



*Planning & Zoning Commission Staff Report for
Muffin Subdivision-PH2017-38*

Hearing Date: December 21, 2017

Development Services Department

<p><u>Applicant:</u> Dan Robertson</p> <p><u>Staff:</u> Jennifer Almeida jalmeida@canyonco.org</p> <p><u>Tax ID:</u> R35828, R35826011, & R35826010</p> <p><u>Zone:</u> "R-2" (Combined Medium Density residential)</p> <p><u>Impact Area:</u> Caldwell</p> <p><u>Comprehensive Plan:</u> 2020 Canyon County Comprehensive Plan</p> <p><u>Project Area:</u> Approx. 6.28 acres</p> <p><u>Lots:</u> Seven (7) residential lots</p> <p><u>Applicable Zoning Regulations</u> CCZO 16-007</p> <ul style="list-style-type: none">• §07-17-09• §09-11-01 <p><u>Notification</u></p> <ul style="list-style-type: none">• 11/20/17 Agencies• 12/6/17 Publication• 11/30/17 Radius Notice• 12/14/17 Property Posting (on or before) <p><u>Exhibits:</u></p> <ol style="list-style-type: none">1. Findings of Fact, Conclusions of Law, Conditions of Approval, & Order2. Preliminary Plat & Irrigation3. Small Air Photo4. Vicinity Map5. Southwest District Health Dept.6. Canyon Highway District No. 4	<p><u>Request</u> Dan Robertson for approval of a Preliminary Plat, Final Plat and Irrigation Plan for Muffin Subdivision. Also requested are Waivers of curb, gutter, sidewalks, landscape, and streetlights. The development consists of seven (6) residential lots and one (1) road lot and is located in an R-2 (combined medium-density zone). The subject properties are located at 3519 Muffin Ln., Caldwell, Idaho, in a portion of the SE ¼ of Section 36, T4N, R3W, BM.</p> <p><u>Background</u> The subject property is shown as R-2 zoning on Canyon County's zoning maps dating back to 1979.</p> <p>The subject property is located within Caldwell's Area of City Impact.</p> <p>The P&Z Commission will consider the Preliminary Plat and make a recommendation to the Board to approve, approve conditionally, modify or deny the plat.</p> <p>The Board will consider and sign the final plat at a later date.</p> <p><u>Analysis</u> The subject property is located in a "R-2" (Combined Medium Density Residential Zone). The average minimum lot size in an "R-2" zone is ½ acre. The proposed lots meet the average minimum lot size.</p> <p>The development will utilize an existing private road, Muffin Lane which currently provides access to the residences on site. A road user's maintenance agreement will be required to be recorded prior to the Board of County Commissioner's signature on the final plat.</p> <p>The development will be served by individual domestic well and individual septic systems. Four of the six lots proposed contain existing residences with these services already in place.</p> <p>Keller & Associates has received copies of the plat (s) and the final plat mylar is in their office for signature, pending the outcome of the hearing.</p> <p>Irrigation is proposed to be flood irrigated as it is currently. The City of Caldwell has received copies of the Plat & Irrigation plan, and their comments will be available by the hearing date.</p> <p>The applicant has requested approval of a property boundary adjustment to adjust the parcel line of R35828. This portion of R35828 is not part of the proposed subdivision plat. As a condition of approval, the boundary adjustment must be completed prior to the Board of County Commissioner's decision on the plat (s).</p>
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Southwest District Health Department has indicated that the Subdivision Engineering Report has been submitted for this project (Exhibit 5).

The proposed subdivision plat meets Idaho Code and CCZO, Article 17 requirements for the preliminary plat.

