



AGENDA
City Council Meeting
City of Middleton, Idaho

Date: Wednesday November 18, 2020

Time: 5:30 p.m.

Location: **Trolley Station** 310 Cornell Street, Middleton, Idaho

The City is following the CDC/COVID-19 Social Distancing guidelines as directed by the Governor. This Meeting will be streamed live via Facebook. To testify on the public hearing item number 2 below, written comments are accepted by email to citmid@middletoncity.com; mailed or dropped off at 1103 W Main Street, Middleton ID 83644 prior to 3:00 p.m. the day of the meeting; to verbally testify contact Jennica Reynolds at 208-585-3133 prior to 5:00 p.m. day of meeting and leave a callback number to be called during the hearing.

Call-to-order, roll call, Pledge of Allegiance, Invocation: Jennica Reynolds


Action Items

1. Consent Agenda (items of routine administrative business)
 - a. Consider approving minutes for Council's November 4, 2020 regular meeting, November 6, 2020 Special Meeting and November 10, 2020 Special Meeting.
 - b. Consider ratifying November 6, 2020 payroll in the amount of \$ \$ 75,849.26 and accounts payable thru November 10, 2020 in the amount of \$250,528.92
 - c. Consider approving FCO – Concord Square Preliminary Plat
2. **Public Hearing:** Ordinance No. 641 of the City of Middleton, Canyon County, Idaho, amending Title 5 of the Middleton city code updating general zoning provisions; modifying zoning regulations, subdivision regulations, standards; multi-family and cluster housing; modifying and updating land use, setback and area tables, subdivision of land, road standards and recreational vehicle park requirements, modifying design and development standards; updating special developments provisions; making other changes, additions and minor modifications and providing an effective date. – Bruce Bayne
3. An application from Skyline Homes and Development, LLC., for a preliminary plat, approval of Lakes of Telaga 2 Subdivision. The proposed preliminary plat zoned R-3, consists of 15 single family lots, accessing Kingsbury Road. Site area is approximately 14.8 acres located near the southwest corner of Kingsbury Road and Talega Way, parcel number R3383314300. – Tom Blanchard
4. A request by TBC Landholdings, LLC / Todd Campbell Construction, Inc., for approval of an amended preliminary plat for a revised phasing plan and lot configuration for Stonehaven Subdivision. – Tom Blanchard

5. Consider approving Ordinance No. 642: AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING THE MIDDLETON CITY CODE TITLE 1, CHAPTER 3, SECTION 1 ADDING DEFINITIONS FOR APARTMENT AND DWELLING, SINGLE-FAMILY ATTACHED AND UPDATING DEFINITIONS FOR DWELLING, MULTI-FAMILY, DWELLING, SINGLE-FAMILY AND SUBDIVISION; AMENDING TITLE 4, CHAPTER 1, SECTION 1 ADDING REGULATIONS FOR PRIVATE LANES; AND PROVIDING AN EFFECTIVE DATE. – Bruce Bayne

Public Comments, Mayor and Council Comments, Adjourn

Posted by:


Jennica Reynolds, Deputy Clerk

Date: November 16, 2020, 5:00 p.m.

Please contact the City Clerk at (208) 585-3133 if you have special needs or require assistance.

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**MIDDLETON CITY COUNCIL
NOVEMBER 4, 2020**

The Middleton City Council meeting on November 4, 2020 was called-to-order at 5:30 p.m. by Mayor Rule.

Roll Call: Council President Kiser and Council Member Huggins, Garner and O'Meara were all present.

Pledge of Allegiance, Invocation: Emmalee Child

Information Items

1. Presentation on Canyon 4 Highway District, Middleton, Canyon County, Star Impact Fee Agreement – Chris Hopper

Mayor Rule called the item and introduced Chris Hopper. Chris gave a power point presentation detailing the impact fee program that would cover Canyon 4 Highway District, Middleton, Canyon County and Star areas of impact.

City Attorney Chris Yorgason clarified that the City already has Transportation Impact Fees that it is currently collecting. These would not be in addition to those fees, these would be replacing them.

2. Budget Summary overview FY 2020 – Wendy Miles

Mayor Rule called the Item. City Treasurer Wendy Miles presented the Budget Summary overview for FY 2020. We underspent the budget, so that 1.3 million dollars is going into savings for future spending.

Information Items:

Mayor Rule: Rake Up Middleton is happening this Saturday. There will be a Christmas Parade this year. There will not be a Christmas Tree Lighting.

Mayor Rule introduced the newest City Planner – Roberta Stewart. The City has also hired a new City Engineer – Rachel Spear. We are excited to have her come on board.

Action Items

1. Consent Agenda (items of routine administrative business)

- a. **Consider approving minutes for Council's October 7, 2020 and October 21, 2020 regular meetings.**
- b. **Consider ratifying October 23, 2020 payroll in the amount of \$106,598.15 and accounts payable thru October 29, 2020 in the amount of \$124,923.66.**

Council President Kiser asked if there were any questions? Council Member Huggins asked what the Vendor payment for \$77,000 was for? It is for the road improvements to Meadow Park Blvd.

Motion: Motion by Council President Kiser to approve consent agenda items a and b. Seconded by Council Member Garner. Approved unanimously.

2. Consider approving the engagement letter for the 2020 audit from Zwuygart John and Associates, PLLC. – Wendy Miles

Mayor Rule called the item. City Treasurer explained this is the yearly engagement letter for the audit.

Motion: Motion by Council President Kiser to approve the engagement letter for the 2020 audit from Zwuygart John and Associates, PLLC. Motion seconded by Council Member O'Meara. Motion approved unanimously.

3. Public Hearing: An application from Peter Harris for a preliminary plat and special use permit of Concord Square Subdivision. The proposed preliminary plat zoned R-3, consists of 9 single family lots, accessing Birch Avenue. Site area is approximately 2.69 acres located near the southeast corner of Birch Ave. and Concord St, address of 0 Concord St, Canyon County parcel no. R1869601. – Bruce Bayne

Mayor Rule called the item and opened the public hearing at 6:04 p.m.

Planning and Zoning Official Bruce Bayne read the staff report.

Council Member O'Meara asked if this application has been reviewed by the Fire Department. Bruce said yes it has.

Applicant Representative: Stephanie Leonard – KM Engineering. She presented the plans for Concord Square Subdivision. They have worked with the City and had to get creative to make this project work because there is a lot that is encumbered by the irrigation canal. They have discussed in depth with the Fire Department and City Engineer the design of these driveways to make sure that they will be serviceable and accessible by emergency services. They will be improving Birch Ave and extending water and sewer up Birch Ave. The plat that is being proposed is consistent with the surrounding area. They will be adding fill to lots to make sure they are outside of the floodplain.

Bruce Bayne: The City requires that any new subdivision be built out of the floodplain. They will not be allowed to build anything that is out of the floodplain.

Applicant: Peter Harris – Eagle, Id: He has done these type of infill projects before, but this is his first time working in Middleton. He plans to do 1700-1800 sq. ft. single story homes except for lot 5. That one is going to require being creative. He is the builder for his projects.

Mayor Rule closed the public comment portion at 6:21 p.m.

Council President Kiser said he loves the idea of the infill project. The only hang-up for this is changing the setback. Council Member Huggins said initially agreed, except that this is an infill project and if we are not ever going to take anything into consideration, than we need to stop allowing people to ask for a Special Use Permit. She didn't feel that the 5 ft they are asking for didn't feel huge for the property. Council Member Garner agrees with Ms.

Huggins, they are making the best of the narrow strip of land. Council Member O'Meara thinks they are putting too many homes there. He would like to see a different design. Mayor Rule commented and said he agrees with Council President Kiser, he doesn't like changing setbacks. However, he does think there are times and places for variances. Bruce said that these lots meet all the dimensional standards for R-3 zoning. The reductions of the setbacks came about because of the dimensions of the lots to make it fit in the width of that lot. This is for a specific reason, on this specific lot, at this specific time and on this specific project. We have a code for a reason, this has been a vacant lot, and if we are not going to step outside of code at all he doesn't see these infill lots being ever developed.

Motion: Motion by Council President Kiser to approve an application from Peter Harris for a preliminary plat and special use permit of Concord Square Subdivision. The proposed preliminary plat zoned R-3, consists of 9 single family lots, accessing Birch Avenue. Site area is approximately 2.69 acres located near the southeast corner of Birch Ave. and Concord St, address of 0 Concord St, Canyon County parcel no. R1869601. Motion seconded by Council Member Garner.

Roll Call Vote:

Kiser – No

Huggins – Yes

Garner – Yes

O'Meara – No

Mayor Rule – Yes

Motion Passed 3:2

Mayor Rule closed the public hearing at 6:31 p.m.

4. Consider approving T-O Engineers Cemetery Road Phase 2 Scope of Work in an amount not to exceed \$24,913.00. – Bruce Bayne

Mayor Rule introduced the item. Planning and Zoning Official Bruce Bayne stated: Phase 1 of S. Cemetery Rd is coming into bid on November 24, 2020. This is the continuation of the southern end of this road which will take it down to Mill Slough. We have already bid out the Mill Slough project so this will fill out the piece in the middle. The estimate is for \$24,913.00.

Motion: Motion by Council President Kiser to approve T-O Engineers Cemetery Road Phase 2 Scope of Work in an amount not to exceed \$24,913.00. Motion seconded by Council Member O'Meara. Motion approved unanimously.

