

**Planning & Zoning Commission Staff Report for  
Reece Estates Subdivision-PH2017-63**

Hearing Date: December 7, 2017

Development Services Department

<p><b><u>Applicant:</u></b> Scott Reece</p> <p><b><u>Representative:</u></b> TJ Wellard Skinner Land Survey</p> <p><b><u>Staff:</u></b> Jennifer Almeida jalmeida@canyonco.org</p> <p><b><u>Tax ID:</u></b> R30124011B &amp; R30124011A1</p> <p><i>Replat of Lot 1 Block 2 and Lot 2 Block 1 of Grant's Acres Sub.</i></p> <p><b><u>Zone:</u></b> "RR" (Rural Residential)</p> <p><b><u>Area of City Impact:</u></b> Not within</p> <p><b><u>Comprehensive Plan:</u></b> 2020 Canyon County Comprehensive Plan</p> <p><b><u>Project Area:</u></b> Approx. 9.07 acres</p> <p><b><u>Lots:</u></b> Four (4) residential lots</p> <p><b>Applicable Zoning Regulations</b> <b>CCZO 16-007</b></p> <ul style="list-style-type: none"><li>• §07-17-09</li></ul> <p><b><u>Notification</u></b></p> <ul style="list-style-type: none"><li>• 10/17/17 Agencies</li><li>• 11/21/17 Publication</li><li>• 11/9/17 Radius Notice</li><li>• 11/30/17 Property Posting (on or before)</li></ul> <p><b><u>Exhibits:</u></b></p> <ol style="list-style-type: none"><li>1. Findings of Fact, Conclusions of Law, Conditions of Approval, &amp; Order</li><li>2. Preliminary Plat</li><li>3. Small Air Photo</li><li>4. Vicinity Map</li><li>5. Keller &amp; Associates</li><li>6. Nampa Highway Dist. #1</li><li>7. Easement reduction approval</li></ol>	<p><b><u>Request</u></b> A request by Scott Reece for approval of a <b>Preliminary Plat and Final Plat</b> for <b>Reece Estates Subdivision</b>. The development consists of four (4) lots and is located in an "R-R" (Rural Residential) zone. The subject properties are a replat of Lot 2 Block 1 and Lot 1 Block 2 of Grants Acres Subdivision. The subject properties are located in a portion of the NE ¼ of Section 15, T2N, R3W, BM, Canyon County, Idaho.</p> <p><b><u>Background</u></b> The subject properties were rezoned from "A" (Agricultural) to an "R-R" (Rural Residential) zone on August 30, 2017 (Case No. PH2017-16).  The properties are not located within an Area of City Impact.  The P&amp;Z Commission will consider the Preliminary Plat and make a recommendation to the Board to approve, approve conditionally, modify or deny the plat.  The Board will consider and sign the final plat at a later date.</p> <p><b><u>Analysis</u></b> The subject property is located in a "RR" (Rural Residential) Zone. The average minimum lot size in a Rural Residential zone is two (2) acres. The proposed lots meet the average minimum lot size.  The lots are a replat of Lot 1 Block 2 and Lot 2 Block 1 of Grants Acres Subdivision.  The lots will utilize a 28 ft. access easement to Pump Road. An easement reduction from 60 ft. to 28 ft. was approved on November 17, 2017 (Exhibit 7).  The subject properties are not located within an irrigation district and do not have water rights available to it.  The development will be served by individual domestic well and individual septic systems.  Keller &amp; Associates has reviewed the plat (s) and have provided comment (Exhibit 5). The requested modifications have been made by the surveyor.  Nampa Highway District No. 1 stated no objection to the plat for Reece Estates Subdivision provided their conditions are met. The district requested that the applicant submit plans for formal review by the district and also requested the locations of the access points adhere to the original plat on record. The applicant will be required to adhere to the District's requirements. The highway district is a signatory on the final plat.</p>
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The proposed subdivision plat meets Idaho Code and CCZO, Article 17 requirements.

### **Preliminary Plat**

Standard of Review for Subdivision Plats

- A. Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions)
- B. Idaho Code, Sections 50-1301 through 50-1329 (Platting)
- C. Canyon County Zoning Ordinance, Article 17 (Subdivision Regulations).

### **Comments**

#### **Public Comments**

At the time the staff report was prepared, staff had received no letters stating opposition to the proposed subdivision plat.

