
**MIDDLETON CITY COUNCIL
OCTOBER 19, 2022**

The Middleton City Council Meeting was called to order on October 19, 2022, at 5:32 p.m. by Mayor Steve Rule.

Roll Call:

City Council: Council President Kiser, Council Members O'Meara, Council Member Huggins and Murray were present.

Mayor Steve Rule, City Attorney Taylor Yett, City Administrator Becky Crofts, Planning Official Roberta Stewart, Public Works Director Jason Van Gilder and Deputy Clerks Jennica Reynolds and Amber Day were present.

Pledge of Allegiance, Invocation: Jennica Reynolds

Action Items

A. Approve Amended Agenda

Motion: Motion by Council President Kiser to approve the agenda as posted October 18, 2022, at 9:30 p.m. Motion seconded by Council Member O'Meara and approved unanimously by all the board members present.

Information Item:

Presentation from the Cemetery District for the installation of a crosswalk connecting the west and east cemetery sites across Cemetery Rd. - John Sandborg.

Mayor Steve Rule called information item and John Sandborg with Cemetery District presented getting a sidewalk connecting the west and east cemetery sites. Also mentioned getting a speed bump put in place.

No decisions were made only information was shared.

Action Items:

- 1. Consent Agenda (items of routine administrative business) (*Action Items*)**
 - a. Consider approving minutes for City Council October 5, 2022, Special Meeting**
 - b. Consider approving minutes for City Council October 5, 2022, Regular meeting.**
 - c. Consider ratifying payroll for October 7, 2022, in the amount of \$ 97,733.55.**
 - d. Consider approving accounts payable through October 11, 2022, in the amount of \$494,703.15.**

Mayor Steve Rule called the items. Council Member Huggins asked if the Consent Agenda could be taken up at the end of the meeting because the AP Registers were not in the DropBox packet.

Motion: Motion by Council President Kiser to move Consent Agenda Items 1 a-d. to the end of the agenda. Motion seconded by Council Member O'Meara and approved unanimously.

2. Consider a request from 208 Burger Q to reconsider a beer and wine license. – Representative from 208 Burger Q.

Mayor Rule called item and Rebecca Martin presented a request to reconsider and approve a beer and wine license for 208 Burger Q.

Council members asked about measurements to the property from the Church across the street at 309 W. Main Street. Council discussion about obtaining exact measurements to the Church from 208 Burger Q and tabling this item until next city council meeting on November 2, 2022.

Motion: Motion by Council President Kiser to table Action item 2 to the next regularly scheduled meeting on November 2, 2022. Motion seconded by Council Member Huggins and approved unanimously.

3. Consider A.M.E. Electric Proposal # 2022-770, to repair the South Dewey Pole Light and Base in an amount not to exceed \$11,200.00. – Jason VanGilder

Mayor Rule called the item and Public Works Director Jason Van Gilder presented a Pole light and base at South Dewey that needs replaced in an amount not to exceed \$11,200.

Motion: Motioned by Council President Kiser to approve A.M.E. Electric Proposal #2022-770, to repair the South Dewey Pole Light and Base in an amount not to exceed \$11,200.00. Motion seconded by Council Member O'Meara and approved unanimously.

4. Consider A.M.E. Electric Proposal # 2022-771, to repair the Hwy 44 at Subway Pole Light and Base in an amount not to exceed \$11,000.00. – Jason VanGilder

Mayor Rule called the item and Public Works Director Jason Van Gilder presented a Pole light and base at South Dewey needs replaced and amount will not exceed \$11,000.

Motion: Motioned by Council President Kiser to approve A.M.E. Electric Proposal #2022-771 to repair the Hwy 44 at Subway Pole Light and Base in an amount not to exceed \$11,000.00. Motion seconded by Council Member O'Meara and approved unanimously.

Mayor Rule called for a brief break at 6:09 p.m. and the meeting resumed at 6:17 p.m.

5. Public Hearing: Application by Infinite Real Estate/Amy Johnson for annexation/rezone, preliminary plat and development agreement with respect to the Pheasant Heights Subdivision located at 0 Emmett Road and 13236 Greenwell Lane (Tax Parcel Nos. R34445012A2, R34445012A0, R34445012B0 and 34445012A1). The proposed preliminary plat consists of 147 single-family home lots and 12 common lots on 54.06 acres of land zoned Canyon County C1, R1 and Agricultural. Applicant is requesting a zone change to Middleton R-3 (Single-Family Residential). – Roberta Stewart

Mayor Rule opened public hearing at 6:18 p.m.

Mayor Rule called item the item and Planning Official Roberta Stewart gave a PowerPoint presentation on the application for annexation/rezone preliminary plat and development agreement with respect to the Pheasant Heights Subdivision. (Exhibit 1)

She also introduced into the record the Recommendation for Approval from the City Engineer (Exhibit H) and letters from homeowners received after the staff report had been uploaded to the agenda packet. (Exhibit I)

Applicant Representative: Hethe Clark presented a PowerPoint of the 56-acre site. (Exhibit 2)

He highlighted that the developer will be constructing a traffic light at Emmett and SH44 before any building permit can be issued. This is stated in the Development Agreement.

Councilman Kiser asked if the existing home in the center of the plat. Mr. Clark said yes, the home will stay.

Mayor Rule asked how the fees per homes agreed to be paid to the school district originated.

Mr. Clark said they had a conversation with the school district on their own and came up with the payment after working with the school district. They were not directed by City Staff to work out any such agreement with the School District.

Councilman Murray asked about the type of light proposed and density to the west of Emmett Rd.

Mr. Clark explained it looks to be a 3- legged light and that property in the County is zoned R-1 with commercial on their lot adjacent to the High School. It is his opinion that the Future Land Use Map calls for higher density closer to the High School. It becomes difficult to economically expand the infrastructure of city utilities to 1-acre lots.

Councilman O'Meara asked if the developer had addressed a letter from Greater Middleton Parks and Recreation District. The development will bring in 147 more soccer players, what are they going to do for that group. Mr. Clark said no, and he understands Councilman O'Meara is advocating for that group, but the developer is not opposed to doing so. Councilman O'Meara asked if the developer had reached out to the Cemetery District. Mr. Clark said no, but the development would be contributing property tax that goes to that agency as well.

Mayor Rule called for a brief recess at 7:08 p.m. and the meeting resumed at 7:18 p.m.

Mayor Rule opened Public Comment at 7:18 p.m.

Nick Hilton: Opposed – Concerned about Zoning change from County R-1 to City R-3.

Ray Wolverton: Opposed – Concerned about traffic and zoning change.

Brian Sheets: Opposed – Restated letter that was added as part of Exhibit 1.

Dan Crossley: Opposed - Traffic concerns.

Roy Thweatt: Opposed – Concerns about school capacity and rezoning.
Brian Hymas: Opposed - Concerns about schools, police and quality development.
Aaron Spoor: Opposed – Doesn't like high density. Opposed to R-3.
Mike McDougal: Opposed – PZ rejected R-3.
Brent Heck: Opposed – Concerned about traffic and zoning change, and safety and school capacity.
Garen Apple: Opposed – Concerned about orderly development and stub roads to nowhere.
Todd Spaulding: Opposed – Wants R-1.
Theresa Denham: Concerns about school capacity, rezoning, traffic, orderly development.
Mike Grafe: Wants to get an answer on buildable lots vs. gross acre.
Janet Gibson: Concerned about traffic, impact fees, school capacity.
Todd Ognibne: Neutral – Concerns about what impact fees pay for, sewer capacity, schools and traffic.
Terry McCoy: Concerned about traffic and zoning change and rapid growth.
Ken Letum: Concerned that traffic signal will never happen and the zoning change.

Applicant Rebuttal: Hethe Clark

- P&Z Commission is a recommending body, City Council can modify the recommendation.
- Impact fees from Mid/Star CIP do not pay for the traffic signal, a portion of the traffic pro-rata fees paid by the developer go toward the light at Emmett and SH44.
- The DA is an enforceable contract.
- R-1 vs R-3 is not Section 8 housing.
- Properties that stay as R-1 are developed in the County and provide no improvements to the City.
- The Goal is to respect the future land use plan that has been established and help the City.

Mayor Rule closed Public Comment at 8:20 p.m.

Council Discussion:

Mayor Rule asked Councilman O'Meara if he would like to address a conflict of interest given O'Meara's position with GMPRD and his specific question to Mr. Clark about helping park infrastructure. Councilman O'Meara said there is no conflict of interest, and he is fully capable of making an informed decision as a Council Member.

Discussion ensued regarding density, traffic lights, access of subdivision and schools. Council Member Huggins believes no solution to Emmett and SH44 intersection without developer help. The County residents have been heard, but they do not use City services.

Motion: Motion by Councilman Kiser to deny the application by Infinite Real Estate/Amy Johnson for annexation/rezone, preliminary plat and development agreement with respect to the Pheasant Heights Subdivision. Motion seconded by Councilman O'Meara.
Role Call: Kiser – Yes, Huggins – No, Murray – Yes, O'Meara – Yes.

Motion passed with 3-1 vote.

Mayor Rule closed the Public Hearing at 8:31 p.m.

- 6. Consider adopting Ordinance No. 671: AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, ANNEXING TO THE CITY OF MIDDLETON, IDAHO, CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MIDDLETON, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY TO R-3 (SINGLE FAMILY RESIDENTIAL);**

This action item was removed from agenda as it does not apply because of the denial of action item 5.

- 7. Public Hearing: To approve the Additional Construction Walk Through Reinspection fee to be added to the approved City of Middleton Fee Schedule effective October 20, 2022. – Roberta Stewart**

Mayor Rule opened the Public Hearing at 8:32 p.m.

Roberta Stewart explained the new fee of \$300.00 per trip for additional construction walk through because developers are not completing the punch list items required and ultimately wasting City Staff and Engineer time. (Exhibit 7)

Mayor Rule opened public comment at 8:34 p.m.

None.

Mayor Rule closed public comment at 8:34 p.m.

Motion: Motion by Councilman Kiser to approve the Additional Construction Walk Through Reinspection fee to be added to the approved City of Middleton Fee Schedule effective October 20, 2022. Motion seconded by Councilman O'Meara and approved unanimously by Roll Call Vote.

Mayor Rule closed the Public Hearing at 8:36 p.m.

Public Comments

- Mike Graefe: Is there another space available for large public hearings. Perhaps the Trolley.
Mayor Rule responded he will work with the High School to make sure on large public hearing the government students don't take up all the space.
- Jim Taylor: Council works for the City residents not the County. He is also concerned about conservation of money, police and city vehicles being driven outside city limits.
Becky Crofts responded that Police are allowed to take their vehicles home if they live in City. Public Works employees who are On-Call can take a city vehicle home. No other employees take city vehicles home.
- Mike McDougal: Appreciates the public involvement and opportunities to participate.

Mayor and Council Comments

Council Member Huggins stated that the cost of the infrastructure of city utilities will not

be supported by R-1 zoning only. Higher density pays for itself better than R-1. Utility bills for City residents will increase if R-1 is brought into the city. R-1 will not pay its way for maintenance.

Councilman Murray: R-1 was the place for that development.

Councilman O'Meara informed the Council he will be absent on December 7, 2022, for surgery will not attend that meeting.

Becky Crofts informed the Council there will be a Special Meeting on November 30, 2022, to consider the approval of the Urban Renewal District – East Area. The City will also look at possibly canceling the December 21, 2022, meeting, or perhaps having a short consent agenda.

Mayor Rule said that last year the city issued 197-200 building permits. This month so far one. The city will be watching the budget very closely and anticipates loss of revenue. Utility fees in Middleton are way behind what they should be. They have not been kept up and maintained for the last two decades. Middleton needs to make big adjustments. There is a Independent Utility Rate Study in place. The city is also looking at Stormwater management and requirements for the MS4 Permit.

Adjourn: Mayor Rule adjourned the city council meeting at 9:00 p.m.

ATTEST:


Amber Day, Deputy Clerk
Minutes Approved: November 2, 2022

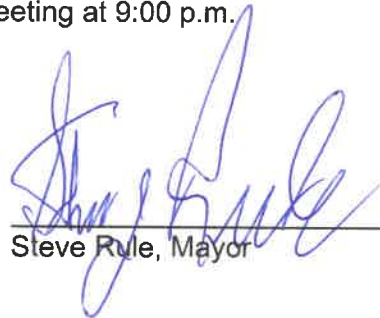
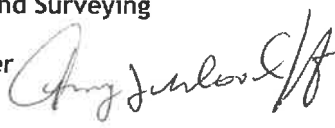

Steve Rule, Mayor





Exhibit H

5605 South 10th Ave. • Caldwell, Idaho 83607 • 208.453.2028

DATE: October 19, 2022
TO: Roberta Stewart, Planning and Zoning Official
Cc: Richard Grey, PLS, Compass Land Surveying
FROM: Civil Dynamics PC, City Engineer Amy Woodruff, PE 
RE: Pheasant Heights
PRELIMINARY PLAT - CONDITIONAL RECOMMENDATION OF APPROVAL

Thank you for the opportunity to review the above captioned preliminary plat. The plat before you generally meets Middleton City Code with the exceptions below:

1. Easements of record may not be showing on the face of the plat per MCC 5-4-4.A.2.h.
2. Emmett road cross section revisions needed and drafting inconsistencies.

For reasons related to public notice and public participation it is recommended the City Council go forward with the public hearing. If the City Council does approve the Pheasant Heights preliminary plat, please condition the approval that the preliminary plat must meet MCC 5-4-4.A.2.h. and the plat must comply with all the requirements of the City Engineer and Planning Official.

Exhibit I

From: Rob Scott
To: Roberta Stewart
Subject: Pheasant Height Public Comment
Date: Monday, October 17, 2022 8:27:59 PM

Dear City of Middleton Planning and Zoning

We live in an R1 development near Hartley Lane and Cowboy Lane.

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was denied. You are reconsidering this today, and we ask that it again be denied as the main issues presented at that meeting have not been mitigated at this time.

During both the community meeting and the hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

- 1) School capacities at or near full, as noted in a letter provided to you by Mr Marc Gee.
- 2) The sewage system is outdated per the EPA 2016 inspection. we were given until 2021 to fix THOSE problems which were addressed for a projected growth much less than the growth that has been planned since the 2021 projections. While there are fixes underway, they do not account adequately for the capacity needed for current approved and proposed growth.
- 3) Water issues cannot be swept under the carpet. We see AVIMORE, Lake Lowel and Kuna with local area existing wells drying up. We look at the Middleton area aquifers which are reflected in the 2019 Federal Hydrological Study, which a copy was provided to you during the previous Pheasant Heights hearing. Please see page 22 AND 23 highlighted sections showing that clear back in 2012 the inflow of 1,461,726 gallons and the outflow of 1,543,090 gallons show that there is truly not enough water to sustain the area with the kind of growth we have seen in 2020, 2021, 2022 and beyond. Any rational analysis should consider this a huge red flag for more growth until we can determine the long term ability to manage the water. As we know, last year we were on "drought" concerns and asked to limit water- this similar tactic was used in California, whereas the city then took the "rationed basis" to approve more housing, because there was "more water available" if people rationed use. This is not an acceptable tactic to use in Middleton!
- 4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety around the school.
- 5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for

rezone. This is a waste of taxpayer dollars for something already decided previously.