5. Consider approving T-O Engineers Scope of Services of Design and Construction. 2020 Middleton Wastewater Upgrade – Preliminary Engineering Report and Influent Wet Well Repair in an amount not to exceed \$202,768.00 - Bruce Bayne

Mayor Rule called the item and Planning and Zoning Official Bruce Bayne explained this is for the wastewater treatment plant. This is for new construction to add a dewatering element to the plan. This element was brought in with Keller's Master Plan that they did for the City just over a year ago. Now we are getting into implementing the upgrades to the

plant in order to keep up with the growth. The plant currently has about 3100 homes on it and we anticipate needing this upgrade in another thousand homes in order to remain compliance with our federal regulations. There were four firms that the city received designs from and T-O Engineers was chosen. This is for the first phase of the work to get the preliminary engineering report done. There will be a larger fee that will come in to design the actual building and dewatering elements and new blowers that will go inside that building. Currently the City is warming up the ground, which is not efficient.

Motion: Motion by Council President Kiser approve T-O Engineers Scope of Services of Design and Construction 2020 Middleton Wastewater Upgrade – Preliminary Engineering Report and Influent Wet Well Repair in an amount not to exceed \$202,768.00. Motion seconded by Council Member O'Meara. Motion approved unanimously by Roll Call Vote.

6. Consider approving Change Order No. 2 from Irminger Construction for Mill Slough Irrigation water intake to the Re-Use Pilot Project area in an amount not to exceed \$65,000.00. – Bruce Bayne

Mayor Rule called the item. Public Works Superintendent Bruce Bayne explained the item. This is part of the Re-Use Pilot Project. The City is well underway to have the Re-Use area ready for use in the spring. We are putting in the pumps and wet-well. We have the lines diverted already to be able to feed the Re-Use field. This part of the project is to take irrigation water from Mill Slough and be able to feed that into the same wet-well in addition to Mill Slough as a drain. One field in particular with the Re-Use that we are doing that can only use irrigated water. We are doing that so we have a comparison of the same drip tape used in the same location so that we can take samples that will show the difference of the uptake of the nutrients in order to prove to DEQ that the Re-Use portion is having the different uptake than the irrigation side is. In addition, anytime we have to flush the lines in the site that we do on the Re-Use water we can use irrigation water out of Mill Slough. We originally were going to do this by pulling water from Canyon Water, but talked with Irrigation companies and can do a swap in water and pull the water from the south instead of having to pipe the water from Canyon on the north side of the school. It saves the City by only having to pipe 500 ft instead of 2500 ft. Good thing about this project is Irminger is about done with the first phase and this is the last work of that phase to get it done.

Mayor Rule said we did get another bid that was several thousand dollars less than this, but they did not include the fencing portion so to put it in perspective, we have the contractor onsite now.

Motion: Motion by Council President Kiser to approving Change Order No. 2 from Irminger Construction for Mill Slough Irrigation water intake to the Re-Use Pilot Project area in an amount not to exceed \$65,000.00. Motion seconded by Council Member Garner and approved unanimously.

7. Public Hearing: Consider adopting Adopt Ordinance No. 643 of the City of Middleton, Canyon County, Idaho adopting Middleton Police Department Impact Fee; providing for the imposition, computation and payment of said fee; providing for the establishment of an Impact Fee fund; providing for exemptions, refunds, credits and

waivers of the Impact Fee; Adopting general provisions; providing for appeals; and providing an effective date.

Proposed Impact Fee:

New Residential (per EDU)	\$304.00
New Commercial (per square foot)	\$0.15
New Industrial (per square foot)	\$0.15

Mayor Rule called the item and opened the public hearing at 6:43 p.m.

City Attorney Chris Yorgason said that they have been working for a while to create impact fees for the Police. The Capital Improvement Plan was adopted in a recent meeting. The impact fee was presented to the City's Impact Fee Advisory Committee and the Advisory Committee recommends approval of the fee and the amount of the fee.

Middleton Police Chief Alan Takeuchi: He feels they are a bit late bringing this forward. 8000 new homes will impact the Police department immensely. We all have seen with additional growth come additional calls for service. We are going to be looking at a call for service base versus at population base. We want to be a proactive police department to investigate our own crimes scenes etc. These impact fees will help us start those tremendously.

Council Member O'Meara asked if the fee is large enough to begin with. Will this be adequate for your department?

Chief Takeuchi: People way smarter than he is put those together so if that is the formula that was used and they are comfortable testifying in court, then he thinks that is an accurate number to work with.

City Attorney Chris Yorgason: In the CIP this is the maximum fee that was set by the consultant and the maximum fee that the city is allowed to collect. This fee can be assessed on an annual basis, but it always has to tie into the consulting document – the Capital Improvement Plan.

Mayor Rule closed the public comment at 6:51 p.m.

Motion: Motion by Council President Kiser to read Ordinance No. 643 by title only. Motion seconded by Council Member Garner. Approved unanimously by Roll Call Vote.

Council President Kiser read Ordinance No. 643 by title only. He said that this is a very time sensitive issue and he would like to hold a special meeting on Friday, November 6, 2020 for the 2nd reading and then Tuesday, November 10, 2020 to allow for the notice for the 3rd reading about 3:00 p.m. for a phone call meeting.

Mayor Rule closed the public hearing at 6:55 p.m.

Public Comments, Mayor Comments, Council Comments:

No public comments

Council Member O'Meara: He walked through the pilot project and wants to commend all on a job well done.

Mayor Rule agreed and said it looks great. But more importantly it will save the City money.

We have a contractor nearly ready to start moving dirt on the middle portion of S. Cemetery Rd extension and scrubbing out/grubbing out the top of the area, we are going to move gravel for that road. The plan is to get that farm area grubbed out where the road goes so that when the first section is done by LTACH we will compact it double which will hopefully generate an extra buck a yard

Adjourn: Mayor Rule adjourned the meeting at 6:57 p.m.

ATTEST:

Steven J Rule, Mayor

Jennica Reynolds, Deputy Clerk
Minutes Approved: November 4, 2020

**MIDDLETON CITY COUNCIL
SPECIAL MEETING
NOVEMBER 6, 2020**

The Middleton City Council Special Meeting on November 6, 2020 was called-to-order at 3:04 p.m. at City Hall by Mayor Rule.

Roll Call: Council President Kiser, Council Member Huggins and Garner called in via telephone. Council Member O'Meara was present.

Action Item

1. **2nd Reading: Consider adopting Adopt Ordinance No. 643 of the City of Middleton, Canyon County, Idaho adopting Middleton Police Department Impact Fee; providing for the imposition, computation and payment of said fee; providing for the establishment of an Impact Fee fund; providing for exemptions, refunds, credits and waivers of the Impact Fee; Adopting general provisions; providing for appeals; and providing an effective date.**

Proposed Impact Fee:

New Residential (per EDU)	\$304.00
New Commercial (per square foot)	\$0.15
New Industrial (per square foot)	\$0.15

Mayor Rule called the item.

Motion: Motion by Council President Kiser to read by Title only Ordinance 643 for its 2nd Reading. Motion Seconded by Council Member O'Meara. Approved unanimously by Roll Call Vote.

Mayor Rule read Ordinance 643 by title only.

Public Comments, Mayor Comments, Council Comments:

No comments

Adjourn: Mayor Rule adjourned the meeting at 3:08 p.m.

ATTEST:

Steven J Rule, Mayor

Jennica Reynolds, Deputy Clerk
Minutes Approved: November 18, 2020

**MIDDLETON CITY COUNCIL
SPECIAL MEETING
NOVEMBER 10, 2020**

The Middleton City Council Special Meeting on November 10, 2020 was called-to-order at 3:02 p.m. at City Hall by Council President Kiser.

Roll Call: Council President Kiser and Council Member O'Meara were present. Council Member Huggins and Garner called in via telephone.

Action Item

1. **3rd Reading: Consider adopting Adopt Ordinance No. 643 of the City of Middleton, Canyon County, Idaho adopting Middleton Police Department Impact Fee; providing for the imposition, computation and payment of said fee; providing for the establishment of an Impact Fee fund; providing for exemptions, refunds, credits and waivers of the Impact Fee; Adopting general provisions; providing for appeals; and providing an effective date.**

Proposed Impact Fee:

New Residential (per EDU)	\$304.00
New Commercial (per square foot)	\$0.15
New Industrial (per square foot)	\$0.15

Council President Kiser called the item.

Motion: Motion by Council President Kiser to read by Title only Ordinance 643 for its 3rd Reading. Motion Seconded by Council Member O'Meara. Approved unanimously by Roll Call Vote.

Council President Kiser read Ordinance 643 by title only.

2. **Consider adopting Adopt Ordinance No. 643 of the City of Middleton, Canyon County, Idaho adopting Middleton Police Department Impact Fee; providing for the imposition, computation and payment of said fee; providing for the establishment of an Impact Fee fund; providing for exemptions, refunds, credits and waivers of the Impact Fee; Adopting general provisions; providing for appeals; and providing an effective date.**

Proposed Impact Fee:

New Residential (per EDU)	\$304.00
New Commercial (per square foot)	\$0.15
New Industrial (per square foot)	\$0.15

Motion: Motion by Council President Kiser to adopt Ordinance 643. Motion Seconded by Council Member O'Meara. Approved unanimously by Roll Call Vote.

3. **Consider approving a contract with Lurre Construction in the amount not to exceed \$23,950 to excavate River Park water amenity.**

Council President Kiser called the item. City Administrator Becky Crofts explained that this piece begins the excavation of the water feature in River Park.

Motion: Motion by Council President Kiser approve a contract with Lurre Construction in the amount not to exceed \$23,950 to excavate River Park water amenity. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

4. Consider approving a contract with Lurre Construction in an amount not to exceed \$27,750 to excavate/scrape phase II of S. Cemetery Road extension.