#### **County Agency Comments**

Staff informed agencies of the proposal and their comments are attached as exhibits.

### **Alternatives**

The Planning and Zoning Commission may recommend that the Board approve, approve conditionally, modify or deny the plat.

### **Significant Impacts**

There are no significant fiscal or environmental impacts from this application.

### **Recommendation**

Staff recommends the Planning and Zoning Commission open a public hearing and discuss the proposed Preliminary Plat.

Staff is recommending **approval** of the application as provided findings of fact, conclusions of law for the Planning and Zoning Commission's consideration found in Exhibit 1. Staff has also provided recommended conditions of approval.



**Canyon County Planning & Zoning Commission  
Reece Estates Subdivision- Preliminary Plat**

Date: December 7, 2017

Development Services Department

**Findings**

1. The property is zoned "RR" (Rural Residential). The property was rezoned from "A" (Agriculture) to "R-R" (Rural Residential) on August 30, 2017.
2. The proposed preliminary plat is in conformance with CCZO Article 17, Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions, and Idaho Code, Sections 50-1301 through 50-1329 (Platting).
3. The property is not located within an area of city impact.
4. The subdivision contains four (4) residential lots.
5. The subdivision will be served by individual domestic wells and individual septic systems.
6. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on 10/17/17, Newspaper notice was provided on 11/21/17, property owners within 300' were notified by mail on 11/9/17 and the property was posted on or before 11/30/17.
7. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing on December 7, 2017, and all information contained in DSD case file PH2017-63.

**Conclusions of Law**

The Planning and Zoning Commission has the authority to hear this case and recommend that it be approved, denied or modified. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and County ordinances.

**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.
2. A Road User's Maintenance Agreement shall be recorded and a recorded copy of said agreement shall be provided to DSD prior to the Board of County Commissioner's signature on the final plat. The agreement shall describe the responsible parties for construction and maintenance, including repairs, and necessary improvements to accommodate additional accesses in the future. The agreement shall also list any construction warranties applicable to the specific driveway or private road.
3. All subdivision improvements shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.

**Order**

Based upon the Findings of Fact, Conclusions of Law and Conditions of Approval contained herein the Planning & Zoning Commission **recommends approval** to the Board of County Commissioners in regard to Case # PH2017-63, a request for approval of the Preliminary Plat for Reece Estates Subdivision.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

\_\_\_\_\_  
Richard Hall, Chairman

State of Idaho )

SS

County of Canyon County )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2017 before me \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, 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: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

# Preliminary Plat

# RECE ESTATES SUBDIVISION

LOT 2 BLOCK 1 AND LOT 1 BLOCK 2 OF GRANT'S ACRES SUBDIVISION,  
LYING IN THE SE 1/4 NE 1/4 OF SECTION 15,  
TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN,  
CANYON COUNTY, IDAHO  
2017



### Notes:

1. This development recognizes Section 22-4503, Idaho Code, Right to Farm, which states: "No agricultural operation or an apportionment to it shall be or become a nuisance, private or public, by any change of conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or an apportionment to it."
2. Water for domestic purposes shall be supplied by single party wells. Sanitary restrictions designating areas reserved for well installation shall be subject to the approval of Southwest District Health.
3. Sewage disposal shall be by individual septic systems. Sanitary restrictions designating areas reserved for the construction of drain fields shall be subject to the approval of Southwest District Health.
4. This development is not within an irrigation district as defined by Idaho Code 31-3805, and Idaho Code 31-3805 are not applicable.
5. The subject property is zoned RR (RURAL-RESIDENTIAL)
6. The development is 9,068 acres (Block 1 4.53 acres, Block 2 4.538 acres)
7. This development consists of 4 residential lots.
8. Post development storm water run-off from each lot is to be managed by landscaping measures, swales, ditches and similar retention methods, wholly on the lot generating the run-off. The design, construction and maintenance of these facilities is to be the responsibility of each lot owner.
9. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
10. No permanent structure shall be located closer than seventy feet (70') to any section or quarter line preserved for a future road unless the highway district having jurisdiction waives the seventy foot (70') setback requirement.

### CERTIFICATION AND APPROVAL OF NAMPA HIGHWAY DISTRICT

Nampa Highway District does hereby accept this plot in accordance with the provisions of I.C. 50-1312. Private streets depicted on this plot are not maintained by or under the jurisdiction of the Highway District. There is no legal obligation or assurances that the private streets will be accepted as public streets in the future.