Kindly

Rob Scott , Captain I
Los Angeles City Fire Department
Los Angeles International Airport
7250 World Way West
Los Angeles, CA. 90045
(213)978-2180
C (949) 750-7556

From: Jeremy Rudolph
To: CITMID
Cc: Roberta Stewart; Jennica Reynolds; Kylie Billingsley
Subject: Pheasant Height Public Comment 10/19/22
Date: Monday, October 17, 2022 10:27:22 PM

Dear City of Middleton Planning and Zoning,

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was denied.

The City council again are reconsidering this today, and we ask that it again be denied as the main issues presented at that meeting have not been mitigated at this time.

During both the community meeting and the hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

- 1) School capacities at or near full, as noted in a letter provided to you by Mr Marc Gee.
- 2) The sewage system is outdated per the EPA 2016 inspection. We were given until 2021 to fix THOSE problems which were addressed for a projected growth much less than the growth that has been planned since the 2021 projections. While there are fixes underway, they do not account adequately for the capacity needed for current approved and proposed growth.
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- 4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety around the school.
- 5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

None of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated. Based on this, we

respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone.

Kindly,

Jeremy Rudolph and Dr. Kylie Billingsley

From: [Sandy](#) *****
To: [Roberta Stewart](#)
Subject: Please stop this INSANE growth!
Date: Tuesday, October 18, 2022 5:52:52 PM

Dear Middleton City Council-

On April 11, 2022 , Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was recommended for denial by the city Planning and Zoning, and we thank them for considering our concerns.

Today, the City Council, against the recommendation of planning and zoning is reconsidering this application, and we ask that it again be denied as the main issues presented at previous meetings have not been mitigated at this time.

During both the community meeting and the P&Z hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

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- 4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety

around the school.

5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone. This is a waste of taxpayer dollars for something already decided previously.

I have lived in Middleton just shy of 30 years now. I moved here for the small town, country feel. That has disappeared. I am unable to even get out of my driveways at certain hours of the day! My life must now be planned around traffic. Due to circumstances beyond my control I have been forced to spend a lot of time in Boise over the spring and summer. Honestly, I would move back there in a heartbeat. Middleton is no longer the quiet, safe community it once was. Please STOP this insane growth!

Kindly
Sandy Ingalls

From: [Lisa K. Mayerhofer](#)
To: [Roberta Stewart](#)
Subject: Pheasant Height Public Comment
Date: Wednesday, October 19, 2022 7:10:26 AM

Dear Middleton City Council -

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was recommended for denial by the city Planning and Zoning, and we thank them for considering our concerns.

Today, the City Council, against the recommendation of planning and zoning is reconsidering this application, and we ask that it again be denied as the main issues presented at previous meetings have not been mitigated at this time.

During both the community meeting and the P&Z hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

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The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high

school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone. This is a waste of taxpayer dollars for something already decided previously.

Kind regards,
Lisa Mayerhofer
Middleton resident

From: [Jose Jauregui](#)
To: [Roberta Stewart](#)
Cc: [Lisa Jauregui](#)
Subject: Pheasant Height Public Comment
Date: Wednesday, October 19, 2022 7:09:43 AM

Dear Middleton City Council-

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was recommended for denial by the city Planning and Zoning, and we thank them for considering our concerns.

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During both the community meeting and the P&Z hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

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- 5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone. This is a waste of taxpayer dollars for something already decided previously.

Kindly

Jose M Jauregui and
Lisa R Jauregui

Sent from my iPhone

From: [Kenneth Leytem](#)
To: [Roberta Stewart](#)
Subject: Pheasant Height Public Comment
Date: Tuesday, October 18, 2022 8:07:58 PM

Date: 10/18/2022

To: Middleton City Council

CC: Roberta Stewart

Subject: Pheasant Height Public Comment

Middleton City Council,

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3 and to annex. This was recommended for denied by the city Planning and Zoning, and we thank them for considering our concerns.

Today, the City Council, against the recommendation of planning and zoning, is reconsidering this application, and we ask that it again be denied as the main issues presented at previous meetings have not been mitigated at this time.

During both the community meeting and the P&Z hearing, aspects of the plan were brought up by the community of Middleton, with a request to maintain this subdivision at one house per acre while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in while minimally affecting issues by keeping the subdivision as an R1 community.

On April 14, 2022, the City of Middleton held a Community Open House to provide zoning and development density input. The community overwhelmingly rejected the building of large, dense housing subdivisions and rezoning in areas currently zoned as county R-1, North of Willis Rd, and along Emmett Rd, Hartley Ln, and Cemetery Rd. The reason for this rejection was echoed by speaker after speaker. There was no community support for introducing large dense housing subdivisions in these areas.

These areas along Emmett Rd, Hartley Ln, and Cemetery Rd, already have communities present that are all R-1 zoning. The residents living in these neighborhoods purposefully purchased homes and properties in these areas because of the rural aesthetics. The introduction of R-3 housing to these areas is unnecessary, unwanted and would cause irreconcilable loss of safety, security, property values, property rights, and lifestyle.

Additional concerns included school capacity, as noted in a letter provided to you by Mr. Marc Gee. Outdated public works projects, namely, the sewage system, is outdated per the EPA 2016 inspection. We were given until 2021 to fix THOSE problems, which were addressed for a projected growth much less than the growth planned since the 2021 projections. While fixes are underway, they do not account adequately for the capacity needed for current approved and proposed growth.

Water issues cannot be swept under the carpet. We see AVIMORE, Lake Lowell, and Kuna with local area existing wells drying up. We look at the Middleton area aquifers which are reflected in the 2019 Federal Hydrological Study, which a copy was provided to you during the previous Pheasant Heights hearing. Please see pages 22 AND 23, highlighted sections showing that clear back in 2012, the inflow of **1,461,726** gallons and the outflow of **1,543,090** gallons *show that there is truly not enough water to sustain the area with the kind of growth we have seen in 2020, 2021, 2022 and beyond.* Any rational analysis should consider this a **huge red flag** for more growth until we can determine the long-term ability to manage the water. As we know, last year we were on "drought" concerns and asked to limit water- this similar tactic was used in California, whereas the city then took the "rationed basis" to approve more housing because there was "*more water available*" if people rationed use. This is not an acceptable tactic to use in Middleton!

Finally, the issue surrounding public safety and traffic. Middleton has asked and was denied to use of Canyon County for our policing needs. Until we have a solid, stable police force, it is unacceptable to continue to allow more housing. Traffic concerns at Emmett and Hwy 44 have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and safety around the school.

Because not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

Suppose a developer purchases property knowing that it or its surrounding neighborhoods are R1. In that case, the fact that it doesn't "pencil out," per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities and negative attributes they would create for our community. Additionally, the developer's rights to purchase the land do not supersede the property rights of citizens living in neighborhoods around the proposed site.

Please deny the rezone from R1 to R3 for the Pheasant Heights subdivision. Make it known that areas where existing communities of R1 housing exist (Emmett Rd, Hartley Ln, Cemetery Rd), will not be open for rezoning. This is a waste of taxpayer dollars for something already decided previously.

83644

Kenneth J Leytem

24532 Blackbird St. Middleton, Idaho

October 18, 2022

Middleton City Council

Attn: Mayor Steven Rule, Council Members-Rob Kiser, Tim O'Meara, Carrie Huggins, David Murray; and R. Stewart

Via email: rstewart@middletoncity.com

1103 W. Main Street

Middleton, Idaho 83644

Re: Public Comment:

Pheasant Heights Subdivision rezoning and annexation request to City Council on agenda 10-19-2022

Request was denied by Planning and Zoning for rezoning April 22, 2022

Request for Annexation approved for R-1 (as currently zoned) April 22, 2022

Dear Mayor Rule, Council Members, and R. Stewart,

I am a very concerned citizen regarding this development. As such, I have attended each and every meeting there has been regarding this development. From the beginning, at the Community Meetings held by this Developer at Ridley's in Middleton, represented by Amy Johnson, I and many other "concerned citizens" have voiced our opinions of our disagreement to the zoning being changed from R-1 to R-3. The first meeting held at Ridley's was reported by the developer to P&Z in writing, that we, the concerned citizens, were in "agreement" with the changes. Nothing could have been further from the truth. You have this on record in the Pheasant Heights project file from the developer if you would like to double check it. **The consensus of almost all in attendance were against their planned development and rezoning due to the additional impact this project would add to the already overly impacted area.** When I say the almost all in attendance were against this development proposal, let me clarify-as in only a few, a handful at most of those "concerned citizens" in attendance remained either neutral or agreed with the Pheasant Heights proposal. **I reaffirm to be clear, the consensus of the neighborhood was against the Pheasant Heights Subdivision proposal, due to request for rezoning to high density R-3 from R-1 (current zoning).** I know I and many of the concerned citizens of this neighborhood have no issue with development under the current R-1 zoning with annexation to facilitate sewer and water services as the area expands.

On April 11, 2022 the developer (Salt Dev. Co.) represented by Amy Johnson presented their proposal to the Planning and Zoning Commission. There were many concerned neighborhood residents again in attendance, specifically again stating the concerns of the impact the R-3(high density) project would add to our neighborhood. Most of the areas of concern for impact are still relevant today. The list is as follows and is certainly not inclusive:

1. **School Impact:** Please refer to Superintendent Mr. Marc Gee's letter to Middleton City Council, P&Z earlier this summer. As he stated, Middleton School District is busting at the seams, almost at capacity currently with no funds to add infrastructure or mitigate the influx of children. He stated the current state of the establishment, Middleton School District. Forecast the expected impact of the already approved R-3 projects being developed in the area and the impact

compromises what quality of education we have currently. This is not responsible and a huge concern. Until we mitigate these current impact issues within the Middleton School District with a plan in affect, I feel any zoning that is not already currently R-3 should be developed as zoned, or highly scrutinized for the impact it will present. The recent request for a levy/bond to help change this issue was denied by the voters. Therefore, at this time nothing within this negative impact has changed. As a side note, this project Pheasant Heights Subdivision, is right across from our Middleton High School, increasing the traffic impact directly in this area. (Emmett Road is already extremely dangerous for ingress and egress, by the high school and at Hwy 44)

2. **Community Safety:** This is another continuing issue which you are aware of being that your request for Canyon County to give our area more policing coverage was denied at this time. To me by you requesting this help, you recognize the immediate need for this coverage. As a community member, I would like to suggest that our City Council get our Police force and EMS, Fire staffed to an adequate compacity to accommodate the current population and the development that has been approved. VERY soon these new homes will be occupied by families moving to our community. We need these important services to sustain the current quality of life, i.e. safety, integrity, community, that brings families to Middleton.
3. **Sewer Impact:** There are several issues here which have been brought up during the Planning and Zoning meeting aforementioned (April 11, 2022). The current capacity of Middleton's sewer system has not met the 2016 requirements that were to be done by 2021. Those upgrades were based on the population of 2016. Even though things are currently working toward the initial 2016 requirements (2021), we are behind due to the abundance of development to our area. By continuing to add to these issues with high density change in zoning being approved, in my opinion, we are just asking for trouble. Example, I recently saw a sewage issue that was backfilling from a sewer cap in the road into a small ditch along Highway 44 over by Burgess Pump and the Eye Doctor business. There was sewage on the ground and the ditch was full of waste. What that issue was, I do not know. But we can naturally expect such consequences, and heaven forbid that it begin to taint our ground water or the Boise River. It goes without saying, that sewage literally does move downhill. If we do not get a responsible handle on the growth and get the waste treatment facility expanded to be adequate for our community. My husband does this for a living and it takes a good year, mostly 2 from plan to finish to fix these types of issues. (It always depends on the size of the project, of course) The consequences of this current under adequate system are unthinkable. If we don't fix this soon, it can and will hugely undermine our value and quality of life.
4. **Water Impact:** Current study of our aquifer in the 2019 Federal Hydrological Study, which you have a copy of from our April 11th P&Z meeting, show that we are taking more from the aquifer than what is coming in. This study impact doesn't include 2020, 2021 or 2022 development. Other local Treasure Valley Communities-Kuna, AVIMORE, Lake Lowell, West Boise have seen, due to large development, personal wells going dry. This happens because of the underestimating of need and the over estimation of resources for development. Last year, Middleton was on "drought" alert and asked to conserve water so our farmers would have enough to get them through the growing season. Rationing water to continue development is neither smart nor "quality" living. Just adjusting the numbers ie...gallons of water used per person, per household, per day rationing, is not responsible mitigation of our water issues. As a

Native Idahoan, I do not wish to experience what many others coming from other states have experienced where irresponsible growth has made the ration of water the “new” normal. These areas are where families are penalize for water overuse (based on gov’ts unrealistic household perimeters-i.e. 50 gal of water per person, per day) and where gov’t has begun to require metering of personal wells. This is an extreme example, but it is the path irresponsible management of resources can lead. For our Middleton Community, we still have time to make good choices and correct the direction of our community’s development.

5. **Traffic Impact:** Specific Traffic Impact of this development was stated above in the School Impact section. Emmett Road and Hwy 44 have continued to be overly congested and highly dangerous due to the increased traffic already coming from the developments above the high school. During commute rush hour traffic and school traffic, morning and afternoon, it is almost impossible to safely turn onto Hwy 44 to the left. I understand the State DOT issues, with the City and County issues, but until we are in a safer traffic situation with solutions in action, more high density development approval in this area is not helpful. I have also seen children trying to cross the street to get to school through the roundabouts, almost be hit by inattentive drivers. How many children and families are worth the risk of this development, and others, to R-3 from R-1? Finally, specifically for Pheasant Heights, one of the ingress and egress designated roads are through a current 1 acre, high end development that is almost fully occupied with families with children. Pheasant Heights will add: 147? 133? Homes (I don’t remember the exact number of proposed R-3 homes for Pheasant Heights) with usually 2 cars per household using this currently quiet neighborhood as access to 9th Street and Emmett Road. Add a couple young adults or teenagers driving through the neighborhood and we have estimates at the low end of additional driving activity of 332 ½ daily drivers going through that neighborhood. In comparison, developed as zoned R-1, the impact is almost 1/3 that amount. The estimates would be 40 homes, 80 double drivers, with another 40 possible young adult, teen drivers. To me, that’s a big difference in the traffic impact. Please consider this.

These facts where facts that Planning and Zoning all considered on April 11, 2022, before the temporary moratorium. These impact facts have not changed. All these issues still need to be mitigated. This is the reason that the P&Z responsibly DENIED the Pheasant Heights Subdivision rezoning request, but approved and showed compromise for the annexation of the project to City of Middleton.