Council President Kiser called the item. City Administrator Becky Crofts explained this will excavate/scrape the gravel for phase II of the S. Cemetery Road extension.

Motion: Motion by Council President Kiser approve a contract with Lurre Construction in an amount not to exceed \$27,750 to excavate/scrape phase II of S. Cemetery Road extension. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

5. Consider approving a contract with Lurre Construction in an amount not to exceed \$79,120 to haul and place sub-base material for phase II of S. Cemetery Road extension.

Council President Kiser called the item. City Administrator Becky Crofts explained this will be for the hauling and placing of sub-base material for phase II of S. Cemetery Road extension. This will shorten the haul road and be able to keep most of the construction traffic off of Hwy 44. It will also help save the City money as we get ready to move from phase I to phase II immediately as this is a federally funded project.

Motion: Motion by Council President Kiser approve a contract with Lurre Construction in an amount not to exceed \$79,120 to haul and place sub-base material for phase II of S. Cemetery Road extension. Motion seconded by Council Member O'Meara and approved unanimously by Roll Call Vote.

Public Comments, Mayor Comments, Council Comments:

No comments

Adjourn: Council President Kiser adjourned the meeting at 3:13 p.m.

ATTEST:

Rob Kiser, Council President

Jennica Reynolds, Deputy Clerk
Minutes Approved: November 18, 2020

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CITY OF MIDDLETON

City Council

Concord Square Preliminary Plat and Special Use Permit

August 21, 2020 Application
September 21, 2020 P&Z Approval
October 19, 2020 P&Z FCO's
November 4, 2020 CC Approval
November 18, 2020 CC FCO's

Findings of Fact, Conclusions of Law and Decision

SUMMARY OF THE REQUEST

A request by Peter Harris Construction for preliminary plat approval of Concord Square Subdivision. The proposed preliminary plat consists of 9 single-family lots on approximately 2.69 acres of vacant land, addressed 0 Concord St., located near the southeast corner of Birch Ave. and Concord St., parcel number R1869601000.

Applicant: Peter Harris Construction – Peter Harris
6951 Duncan Lane
Boise, Idaho 83714

1. **APPLICATION:** The application was accepted by the City on August 21, 2020.

2. **NOTICE OF THE SUBDIVISION:**

Public Hearing Notice to Paper	August 25, 2020
Notice to Posting Box	August 31, 2020
Letters to Owners of Property within 300':	August 31, 2020
Letters to Agencies:	August 31, 2020

3. **APPLICABLE CODES AND STANDARDS:**

Idaho Code, Title 67, Chapter 65
Middleton City Code (MCC) 1-14-2, 1-15-1, 1-15-7, 1-19-1, Title 5, 5-4-4.

4. **CITY COUNCIL REVIEW COMMENTS:**

A. The Planning and Zoning Commission recommends City Council approve the preliminary plat.

B. **Written Agency Responses Received to Date:** none.

C. **Written Property Owners Responses Received to Date:** none.

D. **Preliminary Plat Standards:** Per City Code Section 5-4-4.



CITY OF MIDDLETON

City Council

CONCLUSIONS OF LAW

Notice of the application was given according to law. The City Council public meeting was conducted according to law, and the City has kept a record of the application and related documents.

DECISION

Based on the Findings of Facts, and Conclusions of Law, the City Council hereby recommends approval of the Preliminary Plat with the following conditions:

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are extended to serve the subdivision.

NOTICE

This decision is deemed by Idaho law to be a final decision. An affected person aggrieved by a final decision may within twenty-eight (28) days after all remedies have been exhausted under local ordinances seek judicial review as provided by chapter 52, title 67, Idaho Code. The applicant has a right in writing to request in writing to the city a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

Signed: November _____, 2020.

Steven J. Rule, Mayor

Attest:

Bruce Bayne,
Planning and Zoning Official

Ordinance No. 641

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING TITLE 5, CHAPTER 4, SECTION 1, TABLE 1 TO ADD LAND USE STANDARDS FOR SINGLE-FAMILY DWELLING, ATTACHED; UPDATING TITLE 5, CHAPTER 4, SECTION 1, TABLE 2 ADDING A NEW NOTE 10; UPDATING PLAT APPLICATION SUBMISSION REQUIREMENTS; AND UPDATING REQUIREMENTS FOR ADMINISTRATIVE LOT SPLITS AND BOUNDARY LINE ADJUSTMENTS BY RECORD OF SURVEY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho, is a municipal corporation organized and operating under the laws of the State of Idaho, and

WHEREAS, the City of Middleton, Idaho, seeks to update the provisions of its zoning and subdivision ordinances; and

WHEREAS, the City held a public hearing, noticed and conducted in accordance with Idaho law, before the planning and zoning commission on October 19, 2020; and

WHEREAS, the City held a public hearing, noticed and conducted in accordance with Idaho law, before the city council on November 18, 2020; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1: Middleton City Code Title 5, Chapter 2, Section 4, Table 1 is hereby amended to add standards for single-family, in part, to read as follows:

Use ^{1,2}	A-R	C-1	C-2	C-3	M-1	M-2	R-1	R-2	R-3	R-4	R-4T	M-F	M-U
Single-family dwelling, attached												S	S

Section 2: Middleton City Code Title 5, Chapter 2, Section 3, Table 2 is hereby amended to read as follows:

	Requirements ⁷
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District	Maximum Density (Units/Gross Acres)	Maximum Height	Front ^{3,5}	Rear ⁶	Side ^{3,6}	Side Street ^{3,6}	Interior Lot Area (Sq. Ft.)	Minimum Lot Width ¹	Maximum Lot Coverage ²
A-R	0.2	35'	35'	30'	12'	35'	2 acres	150'	20%
C-1 ⁴		35'	10'	0'	0'	10'	0		90%
C-2 ⁴		35'	10'	0'	0'	10'	0		90%
C-3 ⁴		45'	10'	0'	0'	10'	0		90%
M-1 ⁴		45'	10'	0'	0'	10'	0		90%
M-2 ⁴		45'	10'	0'	0'	10'	0		90%
R-1	1.0	35'	35'	30'	12'	35'	20,000	100'	50%
R-2 ⁹	2.0	35'	25'	30'	12'	35'	15,000	90'	50%
R-3 ⁹	3.0	30'	25'	20'	10'	20'	8,000	75'	60%
R-4	4.0	30'	25'	20'	10'	20'	6,000 ⁸	60'	60%
R-4T	4.0	20'	25'	20'	6/7'	20'	5,500	55'	60%
M-F ¹⁰	12.0	35'	20'	20'	12'	20'	3,500 ⁸		75%
M-U ¹⁰	12.0	35'	20'	20'	12'	20'	3,500 ⁸		75%

Notes:

10. Single-family dwelling, attached: Maximum Height: 35'

Setbacks:

Front: 20'

10' if alley-loaded

Rear: 20'

5' if alley-loaded

Interior Side: 12'

0' if common wall

Minimum Lot Size: 1,600 SF

Maximum Coverage: N/A

Minimum Lot Width: 20'

Section 3: Middleton City Code Title 5, Chapter 4, Section 9, ADMINISTRATIVE LOT SPLITS AND BOUNDARY LINE ADJUSTMENTS BY RECORD OF SURVEY is hereby amended to read as follows:

Any person desiring to divide one lot into two (2) buildable lots that conform with this Code, or adjust a property line to establish buildable parcels with boundaries which differ from existing buildable parcels (lot line adjustment), or combine lots to reduce density (i.e., the number of buildable lots is reduced from 2 to 1) may submit an application for an administrative lot split, boundary line adjustment or density reduction.

A. Any lot ~~not in a subdivision or any platted lot existing prior to August 10, 1976,~~ is eligible for a onetime administrative lot split, provided all other requirements of this Code are met. Any lot is eligible for an administrative boundary line adjustment, provided all other requirements of this Code are met.

B. The application for a boundary line adjustment or density reduction (may be more than 1 time) or a onetime administrative lot split, shall be submitted to the City, along with:

1. The appropriate fee,
2. A copy of the record of survey drawn to the standards set forth herein.

C. After receiving the application, the City shall determine if the application is complete, the property descriptions are correct, and the record of survey is drawn to the required specifications and if each of the parcels shown on the record of survey and property descriptions meet the requirements of this section. The City shall then either: 1) approve the application, or 2) advise the applicant in writing of all respects wherein the application and the record of survey do not comply with this section. The City may withhold approving the application until finding is made that all parcels shown on the record of survey and deeds are buildable parcels.

D. Every application for administrative approval ~~record of survey for a onetime lot split or a reduction in buildable lot density~~ must meet the following conditions:

1. Resultant parcels shall meet the minimum requirements for area, frontage and width for the existing zone.
2. All existing buildings to remain shall meet all applicable zoning requirements regarding allowed uses and parking, and shall comply with the setback requirements of the existing zone as measured from any parcel boundary being created by this process.
 - a. Any setback that was legally nonconforming prior to the division remains as a legal nonconforming setback, provided the legal nonconforming setback is not altered by the application.
 - b. Any building not meeting the required setback that is to be partially or completely demolished shall be demolished prior to the approval of the application.
3. The relocation of the lot lines, or creation of the new lots, will not change or move any roads, easements, or areas dedicated to the public.

4. The application will not require dedication of public right- of-way, road or City utility improvements.

5. A record of survey is necessary to allow construction over platted lot lines of multiple whole lots.

If platted or recorded easements exist within any lot, the easements must be vacated prior to any construction within the easement area.