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. Idaho Code, 31-3805 (Irrigation)
- D. 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
Muffin Subdivision- Preliminary Plat*

Date: December 21, 2017

Development Services Department

Findings

1. The property is zoned "R-2" (combined medium density residential).
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), Idaho Code 31-3805 (Irrigation).
3. The property is located within Caldwell's Area of City Impact.
4. The subdivision contains six (6) 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 11/20/17, Newspaper notice was provided on 12/6/17, property owners within 300' were notified by mail on 11/30/17 and the property was posted on or before 12/14/17.
7. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing on December 21, 2017, and all information contained in DSD case file PH2017-38.

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.
3. All subdivision improvements shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
4. The requested property boundary adjustment shall be approved and the final decision recorded prior to the Board of County Commissioner's hearing on the subdivision.

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 # PH2017-38, a request for approval of the Preliminary Plat, Irrigation Plan, and Waivers for Muffin 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 & Irrigation Plan

MUFFIN SUBDIVISION

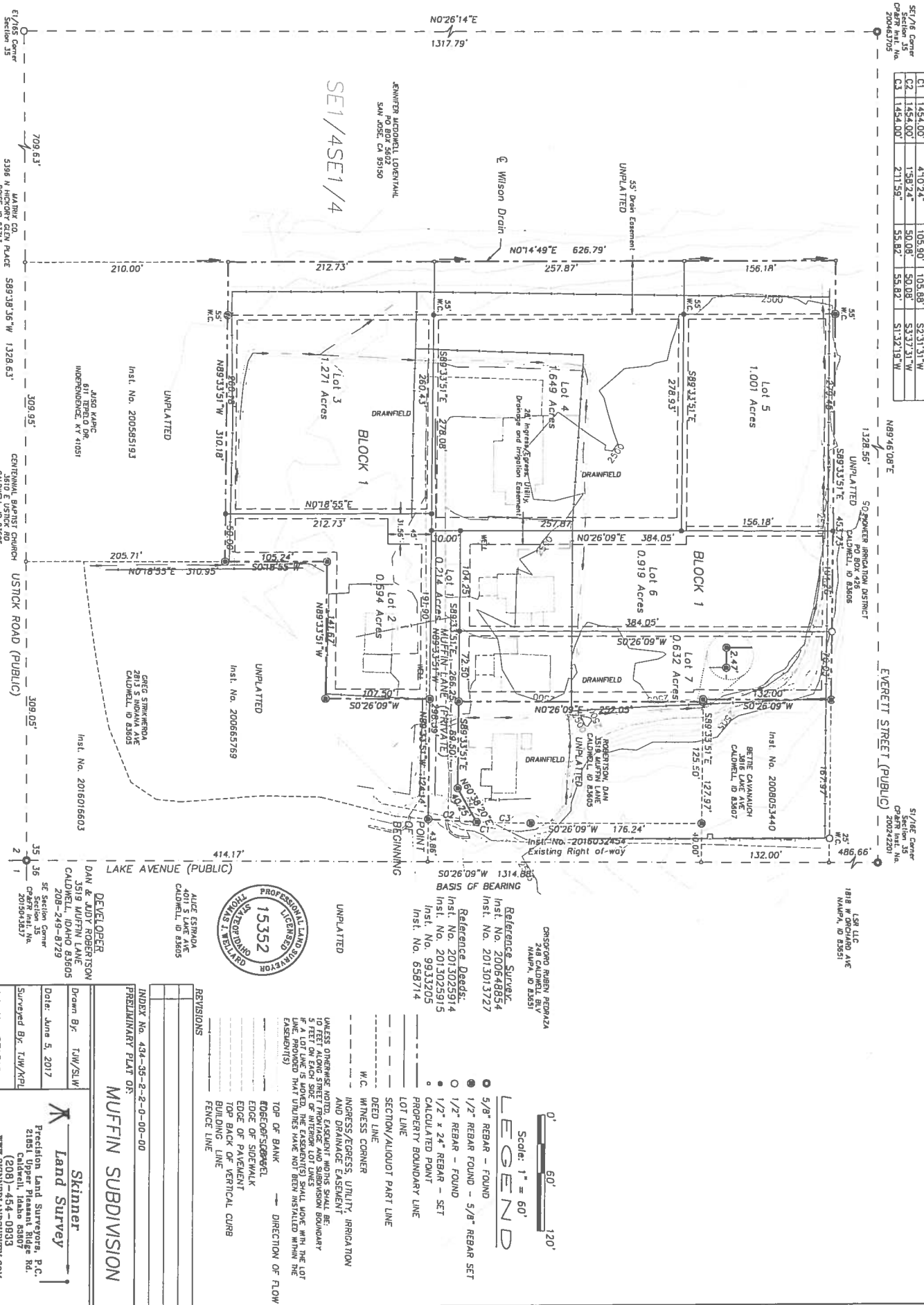
A PORTION OF THE SE 1/4 SE 1/4 OF SECTION 35,
TOWNSHIP 4 NORTH, RANGE 3 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