A SPECIAL NOTE: This developer purchased this project/property knowing that the current zoning was R-1. When I asked Amy Johnson at the 1st Community meeting why not leave the zoning R-1 instead of asking to rezone to R-3, her answer was, “It doesn’t “pencil out” for development for them. Of course it doesn’t pencil for the developer. The “pencil” depends on your expected profit margin. It’s all about the net profitability of the project, whether they develop this project, or whether they sell it to a national developer. It’s about the money. In my opinion that should have been considered BEFORE purchasing the property. It should have Penciled either way with the added bonus if they got the zoning changed it would be even more profitable. They purchased this property banking on the change to R-3. I know as I have worked for 30 years in the industry as a lender. I have seen the impact development has on a community. Often, the developer bring their own builders, their own lenders, use their own

title and escrow companies (sometimes they utilize local ones that they have national agreements with). Unfortunately, normally, there is very little gain for the local community developed except the impact of what is left with the growth and issues therein after the developer leaves.

Finally, at the April 11, 2022 P&Z meeting, the project representatives and Amy Johnson represented this project to be “congruent” with other R-3 development in the area. I and many others in this neighborhood disagree with this statement. The definition of congruent is that it is “in agreement or harmony, identical in form, coinciding exactly when superimposed.” We don’t see this the as being “congruent, or consistent” with the area. Nor does it “superimpose” well. Yes, on the High School Side of Emmett Road, the developments are zoned R-3. But on the West side of Emmett Road, where the Pheasant Heights Subdivision is located, most of the homes are on R-1 zoned property or are small “ranchettes” anywhere from 2.5 to 20 acre parcels. I know that I would like to see this West side of Emmett Road continue to be of the larger parcels R-1 or larger. Not only for density and impact sake, but for the privacy and quality of life experienced by the neighboring property owners. I know as I purchased a larger property for this very reason in the area. I don’t personally mind the R-1, but anything smaller I feel takes away from the quality of life I now experience. For this reason I do not view the Pheasant Heights Subdivision as congruent, consistent or any other word that would infer “of like type” of community or neighborhood. Nor do I view it as in harmony with the adjacent neighborhood, my adjacent neighborhood.

In conclusion, I would like to highly request and suggest that you do not ask our neighborhood and community to take on the liabilities the Pheasant Heights Subdivision will add to current community impact as stated above. I ask that you please follow the recommendations of the Middleton Planning and Zoning Committee to deny the rezoning request from Amy Johnson and Salt Dev. Co from R1 to R3, for Pheasant Heights Subdivision, Emmett Road and not allow the rezoning to be reconsidered in the future. I do agree to acquiesce to the annexation of the property as it will benefit the further development of the future sewer and water accommodations. (Hopefully after the impact resolution and implementation of the same is executed.)

Respectfully submitted,

Teresa Taresh
13105 Greenwell Lane
In the Middleton Impact Zone.

From: [Lisa Marshall](#)
To: [Roberta Stewart](#)
Subject: Pheasant Heights Opposition
Date: Tuesday, October 18, 2022 6:10:54 PM

I strongly oppose approving the developer's request to rezone Pheasant Heights from R1 to R3. My reasons are:

1. **Negative impact on traffic.** Emmett Road cannot handle more traffic. I live off Emmett Rd. between Purple Sage and Willis. It is nearly impossible to turn east onto Highway 44 during certain times of the day. Even turning right is dangerous because those turning left pull out so far, you are unable to see west bound traffic. The Toll Brother's development (Emmett Road and Willis) has created a mess. Hayden Homes and Todd Campbell plan to add approximately 200 homes, off Emmett Rd between Purple Sage and Willis Rd, all of which will exit onto Emmett Road. The Hayden Homes development will access Emmett Road through the Toll Brothers development. Furthermore, the traffic circles are inadequate. They are very narrow and if a semi is using it, it becomes one lane.
2. **Negative impact on Middleton School District.** Once again, a bond to add a new elementary school has failed. It is my understanding that a bond has not passed since 2008. The elementary schools are over capacity. It is irresponsible to approve large new developments without considering its impact on schools. Kids need an environment to promote learning. Overcrowded classrooms are disruptive. However unlikely, if a bond did pass, it would likely take two years to construct a school. This applies to not only to Pheasant Heights but all new developments.
3. **Home Density.** All existing homes on the west side of Emmett Rd. are acreage properties. The R 1 zoning will provide a transitional development. As I earlier stated, I live off Emmett RD. between Purple Sage and Willis. When I look across the road, all I will now see are dense developments. These dense developments strip Middleton of its rural character. I realize growth is inevitable. Planned development is the responsible choice.
4. **Developer Choice.** The developer purchased the property as R1. It is my understanding the developer would like to increase the density because the numbers "do not pencil out". As part of the developer's due diligence, prior to purchasing the property, this must have come to light. You do not make a multimillion investment without doing the math. The argument simply does not make sense and it appears deceitful.
5. **Planning and Zoning previously denied the developer's request from R1 to R3.** The City has a Planning and Zoning to process, approve or deny requests. Let them do their jobs

Adding another approximately another large density subdivision will negatively impact, the drivers who use Emmett Rd, the schools, neighbors, and further destroy Middleton's rural character. Planning and Zoning denied the developer's rezone request from R1 to R3. The developer asked, the Commission answered. I respectfully request the City Council uphold the current P & Z decision to deny rezone from R1 to R3.

Elizabeth Marshall
24300 Kenridge Rd
Caldwell, Id 83607

From: [Carol Watkins](#)
To: [Roberta Stewart](#); [Theresa Denham](#)
Subject: Pheasant Heights
Date: Tuesday, October 18, 2022 7:53:12 PM

Dear Middleton City Council

I have read and agree with the arguments stated against this zoning change

It is incumbent of you to listen to the P&Z. Their reasons stated are factual and need to be addressed. None of which have been satisfied. I can't think of one reason, besides personal reasons that you would decide against the Community ad P&Z concerns, since it was already denied for the change in zoning.

I would love to hear your reasonings to overrule this. Please be so kind as to explain why at the meeting tomorrow night. I am anxious to hear any and all considerations that you have addressed contrary to the decisions that have been made.

I will hopefully hear those tomorrow, or in writing as soon as possible before your decision.

A very Concerned Citizen

Carol Watkins

From: sdf1983@yahoo.com
To: [Roberta Stewart](#)
Subject: Pheasant Height Public Comment
Date: Tuesday, October 18, 2022 6:02:37 AM

Because of the way planning and zoning is handling these issue we are considering moving out of Middleton if this continues which is sad because we love Middleton

Dear City of Middleton Planning and Zoning

On April 11, 2022 , Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was denied. You are reconsidering this today, and we ask that it again be denied as the main issues presented at that meeting have not been mitigated at this time.

During both the community meeting and the hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

- 1) School capacities at or near full, as noted in a letter provided to you by Mr Marc Gee.
- 2) The sewage system is outdated per the EPA 2016 inspection. we were given until 2021 to fix THOSE problems which were addressed for a projected growth much less than the growth that has been planned since the 2021 projections. While there are fixes underway, they do not account adequately for the capacity needed for current approved and proposed growth.
- 3) Water issues cannot be swept under the carpet. We see AVIMORE, Lake Lowel and Kuna with local area existing wells drying up. We look at the Middleton area aquifers which are reflected in the 2019 Federal Hydrological Study, which a copy was provided to you during the previous Pheasant Heights hearing. Please see page 22 AND 23 highlighted sections showing that clear back in 2012 the inflow of 1,461,726 gallons and the outflow of 1,543,090 gallons show that there is truly not enough water to sustain the area with the kind of growth we have seen in 2020, 2021,2022 and beyond. Any rational analysis should consider this a huge red flag for more growth until we can determine the long term ability to manage the water. As we know, last year we were on "drought" concerns and asked to limit water- this similar tactic was used in California, whereas the city then took the "rationed basis" to approve more housing, because there was "more water available" if people rationed use. This is not an acceptable tactic to use in Middleton!
- 4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety around the school.
- 5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is

creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone. This is a waste of taxpayer dollars for something already decided previously.

Kindly Sandi Fontana

From: Denise Daniels
To: Roberta Stewart
Subject: Pheasant Height Public Comment
Date: Tuesday, October 18, 2022 1:32:22 PM

Dear City of Middleton Planning and Zoning

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was denied. You are reconsidering this today, and we ask that it again be denied as the main issues presented at that meeting have not been mitigated at this time.

During both the community meeting and the hearing, aspects of the plan were brought up by the citizens of the community of Middleton, with a request to maintain this subdivision at 1 house per acre, while allowing it to annex into the city for sewer/water needs. This seemed like a good compromise for the developer and our community. It would help the developer pencil out (which is not the citizens problem, the developer knew it was zoned R1 when they purchased the property) by annexing in, while minimally affecting issues by keeping the subdivision as an R1 community.

Community concerns cited were:

1) School capacities at or near full, as noted in a letter provided to you by Mr Marc Gee. All we've heard about for the last 6 months is how overcrowded our schools are, and now you want to allow adding even more students!

2) The sewage system is outdated per the EPA 2016 inspection. we were given until 2021 to fix THOSE problems which were addressed for a projected growth much less than the growth that has been planned since the 2021 projections. While there are fixes underway, they do not account adequately for the capacity needed for current approved and proposed growth.

3) Water issues cannot be swept under the carpet. We see AVIMORE, Lake Lowel and Kuna with local area existing wells drying up. We look at the Middleton area aquifers which are reflected in the 2019 Federal Hydrological Study, which a copy was provided to you during the previous Pheasant Heights hearing. Please see page 22 AND 23 highlighted sections showing that clear back in 2012 the inflow of 1,461,726 gallons and the outflow of 1,543,090 gallons show that there is truly not enough water to sustain the area with the kind of growth we have seen in 2020, 2021, 2022 and beyond. Any rational analysis should consider this a huge red flag for more growth until we can determine the long term ability to manage the water. As we know, last year we were on "drought" concerns and asked to limit water- this similar tactic was used in California, whereas the city then took the "rationed basis" to approve more housing, because there was "more water available" if people rationed use. This is not an acceptable tactic to use in Middleton!

4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety around the school. I have witnessed SO many near misses at that intersection. To add even more traffic to that intersection is asking for fatalities.

5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

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Kindly,

Denise Daniels

Sent from my iPhone

From: [Pip](#)
To: [Roberta Stewart](#)
Subject: Pheasant Height
Date: Monday, October 17, 2022 6:54:19 PM

Dear City of Middleton Planning and Zoning

On April 11, 2022, Amy Johnson (Salt Dev Co) presented for hearing to rezone Pheasant Heights from R1 to R3, and to annex. This was denied. You are reconsidering this today, and we ask that it again be denied as the main issues presented at that meeting have not been mitigated at this time.

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Kindly.com

Subject: Pheasant Height Public Comment

or you can come to the meeting and hand deliver.

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- 1) School capacities at or near full, as noted in a letter provided to you by Mr Marc Gee.
- 2) The sewage system is outdated per the EPA 2016 inspection. we were given until 2021 to fix THOSE problems which were addressed for a projected growth much less than the growth that has been planned since the 2021 projections. While there are fixes underway, they do not account adequately for the capacity needed for current approved and proposed growth.
- 3) Water issues cannot be swept under the carpet. We see AVIMORE, Lake Lowel and Kuna with local area existing wells drying up. We look at the Middleton area aquifers which are reflected in the 2019 Federal Hydrological Study, which a copy was provided to you during the previous Pheasant Heights hearing. Please see page 22 AND 23 highlighted sections showing that clear back in 2012 the inflow of 1,461,726 gallons and the outflow of 1,543,090 gallons show that there is truly not enough water to sustain the area with the kind of growth we have seen in 2020, 2021, 2022 and beyond. Any rational analysis should consider this a huge red flag for more growth until we can determine the long term ability to manage the water. As we know, last year we were on "drought" concerns and asked to limit water- this similar tactic was used in California, whereas the city then took the "rationed basis" to approve more housing, because there was "more water available" if people rationed use. This is not an acceptable tactic to use in Middleton!
- 4) Traffic concerns at Emmett and Hwy 44, have continued to be the same as they were back in April. Nothing has been done to reduce the congestion and the safety around the school.
- 5) Safety- Middleton has asked --and was denied --to use Canyon County for our policing needs. Until we have a solid stable police force, it is unacceptable to continue to allow more housing.

Due to the fact that not one of the concerns stated in April 2022 that allowed your planning and zoning commission to deny this application change from R1 to R3 has been mitigated, we respectfully request that this plan is again denied as a zone change to R3.

The developer purchased it with the knowledge that it was R1 and the fact that it doesn't "pencil out" per the words of Amy Johnson, is not the responsibility of the current citizens of Middleton to take on the liabilities that this is creating for our community.

Please deny the rezone from R1 to R3, for Pheasant Heights subdivision, Emmett Road (across from the high school) again, and make it known that until we have mitigated the issues already noted, that it will not be open for rezone. This is a waste of taxpayer dollars for something already decided previously.

Kindly

Sent from my iPhone

Brian R. Sheets

24184 Willis Creek St. • Caldwell, Idaho 83607 • 503-830-1448

brsheets@gmail.com

October 17, 2022

VIA EMAIL ONLY

City of Middleton
City Council
P.O. Box 487
Middleton, ID 83644
Email: rstewart@middletoncity.com

RE: Opposition Comment to Pheasant Heights Subdivision

Dear Middleton Mayor and City Council:

My family and children live on Willis Creek Road, directly to the north of the planned development project proposed to be heard at the October 19, 2022 City Council hearing. We are opposed to this project in its entirety. Given the adjacent location to the High School and the cumulative impacts of already underway development located in the immediate vicinity, unknown traffic safety impacts cannot be adequately addressed prior to approving this project. **The Pheasant Heights Subdivision conflicts with the Comprehensive Plan, and the City Council should deny the application.**

This will be the fifth hearing for me to attend for these parcels. The first hearing being the rezone to R-1 at Canyon County on July 18, 2019. The second and third were tabled hearings at the City of Middleton on November 8, and December 6, 2021. The fourth was the Planning and Zoning hearing on April 11, 2022. I submitted comments to the application on April 10, 2022 describing impacts to traffic, conflicts with the comprehensive plan, and nuisance concerns.¹ The content of those comments remains applicable to this application. The Planning and Zoning Commission recommended that this application remain in its current R-1 zoning, finding that the area west of the high school was of a different character than the developments east of Emmett Road.

This comment will address new information since the Planning and Zoning hearing in April, and will further demonstrate how this project is a poor fit for the area.

¹ Attachment 1

1. Traffic Impact Fees and the “Development Agreement” will not minimize impacts to the area.

a. Traffic Impact Fees will not be used for the Emmett Rd. and Hwy. 44 intersection.

Canyon Highway District No. 4 (CHD4) issued its Mid-Star Service Area Capital Improvements Plan on May 7, 2022.² Within that plan is a statement on page 29 stating that impact fees should address the following criteria:

- Address deficiencies in capacity
- Address deficiencies that are attributable to future development (not existing deficiencies)
- Are included in the CIP (requiring updating every five years)

The Highway District considers already existing deficiencies as unable to be funded through Traffic Impact Fees, and do not allocate these resources to improvement projects. In Table 5 on page 20, the intersection of Emmett Road and State Highway 44 has an “F” rating, meaning it is severely deficient in capacity and service, and explicitly states that it is not eligible for TIF funding, stating “[c]apacity improvements that address existing deficiencies are not eligible for TIF funding.”