E. The record of survey shall conform to Idaho Code, title 55, chapter 19 and contain the following information:

1. Correct road names.
2. All recorded easements.
3. All existing lot lines of record.
4. Adjusted or new lot lines matching the new deeds.
5. The area in square feet of each lot shown on the record of survey.
6. A depiction of all existing structures, labeled with existing use, with either: a) the distances from the structure to any lot line shown on the record of survey, or b) a note that the structures are to be removed at the time of remodeling or new construction.
7. Any other information required by the application. (Ord. 609, 7-3-2018)

Section 4:

This ordinance, or a summary thereof as provided by Idaho Code §50-901A, shall be published in one (1) issue of the official newspaper of the City of Middleton, Idaho, and shall take effect immediately upon its passage, approval and publication.

Dated this _____ day of November, 2020.

CITY OF MIDDLETON
Canyon County, Idaho

Steven J Rule, Mayor

ATTEST:

Jennica Reynolds, Deputy City Clerk



ADMINISTRATIVE REVIEW AND REPORT

Middleton City Council

Lakes of Telaga 2 Preliminary Plat

An application from Skyline Homes and Development, LLC., for a preliminary plat, approval of Lakes of Telaga 2 Subdivision, which lies within "The Lakes at Talega" Subdivision. The proposed preliminary plat zoned R-3, consists of 15 single family lots, accessing Kingsbury Road. Site area is approximately 14.8 acres located near the southwest corner of Kingsbury Road and Talega Way, parcel number R3383314300.

Applicant: Skyline Homes & Development, LLC
3516 N. Black Butte Court
Boise, Idaho 83687

Representative: Matrix Engineering, Inc.
1020 N. Main Street, Suite 100J
Boise, Idaho 83702

1. **APPLICATION:** The application was accepted by the City on September 1, 2020.

2. **NOTICE OF THE SUBDIVISION:**

Public Hearing Notice to Paper	September 29, 2020
Notice to Posting Box	October 6, 2020
Letters to Owners of Property within 300':	October 6, 2020
Letters to Agencies:	October 6, 2020

3. **APPLICABLE CODES AND STANDARDS:**

Idaho Code, Title 67, Chapter 65
Middleton City Code (MCC) 1-14-2, 1-15-1, 1-15-7, 1-19-1, Title 5, 5-4-4.

4. **PLANNING AND ZONING REVIEW COMMENTS:**

The subject property is zoned R-3, Single-Family Residential, which allows three residential units per gross acre. The proposed preliminary plat complies with the zoning density standard. Proposed lots range from 35,000 SF to 45,000 SF which includes pond area. The actual dry land area ranges from 22,000 SF to 32,000 SF. Each lot will have ownership to an internal 4.5-acre lake. For safety reasons, there will be no public access to the lake.



ADMINISTRATIVE REVIEW AND REPORT

Middleton City Council

The proposed development is bordered on the north and east by Lakes at Talega Phase 1 Subdivision and The Lakes Subdivision on the south, east and west sides and is accessed from Kingsbury Road to Talega Way and Silverwood Way, with residential lot access provided by individual driveways from Talega Way and Silverwood Way.

City Planning and Zoning Review Comments: Completed.

City Engineer Review Comments: Completed.

Written Agency Responses Received to Date: none to date.

Written Comments From Landowners Received to Date: None to date.

Neighborhood Meeting: August 3, 2020 onsite at Talega Way Fountain Springs Drive. (See attached applicant letter).

7. PLANNING AND ZONING RECOMMENDATION

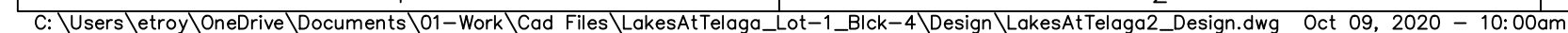
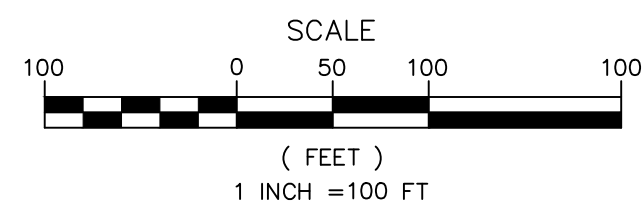
The Planning and Zoning Commission after notice and meeting, recommended that the City Council approve the preliminary plat with the following conditions.

1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are extended to serve the subdivision.
2. Show cluster mailbox location(s) on the plat (not by note).
3. Show shared access area on plan to lot 16 (common lot park).

Drafted by: Bruce Bayne
Date: November 12, 2020

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4
OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN
CITY OF MIDDLETON, CANYON COUNTY, IDAHO 2019

PP_01	LAYOUT PLAN
PP_02	ENGINEER CONCEPT PLAN
SHEET 1 OF 1	TOPOGRAPHICAL SURVEY



1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
2. MINIMUM BUILDING SETBACK DIMENSIONS IN THIS SUBDIVISION SHALL CONFORM TO THE APPLICABLE ZONING REGULATION IN EFFECT AT THE TIME OF ISSUANCE OF A BUILDING PERMIT.
3. DOMESTIC WATER AND SANITARY SEWER WILL BE PROVIDED BY THE CITY OF MIDDLETON. ALL DOMESTIC WATER MAINS AND SANITARY SEWER MAINS WILL BE INSTALLED IN ACCORDANCE WITH THE IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY AND CITY OF MIDDLETON'S SPECIFICATIONS.
4. PRESSURE IRRIGATION WATER WILL BE PROVIDED THROUGH THE EXISTING FACILITY BY THE LAKES OF TELAGA HOME OWNERS ASSOCIATION. IRRIGATION WATER IS PROVIDED FROM THE MIDDLETON CANAL COMPANIES WHICH INCLUDE THE MIDDLETON MILL DITCH COMPANY, MIDDLETON IRRIGATION ASSOCIATION, INC. AND THE LEMP LATERAL, INC. IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(B). LOTS WITHIN THIS SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM SAID MIDDLETON CANAL COMPANIES.
5. STORM WATER FROM EACH LOT WILL BE RETAINED ON EACH LOT. 6. STORMWATER DRAINAGE ALONG TELAGA WAY AND SILVERWOOD WAY WILL CONTINUE TO COLLECT DRAINAGE FROM STREET AND LANDSCAPE ALONG THE RIGHT OF WAY AS HISTORICALLY PROVIDED.
6. STORM WATER SWALES CONTIGUOUS TO LOTS 1 THROUGH 7 WILL BE REHABILITATED PER CITY REQUIREMENTS AS A CONDITION OF FINAL PLAT.
7. LOT LINES COMMON TO TELAGA WAY AND SILVERWOOD WAY RIGHTS-OF-WAY CONTAIN A 30-FOOT WIDE EASEMENT FOR IRRIGATION, PUBLIC AND PRIVATE UTILITIES, INCLUDING LAKES AT TELAGA PRESSURE IRRIGATION.
8. ALL INTERIOR LOT LINES CONTAIN A 5-FOOT WIDE EASEMENT, EACH SIDE, FOR PUBLIC AND PRIVATE UTILITIES, LOT DRAINAGE AND IRRIGATION FACILITIES.
9. LOT 16 & 17 ARE COMMON LOTS FOR A PARK AND SHALL BE OWNED AND MAINTAINED BY THE LAKES AT TELAGA SUBDIVISION HOMEOWNERS ASSOCIATION.
10. LOT 17 INCLUDES A 25-FOOT WIDE UTILITY EASEMENT DEDICATED TO PRIVATE AND PUBLIC UTILITY AGENCIES. SURFACE WILL BE PART OF THE PARK AREA OWNED AND MAINTAINED BY THE LAKES AT TELAGA SUBDIVISION HOMEOWNERS ASSOCIATION.
11. LOT OWNERS SHALL BE RESPONSIBLE FOR MAINTAINING SIDEWALKS, LAWNS, AND ALL OTHER LANDSCAPING WITHIN THE PUBLIC RIGHTS-OF-WAY AS APPROVED BY THE CITY OF MIDDLETON.
12. ANY FENCES, LANDSCAPING, OR OTHER STRUCTURES INSTALLED IN AN EASEMENT AREA MAY BE REMOVED BY THE CITY OF MIDDLETON AND UTILITY COMPANIES AND REPLACED AT THE LANDOWNERS EXPENSE.
13. FIBER OPTIC CABLES SHALL BE PROVIDED TO EACH LOT DURING JOINT TRENCH CONSTRUCTION PER THE CITY OF MIDDLETON SUPPLEMENT TO THE ISWPC.
14. MAIL BOXES WILL BE ADDED ON TELAGA WAY AND SILVERWOOD WAY.