Chairman

Date

ADRIAN CORRAL  
519 E LEWIS RD  
NAMPA, ID 83566

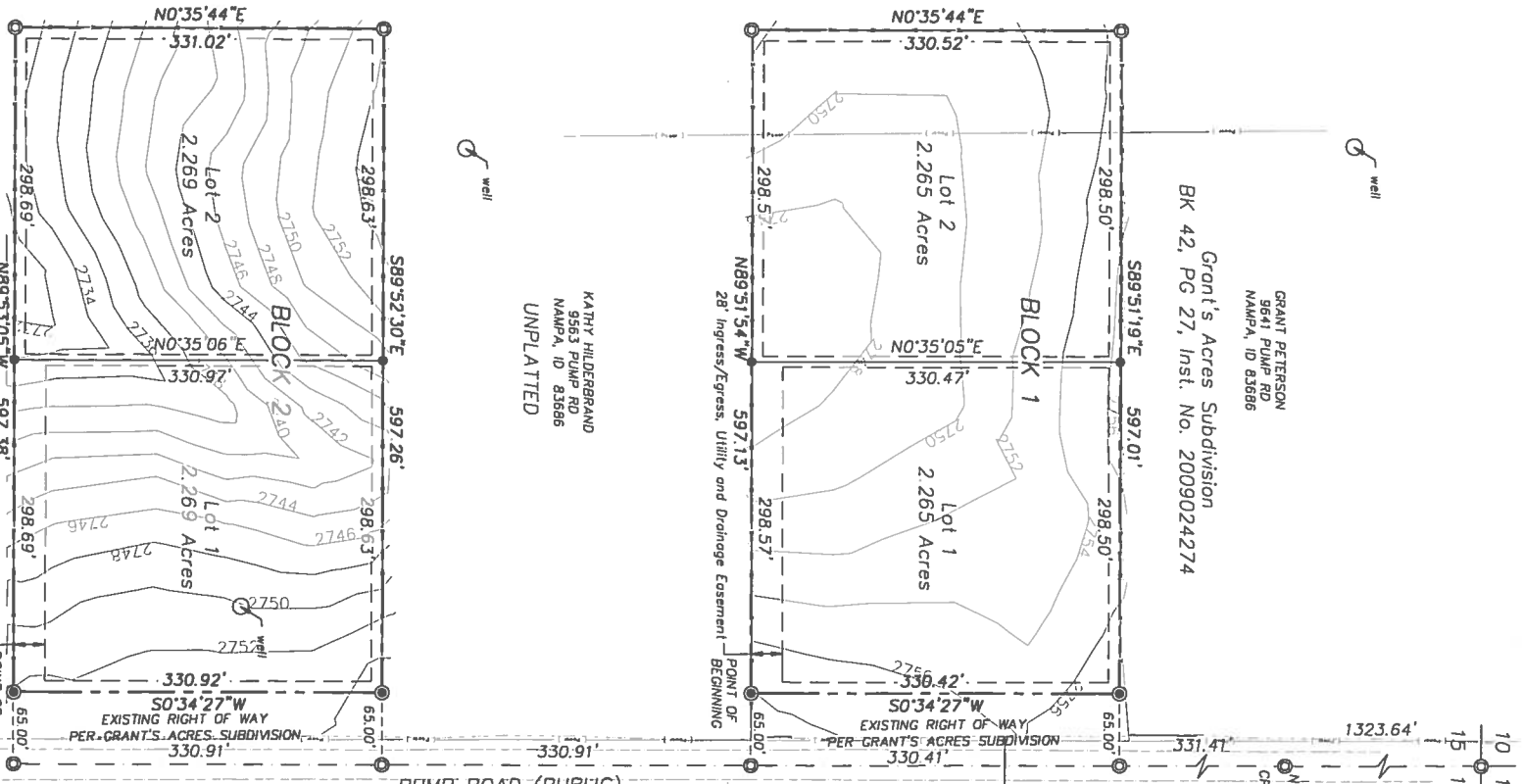
RYAN VAN ALFEN  
PO BOX 1598  
BOISE, ID 83701