Table 10 on page 32 lists project 1-16 for SH 44 and Emmett Road as an already deficient intersection with zero impact fee eligibility and a projected completion date of 2035-2040. As currently planned by CHD4, no Traffic Impact Fees will be used for this intersection, and it will not be improved for at least thirteen years. To allow 147 residential lots to be planned in the area already overdeveloped for infrastructure is dangerous for traffic safety, and especially so when the proximity of a high school with busses and new drivers are considered.

b. The “Development Agreement” binds no one to action for traffic impacts.

The “Development Agreement” (dated August 1, 2022 and inserted in the application after the Planning and Zoning Hearing) in section 3.5.1 states that “no building permits will be issued until sufficient intersection control is designed and constructed” at Emmett Road and Highway 44, however the developer can install project infrastructure.

First, if the planned intersection improvements will be installed according to CHD4 schedule, this will extend past all of the timelines contemplated in the agreement. It will result in a vacant, but infrastructurally developed barren land, unable to have building permits issued for at least 13 years. Of course, I fully expect this to become an issue at later hearings for agreement

² Attachment 2

amendments citing “hardships” to the developer where this condition will be requested to be removed.

Second, installing project infrastructure requires heavy machinery, earthmoving equipment, and roadwork machinery that will be burdens on the already existing roadways. These heavy vehicles will be working in the area for years, if West Highlands subdivision construction can be used as a baseline. These are traffic impacts that will add to the already overburdened areas with Highlands and Stone Haven subdivisions already building out in the area. Additional construction activity in an area already overburdened will negatively impact the area and create additional safety issues regardless of any traffic impact study.

Third, the section on the City to “participate in good faith in all meetings and discussions with ITD and CHD4” binds no party to any action with the intersection improvements. Absolutely no party is bound to fund, plan, or construct any “interim traffic signal.” It is a conditional statement that has no timing, funding, or legal requirements for any party. It is surplusage in the agreement and can be ignored by any party.

2. The Development Agreement included in the application was not reviewed by the Planning and Zoning Commission and is counter to its recommendation.

The Development Agreement, dated August 1, 2022 was inserted into the application after the Planning and Zoning Commission April 11, 2022 hearing. The Planning and Zoning Commission did not review this Agreement and the original Draft Development Agreement reviewed on April 11, 2022 was not approved. **The Planning and Zoning Commission recommends retaining R-1 zoning for the parcels at issue, thereby rejecting the R-3 zoning contemplated in the Development Agreement.** Moreover, the Development Agreement was materially altered by changing the following sections:

- 3.2 (deleted in entirety and numerically missing in final version)
- 3.5 Materially altered
- 3.5.1 Additional section

The Development Agreement was rejected by the Planning and Zoning Commission, and MCC 5-2-3(B) states that “The Council may add conditions, terms, duties or obligations to the development agreement recommended by the commission.” **Here, the references to the R-3 zoning were plainly rejected, and the recommendation of the Planning Commission is that zoning for the parcels remains R-1.** The City Code states that the Council may ADD conditions, terms, duties or obligations as recommended by the Commission, but not that it alter or supplant terms following its recommendations.

Middleton City Council

Re: Opposition to Pheasant Heights Subdivision Annexation, Rezone, Prelim. Plat
10/17/22

In essence, the Development Agreement and R-3 zoning is being forced through and purposefully ignores the recommendation of the Planning and Zoning Commission.

3. This Comment incorporates by reference all of the points stated in the April 10, 2022 letter to the Planning and Zoning Commission.

In Attachment 1, I submitted comments regarding the application to the Planning and Zoning Commission indicating conflicts with the Comprehensive Plan, data regarding traffic impacts, and nuisance concerns. These impacts and concerns remain applicable to the request at issue, and I incorporate by reference all of those points.

4. Conclusion

The Application for the Pheasant Heights Subdivision is a flawed proposal. The R-3 zoning will negatively impact the area with overextension of already deficient infrastructure and is counter to the City's Comprehensive Plan. The Planning Commission rejected R-3 zoning for the project, and as such, the preliminary plat, Development Agreement, and zoning requests must be revised to meet R-1 zoning. Nothing in the application has changed to reflect the Planning Commission's recommendation, with the Development Agreement having been materially altered without any reference to the R-1 zoning the parcels already retain. The City Council should reject the application until such time as infrastructure can be adequately addressed, rather than cramming more homes onto an already crippled area of Canyon County. Thank you for hearing our concerns.

Sincerely,

Brian R. Sheets

ATTACHMENT 1

Brian R. Sheets

24184 Willis Creek St. • Caldwell, Idaho 83607 • 503-830-1448

brsheets@gmail.com

April 10, 2022

VIA EMAIL ONLY

City of Middleton
Planning and Zoning Department
P.O. Box 487
Middleton, ID 83644
Email: jreynolds@middletoncity.com

RE: Opposition Comment to Pheasant Heights Subdivision

Dear Middleton Planning and Zoning Commissioners:

My family and children live on Willis Creek Road, directly to the north of the planned development project proposed to be heard at the April 11, 2022 Planning and Zoning hearing. We are opposed to this project in its entirety. Given the adjacent location to the High School and the cumulative impacts of already underway development located in the immediate vicinity, unknown traffic safety impacts cannot be adequately addressed prior to approving this project. **The Pheasant Heights Subdivision conflicts with the Comprehensive Plan, and the Planning and Zoning Commission should recommend denial of the application.**

This will be the fourth hearing for me to attend for these parcels. The first hearing being the rezone to R-1 at Canyon County on July 18, 2019.¹ The second and third were tabled hearings at the City of Middleton on November 8, and December 6, 2021. This project has been a demonstration of inadequate preparation and changed circumstances, and is indicative of a project that will not go as planned, with a low confidence of meeting either City, or County standards coupled with no accountability or concern to the local residents from an out-of-state developer.

I. Traffic Concerns and Comprehensive Plan Conflicts

The local area is a hotbed of development. West Highlands Ranch subdivision located at Willis and Emmett Road has been developing hundreds of lots directly north of the High School. Stonehaven Subdivision and the new development directly south of the High School are additional developments not fully completed, and like the proposal, are all zoned R-3. These planned, and not yet fully developed projects represent thousands of trips that not only affect the local traffic concerns, but add to, and further choke the local infrastructure and create delay,

¹ Attachment 1

safety concerns, and are especially concerning given the close proximity to a High School with new drivers and children that walk to school.

These increased traffic concerns are located within the entirety of the region. This is apparent at I-84 exit 25: an exit without automated traffic controls that dangerously backs up the northbound off ramp back onto the freeway. The intersection of Highway 30 and Emmett road is an additional concern, and on March 10, 2022 experienced a fatal accident.² Finally, the intersection of Highway 44 and Emmett road is concerning as well. At peak drive times, drivers experience significant delays from turning onto or off of Emmett Road. In witnessing several driving habits of motorists at the intersection, very risky turns have been observed where a driver hastily attempts to turn left onto Highway 44 off of Emmett, and with a High School full of new drivers and busses regularly using the intersection, it is only a matter of time before something tragic takes place.

In addition to the vehicular traffic concerns, pedestrian traffic in the area is being affected. The additional West Highlands development will already inject hundreds, if not thousands of trips into the area, causing increased stress on the area near the High School. My son Kyle Sheets walks to the High School, as it is only a short distance from our home. In his daily walk to school, he has routinely experienced close calls with inattentive drivers at the intersection of Willis and Emmett roads, and during the winter when he walks in the dark or in the fog, it is even more hazardous. As a parent, I fear every time I hear emergency sirens, or receive a phone call at 8:00 AM fearing he has been hurt or killed by a driver on his walk to a school only a few hundred yards away.

The unfortunate truth is that the area is saturated and unprepared for additional trip generating projects. Not only will it be dangerous for the residents already being overwhelmed with additional and dangerously uncontrolled construction and future residential traffic, but the new residents of these planned developments will also be injected into the foray.

Road improvements suggested by Canyon County Highway District No. 4 are inadequate to address the broader impacts that 147 residential lots will create, and the scope of the consideration is negligent by failing to address the impacts of development in the vicinity already approved. The mere improvement of half a lane of Emmett road is inadequate in its inception, as there is no discussion of immediate vicinity improvements other than impact fees into a slush fund for regional developments. These are not earmarked for the explicit impacts easily identified by this project, and the developer is not responsible for mitigating the impacts easily attributed to the proposal. This creates two distinct problems:

² Attachment 2

1. The developer is free to impact the area negatively without adequately addressing mitigation directly attributable to the project. In essence, this creates a profit motive to generate the highest return on investment without respect to the easily identified externalities created. Mitigation could, and probably will exceed the fees assessed for the direct impacts, and therefore creates publicly-subsidized development that negatively impacts the preexisting residents.
2. All of these mitigation strategies of assessing impact fees occur after the fact. It may be years or decades before enough fatalities build up or public will forces local bureaucrats to prioritize projects that address the prior development authorized without long-term consideration.

These problems can be addressed by:

1. Requiring a traffic impact study to include conditions not only in the immediate vicinity, but at major roadways and intersections easily identified in the region, in this case: Emmett Road with its intersections of Willis Road and the intersection of Highway 44; the intersection of Willis Road and Highway 30; the intersection of Highway 30 and Highway 44; and exit 25 on I-84. Additionally, sensitivity to High School traffic, pedestrian access, and new driver/bus traffic to be considered.
2. MAKE THE DEVELOPER PAY FOR AND IMPLEMENT TRAFFIC MITIGATION IMPROVEMENTS DIRECTLY ATTRIBUTABLE TO THE PROJECT PRIOR TO AUTHORIZING ONE SHOVEL MOVING ON THEIR PROJECT.

Traffic is not only generated by the end result of the 147 lots being fully built, but the additional construction traffic of heavy machinery, earth moving equipment, and contractor traffic during the phased project. Traffic mitigation means ALL TRAFFIC MITIGATION, and must be addressed in order to remedy the additional burdens experienced by preexisting residents.

In total, the proposed project negatively impacts the traffic and safety of the local area without adequately addressing it. This is in conflict to the comprehensive plan in the following ways:

Transportation Goal 3,

Objective A: Plan and develop a safe system of roads, bike lanes, sidewalks and pathways.

Objective B: Reduce vehicle congestion and encourage walking and bicycling.

The proposal conflicts with the Comprehensive Plan by increasing traffic in an already over-planned area that has not received any additional traffic mitigation actions. The additional traffic directly adjacent to a High School will increase traffic and increase hazards with right-in, right-out access to the area requiring unusual traffic patterns that direct traffic directly south to the uncontrolled intersection of the principal arterial identified Emmett Road and Highway 44 in conflict with Objective A. The City is unable to respond to easily anticipated traffic hazards at regional areas, and cannot adequately respond to the project's impacts. There are no retail, commercial, or recreation areas to walk to, and all traffic will be vehicle traffic in conflict with Objective B.

Schools Goal 13

Objective A: Minimize vehicle traffic congestion and obstruction on roads abutting school sites.

The proposal conflicts with Objective A by pressing 147 housing units and the associated construction activities directly adjacent to Middleton High School. The area has preexisting development projects that have been added without adequate mitigation for the additional traffic and this additional project creates additional traffic congestion with additional trips with minimal to no mitigation.

Population Goal 14

Preserve a high quality of life and livability in Middleton.

Objective A: Plan for the projected population by providing sufficient services and amenities.

The services and amenities are absolutely lacking with the proposal and the additional housing provided without capacity. Additional traffic creates a safety risk without mitigation, and reduces the quality of life and livability in Middleton. How the City Council and the Planning and Zoning Commission can continue to approve high-density housing in contradiction to this goal is unconscionable. The goal states to "preserve a high quality of life." Unmitigated growth is in conflict with this goal.

Because of the conflicts with the Comprehensive Plan, this project should not be rezoned to R-3, and these conflicts are fatal to the overall annexation plan and preliminary plat. The Planning and Zoning Commission should find that the proposal conflicts with the

comprehensive plan in the above ways and deny the application. In identifying what would satisfy the commission to gain approval, it would be a comprehensive traffic impact study to include already approved developments with the cumulative impacts and mitigate those impacts in construction to finality prior to breaking earth on the project, as would be contained in a new development agreement. Otherwise, the applicant can submit a preliminary plat with Canyon County for its already recently approved R-1 County zoning.

II. Nuisance Concerns

This area has been subject to intense development, and with it, intense nuisances that would only be amplified by approving this project. At its core, Idaho Code 52-111 states that

“Anything which is injurious to health or morals, or indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, is a nuisance and the subject of an action.”

The Highlands West subdivision development has demonstrated the lack of adequate remedy for the disturbances caused by unmitigated growth. Over the course of two years, our neighborhood has been woken up at the literal crack of dawn by heavy earth moving equipment. Inquiries to Middleton City Police have been instructive, stating that the construction activity is permitted from dawn to dusk. This means that like last June 2021, earthmoving activity was allowed to commence before 6:00 AM. Blaring back-up sirens and vibratory rollers have plagued the comfortable enjoyment of all of the residents of the neighborhood from a construction site over a quarter-mile away. Add to this construction delays from roadway utility cuts and engine braking from dirt hauling along Emmett Road have transformed this area into a two year long construction zone. An additional project proposed over multiple years with the option for extensions would only degrade the area more.

Should the Commission decide to ignore the conflicts with the Comprehensive Plan as discussed earlier, the Commission should include in the development agreement conditions to mitigate nuisance to the surrounding community including hours of operation, noise mitigation, light pollution mitigation, and load securing requirements.

1. Hours of construction operation from 8:00 AM to 5:00 PM Monday through Friday;
2. To the extent possible avoid lighting that projects upwards by prohibiting streetlights or using shaded fixtures and incorporate this into the CC&Rs: we can still see the stars on clear nights and we would like to keep doing so.

3. Install noise barrier fencing on the north side of the property to shield construction and eventual residential noise from disturbing our community
4. Prohibit contractors from engine braking down Willis Street or Emmett Road when approaching the worksite
5. Ensure mud and construction debris are not left on arterial roads
6. Repeated violations of the above constitute a breach, triggering the same remedies of Article IV of the development agreement.

III. Summary

In summary, the proposed project conflicts with the Comprehensive Plan and negatively impacts the surrounding community, adding to a continued cycle of unmitigated development. The staff report cherry-picks Comprehensive Plan goals in order to provide a route for approval while ignoring serious deficiencies and outright conflicts.

I have heard multiple times that we are experiencing “growing pains” within the community due to unrestricted growth. Pain is an indication of when something is injured. When there is an injury, there needs to be time to assess the problem, and allow adequate steps and time to fix it. Adding more of the same problem to an already overtaxed system is not the answer, rather it exacerbates the symptoms, increases conflict, and leads to a decreased quality of life. Before this projects continues, the preexisting issues must be addressed. I know this Commission has heard repeatedly the discontent with unmitigated development, and we are all paying the price for others to profit. I appreciate your time in hearing these concerns we all are dealing with.