BEGINNING AT THE SE SECTION CORNER OF SECTIONS 3, TOWNSHIP
4 NORTH, RANGE 2 WEST BOISE MERIDIAN, CANYON COUNTY, IDAHO

PRELIMINARY PLAT DATA

ZONING COMPREHENSIVE PLAN DESIGNATION	R-3 RESIDENTIAL
AREA CALCULATIONS:	
RESIDENTIAL LOT AREA	13.81 ACRES
COMMON AREA	0.54 ACRES
ROW/EASEMENT	0.45 ACRES
TOTAL AREA OF SITE	14.80 ACRES
SINGLE FAMILY RESIDENTIAL LOTS	15
COMMON LOTS	1
ROW/EASEMENT	1
MINIMUM PROPERTY SIZE	33,080 SQ. FT.
AVERAGE PROPERTY SIZE	40,239 SQ. FT.
OPEN SPACE	5.67 ACRES
PERCENTAGE OF QUALIFIED OPEN SPACE	38%
GROSS DENSITY	0.99 UNIT/ACRE
NET DENSITY	0.92 UNIT/ACRE

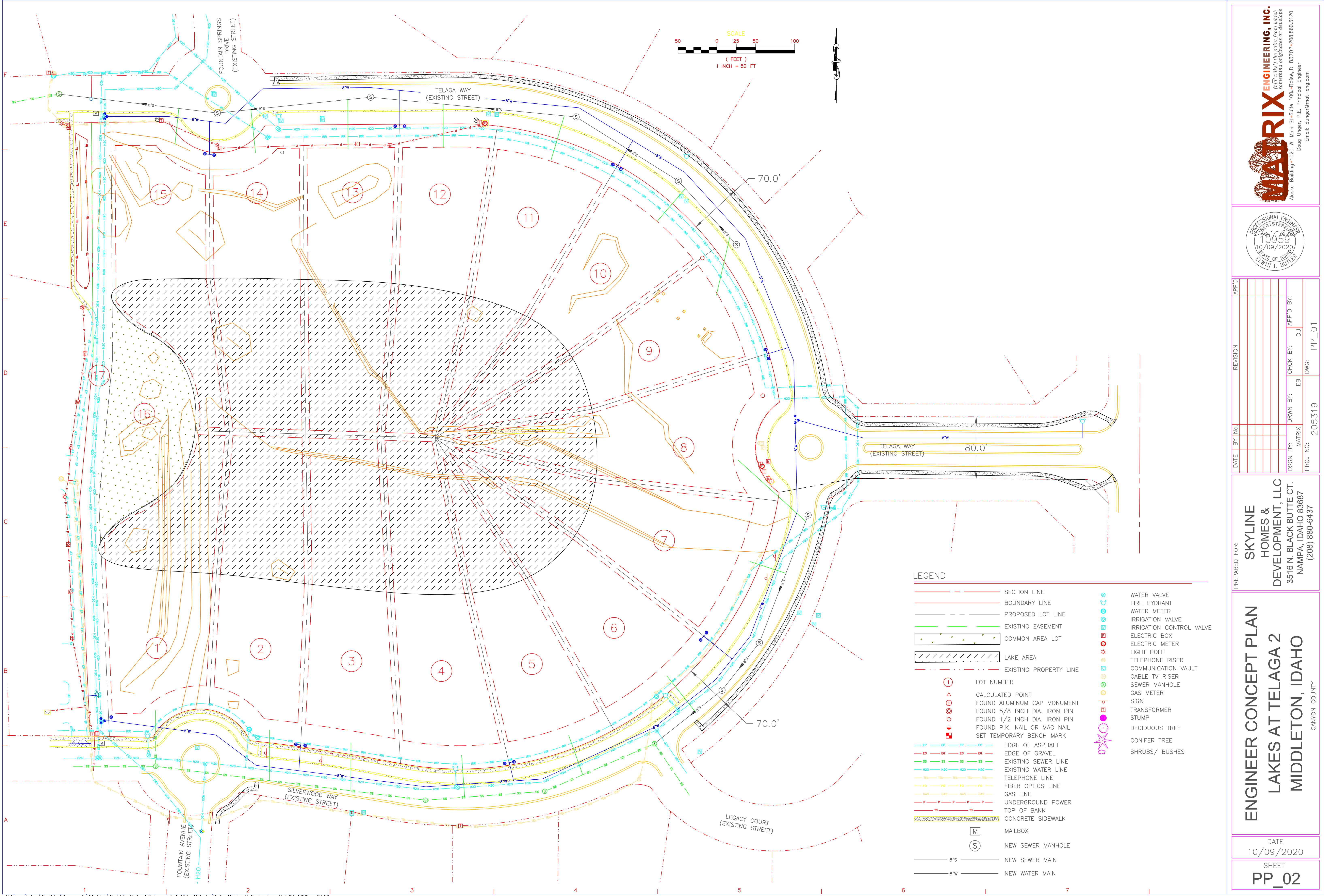
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PREPARED FOR:
**SKYLINE
HOMES &
DEVELOPMENT, LLC**
3516 N. BLACK BUTTE CT.
NAMPA, IDAHO 83687
(208) 880-6437

PRELIMINARY PLAT
LAKES AT TELAGA 2
MIDDLETON, IDAHO
CANYON COUNTY

DATE
10/09/2020

SHEET
PP 01



ENGINEER CONCEPT PLAN
LAKES AT TELAGA 2
MIDDLETON, IDAHO

DATE
10/09/2020

SHEET
PP_02

PREPARED FOR:
SKYLINE
HOMES &
DEVELOPMENT, LLC
3516 N. BLACK BUTTE CT.
NAMPA, IDAHO 83687
(208) 880-6437

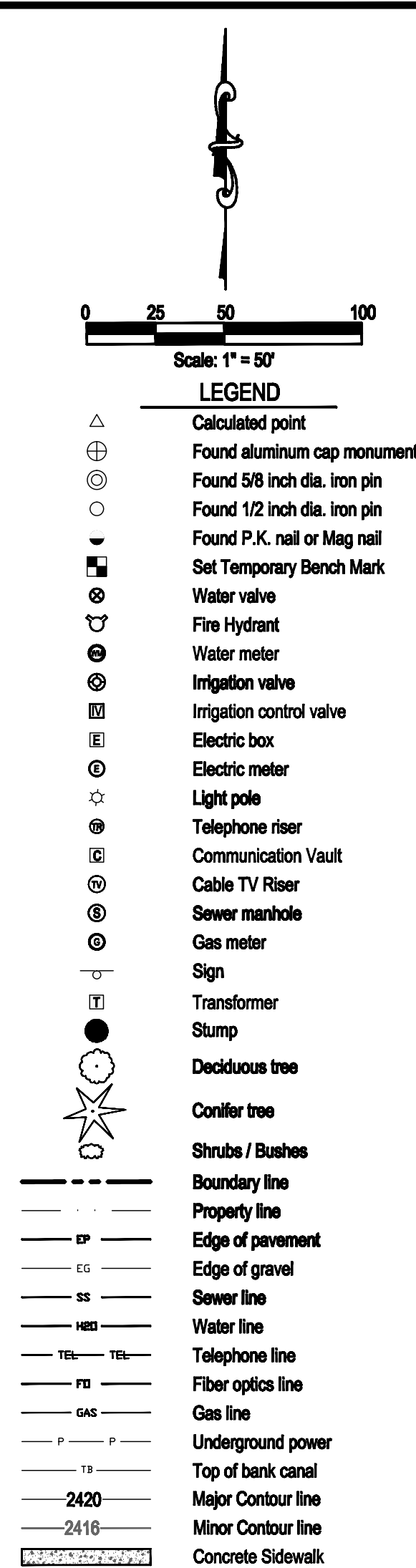
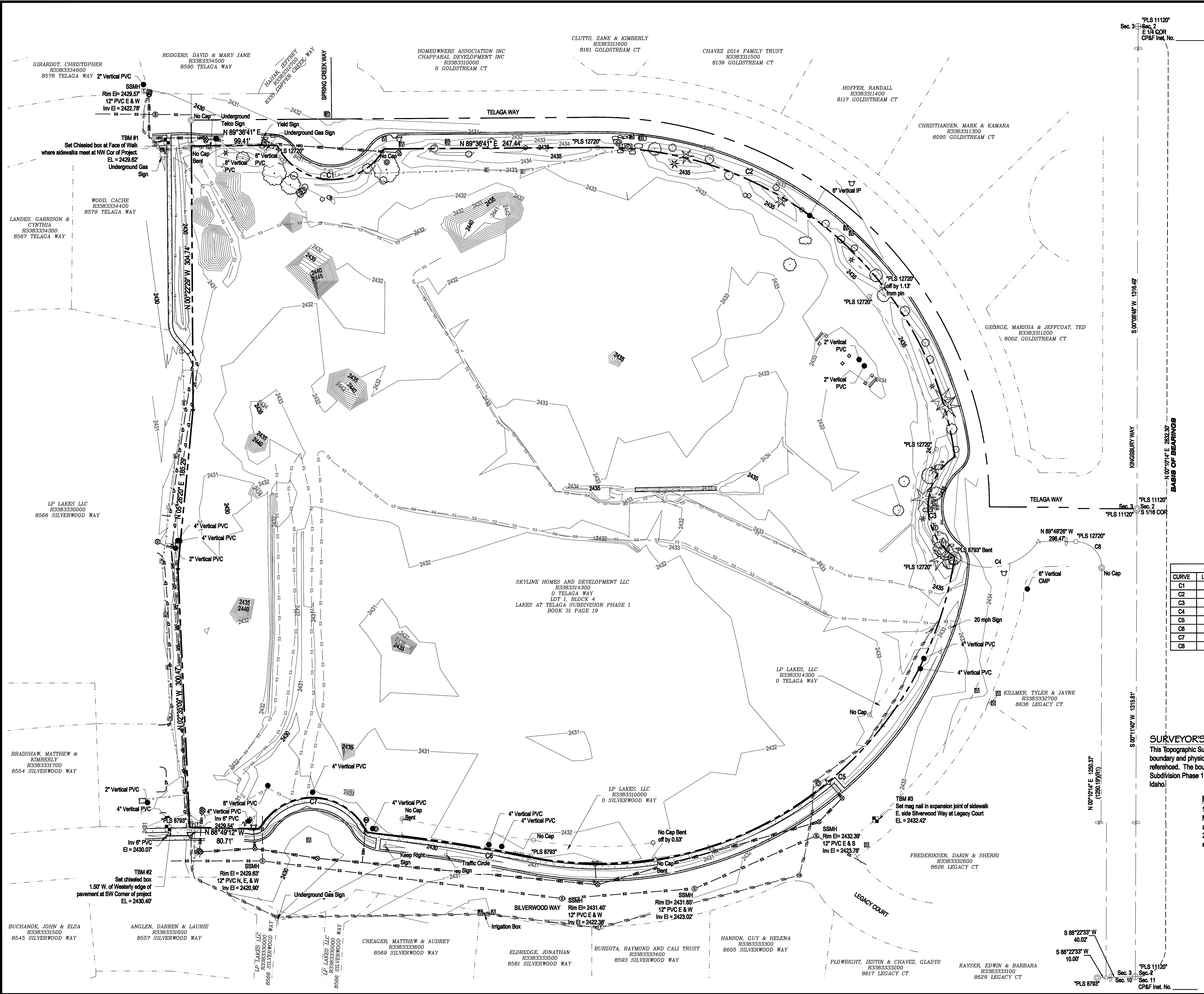
DATE: BY: No: REVISION: APP'D:

DSGN BY: MATRIX DRWN BY: EB APP'D BY: DU

PROJ NO: 205319 DWG: PP_01

ENGINEERING, INC.
(not risks) the point from which
something originates or develops
Doug Unger, P.E. Principal Engineer
Email: dunger@mat-eng.com

PROFESSIONAL ENGINEER
10959
10/09/2020
STATE OF IDAHO
ELWIN T. BUTLER



LINE TABLE		
LINE	BEARING	LENGTH
L1	S 52°09'01\"	20.00
L2	N 52°09'01\"	20.00
L3	N 08°53'29\"	20.00
L4	N 00°23'19\"	20.17

CURVE TABLE				
CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING
C1	152.26	70.00	124°37'23\"	S 88°04'38\" E
C2	587.71	415.00	82°31'14\"	S 49°07'42\" E
C3	136.98	70.00	112°07'08\"	S 00°10'34\" W
C4	108.84	70.00	88°05'28\"	S 79°34'17\" W
C5	874.15	415.00	83°04'28\"	S 54°45'28\" W
C6	190.99	2035.00	05°22'38\"	N 81°23'41\" W
C7	154.29	70.00	128°17'19\"	N 88°04'59\" W
C8	47.12	30.00	90°00'00\"	N 44°49'28\" W

SURVEYOR'S NARRATIVE:
This Topographic Survey was prepared at the request of Doug Unger and is to convey the boundary and physical features of the referenced parcel of land. All found monuments are referenced. The boundary was established by following the Recorded Plat of Lakes at Telaga Subdivision Phase 1, Inst. No. 200611424, Book 31, Page 19, Records of Canyon County, Idaho.

PROJECT DATUM

- All contours were derived from a solution using the Middleton Bench Mark #2050 with Elevation 2470.22' and GPS observations and are on NAVD 88 Datum.
- Project Temporary Benchmark Elevation were established by GPS observations.
- TBM #1 = Set chiseled box at the face of the sidewalk where the North/South sidewalk meets the East/West sidewalk. 28 feet West of the Northwest Corner of the project. EL = 2429.62'
- TBM #2 = Set chiseled box 1.50 feet West of the Westerly edge of pavement. Said pavement being the paved driveway at the Southwest Corner of the Project. EL = 2430.40'
- TBM #3 = Set mag nail in the expansion joint of the sidewalk on the East side of Silverwood way, +/- 8 feet North of the Northeast PC in the sidewalk, at the intersection of Legacy Court and Silverwood Way. EL = 2432.42'

CLIENT:

DOUG UNGER
MATRIX ENGINEERING, INC
1020 W. MAIN ST., STE. 100J
BOISE, ID 83702
208-860-3127

TITLE: TOPOGRAPHIC SURVEY
LOT 1 BLOCK 4, LAKES AT TELAGA SUB. PH. 1
A PORTION OF THE SE 1/4 OF SECTION 3
T. 4N., R. 2W., B.M., CANYON COUNTY, IDAHO

DESIGNED BY: DRAWN BY: CHECKED BY:
DATE: 07/29/2020 RAG ANW RAG

SHEET 1 OF 1

4220TOP0

4220



ADMINISTRATIVE REVIEW AND REPORT

Middleton City Council

Stonehaven Subdivision Amended Preliminary Plat

A request by TBC Holdings, LLC and Todd Campbell Construction, Inc. for approval of an amended preliminary plat for a revised phasing plan and lot configuration to accommodate Middleton City Code requirement for secondary vehicular access for Stonehaven Subdivision, located on approximately 78.17 acres west of Hartley Lane, south of Willis Road, east of Emmett Road, and mostly north of Canyon Hill Canal.

Applicant: TBC Holdings, LLC
P.O. Box 140298
Boise, ID 83714

Representative: Jay Walker
849 State Street, Suite 104
Eagle, ID 83616

1. **APPLICATION:** The application was accepted by the City on October 20, 2020.
2. **APPLICABLE CODES AND STANDARDS:**

Idaho Code Title 67, Chapter 65
Middleton City Code (MCC) 1-14-5; 5-4-4; 1-15-1
Middleton Transportation, Schools and Recreation Map, Dec. 20, 2018 version

3. **CITY STAFF COMMENTS:** The City of Middleton (City) requested the revisions to the preliminary plat to comply with Middleton City Code (MCC) requiring secondary vehicular access following platting of the first 50 lots. The secondary access connects through un-platted C-1 commercial property north to Willis Road, which required alteration of Stonehaven Subdivision Phase #3 lot count.

The previously approved preliminary plat contained 12 phases and 243 single-family residential lots. The proposed amended preliminary plat consists of 8 phases and 239 single-family residential lots. The proposed Stonehaven Subdivision amended preliminary plat is consistent with City Code and will provide opportunities for additional infrastructure and residential lots.



ADMINISTRATIVE REVIEW AND REPORT

Middleton City Council

City Planning and Zoning Review Comments: Additional comments are forthcoming.

City Engineer Review Comments: Additional comments are forthcoming.

Written Agency Responses Received to Date: none.

Written Comments From Landowners Received to Date: None to date. A neighborhood meeting was previously held for the preliminary plat.

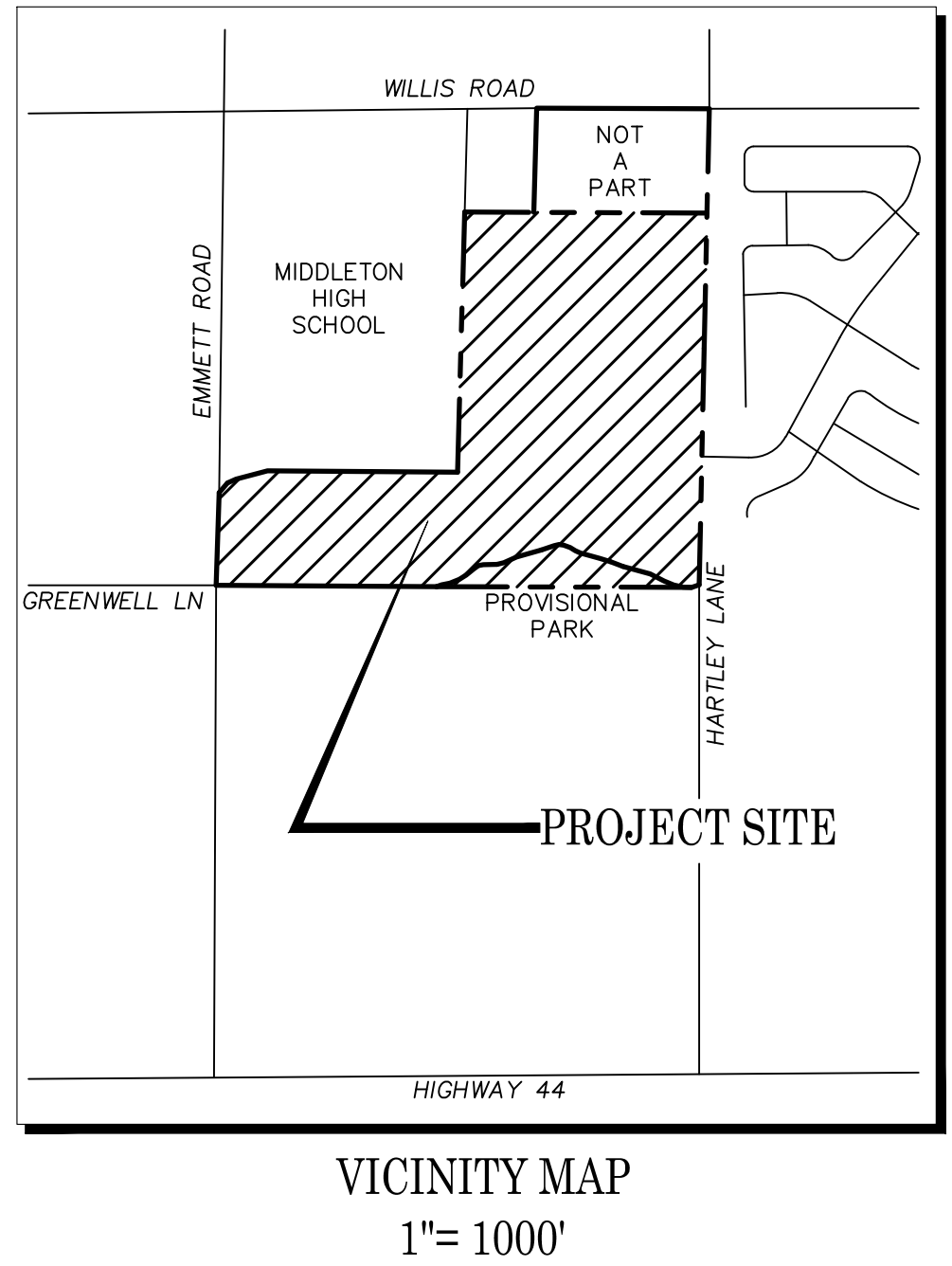
7. PLANNING AND ZONING RECOMMENDATION

The Planning and Zoning Commission after notice and meeting, recommends that the City Council approve the preliminary plat with the following conditions.