ROBERT PARKER  
9494 PUMP RD  
NAMPA, ID 83566

Job No. AP1517

Skinner  
Land Survey

Precision Land Surveyors, P.C.  
21651 Upper Pleasant Ridge Rd.  
Caldwell, Idaho 83807  
(208)-454-0933  
WWW.SKINNERLANDSURVEY.COM



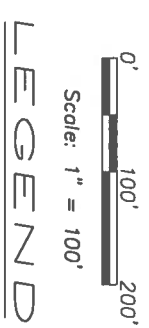
10 | 11 NE Section Corner  
Section 15  
C&P# Inst. No.  
2007013421

N1/16E Corner  
Section 15  
C&P# Inst. No.  
872900

Grant's Acres Subdivision  
BK 42, PG 27, Inst. No. 2009024274

Grant's Acres Subdivision  
BK 42, PG 27, Inst. No. 2009024274

Reference Deed:  
Inst. No. 2017028292



UNPLATTED

- 5/8" REBAR - FOUND
- 1/2" REBAR FOUND - RESET 5/8" x 30" REBAR
- 1/2" x 24" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION/ALIQUOT PART LINE
- LOT LINE
- INGRESS/EGRESS, UTILITY & DRAINAGE EASEMENT LINE
- UNLESS OTHERWISE NOTED, EASEMENT WIDTHS SHALL BE: 10 FEET ALONG SUBDIVISION BOUNDARY 5 FEET ALONG INTERIOR LOT LINES IF A LOT LINE IS MOVED, THE EASEMENT(S) SHALL MOVE WITH THE LINE, PROVIDED THAT UTILITIES HAVE NOT BEEN INSTALLED WITHIN THE EASEMENT(S)
- EDGE OF PAVEMENT
- OVERHEAD POWER LINE
- TOE OF SLOPE
- CULVERT

KATHY HILDEBRAND  
9563 PUMP RD  
NAMPA, ID 83566  
UNPLATTED

FRANK TEGS LLC  
4200 RIVERDAVEN  
PASCO, WA 99301

DEVELOPER:  
RECE HOMES, LLC  
Scott France  
5010 Torrington Place  
Nampa, Idaho 83566  
208-230-9887