Sincerely,

Brian R. Sheets



CANYON COUNTY
DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #140 • Caldwell, Idaho • 83605
Phone (208) 454-7458 • Fax: (208) 454-6633
www.canyoncounty.org/dsd.aspx

Dear Property Owner:

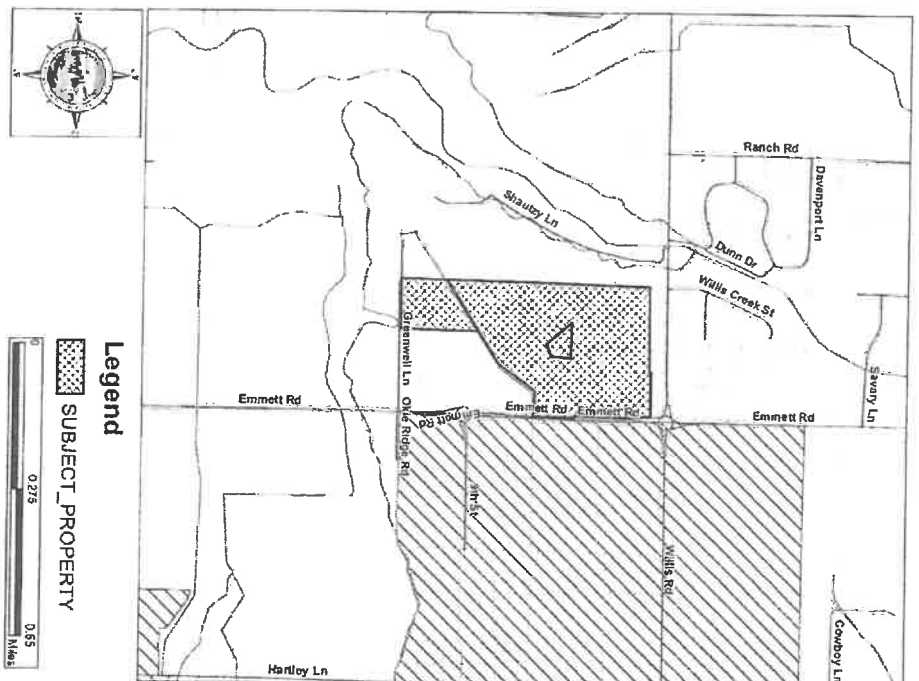
NOTICE IS HEREBY GIVEN that the Canyon County Planning & Zoning Commission is scheduled to hold a public hearing on July 18, 2019 beginning at 6:30 P.M. on the following Case No. **RZ2019-0011**.

The hearing will be held in the Public Meeting Room on the 1st floor of the Canyon County Administration Building, located at 111 North 11th Avenue, Caldwell, Idaho.

Case No. RZ2019-0011: Jessica Skinner, representing Ken and Cheyenne Mortensen, is requesting a rezone of Parcel R34445012A (1.27 acres), R34445012A1 (7.08 acres) and a 33.38 acre portion of Parcel R3445012A2 from an "A" (Agricultural) zone to "R1" (Single Family Residential, 1 acre average minimum lot size) zone. The properties are located at 23854 Emmett Road, Caldwell; a portion of the NE ¼ of Section 2, Township 4N, Range 3W, Canyon County, Idaho.

Your comments and concerns are important in evaluating this case and you are invited to provide oral testimony at the hearing. To have your comments included in the Commissioners packet, written testimony should be submitted to Development Services a minimum of 10 days prior to the hearing date. Packets are mailed to the Commissioners one week prior to the hearing date and they include the staff report with recommendation for approval or denial. All written testimony will be provided to the Commission for consideration.

Copies of all documents concerning public hearing items may be requested at the Canyon County Development Services Department, 1st Floor Canyon County Administration Building, 111 N 11th Avenue. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. If you have questions or would like additional information, please contact the Case Planner, Dan Lister at dlister@canyonco.org. In all correspondence concerning this case, please refer to the case number above.



Assistance is available for persons with disabilities. Please call the Development Services Department at 454-7458 at least five (5) days prior to the hearing so that arrangements can be made

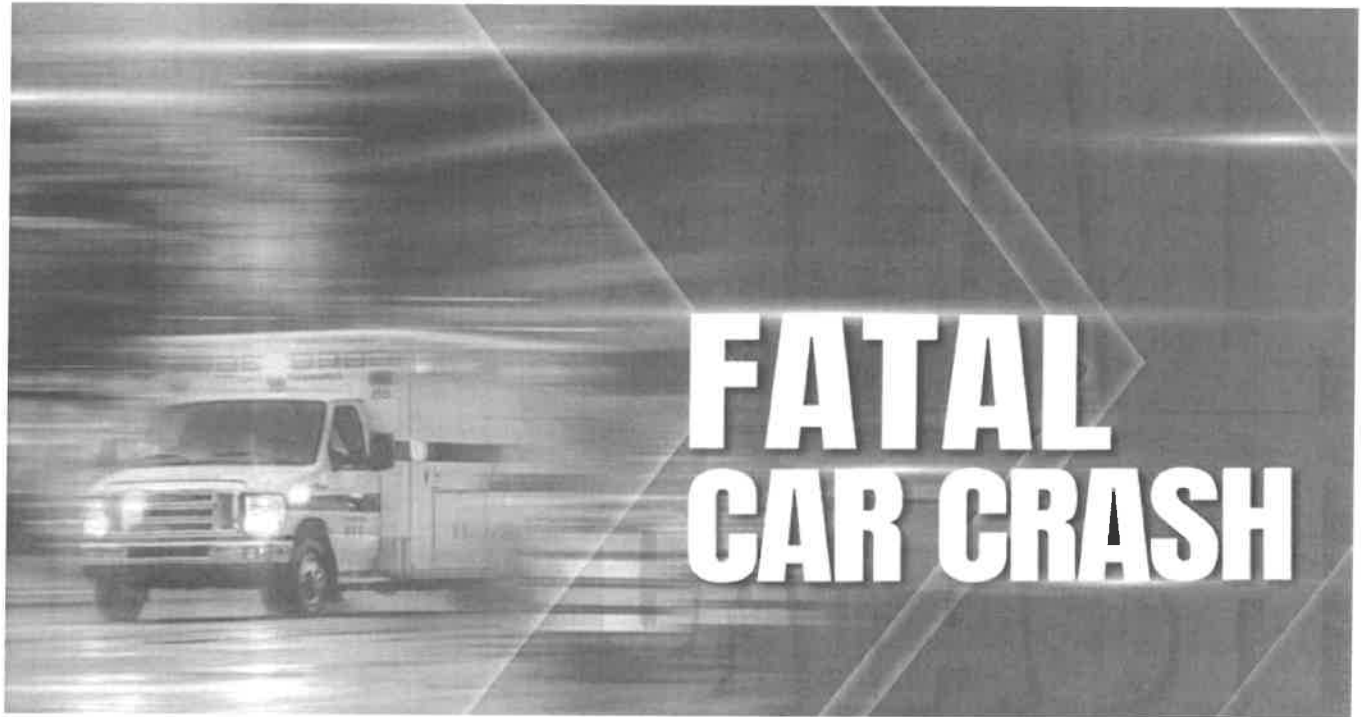
Crash near Middleton causes collision with forklift that kills 52-year-old Idaho man



Ian Max Stevenson, Idaho Statesman

Idaho

🕒 Published at 9:04 pm, March 10, 2022



MIDDLETON (Idaho Statesman) — A three-vehicle crash northwest of Middleton on Thursday afternoon killed a 52-year-old Caldwell man, according to the Idaho State Police.

At around 12:24 p.m. at Old Highway 30 and Willis Road, three vehicles were approaching an intersection when a juvenile driving westbound in a pickup truck on Willis Road failed to yield, according to an ISP press release, and collided with a tow truck traveling northbound.

A forklift loaded on the back of the tow truck came off, and a southbound SUV “collided with it,” the release said. The SUV’s driver died at the scene.

The juvenile driver of the pickup and a passenger were taken to a hospital, as was a passenger traveling in the SUV. Their conditions are not known. All vehicle occupants were wearing seat belts.

The crash remains under investigation, Idaho State Police said.

[SUBMIT A CORRECTION](#)

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ATTACHMENT 2

CANYON HIGHWAY DISTRICT NO. 4

Mid-Star Service Area Capital Improvements Plan

Prepared by Kittelson & Associates, Inc.
May 7, 2021

Prepared for:

Canyon Highway District No. 4
City of Star, Idaho
City of Middleton, Idaho

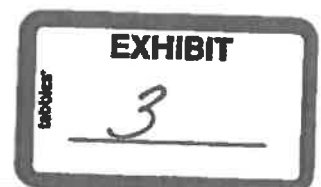


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INTRODUCTION

Canyon Highway District No. 4 (CHD4) has prepared this Middleton-Star Capital Improvements Plan (herein referred to as “Mid-Star Service Area CIP”) to identify, plan and prioritize transportation projects through the year 2040 within the CHD4 Subdistrict No. 1 planning area. Improvements were identified based on an analysis of the existing and future transportation system, utilizing the Community Planning Association of Southwest Idaho’s (COMPASS) travel demand model. CHD4, Canyon County, City of Middleton and City of Star were all involved in the CIP development for joint use in adopting transportation impact fees to fund improvements to the highway system, to serve new growth and development, and to protect the health, safety, and general welfare of the citizens of these communities.

A Traffic Impact Fee program (TIF) (*Reference 1*) was developed in conjunction with this CIP so that impact-fee eligible projects from the CIP could be funded through development impact fees in accordance with Idaho Code 67-82 (Idaho Development Impact Fee Act). Development Impact Fee Advisory Committees from Canyon County, City of Star, and City of Middleton (DIFAC) were engaged for the development of the CIP and TIF Program. The joint DIFAC met four times (June 3, 2020; September 15, 2020; November 10, 2020; January 13, 2021) to review materials and provide comments on development of the CIP and TIF. *Meeting materials and summary notes are included in Appendix A. Appendix B contains the requirements laid out in the Idaho code and a general description of how each is addressed in this CIP.*

In order to meet the requirements set forth in Idaho Code 67-8208 (1) (b)- “Commitment for non-Impact Fee revenues to cure Existing System Deficiencies”, CHD4, the City of Star, and the City of Middleton commits to using revenue sources other than development impact fees to cure existing system deficiencies, where practical, with the adoption of this Capital Improvement Plan.

Service Area & Service Network

The service area for this CIP and for CHD4’s Traffic Impact Fee program include multiple jurisdictions: City of Middleton, the western portion of the City of Star, unincorporated Canyon County and CHD4. The City of Caldwell also has a small park in the southwest corner of the service area but does not have jurisdiction over or maintain any public roadways in the service area. The service area is bounded to the north by Gem County and Payette County, to the south by the Boise River and Lincoln Road, to the west by I-84, and to the east by Ada County. The service area also includes the City of Middleton Area of Impact south of the Boise River, described as the lands east of KCID Road, north of Lincoln Road, and west of Midland Boulevard.

Arterial and certain collector roadways within the service area were identified as the service network for this CIP. These roadways are typically eligible for traffic impact fees as they are utilized by trips of significant length within or through the service area. Those collector roadways deemed regionally significant are generally located on section lines at one-mile intervals, and are likely to develop into a minor arterial function as urban growth expands within the service area. Local roadways and some minor collectors are excluded from this study, as their principal purpose is to distribute trips to and from the regional arterial/collector network. State Highway 44 is maintained by the Idaho Transportation Department (ITD) and is included in this analysis to

evaluate the CHD4-maintained roadway intersections with the highway, and may require improvements due to new growth and development. Improvements to the state highway system maintained by ITD are not included in this CIP and are not eligible for impact fee funding; however, improvements to the local road approaches to the state highway system and the local share of the cost of traffic signal equipment at these intersections are impact fee eligible, and are included in this plan.

Figure 1 shows the boundaries of the service area and arterial and collector roadways included in the service network. *Appendix E includes Technical Memorandum #18, which provides additional discussion on service area demographics and roadway facilities in the study area.*

Figure 1. Service Area & Service Network

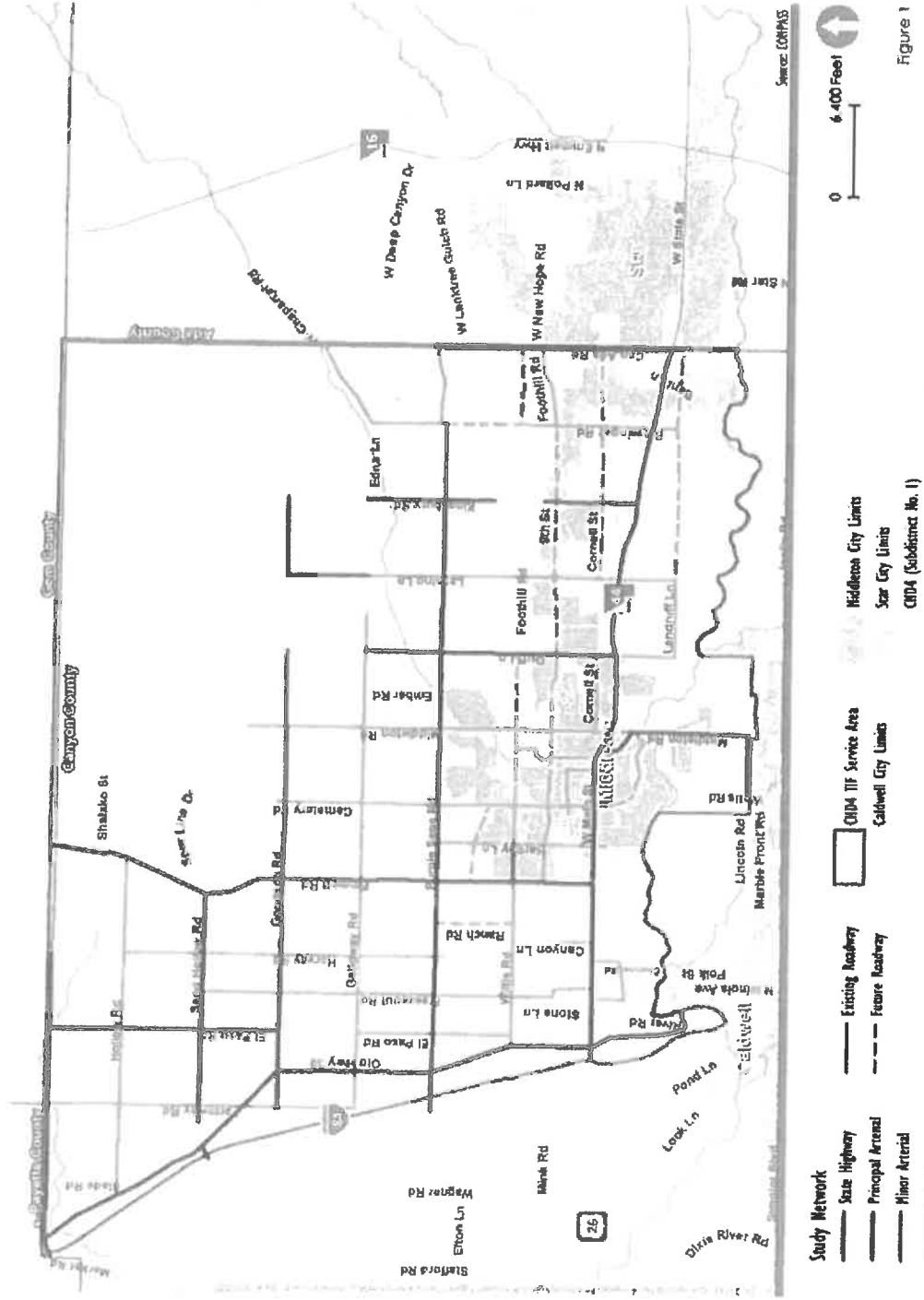


Figure 1
Service Area & Service Network
Canyon County, ID

Existing Service Network

There are three separate roadway jurisdictions within the Mid-Star service area: Canyon Highway District No. 4 (CHD4), City of Middleton, and City of Star. By agreement¹ with City of Star, CHD4 acts as the highway jurisdiction for those portions of Star within Canyon County, and receives from Star the roadway-related tax revenues generated within city limits in Canyon County. City of Middleton has a functioning street department and has jurisdiction over all roadways within its city limits.