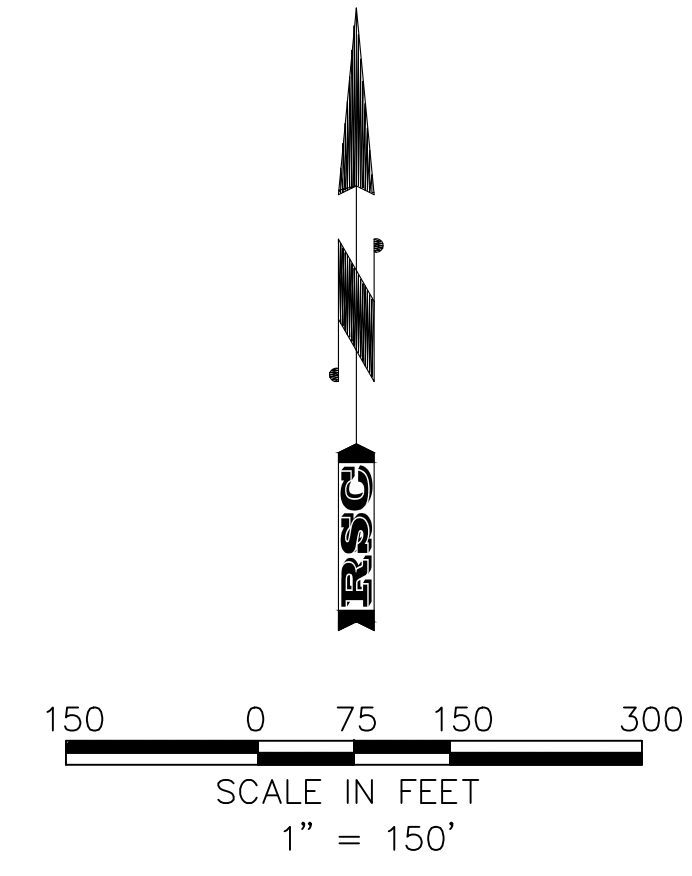
1. City of Middleton municipal domestic water, fire flow and sanitary sewer services are extended to serve the subdivision.
2. Comply with MCC 5-4-10-10, open space requirement: Lot 3, Block 4, Phase 4 with an amenity as defined in MCC 1-3-1, together with Lot 34, Block 6, Phase 6 which must be annexed and remain as a natural preserve, unimproved with wildlife habitat and connected by a pedestrian bridge to Durness Bay Ave. Annexation to occur before the City will issue building permits for lots in Phase 6.

Drafted by: Bruce Bayne
Date: November 12, 2020

UPDATED PRELIMINARY PLAT FOR
STONEHAVEN SUBDIVISION
A PORTION OF SECTION 01, T.4N., R.3W., B.M.
MIDDLETON, CANYON COUNTY, IDAHO
2020



VICINITY MAP
1"= 1000'

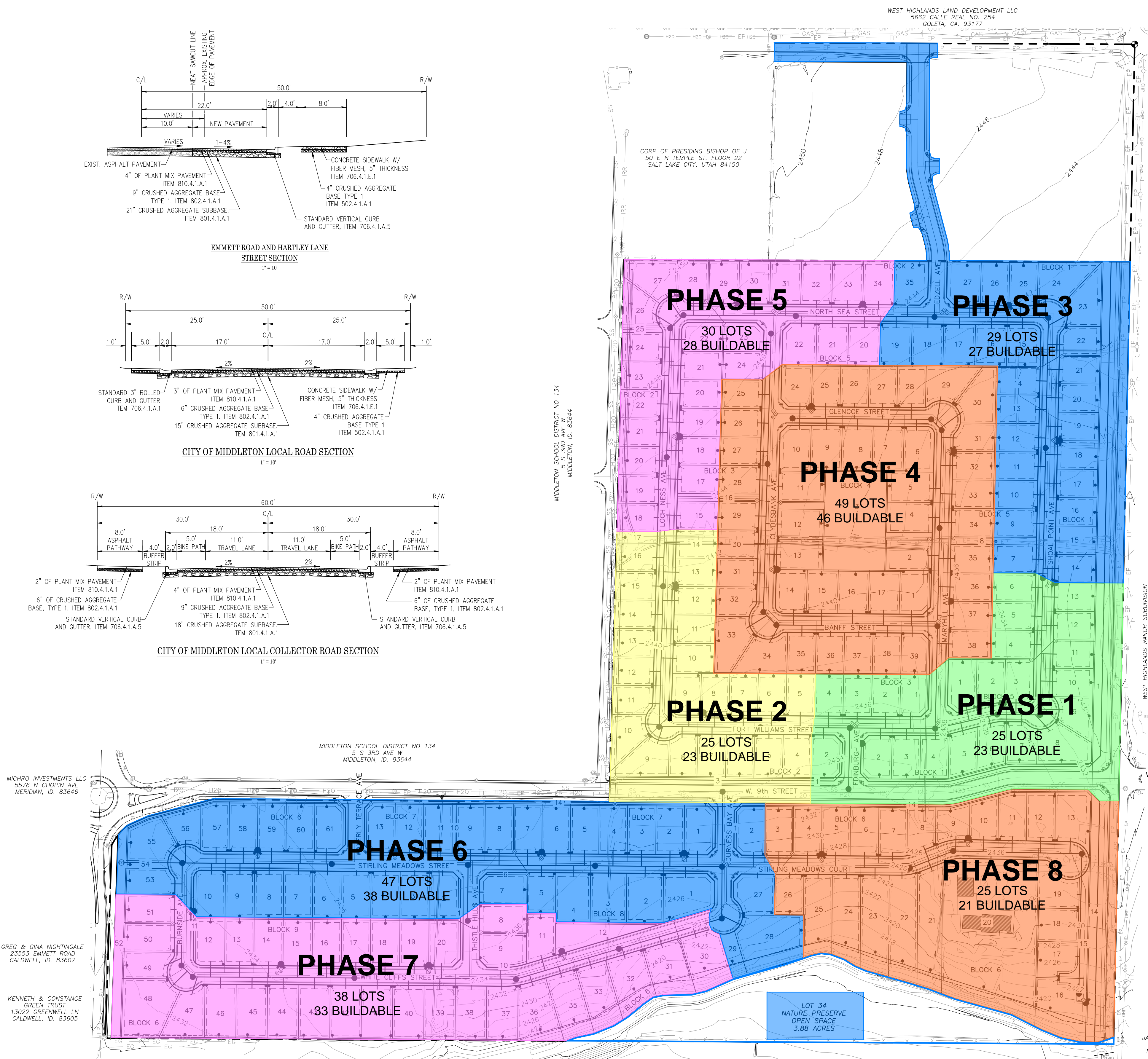


NOTES

1. PROJECT SITE IS ZONED R-3 PER CITY OF MIDDLETON ZONING MAP.
2. RESIDENTIAL LOTS: 239
3. COMMON LOTS: 26
4. TOTAL LOTS: 265
5. AREA: ±78 ACRES.
6. MINIMUM LOT SIZE: 8,000 SQ. FT. (0.18 ACRES)
7. BUILDING SETBACKS AND DIMENSIONAL STANDARDS FOR THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE CITY OF MIDDLETON STANDARDS UNLESS A WAIVER IS FILED.
8. EASEMENTS TO BE PROVIDED PER CITY OF MIDDLETON STANDARDS.
9. SURVEY PROVIDED BY COMPASS LAND SURVEYING LLC.
10. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT TO THE TIME OF THE RE-SUBDIVISION.
11. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF NOT A NUISANCE -- EXCEPTION, 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 IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
12. SANITARY SEWER & WATER SYSTEMS SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF MIDDLETON'S SUPPLEMENT TO THE ISPC.
13. STORMWATER WILL BE CONSTRUCTED PER CITY OF MIDDLETON POLICY AND WILL BE CONTROLLED VIA UNDERGROUND SEEPAGE BEDS.
14. PROJECT DATUM - NAVD 88
15. PROPOSED EASEMENTS: SUBDIVISION BOUNDARY AND STREET FRONT = 10.0' REAR = 10.0' SIDE LOT LINES = 5.0'
16. A PRESSURE IRRIGATION SYSTEM SHALL BE PROVIDED PER IDAHO CODE, SECTION 31-3805. PIPING SHALL BE PLACED ALONG REAR LOT LINES (TYPICAL).
17. FIBER CONDUIT SHALL BE INSTALLED PER CITY OF MIDDLETON'S REQUIREMENTS