INDEX No. 294-15-1-2-0-00-00  
PRELIMINARY PLAT FOR:  
**SCOTT REECE**

Drawn By: SLW

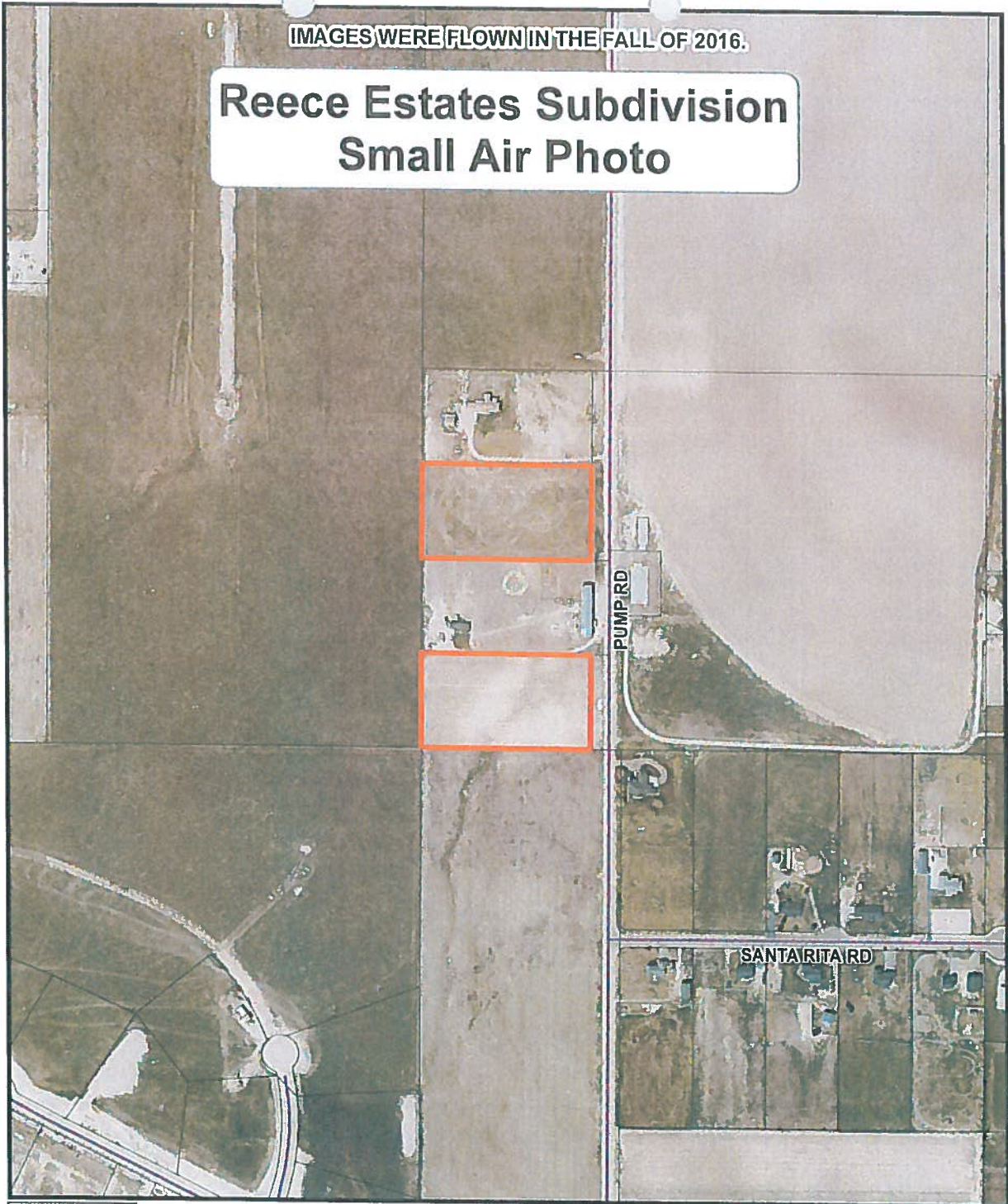
Date: Sept. 6, 2017

Surveyed By: KPL

Job No. AP1517

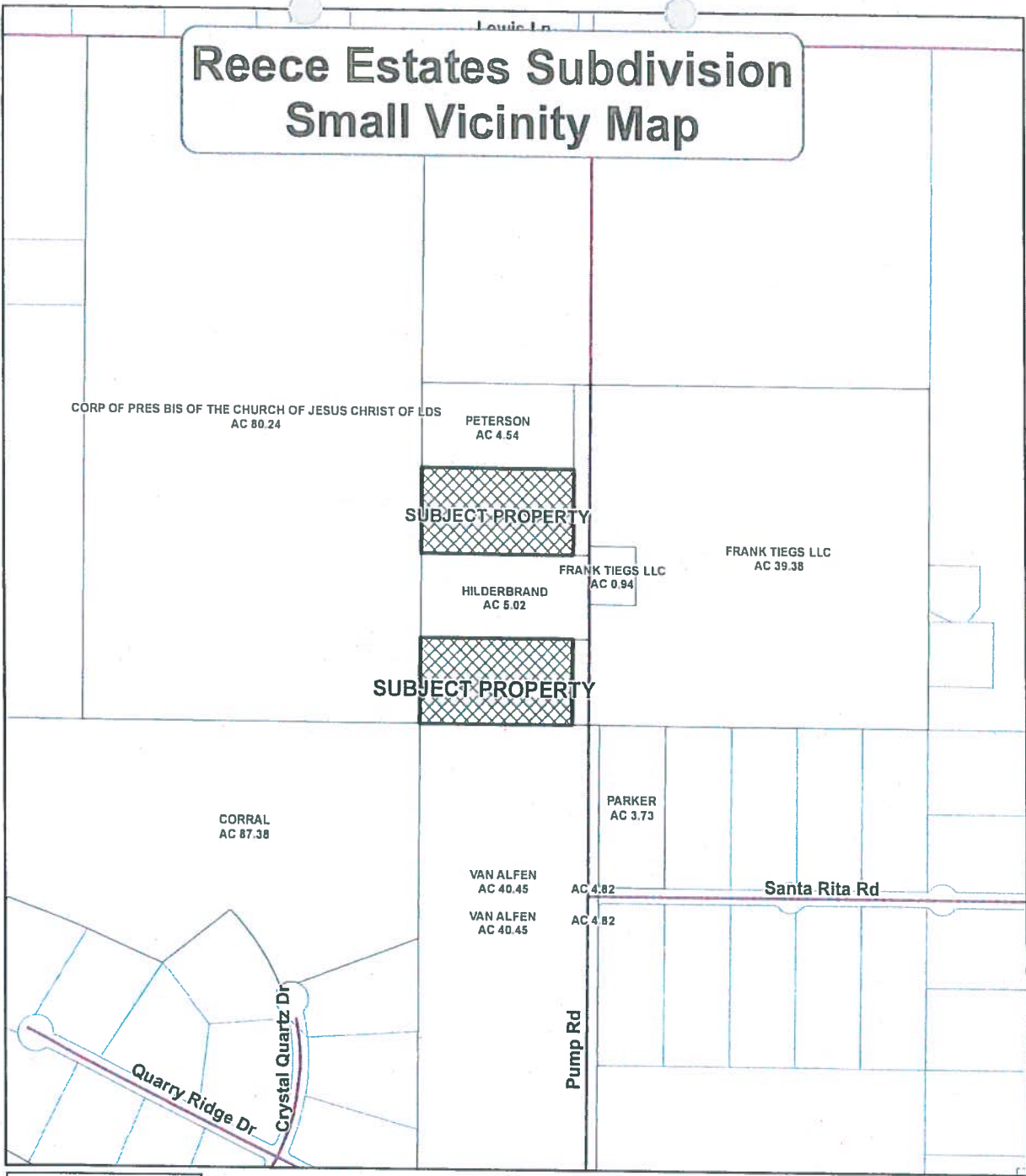
IMAGES WERE FLOWN IN THE FALL OF 2016.