There are three existing improved intersections in the service area, consisting of two dual-lane roundabouts on Emmett Road adjacent to Middleton High School, and the existing signalized intersection at SH 44 and Middleton Road in downtown Middleton. All other intersections within the service area are stop controlled (two-way or all-way). All highways included in the service network are two lane rural roads, except at isolated locations where development-related frontage improvements have been constructed.

The existing and anticipated year 2040 service network is described in Table 1, and consists of approximately 116 miles of existing highways:

Table 1. 2020 and 2040 Service Network Mileage by Functional Classification

	2020 Network	2040 Network
Total Network Mileage	116.2	138.2
State Highway	9.4 (8.1%)	9.4 (6.8%)
Principal Arterial	28.5 (24.5%)	28.6 (20.7%)
Minor Arterial	23.8 (20.5%)	23.8 (17.2%)
Collector	54.5 (46.9%)	76.5 (55.3%)

Note: Values represent directional mileage of study network roadways (excludes local roadways)

Source: COMPASS

Existing system deficiencies are described in detail beginning on page 20 of this document.

CIP Process

The following transportation plans, capital improvement plans, and corridor studies were reviewed to identify transportation projects within the service area. These projects were reviewed and considered for inclusion in the CIP to ensure consistency between previous planning efforts.

- CHD4 Transportation Master Plan (*Reference 2*)
- City of Middleton Capital Improvements Plan (*Reference 3*)
- City of Star Comprehensive Plan (*Reference 4*)

¹ Canyon 4/Star Public Agency Coordination Agreement, June 6, 2007.

- SH-44, I-84 to Eagle, Corridor Study (*Reference 5*)
- Middleton Road Corridor Plan (*Reference 6*)

Projects included in this CIP were selected through a planning-level traffic operations analysis. Analyses were completed to identify corridors and intersections with existing (2020) and future (2040) capacity-related deficiencies. The CIP development process is briefly outlined below.

- The COMPASS Travel Demand Model was updated to include current residential land use, and population and employment forecasts for 2040.
- COMPASS model output (existing and future traffic volumes) was used to identify existing and future deficiencies through a planning level traffic operations analysis.
- CIP projects and cost estimates were developed from the list of deficient roadways and intersections.
- TIF-eligibility and other funding mechanisms were determined through discussions with partner agencies, review of funding sources for transportation projects by jurisdiction, and a review of the Idaho Development Impact Fee Act.

METHODOLOGY & ASSUMPTIONS

Land Use

Existing and future roadway and intersection deficiencies were identified using output from the COMPASS Travel Demand Model. COMPASS provided existing and future year traffic volumes for roadways, based on the existing and projected future year demographic data in the Traffic Analysis Zones (TAZ). The COMPASS network includes arterial and collector roadways within the service area. Figure 1 shows the roadways included in the COMPASS model and considered in development of this CIP.

For purposes of this study, the 2040 COMPASS Travel Demand Model was used as a basis for the demographic and land use assumptions in the service area. The current year 2020 demographics from the baseline COMPASS model were adjusted to quantify the existing residential population using aerial photography commissioned by COMPASS in 2019 to identify total existing residential development for each TAZ. Future year 2040 demographics were also modified from the base COMPASS travel demand model to reflect recent and expected development trends in the service area, based on current and planned growth patterns identified in the Canyon County, City of Middleton, and City of Star Comprehensive Plans (References 7, 8, and 9). Table 2 summarizes the year 2020 and year 2040 demographics for the service area. Figure 2 and Figure 3 show the year 2040 population and employment estimates by TAZ. *Appendix C includes figures showing year 2020 population and employment by TAZ.*

Table 2. Year 2020 and Year 2040 Demographics in Mid-Star Service Area

Jurisdiction	Population				Employment			
	2020	2040	Change	Percent	2020	2040	Change	Percent
City of Middleton	9,710	27,342	+17,632	+182%	1,521	3,952	+2,431	+160%
City of Star (in Canyon County)	150	12,646	+12,496	+8,331%	20	361	+341	+1,705%
Unincorporated Canyon County	10,544	4,287	-6,257	-59%	801	600	-201	-25%
Total Service Area	20,414	44,315	+23,901	+117%	2,342	4,939	+2,597	+111%

Additional coordination occurred with COMPASS and relevant agencies to identify new arterial and collector roadway alignments that are likely to be constructed by year 2040 for inclusion in the model. These roadway alignments were primarily in areas that are expected to experience high population and employment growth by the year 2040.

Service Units by Land Use Category

Traffic impact fees must be developed through use of service units to be consistent with the Idaho Development Impact Fee Act. Service units, or the measure of system demand associated with each new development, are measured in Vehicle Miles Traveled (VMT) on the service network during the PM peak hour. The total amount of PM peak hour trips are used to estimate VMT generated by different land use types. Table 3 shows the estimated growth in PM peak hour trips and in employment by different land-use types as assumed in the COMPASS demographic forecasts.

Table 3. Year 2020 and Year 2040 Demographics in Mid-Star Service Area – Land-Use Categories

Year	P.M. Peak Hour Trips	Population	Employment					
			Retail	Office	Industrial	Government	Agriculture	Education
2020	3,252	20,414	427	757	460	79	107	512
2040	7,384	44,315	1,246	1,946	924	135	83	669

Figure 2. Year 2040 Population by Traffic Analysis Zone

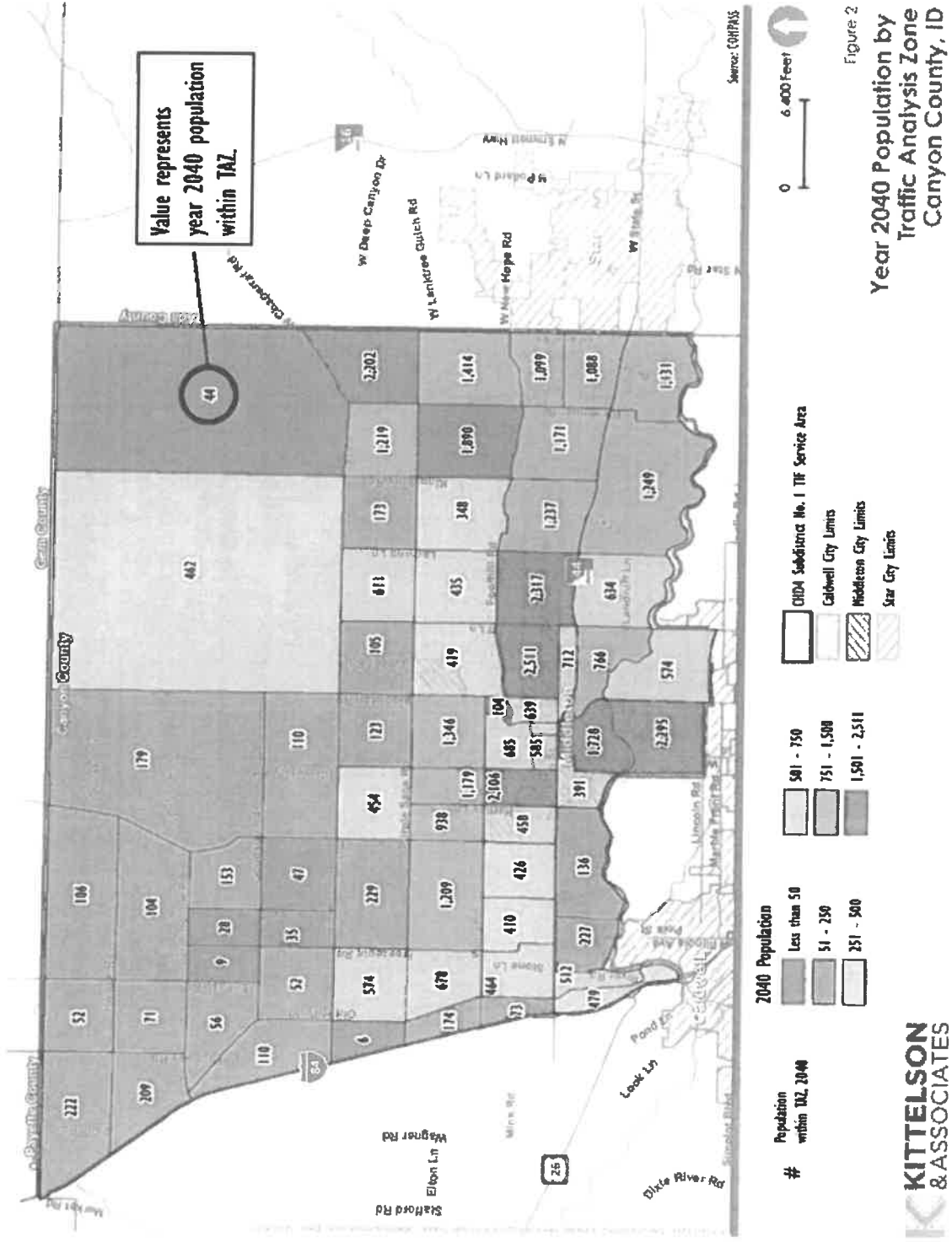
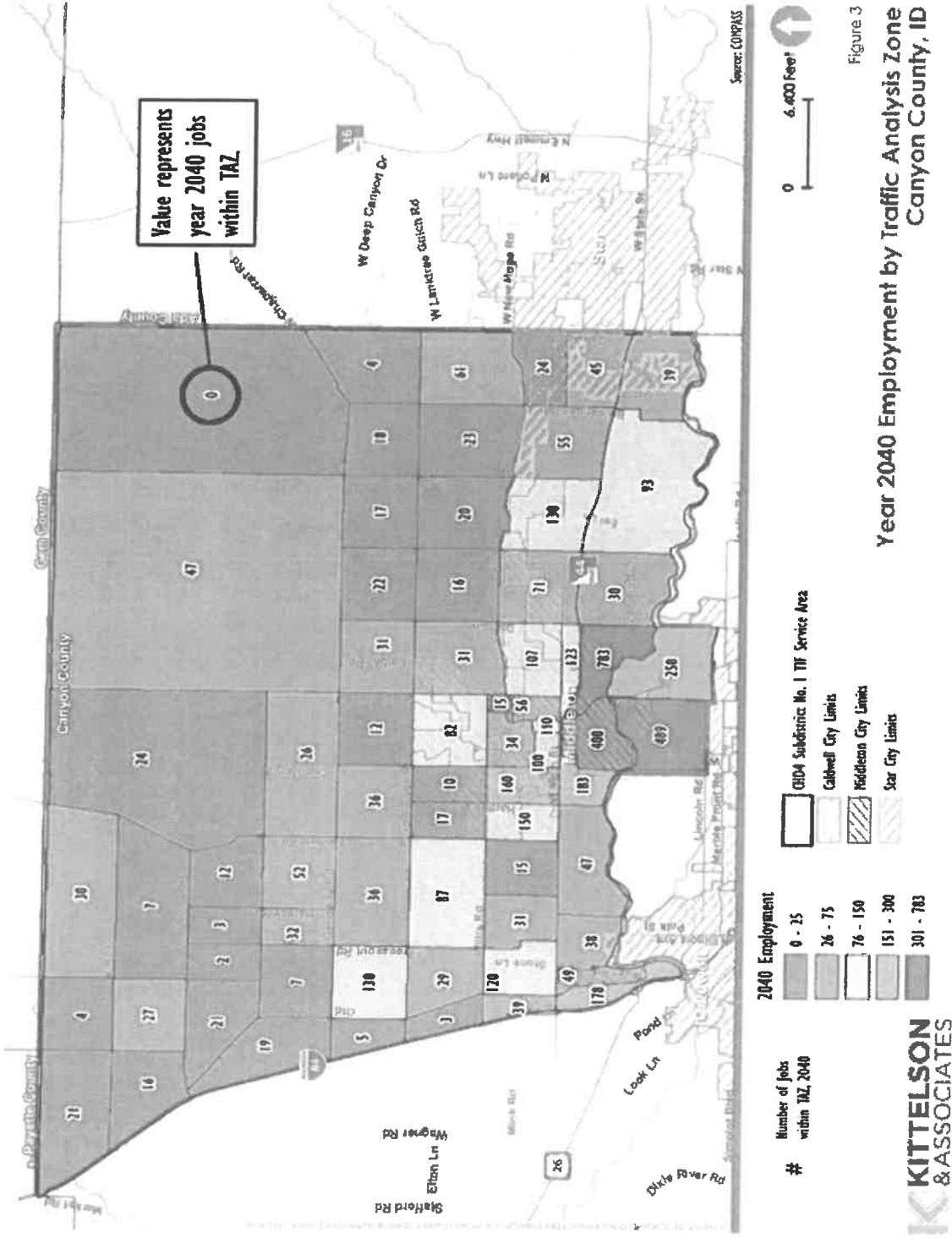


Figure 3. Year 2040 Employment by Traffic Analysis Zone



Performance Measures & Traffic Operations

A traffic operations analysis was conducted for existing and future roadways and intersections within the service area. The following section outlines the methodologies and processes used in the analysis, as well as the performance measure used to determine deficient segments and intersections. *Appendix D includes Technical Memorandum #1A, which includes additional discussion on traffic operations methodology and performance measures.*

Performance Measure

The traffic operations analysis performed in this CIP utilized a performance measure of **level of service (LOS) D** for roadway segments and intersections, based on the following characteristics:

- Goals and objectives for the service area.
- Consistent with current practice by CHD4 and City of Star.
- Consistent with other transportation agencies in the Treasure Valley.
- The measure is tied to the capacity of the roadway segments and intersections consistent with the Idaho Code 67-82.
- The measure can be calculated via HCM methodology.

Roadway Volumes

The revised year 2040 land use assumptions embedded in the COMPASS travel demand model were used to develop future roadway volumes for the study network. COMPASS provided daily volumes as well as PM peak hour, directional volumes for year 2020 and 2040 analysis years. Figure 4 shows weekday PM peak hour roadway volumes for year 2040.