Notes:

1. 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.
2. 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.
3. No permanent structure shall be located closer than seventy feet (70') to any section or quarter line preserved for future highway district having jurisdiction waves the seventy foot (70') setback requirement.
4. This development recognizes and is in compliance with Idaho Code 31-3805(1)(c). Lots one subject to assessments from Pioneer Irrigation District.
5. The subject property is zoned R2 (Medium Density Residential).
6. The development is 6.28 acres.
7. This development consists of 6 residential lots 1 private road lot for a grand total of 7 lots.
8. Storm water run-off from each lot is to be managed by landscaping measures, swales, ditches and similar features. The design, construction and maintenance of these facilities is to be the responsibility of each lot owner. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on the subdivision property unless otherwise approved.
9. Historic irrigation lateral, drain and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.

CURVE TABLE

NO	RADIUS	CENTRAL ANGLE	LENGTH	CHORD	CHD BEARING
1	1454.00'	41°02'24"	105.90'	105.88'	S23°31'31"W
2	1454.00'	1°58'24"	30.08'	50.08'	S33°37'31"W
3	1454.00'	211°58'	55.82'	55.82'	S1°32'19"W

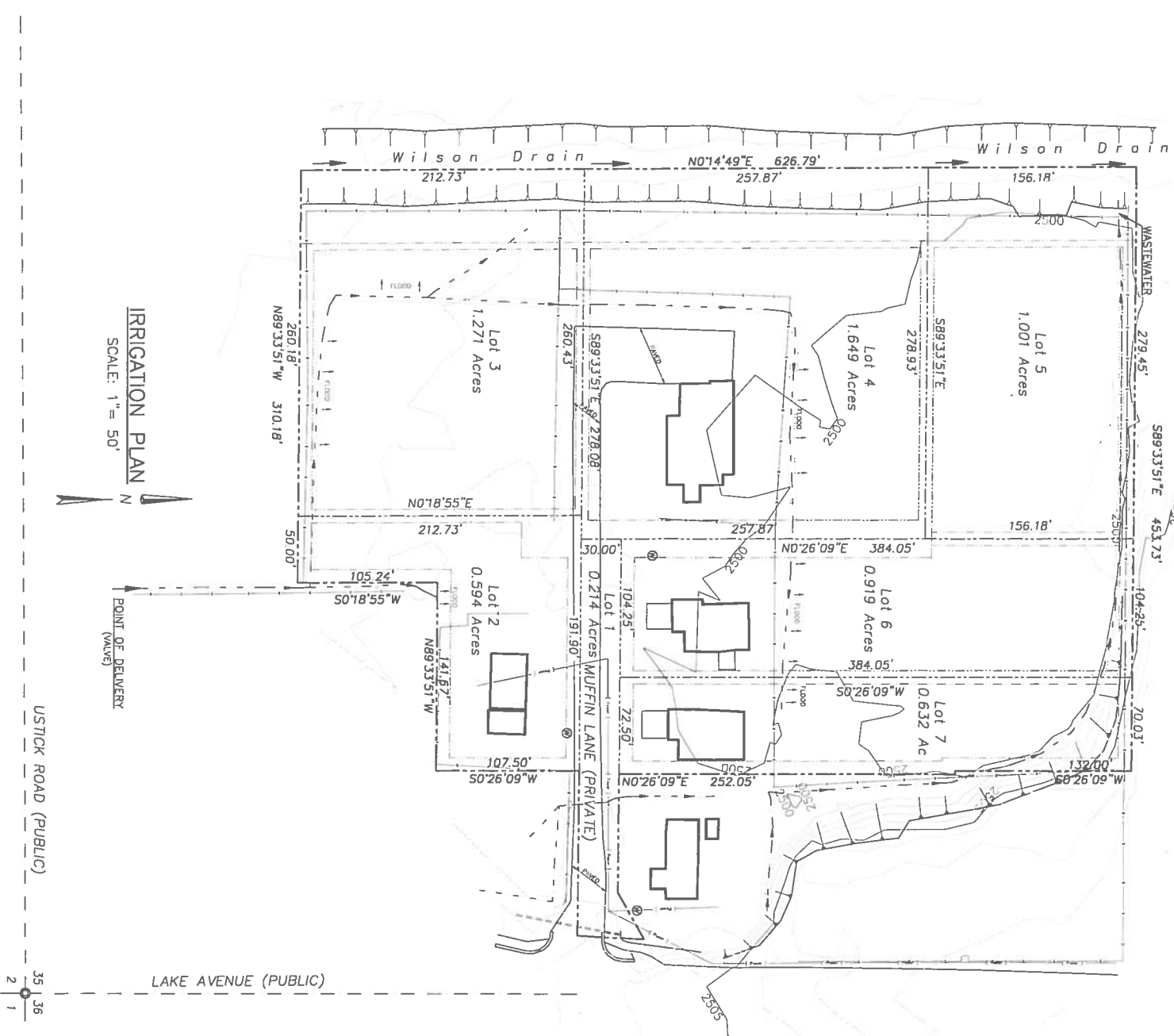


DEVELOPER
DAV & JUDY ROBERTSON
3519 MUFFIN LANE
CALDWELL, ID 83405

DRAWN BY: TJW/SLW
DATE: June 5, 2017

SURVEYED BY: TJW/KPL
PRECISION LAND SURVEYORS, P.C.
Caldwell, Idaho 83407
(208) 434-0833
WWW.SKINNERLANDSURVEY.COM

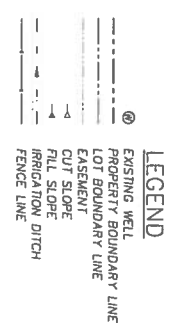
INDEX No. 434-2-2-0-00-00
PRELIMINARY PLAT OS
MUFFIN SUBDIVISION



IRRIGATION PLAN
SCALE: 1" = 50'

USTICK ROAD (PUBLIC)

LAKE AVENUE (PUBLIC)

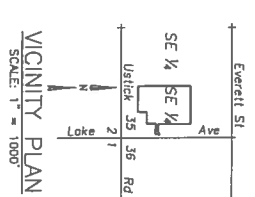


- EXISTING IRRIGATION PRACTICE**
1. The Point of Delivery is to the south of the Subdivision.
 2. Water flows north in raised un-lined ditches to points uphill of areas requiring irrigation.
 3. From the Point of Delivery, water flows north from temporary bypass roads, the ditch banks, field furrows fed by siphon tubes are not used.
 4. The flood irrigation process is performed by one operator for the entire property; when on acre has received its Point of Delivery, there is little Wastewater generated, and that flows in to the Wilson Drain, mostly via the waste ditch at the north fence line.
 5. When these areas requiring water have been irrigated, the water flows back to the Point of Delivery, and overflow water is not created.