# Reece Estates Subdivision Small Air Photo





# Reece Estates Subdivision Small Vicinity Map





Get there!



**KELLER**  
associates

131 SW 5<sup>th</sup> Avenue, Suite A • Meridian, ID 83642  
208.288.1992 phone • 208.288.1999 fax • www.kellerassociates.com

October 11, 2017

Ms. Jennifer Almeida  
Canyon County Planner  
Development Services Department  
1115 Albany Street  
Caldwell, Idaho 83605

**Re: Reece Estates Subdivision Preliminary Plat Application**

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the preliminary plat for the Reece Estates Subdivision dated September 6, 2017. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. Plat shall comply with requirements of the local highway district.
4. Plat shall comply with Southwest District Health requirements.

We recommend that the preliminary plat be approved with the conditions listed above. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you should have any questions, please feel free to contact me at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**

Ryan V. Morgan, P.E.  
County Engineer

cc: File



213060-039/17-356

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**KELLER**  
associates

131 SW 5<sup>th</sup> Avenue, Suite A • Meridian, ID 83642  
208.288.1992 phone • 208.288.1999 fax • www.kellerassociates.com

October 11, 2017

Ms. Jennifer Almeida  
Canyon County Planner  
Development Services Department  
1115 Albany Street  
Caldwell, ID 83605

**Re: Reece Estates Final Plat Application**

Dear Ms. Almeida:

Keller Associates, Inc. has reviewed the Reece Estates final plat dated September 6, 2017. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have no comments in order for the applicant to satisfy County requirements:

We recommend that the plat be approved. Any variance or waivers to Canyon County's standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you should have any questions, please feel free to contact me at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**

Ryan V. Morgan, P.E.  
County Engineer

cc: File

213060-039/17-357

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**Jennifer Almeida**

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**From:** Eddy Thiel <eddy@nampahighway1.com>  
**Sent:** Thursday, October 19, 2017 1:26 PM  
**To:** Jennifer Almeida  
**Subject:** PH2017-63 Reece Estates Sub.

Good Afternoon Jennifer,

The Nampa Highway District #1 has no objection to the Preliminary Plat and Final Plat for Reece Estates Subdivision as long as it meets Nampa Highway District #1 standards and subject to the following conditions;

1. Mr. Reece will need to submit plans and the associated review fees for a formal review by the Nampa Highway District #1 per ACCHD Standards.
2. Accesses will be at the southern property lines per the original lot split on record at the Highway District.

We recommend these items be addressed prior to final approval.

If you have any questions or comments feel free to contact us.