Figure 4. Year 2040 Roadway Volumes, Weekday PM Peak Hour

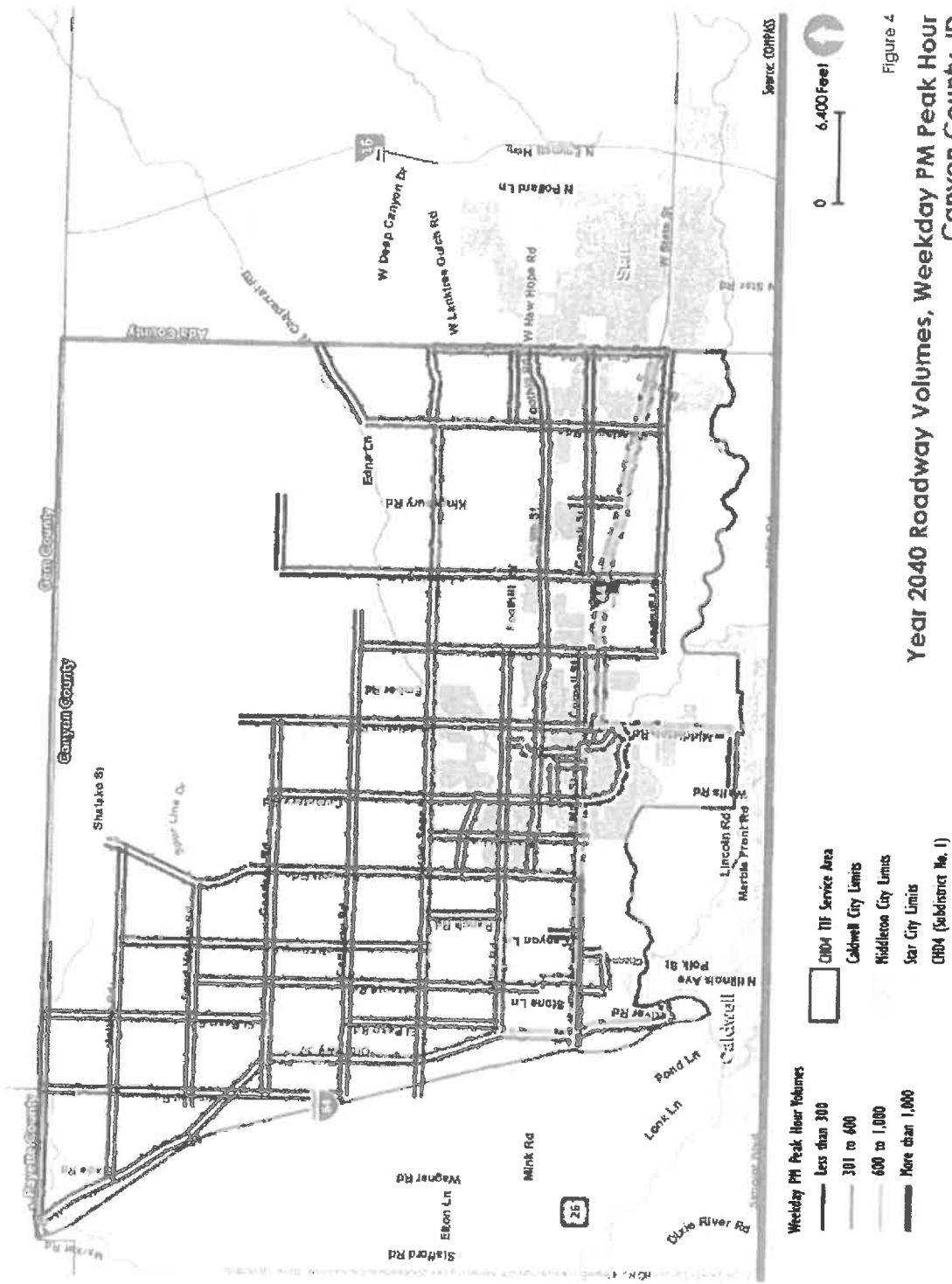


Figure 4
Year 2040 Roadway Volumes, Weekday PM Peak Hour
Canyon County, ID

Roadway Methodology

Roadway operations were evaluated within the service area using service volume thresholds based on methodologies from the Highway Capacity Manual (HCM), 6th Edition. The specific values used in this analysis were developed using the Florida Department of Transportation's (FDOT) 2020 generalized service volume tables. *For more information regarding this process and other service volume tables, see Technical Memorandum #2 in Appendix F.*

Table 4 provides two distinct sets of service volumes for different roadway classifications, lane configurations, and the presence of turn lanes, center turn-lane, or median. These sets include:

- CHD4 Service Volumes: Urbanized Areas – developed using 2020 FDOT “Urbanized Area” service volume table
- CHD4 Service Volumes: Transitioning Areas – developed using 2020 FDOT “Transitioning and Areas Over 5,000 Not in Urbanized Areas” service volume table

The context of each roadway was categorized as follows: “urbanized area” for roadways within an incorporated city and “transitioning area” for roadways within an unincorporated area of the county. The following describes the methodology for evaluating roadway segments:

Step 1: COMPASS Regional Travel Demand Model output was obtained. Existing (2020) and future (2040) peak-hour directional volumes (weekday PM peak hour) for each roadway were provided from COMPASS model link volumes.

Step 2: Each roadway segment was evaluated by comparing the peak-hour directional volumes calculated in Step 1 with the selected thresholds outlined in Table 4 (on the next page). Using LOS D as the threshold, roadways that require capacity improvements were identified, and project types were recommended for each roadway to meet this performance measure.

Step 3: The list of recommended projects was presented to partner agencies. The project list was refined based on input from partner agencies and incorporated into the CIP. The Freezeout Rd- SH 44 to Willis Rd roadway project exceeded the LOS D threshold. It was removed by observation as it would not logically function as arterial or major collector components to the network.

Table 4. Roadway Service Volume Thresholds

Functional Classification	Characteristics	Number of Lanes per Direction of Travel	Directional Peak Hour Volume Level of Service Planning Thresholds			
			Urbanized Areas		Transitioning Areas	
			LOS D	LOS E	LOS D	LOS E
Principal Arterial	Undivided; No left turn lanes at intersections	1	620	**	560	**
		1	790	**	720	**
	Undivided; Left turn lanes at intersections	2	1,700	**	1,550	**
		3	2,570	**	2,330	**
		1	840	**	760	**
	Divided (Continuous center left turn lane or median); Left turn lanes at intersections	2	1,800	**	1,640	**
		3	2,720	**	2,470	**
Minor Arterial	Undivided; No left turn lanes at intersections	1	530	560	480	500
		1	680	720	610	650
	Undivided; Left turn lanes at intersections	2	1,390	1,450	1,240	1,360
		3	2,140	2,180	1,940	2,060
	Divided (Continuous center left turn lane or median); Left turn lanes at intersections	1	710	760	650	680
		2	1,470	1,530	1,310	1,440
		3	2,270	2,300	2,050	2,180
Collector	Undivided; No left turn lanes at intersections	1	340	360	310	320
		1	490	520	440	470
	Undivided; Left turn lanes at intersections	2	980	1,020	880	960
		3	1,510	1,540	1,370	1,450
	Divided (Continuous center left turn lane or median); Left turn lanes at intersections	1	530	560	480	500
		2	1,060	1,110	950	1,040

Intersection Methodology

Intersection operations were evaluated using methodologies outlined in the HCM and the National Cooperative Highway Research Program (NCHRP) *Report 825: Planning and Preliminary Engineering Applications Guide to the Highway Capacity Manual* (Reference 10). The methodology required the following data:

- Year 2020 and 2040 peak hour traffic volume projections on all service area roadways
- Year 2020 and 2040 peak hour intersection turning movement volume projections on certain service area intersections
- Existing peak hour traffic volumes on service area roadways and intersections (not a requirement, but preferred where data is available)

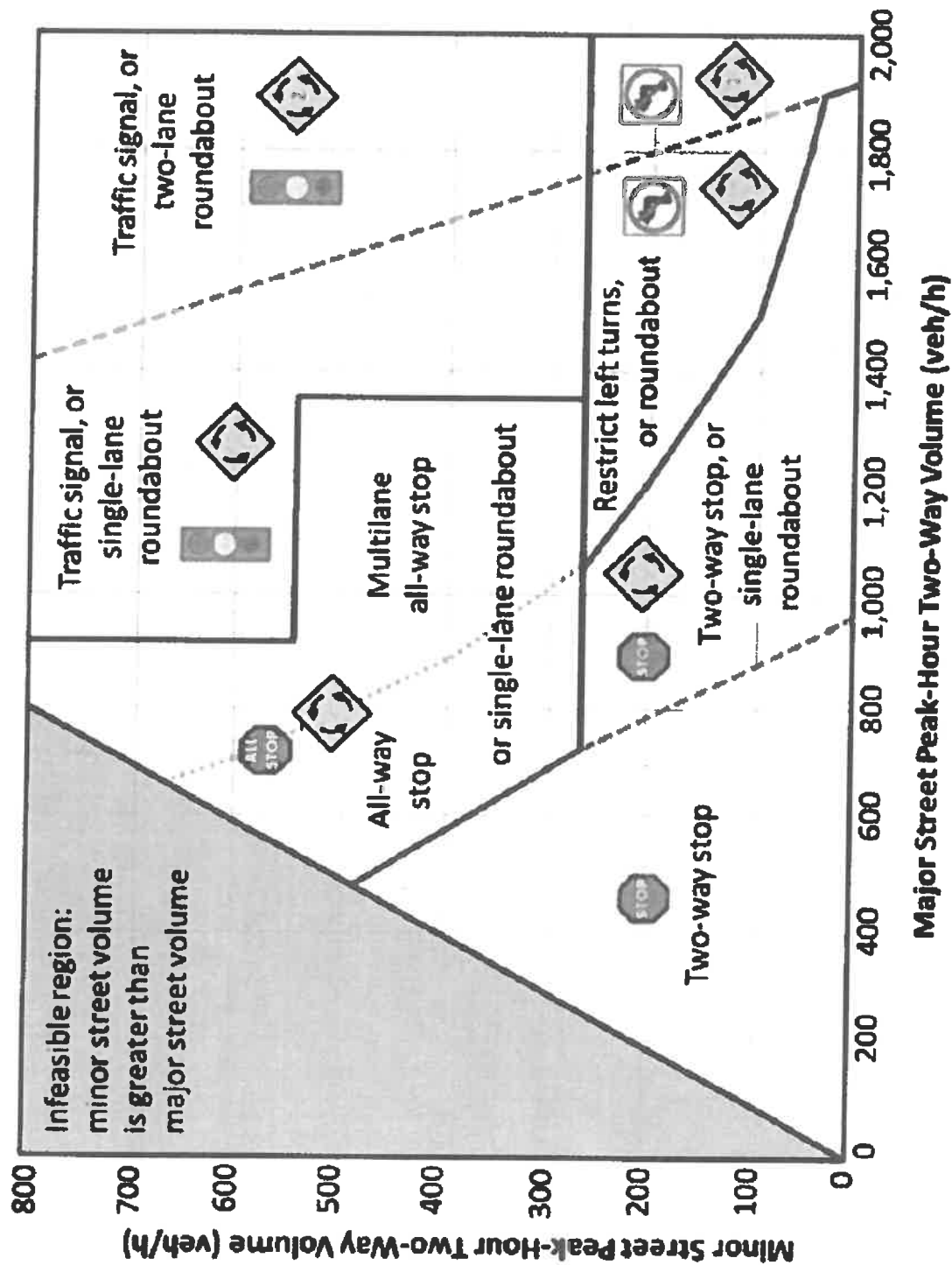
This methodology led to identifying deficiencies and improvements, such as converting a two-way stop-control intersection to an all-way stop-control, roundabout or traffic signal at the intersections. The following steps outline the methodology used for intersection operations analysis.

Step 1: Each intersection within the service area was evaluated under year 2020 and 2040 traffic conditions (weekday PM peak hour) using Exhibit 17 from NCHRP Report 825 (Reference 10), as shown in Figure 5 and Figure 6. This exhibit is based on methodologies of the 6th Edition of the HCM and identifies intersections that warrant a different intersection control type (e. g. stop control, all-way stop, roundabout, signal), based on future traffic volumes on the roadway approaches. This step resulted in a list of intersections in the service area that may warrant an improvement.

Step 2: The compiled list of intersections and preliminary recommendations for intersection control types (created in Step 1) was sent to partner agencies and the DIFAC for review and comment. Based on feedback from partner agencies and the DIFAC, a refined list of intersections and respective control types was developed for inclusion into the CIP.

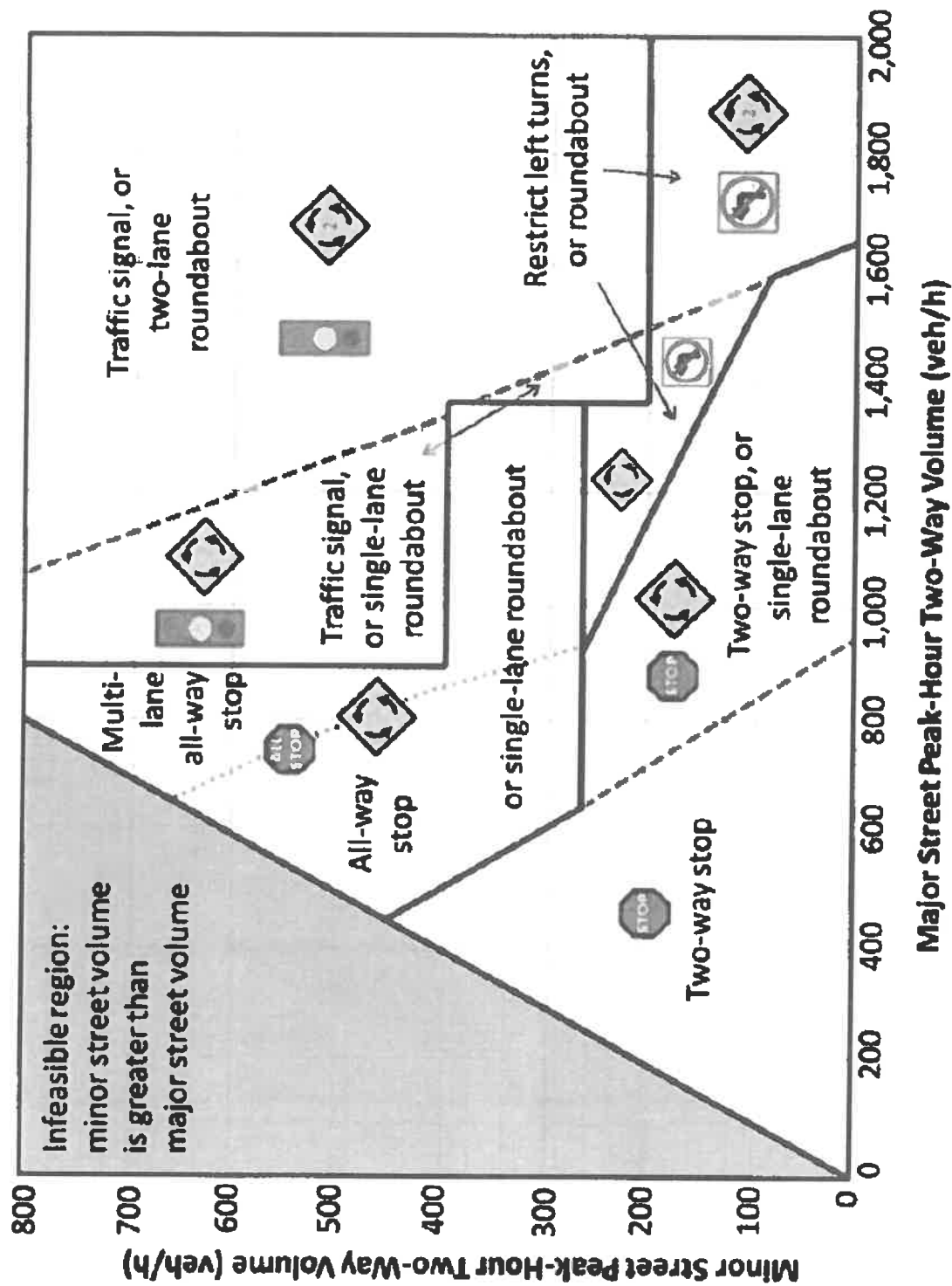
Step 3: Some intersections are identified for further analysis to determine appropriate control type. Previous planning documents for the service area were reviewed for consistency with intersection needs and control types.