- NOTES:**
1. Water for domestic purposes for future development (lots 3 & 5) 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.
 2. 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.
 3. 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.
 4. This development recognizes and is in compliance with Idaho Code 31-3805(1)(b). Lots are subject to assessments from Pioneer Irrigation District.
 5. The subject property is zoned R2 (Medium Density Residential).
 6. The development is 6.28 acres.
 7. This development consists of 6 residential lots and 1 private road lot, for a grand total of 7 lots.
 8. 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. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on the subdivision property unless otherwise approved.
 9. Historic irrigation lateral, drain and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.

POST-DEVELOPMENT IRRIGATION PRACTICE

1. The Existing Irrigation Practice will be continued.



DEVELOPER
DAN & JUDY ROBERTSON
3519 MUFFIN LANE
CALDWELL, IDAHO 83605
208 249 8729

MUFFIN SUBDIVISION
NW Corner, Ustick & Lake, Caldwell, ID
Irrigation Plan

REVISIONS	No.	BY	DATE	DESCRIPTION
0		RIMC	20NOV2017	Issue for Review

Skinner Land Survey
Precision Land Surveyors, P.C.
21851 Upper Fremont Ridge Rd.
Caldwell, ID 83607
208 454 0833
www.akinnerslandsurvey.com

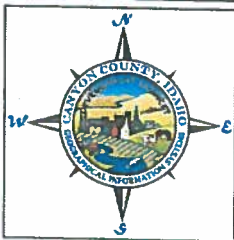
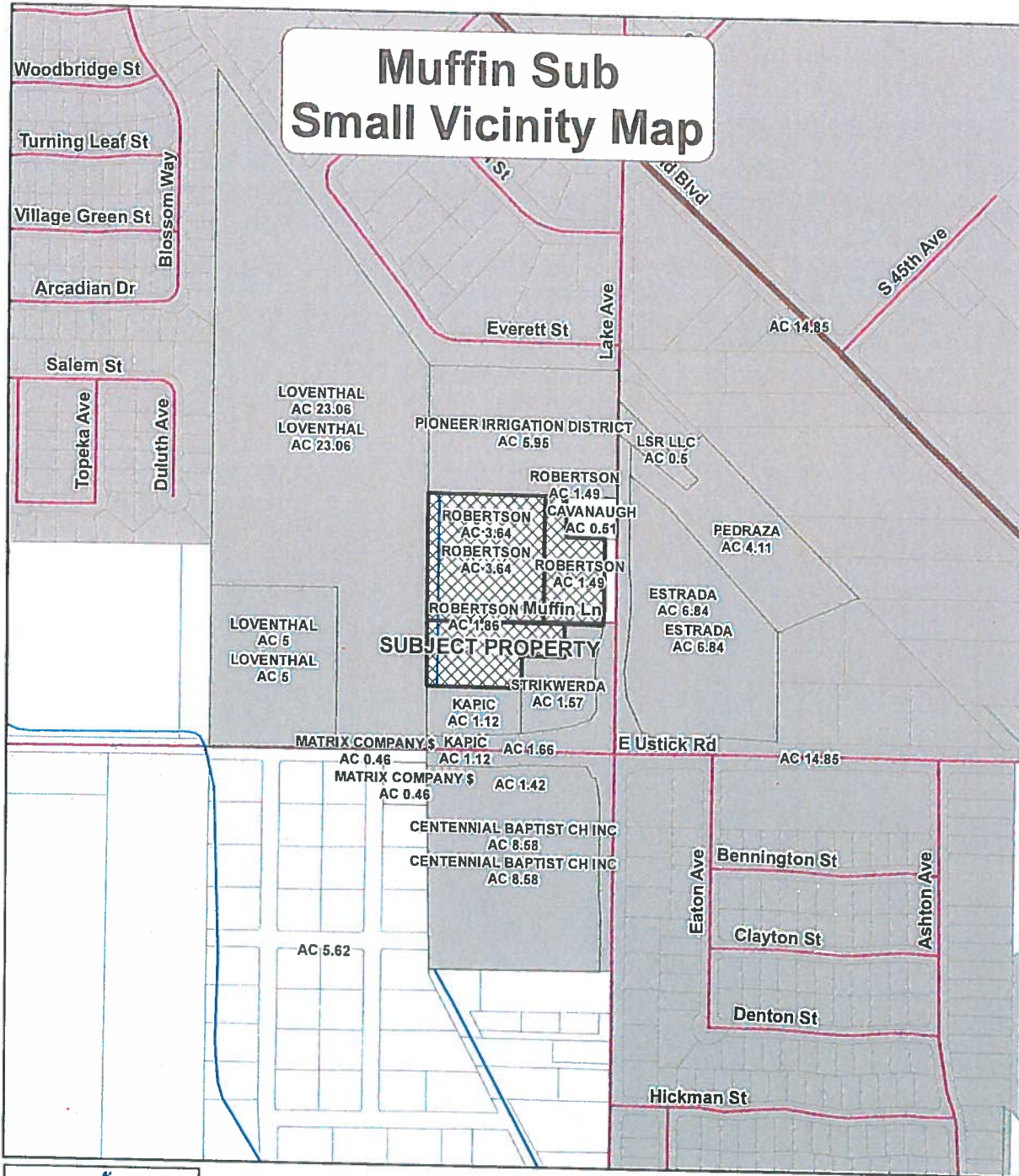
JOB SE1516
DWG SE1516/rr
SCALE: 1"=50'
SHEET No. 1
OF 1
REV.