GENERAL LEGEND

	FOUND BRASS CAP MONUMENT
	PROPOSED BLOCK NO.
	PROPERTY BOUNDARY LINE
	PROPOSED LOT LINE
	CENTERLINE
	EXISTING EASEMENT
	PROPOSED EASEMENT
	EXISTING BUILDING
	EXISTING EDGE OF GRAVEL
	EXISTING WATER LINE
	PROPOSED 8" WATER LINE
	EXISTING SEWER LINE
	PROPOSED SEWER LINE
	EXISTING IRRIGATION LINE
	PROPOSED PRESSURE IRRIGATION
	EXISTING OVERHEAD POWER
	EXISTING TOP OF BANK
	EXISTING CONTOUR LINE
	EXISTING SEWER MANHOLE
	PROPOSED SEWER MANHOLE
	PROPOSED SEWER CLEANOUT
	PROPOSED FIRE HYDRANT
	EXISTING WATER VALVE
	PROPOSED WATER VALVE
	EXISTING WELL
	EXISTING G. VALVE
	EXISTING IRRIGATION MANHOLE
	EXISTING STORM DRAIN CATCH BASIN
	EXISTING SERVICE POLE
	EXISTING POWER POLE
	EXISTING POLE ANCHOR
	EXISTING ELECTRICAL BOX
	EXISTING LIGHT POLE
	PROPOSED STREET LIGHT
	EXISTING TELEPHONE RISER
	EXISTING SIGN
	EXISTING WATER METER
	PROPOSED WATER SERVICE
	PROPOSED PRESSURE IRRIGATION SERVICE
	EXISTING STORM DRAIN MANHOLE
	EXISTING SPIGOT
	EXISTING TREE
	EXISTING BUSH



UTILITY REPRESENTATIVES		
UTILITY	REPRESENTATIVES	PHONE
GAS	INTERMOUNTAIN GAS	(208) 377-6839
ELECTRICITY	IDAHO POWER	(208) 388-6320
TELEPHONE	CENTURY LINK	(208) 877-290-5458
CABLE TV	CABLE ONE	(208) 375-8288
SEWER	CITY OF MIDDLETON	(208) 585-8611
WATER	CITY OF MIDDLETON	(208) 585-6611
ROADS	CITY OF MIDDLETON	(208) 972-3013
GRAVITY IRRIGATION	MIDDLETON MILL DITCH CO.	(208) 585-3207
FIRE	MIDDLETON RURAL FIRE DISTRICT	(208) 585-6650



LANDSCAPE ARCHITECT
GREG BAER
BAER DESIGN GROUP, LLC
10027 N. PALISADES WAY
BOISE, ID 83714
(208) 859-1980

OWNER
PAUL WATSON, MANAGING MEMBER
WTW, LLC
23565 HARTLEY LANE
MIDDLETON, IDAHO 83644
(208) 907-0066

REPRESENTATIVE
JAY WALKER, PRINCIPAL
ALLTERRA CONSULTING
849 E. STATE ST., STE 104
EAGLE, IDAHO 83616
(208) 484-4479

LAND SURVEYOR
RICHARD GRAY, PLS
COMPASS LAND SURVEYING
3818 E. NEWBY STREET
NAMP, ID. 83687
(208) 442-0115

CIVIL ENGINEER
JIM E. COSLETT, P.E.
ROCK SOLID CIVIL LLC
270 N. 27TH STREET
BOISE, ID 83702
(208) 342-3277

CALL BEFORE YOU DIG!
CALL DIGLINE INC.
PRIOR TO COMMENCING
UNDERGROUND WORK
208-342-1585

Revisions

Date	Description
1	
2	
3	
4	

ROCK SOLID CIVIL
Civil Engineering and Land Development Consulting
270 North 27th Street, Boise, ID 83702
Office Phone: (208) 342-3277
www.rocksolidcivil.com

Project Name: **STONEHAVEN SUBDIVISION**

Sheet Name: **PRELIMINARY PLAT COVER SHEET, GENERAL NOTES AND DETAILS**

Project No.: RSC 18-08

Drawn By: JEC

Date: November 10, 2020

Sheet No.: **1** of **5**

PROFESSIONAL ENGINEER
JIM E. COSLETT
10692
H/10/2020
STATE OF IDAHO

Ordinance No. 642

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, AMENDING THE MIDDLETON CITY CODE TITLE 1, CHAPTER 3, SECTION 1 ADDING DEFINITIONS FOR APARTMENT AND DWELLING, SINGLE-FAMILY ATTACHED AND UPDATING DEFINITIONS FOR DWELLING, MULTI-FAMILY, DWELLING, SINGLE-FAMILY AND SUBDIVISION; AMENDING TITLE 4, CHAPTER 1, SECTION 1 ADDING REGULATIONS FOR PRIVATE LANES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho, is a municipal corporation organized and operating under the laws of the State of Idaho, and

WHEREAS, the City of Middleton, Idaho, seeks to update the provisions of its city code to modify definitions and regulations; and

WHEREAS, the City held a public hearing, noticed and conducted in accordance with Idaho law, before the city council on October 21, 2020; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1: Middleton City Code Title 1, Chapter 3, Section 1 DEFINITIONS is hereby amended to read in relevant part as follows:

APARTMENT: A room or suite of rooms in a multi-family structure which is used as a single housekeeping unit (EDU) and has complete kitchen facilities permanently installed.

DWELLING, MULTI-FAMILY: A building, or portion thereof, containing three (3) or more dwelling units, commonly referred to as apartments and may include public housing.

DWELLING, SINGLE-FAMILY: A building designed for use and occupancy by one family, is an equivalent dwelling unit (EDU) and has waste water flow of 250 gallons per day per unit.

This definition excludes any group residence whose occupants are under the supervision of the state board of correction pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

DWELLING, SINGLE-FAMILY, ATTACHED: A dwelling consisting of two or more dwelling units attached to one another by a common wall(s) with each dwelling unit being on a separate lot, commonly referred to as townhouses and/or townhomes.

SUBDIVISION: The division of any site, lot, tract or parcel of land, as it ~~existed at the effective date of the adoption of the subdivision ordinance, August 10, 1976~~ exists, into more than one part for the purpose of transfer of ownership or development, whether immediate or future, and as more fully described in section 5-3-1 of this Code.

Section 2: Middleton City Code Title 4, Chapter 1, Section 1, is hereby amended to read as follows:

A. Building Permit Required; Exceptions: No structure or accessory structure over two hundred (200) square feet shall be constructed, remodeled, renovated, or added-to within the City of Middleton without first obtaining a building permit and paying the established fees.

1. Exceptions:

- a. Replacing or upgrading exterior glass, without changing the frame.
- b. Removal of asphalt shingles and replacing with same roofing type without altering or repairing of existing sheeting.
- c. Adding a second layer of asphalt shingles over an original layer of asphalt shingles.
- d. Repairing and replacing individual shingles and/or roofing tiles.
- e. Residential fencing that complies with this Code.
- f. Replacing cabinets without changing plumbing or electrical.
- g. Repairing, but not replacing, existing plumbing fixtures.
- h. Contact City building official for other exemptions.

B. Certificate Of Occupancy: The building official shall not issue a certificate of occupancy for a building until all necessary subdivision infrastructure improvements have been constructed and accepted by the City, and debris has been removed from subdivision vacant lots. A certificate of occupancy will not be issued until any damage to public improvements by a homebuilder is repaired at the home builder's expense. (Ord. 609, 7-3-2018)

C. Stamped Plans: All plans for public, commercial, industrial and multi-family buildings exceeding four (4) dwelling units must be stamped by a licensed architect and/or a licensed engineer.

D. Subdivided Lot: No residence or commercial building shall be erected or moved onto any lot unless said lot has been legally subdivided and has thirty feet (30') of frontage on a public right-of-way and meets all the requirements of title 5 of this Code.

E. Traffic Impact Analysis: The City may require an applicant, at the applicant's expense, to conduct a traffic impact analysis for any commercial or industrial use requiring a building permit.

F. Address Numbering: All residential, commercial and industrial buildings within the City shall be numbered with an address assigned by the City. Numbers on residential buildings shall be a minimum of four inches (4") in height. Numbers on commercial and industrial buildings shall be a minimum of twelve inches (12") in height. Number colors should contrast with the building color so that they are plainly visible.

G. Sewer Connection: When a new connection is made to the sewer main, a cast iron hub shall be used unless an alternate connector is approved by the City.

H. Driveways: All lots shall front upon a public road unless otherwise approved by the City. Residences having a garage shall have a hard surface of concrete or asphalt driveway and approach with a width at least equal to the garage width that extends from the garage to the abutting public road. Driveways from garages not facing the street shall be a minimum twelve feet (12') wide between the garage and publicly maintained roads.

I. Private Lanes: Private lanes may be constructed to access single family, single family attached, and/or apartment residences. Private lanes will be reviewed on a case-by-case basis and must be specifically approved by the city.

J. Agricultural Buildings: Agricultural buildings are exempt from the Building Codes adopted herein but shall remain subject to zoning regulations.

K. Tiny Houses: A building permit is required, and either certification by the RV or mobile home manufacturer associations or on a foundation following the International Residential Code.

L. Minimum Room Count: A dwelling unit shall contain at least three (3) rooms, which shall include a kitchen (with appliances for cooking food, a sink and storage) and bathroom (with a sink, toilet and tub or shower), separate from each other and all other rooms.

M. Mobile Units: No recreational vehicle, camper, camp trailer, tent or other portable or mobile structure or unit may be used as a residence.

N. Demolition Permit: A demolition permit is required from the City if a portion of a non-agricultural structure is to be demolished. No permit is required if an entire structure is to be demolished.

Section 3: This ordinance, or a summary thereof as provided by Idaho Code §50-901A, shall be published in one (1) issue of the official newspaper of the City of Middleton, Idaho, and shall take effect immediately upon its passage, approval and publication.

Dated this _____ day of October, 2020.

CITY OF MIDDLETON
Canyon County, Idaho

Steven J Rule, Mayor

ATTEST:

Jennica Reynolds, Deputy City Clerk