county code prior to the final plat signature by the Board of County Commissioners, per CCCO §07-10-03 (*See Conditions 1 & 10*). Middleton Fire District did not comment but will be required to review the roads/access before final plat approval per CCCO §07-10-03. *See Condition 6.* o Highway District #4 (HD4) approved the preliminary plat, subject to construction drawings and final plat conditions (See TIS review and Option 4 in HD4 letter, **Exhibit III.3.D.3**). *See condition #3.* o Idaho Transportation Department (ITD) does not have any concerns regarding the development. However, ITD supports HD4/Middleton in collecting a proportionate share of funding for the signal at SH-44 & Emmett Road (**Exhibits III.3.D.4 & 4**). • Area of City Impact: At the time of submittal, the subject parcels were located in the Middleton area of city impact (AOCI). However, as of December 30, 2025, the subject parcels are no longer in the Middleton AOCI. o Due to the development's location within city limits, the City of Middleton requests that frontage along Emmett Road comply with the city's 3-lane arterial standards (including an asphalt pathway and providing spacing for bike lanes) and that internal public roads comply with the city's local road standards (including concrete sidewalks). This will promote conformity, attractiveness, and compliance if the development is ever annexed into the city (**Exhibit III.3.D.5**). The preliminary plat shows that the public roads comply with city standards. • Water/ Sewage Disposal: Per plat note #6, individual private wells will be installed. Per plat note #7, individual septic systems will be installed. *See condition 5.* • Irrigation: Per plat note #8, individual pressure irrigation services will be installed. Per plat note #9, the subdivision will receive pressure irrigation from the C.E. 18.1, owned and maintained by the Black Canyon Irrigation District. *See conditions 1 & 7.* o Existing C.E. 18.1 Lateral will be piped and will be constructed to ensure existing users will not be impacted (**Exhibits III.3.B.2, 3.E.1 & 3.E.2**). The proposed pressurized irrigation pumphouse is located within an easement on Lot 2. Irrigation easements will ensure each lot is served by pressurized irrigation. ▪ Black Canyon Irrigation District (BCID) comment letter requesting a preliminary plat meeting (**Exhibit III.3.D.6**). The applicant stated this was completed. However, BCID did not provide a new letter. BCID's final plat comments have been included as conditions of approval. *See Condition 4.* • Drainage: Per plat note #4, stormwater runoff shall be contained on-site by means of drainage swales and retention facilities. Per plat note #5, the Homeowners Association, the underlying property owner, or adjacent property owner is responsible for all storm drainage facilities outside of the public right-of-way, including all routine and heavy maintenance. DSD Engineering requires construction drawings at the time of the final plat and a facility maintenance plan to be included in the CC&Rs before final plat approval (**Exhibit III.3.C.5**). *See Plat Note #15 of **Exhibit III.3.B.2** and Condition 1b.*	
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 January 25, 2026, the application and plat were accepted by DSD (**Exhibit III.3.B**).	

Criteria Met?		
Yes	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, approval of the preliminary plat by such department or agency will be considered to be granted.**

Analysis

A. The following agency comments were received:

1. Highway District #4 – HD4 **(Exhibit III.3.D.3)**
   - Access: The development's only access/frontage is Emmett Road, a principal arterial. The approach will be a right-in-right-out approach. The Emmett Road frontage will be widened with two southbound lanes, a center median, and a right-turn taper to allow right-turn movements into the subdivision. Sidewalks will be extended and connected to existing sidewalk improvements.
   - Traffic: The residential and commercial uses are estimated to generate 3,652 daily trips with 107 AM peak hour trips and 287 PM peak hour trips. A traffic impact study was provided, which reviews present-day conditions and conditions at buildout (projected at 2029 and horizon year conditions, which are 5 years after buildout. The Hartley/Willis and Emmett and SH-44 intersections are identified to fall below acceptable levels of service by 2029 and worsen. HD4 approved the preliminary plat, subject to construction drawings and final plat conditions (See Option 4 in **Exhibit 3.D.3** for conditions). *See condition #3.*
2. Idaho Transportation Department - ITD **(Exhibits III.3.D.4 & 4)**
   - ITD does not have any concerns regarding the development. However, ITD supports HD4/Middleton in collecting a proportionate share of funding for the signal at SH-44 & Emmett Road.
   - On August 10, 2026, ITD provided additional information regarding the proportionate share requirements based on site-generated traffic at the SH-44 and Emmett Road intersection.
3. DSD GIS/Addressing **(Exhibit III.3.D.7)**
   - The subdivision name, Quail Run, cannot be used. The revision to the subdivision name Pheasant Heights complies with state law (Idaho Code 50-1307). The street names are found to be consistent with CCCO §06-05-13.
4. Southwest District Health - SWDH **(Exhibit III.3.D.1)**
   - SWDH approved a nutrient pathogen study for the development on September 30, 2024. Test holes were conducted on September 23, 2024, and septic systems have been proposed on each lot. SWDH does not have concerns with the requested preliminary plat. *See condition 5.*
5. Middleton School District – MSD **(Exhibit III.3.D.2)**
   - Two of the three Middleton elementary schools are over capacity. Middleton Middle and High schools are nearing capacity. Funding for a new elementary school near the intersection of Kingbury Road and SH-44 has been secured. Completion of the school is expected between Fall 2027 and Fall 2028. MSD anticipates that the student redistribution among the four elementary schools will address the capacity issue. MSD requests that the developer work with the school district regarding planned bus stop locations/spacing and collaborate on a signaled crosswalk between the development and Middleton High School. *See condition 9.*
6. City of Middleton **(Exhibit III.3.D.5)**
   - Due to the development's location within city limits, the City of Middleton requests that frontage along Emmett Road comply with the city's 3-lane arterial standards (including an asphalt pathway and providing spacing for bike lanes) and that internal public roads comply with the city's local road standards (including concrete sidewalks). This will promote conformity, attractiveness, and compliance if the development is ever annexed into the city