Thank you,

Eddy

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Eddy Thiel  
ROW  
[eddy@nampahighway1.com](mailto:eddy@nampahighway1.com)  
4507 Highway 45. • Nampa, id 83686  
TEL 208.467.6576 • FAX 208.467.9916



**Director Decision  
Easement Reduction – PH2017-63**

Canyon County Code of Ordinances 16-007, Article 18

Development Services Department

<b>Case Number:</b>	<b>Reference: PH2017-63 (Reece Estates Sub.)</b>
<b>Parcel:</b>	<b>R30124011B &amp; R30124011A1</b>
<b>Property Owner:</b>	<b>Scott Reece</b>

**Request:** Scott Reece is requesting to reduce two (2) easements that will provide access to Lots 1 and 2 Block 1 and Lots 1 and 2 of Block 2, associated with a subdivision, Reece Estates Subdivision (PH2017-63). The required easement will be reduced from 60 feet to 28 feet in width.

**Finding:** Consistent with Section 07-10-03(1) D of the Canyon County Zoning Ordinance, the easement reduction will provide adequate to the lots within Reece Estates Subdivision.

The subject properties are zoned "R-R" (Rural Residential) and cannot be divided further without approval of a rezone to an "R-1" (Single Family Residential Zone) as well as a replat.

Because the easements only serve two (2) lots, the reduction will not cause injury, damage or a safety hazard.

**Decision:** The application to complete an easement reduction per Section 07-10-03(1) D is **APPROVED**. The development shall comply with all applicable federal, state, county laws, ordinances, rules and regulations that pertain to the property.

*Patricia Nilsson*  
Patricia Nilsson, Director

*Nov. 17, 2017*  
Date

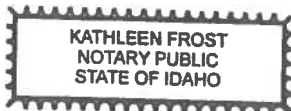
State of Idaho )

SS

County of Canyon County )

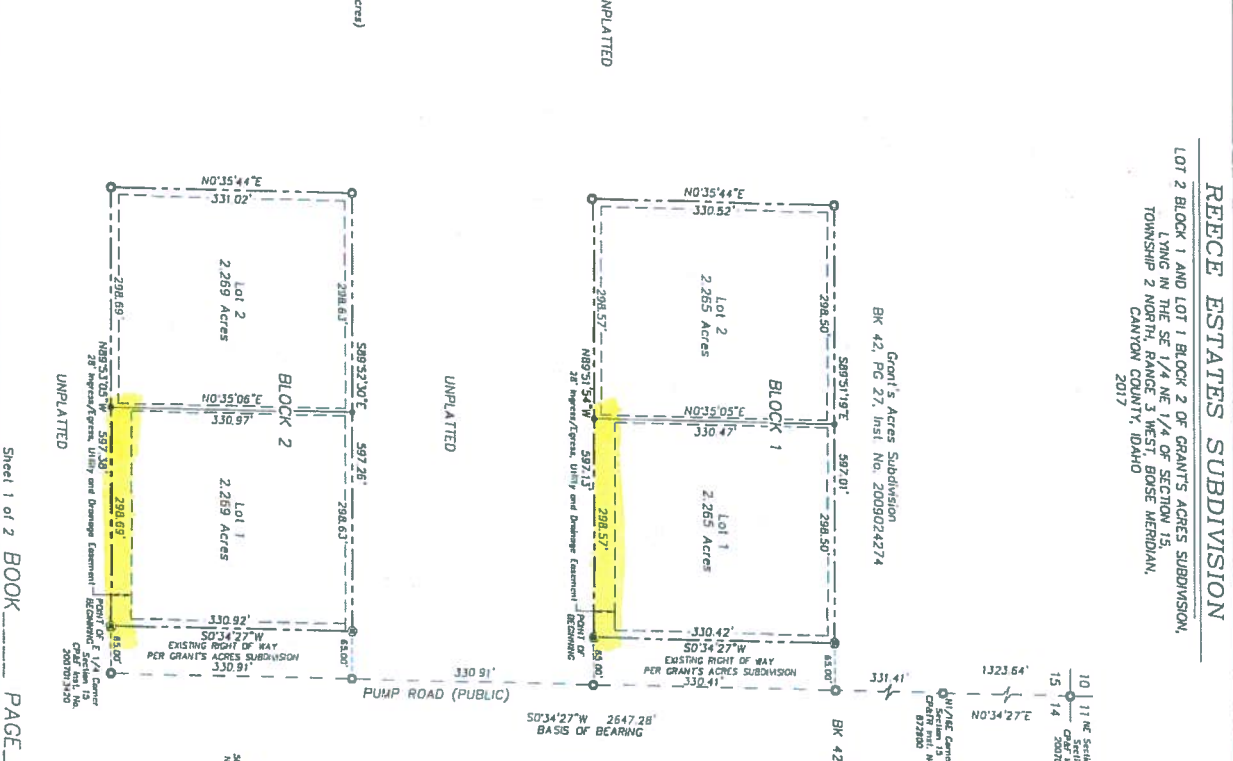
On this 17 day of November, in the year of 2017, before me Kathleen Frost, a notary public, personally appeared Patricia Nilsson, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.