IMAGES WERE FLOWN IN THE FALL OF 2016.

Muffin Sub Small Air Photo



Muffin Sub Small Vicinity Map



Jennifer Almeida

From: Wright, Tim <Tim.Wright@phd3.idaho.gov>
Sent: Monday, November 06, 2017 1:09 PM
To: Jennifer Almeida
Subject: Re: Muffin Subdivision
Attachments: image001.jpg

Yes, it's done or close.

Sent from my Verizon 4G LTE Smartphone

On Nov 6, 2017 12:40 PM, Jennifer Almeida <jalmeida@canyonco.org> wrote:

Tim:

Has the applicant for Muffin Subdivision (Lake Ave.) in Caldwell begun the SER process with you?

[County Seal - Copy]

Jennifer Almeida, PCED

Planner II

Canyon County Development Services Department

111 N. 11th Ave., #140, Caldwell, ID 83605 Direct Line: 208-455-5957

Fax: 208-454-6633

The property research information presented today by the Development Services Department (DSD) is based on the current ordinances and policies, in effect on the date of this summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of inquiry and may change when the subject property, ordinances, or policies change. The information becomes certain and not subject to change when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Jennifer Almeida

From: Chris Hopper <CHopper@canyonhd4.org>
Sent: Friday, December 01, 2017 9:39 AM
To: Jennifer Almeida
Cc: TJ Wellard
Subject: Muffin Subdivision- Lake Avenue

Jennifer-

CHD4 has reviewed the final plat for Muffin Subdivision, 6 residential lots located in the SE ¼ SE ¼ Section 35 T4N R3W dated November 19, 2017, and finds the plat acceptable as presented. No public right-of-way dedication is proposed as part of the plat, and the residential lots will be served by an existing private road ("Muffin Lane") access to Lake Avenue. CHD4 has solicited comments from the City of Caldwell on the proposed plat, and they did not have any additional comments or concerns with the plat as presented.

TJ-

Please provide CHD4 with a single paper copy of the plat (all sheets), plat review fees of \$336 (\$300 + \$6/lot), and the mylar signature sheet when you request final approval for this plat.

Thank you, and please feel free to contact me with any questions,

Chris Hopper, P.E.
Assistant District Engineer

Canyon Highway District No. 4
15435 Hwy 44
Caldwell, Idaho 83607
208-454-8135