	○ The preliminary plat shows that the public roads comply with city standards (**Exhibit III.3.B.2**). 7. Idaho Department of Environmental Quality – DEQ (**Exhibit III.3.D.8**) • The letter from DEQ is informational, not project-specific.

Table 2. Commission Review – 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:

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	Planning & Zoning Commission heard the case at a public hearing held on August 20, 2026. After deliberation, the Planning & Zoning Commission recommended approval with conditions (**Exhibits I & II**). The Planning & Zoning Commission found the recommended conditions from DSD staff to be adequate and added condition #11 to address traffic impacts: "*No building permits shall be issued until the Emmett Road and SH-44 intersection is improved from a level of service (LOS) F to LOS B.*" The applicant submitted a letter opposing the added condition due to enforceability issues and believes recommended condition 3 requires the development to meet all applicable HD4 requirements before plat signing (**Exhibit IV.a**). Except for added condition #11, the Board concurs with the Planning & Zoning Commission's findings except for their addition of Condition #11. Condition #11 was replaced with a fencing condition. *See Criteria B.2 for more information.*	
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, See Plat Note 14, **Exhibit III.3.B.2**), D. Idaho Code, Sections 31-3805 & 42-111 (Irrigation), and E. Canyon County Code of Ordinances (CCCO), Chapter 7, Article 17 (Subdivision Regulations).	
Criteria Met?	**B.2**	**The reasons for approval or denial.**
Yes		
Analysis	*See Table 1 and Table 2, Sections 1 & 2.* After hearing testimony from adjacent neighbors about the need for fencing or a landscape buffer along the north property line (Parcels R34446013 and R34447) and one parcel adjacent to the proposed commercial zone (R34445207), the Board of County Commissioners included the following condition: *Screening along lots abutting parcels R34446013, R34447, and R34445207 will include a six-foot minimum solid fence made of vinyl, wood, or composite. The applicant will make an effort to coordinate with adjacent property owners.* *See Order Section below for approval subject to conditions.*	
Criteria Met?	**B.3**	**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 # SD2025-0002, the Pheasant Heights Subdivision Preliminary Plat, subject to the following conditions:

1. All subdivision improvements (public or private roads, irrigation, and drainage swales/basins) and amenities shall be bonded or completed prior to the Board of County Commissioners' signature on the final plat.

a. Construction plans/drawings shall be submitted per CCCO §07-17-11. Construction plans/drawings are to be reviewed and approved by the County Engineer prior to construction beginning.

b. A stormwater and irrigation facility maintenance plan shall be prepared by a licensed engineer and provided in the subdivision's recorded CC&Rs.

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 and all applicable traffic study conditions (**Exhibit III.3.D.3**). Evidence shall include the highway district's signature on the final plat.
4. Development shall comply with irrigation district requirements (**Exhibit III.3.D.6**). 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 include 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. A water user's maintenance agreement for the pressurized irrigation system shall be provided with the application for the final plat and recorded concurrently with the final plat (separately or as part of the CC&Rs). The instrument number shall be added as a note on the final plat.
8. Prior to the Board signing the final plat, a location on the common lot shall be provided for a United States Postal Service community mailbox unless waived by the United States Postal Service.
9. The applicant/developer shall work with Middleton School District regarding providing an adequate bus stop and coordinate road crossing between the development and Middleton High School. Evidence of the coordination between the developer and the school district shall be submitted, and the final plat shall include the location/note regarding the bus stop spacing.
10. A road user's maintenance agreement for the private road shall be provided with the application for the final plat. The agreement shall be recorded as part of the subdivision CC&Rs or separately. The instrument number shall be added as a note on the final plat.
11. Screening along lots abutting parcels R34446013, R34447 and R34445207 will include a six-foot solid fence at a minimum constructed of vinyl, wood, or composite, and coordinated with adjacent property owners.

DATED this 12th day of November, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

_X_ 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	X		

Attest: Jess Urresti, Clerk

By: D. Hoff Date: 11/12/26
Deputy