Notary: K Frost  
My Commission Expires: 6-3-2022



**REECE ESTATES SUBDIVISION**  
 LOT 2 BLOCK 1 AND LOT 1 BLOCK 2 OF GRANT'S ACRES SUBDIVISION,  
 LYING IN THE SE 1/4 NE 1/4 OF SECTION 15,  
 TOWNSHIP 2 NORTH, RANGE 3 WEST, BOISE MERIDIAN,  
 CANYON COUNTY, IDAHO  
 2017

- NOTES:**
- This development recognizes Section 22-4501, Idaho Code, Right to Farm, which states: No agricultural operation or on-farm operation shall be considered to be discontinued or abandoned if the operation is conducted under conditions in or about the surrounding monogovernmental activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began. The purpose of this section is to protect the public interest and to ensure that the operation is not a nuisance at the time the operation began. The purpose of this section is to ensure that the operation is not a nuisance at the time the operation began.
  - Water for domestic purposes shall be supplied by single party wells. The water for irrigation purposes shall be supplied by a well or other source of water approved by the Department of Agriculture.
  - Sewage disposal shall be by individual septic systems. Sanitary disposal of sewage shall be in accordance with the rules and regulations of the Department of Health and Welfare. Sanitary disposal of sewage shall be in accordance with the rules and regulations of the Department of Health and Welfare.
  - This development is not within an irrigation district as defined by Idaho Code 31-3801, and Idaho Code 31-3802 are not applicable.
  - The subject property is zoned RR (RURAL-RESIDENTIAL).
  - The development is 9.068 acres (Block 1 4.53 acres, Block 2 4.538 acres).
  - This development consists of 4 residential lots.
  - Post development storm water run-off from each lot is to be managed by landscaping measures, swales, ditches and similar retention methods, wholly on the lot generating the run-off. The design, construction and maintenance of these facilities is to be the responsibility of each lot owner.
  - Final grades at subdivision boundaries shall match existing finish elevations wherever possible.
  - No permanent structure shall be located closer than seventy feet to any other structure located on the same lot as the structure under this plat. Any structure located on the same lot as the structure under this plat shall be subject to the setback requirements of the zoning ordinance.



Reference: Survey  
 Grant's Acres Subdivision  
 BK 42, PG 27, Inst. No. 2009024274

Reference: Deed  
 Inst. No. 2017020292

Scale: 1" = 100'

**LEGEND**

- 5/8" REBAR - ROUND
- 1/2" REBAR ROUND - REST 5/8" x 30" REBAR
- 1/2" x 24" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- SECTION/ADJOURN PART LINE
- LOT LINE
- INGRESS/EGRESS, UTILITY & EASEMENT
- DRYWALL/ EXISTING TIE
- 10 FEET ON EACH SIDE OF KERRON LOT LINES
- 10 FEET ALONG SUBDIVISION BOUNDARY
- LINE, PROVIDED THAT UTILITIES WERE NOT BEEN INSTALLED WITHIN THE EASEMENTS

**REVISIONS**

NO.	DATE	DESCRIPTION
1	15/15/2017	PRELIMINARY PLAN
2	15/15/2017	FINAL PLAN

**SCOTT REECE**

INDEX No. 224-15-1-2-0-00-00  
 FINAL PLAT FOR  
 1 S R T COMMENTS

Drawn By: SLW  
 Date: Sept. 6, 2017  
 Surveyed By: KJR

**Skinner**  
 Land Survey  
 Precision Land Surveyors, P.C.  
 2101 Upper Pleasant Ridge Rd.  
 Boise, ID 83725  
 (208) 454-0333  
 WWW.SKINNERLANDSURVEY.COM