Figure 5. Intersection Control Type by Peak Hour Volume – 50/50 Volume Distribution



Source: National Cooperative Highway Research Program (NCHRP) Report 825 (Exhibit 17a)

Figure 6. Intersection Control Type by Peak Hour Volume – 67/33 Volume Distribution



Source: National Cooperative Highway Research Program (NCHRP) Report 825 (Exhibit 17b)

ROADWAY & INTERSECTION DEFICIENCIES

Existing Capacity & Deficiencies

This section identifies the existing capacity and deficiencies of the transportation system as required by Idaho Code 67-82. Five intersections and two roadway segments have traffic demand that exceeds current year 2020 service capacity. All five of the intersections are along SH 44, and all are currently two-way stop-controlled intersections. The critical movement(s) of these intersections are expected to operate over-capacity during the PM peak hour which corresponds with a performance measure of LOS E or worse. The two roadway segments currently operate at LOS E or worse during the PM peak hour and include a small segment of SH 44, less than 1,000 feet from I-84 to Old Highway 30 and a segment of Middleton Road, about 1.5 miles from Lincoln Road to Sawtooth Lake Drive. Capacity improvements that address existing deficiencies are not eligible for TIF funding. Table 5 and Figure 7 identify the existing system deficiencies. The total estimated cost to address existing system deficiencies is \$6,312,500, as shown in Table 5.

Table 5. Deficient Intersections & Roadways (Year 2020, Existing System)

Intersection	Existing Control Type		Improvement Needed to Address Existing Deficiency		Cost
SH 44 & Middleton Road ¹	Two-Way Stop		3x5 Traffic Signal		\$962,500
SH 44 & Emmett Road	Two-Way Stop		3x5 Traffic Signal		\$362,500
SH 44 & Lansing Lane ¹	Two-Way Stop		3x5 Traffic Signal		\$1,262,500
SH 44 & Old Highway 30	Two-Way Stop		3x5 Traffic Signal		\$1,262,500
SH 44 & Can Ada Road	Two-Way Stop		3x5 Traffic Signal		\$1,262,500
Roadway	Threshold	Peak Hour Volume	Existing Configuration	Improvement Needed to Address Existing Deficiency	Cost
SH 44 ² I-84 to Old Highway 30	720	923	2 Lanes	Widen to 3 Lanes	\$0 (ITD only)
Middleton Road ³ Lincoln Road to Sawtooth Lake Drive	560 to 620	676 to 682	3 Lanes	Widen to 3 Lanes	\$1,200,000

¹Mitigation requires traffic signal or roundabout; ²Mitigation requires two travel lanes in each direction; ³Mitigation requires turn lanes at intersections



Existing Deficiencies (2020)
Canyon County, ID

2040 Capacity & Deficiencies

Future travel demand estimates for the Mid-Star service area are based on the land use and growth assumptions described above and are developed through output from the COMPASS travel demand model. The model forecasts the PM peak hour vehicle trips for 2040 horizon year based on the growth assumptions (size, type, and location of new developments), and assigns these trips to roadway segments in the service network.

Service units, or the measure of system demand associated with each new development, are measured in Vehicle Miles Traveled (VMT) on the service network during the PM peak hour. The additional demand attributable to the estimated new growth and development during the 2020 to 2040 planning horizon is 23,280 VMT as shown in Table 6.

Table 6. Change in Vehicle Miles Traveled (Year 2020 to Year 2040)

	Total Service Area VMT
Year 2020	11,743
Year 2040	35,023
Net New System VMT (Change in VMT from New Development)	23,280

The service network was evaluated using the COMPASS travel demand model for the projected 2040 total demand, with 23,280 additional PM peak hour vehicle miles traveled (VMT). Those improvements needed to return the service network intersections and roadway corridors to a LOS D (excluding any 2020 existing deficiencies) are considered the proportionate share of improvements attributable to new growth and development.

Projected traffic demand is expected to exceed service capacity on thirty-two intersections and eleven roadway segments by 2040. Most of the deficient intersections are located along a few major roadways within the service area:

- Sixteen along SH 44 (50%),
- Eight along Purple Sage Road (25%) and
- Four along Old Highway 30 (12.5%).

Five of the thirty-two identified intersections have existing deficiencies in the 2020 year. The portions of projects that address these existing deficiencies are not impact fee eligible, and are excluded from the impact fee-eligible costs in the CIP.

The majority of SH 44 within the service area exceeds service capacity thresholds in year 2040, except for the segment within the City of Middleton. These segments are under the jurisdiction of ITD and therefore are not impact-fee eligible. Other deficient segments in the year 2040 include:

- Purple Sage Road between Freezeout Road and Emmett Road and between Middleton Road and Kingsbury Road, and
- Portions of Old Highway 30, Freezeout Road, Middleton Road, Blessinger Road, Can Ada Road, and Willis Road.

Table 7, Table 8, and Figure 8 illustrate intersection and roadway deficiencies in the year 2040.

Table 7. Deficient Intersections (Year 2040)

Intersection	Existing Deficiency	Existing Control Type
Old Highway 30 & Galloway Road	No	Two-Way Stop
Old Highway 30 & Purple Sage Road	No	Two-Way Stop
Old Highway 30 & Willis Road	No	Two-Way Stop
Purple Sage Road & Middleton Road	No	Two-Way Stop
Purple Sage Road & Duff Lane	No	Two-Way Stop
Purple Sage Road & Lansing Lane	No	Two-Way Stop
Purple Sage Road & Emmett Road	No	Two-Way Stop
Purple Sage Road & Harvey Road	No	Two-Way Stop
Purple Sage Road & Freezeout Road	No	Two-Way Stop
Purple Sage Road & Blessinger Road	No	Two-Way Stop
Freezeout Road & Willis Road	No	Two-Way Stop
SH 44 & Middleton Road	Yes	Two-Way Stop
SH 44 & Dewey Avenue	No	Two-Way Stop
SH 44 & Hawthorne Drive	No	Two-Way Stop
SH 44 & Cemetery Road	No	Two-Way Stop
SH 44 & Hartley Road	No	Two-Way Stop
SH 44 & Emmett Road	Yes	Two-Way Stop
SH 44 & Duff Lane	No	Two-Way Stop
SH 44 & Canyon Lane	No	Two-Way Stop
SH 44 & Channel Road	No	Two-Way Stop
SH 44 & Lansing Lane	Yes	Two-Way Stop
SH 44 & River Road	No	Two-Way Stop
SH 44 & Freezeout Road	No	Two-Way Stop
SH 44 & Old Highway 30	Yes	Two-Way Stop
SH 44 & Kingsbury Lane	No	Two-Way Stop
SH 44 & Blessinger Road	No	Two-Way Stop
SH 44 & Can Ada Road	Yes	Two-Way Stop
Middleton Road & Sawtooth Lake Drive	No	Two-Way Stop
Middleton Road & Lincoln Road	No	Two-Way Stop
Middleton Road & Cornell Street	No	All-Way Stop
Can Ada Road & Willis Road	No	Two-Way Stop ¹
Can Ada Road & Foothill Road	No	All-Way Stop

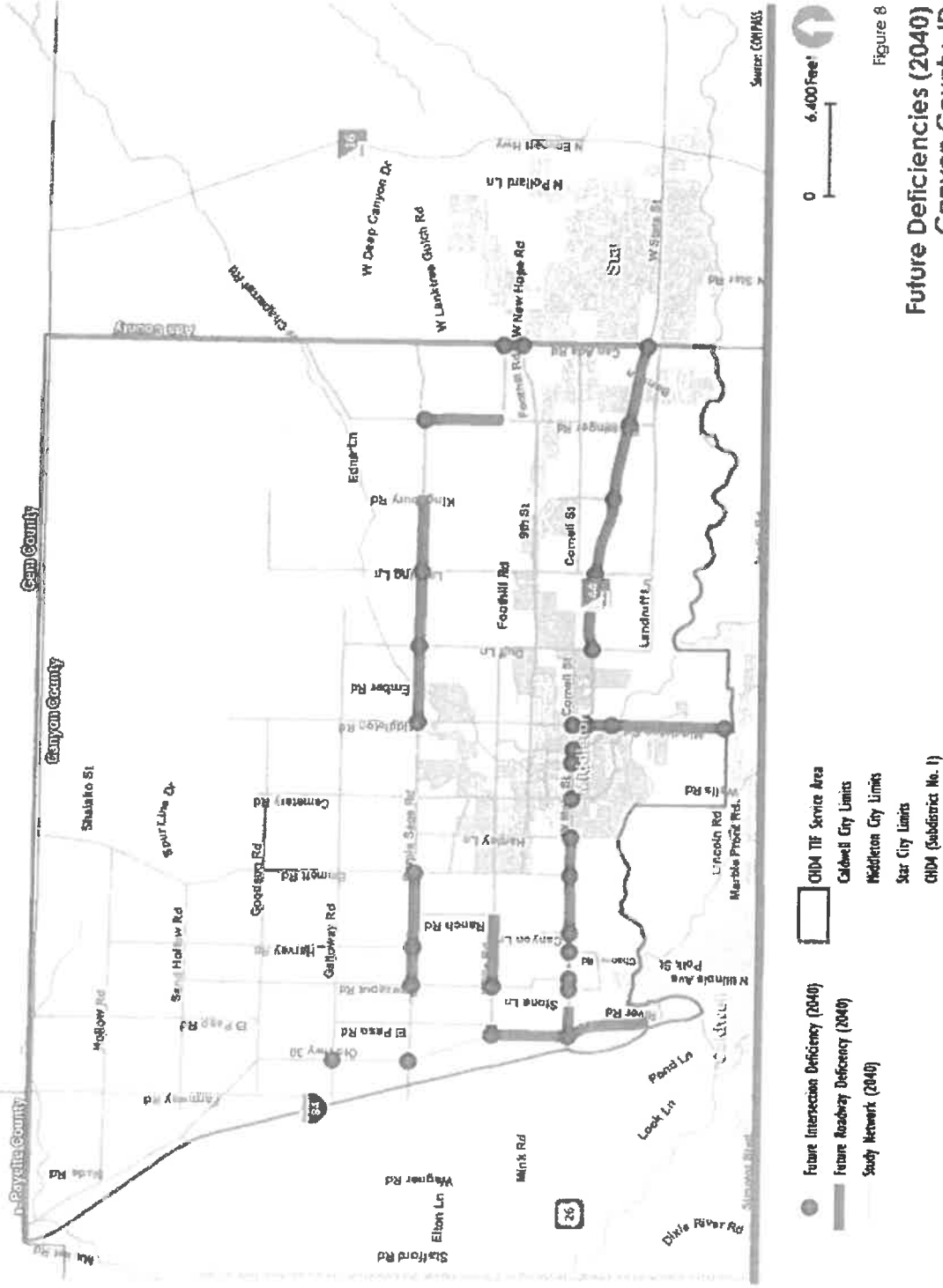
1. Future intersection – TWSC assumed for all future intersections in this analysis

Table 8. Deficient Roadway Segments (2040)

Roadway	Threshold ¹	Peak Hour Volume
Blessinger Road <i>Willis Road to Purple Sage Road</i>	310	321
Can Ada Road <i>New Hope Road to Willis Road</i>	480	495
Middleton Road <i>Lincoln Road to SH 44</i>	490 to 620	533 to 887
Old Highway 30 <i>US 26 to Willis Road</i>	480 to 560	645 to 754
Purple Sage Road <i>Freezeout Road to Emmett Road</i>	480	500 to 557
Purple Sage Road <i>Middleton Road to Kingsbury Road</i>	480	497 to 519
SH 44 <i>Old Highway 30 to Rainbow Ridge</i>	1,550	1,600
SH 44 <i>Canyon Lane to Hartley Lane</i>	720	798 to 1,135
SH 44 <i>Duff Lane to Can Ada Road</i>	720	742 to 987
Willis Road <i>Old Highway 30 to El Paso Road</i>	310	365
Willis Road <i>Freezeout Road to Ranch Road</i>	310	362

¹. See Table 4 for service volume threshold definitions

Figure 8. Future Deficiencies (2040)



CIP PROJECTS

This section presents the proposed CIP projects to address the intersection and roadway deficiencies identified in year 2020 and 2040.

Cost Estimates

The total cost of each project in the CIP was estimated at the planning-level. Table 9 shows unit costs for different project types that were used as a baseline for project costs. The project unit costs were developed based on recent cost estimates for similar projects in the region and collaboration with CHD4. The final CIP project costs were adjusted from the baseline costs shown in Table 9 to account for right-of-way (ROW) impacts, topography challenges, bridges or large culverts, and other potential constraints or design considerations (i.e., number of turn lanes required).

ROW costs are included in the intersection project unit costs. ROW costs for roadway projects were determined on a case-by-case basis using available parcel data and a unit cost of \$2.50 per square feet. The unit cost was based on recent project costs in the region. It was assumed that a ROW width of 74 feet is required for two-three lane roadways and that a ROW width of 94 feet is required for four-five lane roadways.

Bridge and/or culvert costs were added for significant waterway crossings using \$400 per square foot for design and construction costs. A contingency factor was applied to each project unit cost on a case-by-case basis to account for topographic features and other potential constraints.

Table 9. Cost Estimates - Unit Costs

Project Type	Project Unit Cost	Notes
Single-Lane Roundabout	\$2,000,000 per intersection	Cost includes bicycle and pedestrian facilities and limited ROW impacts.
Multi Lane Roundabout	\$3,000,000 per intersection	
Traffic Signal (3x3) ¹	\$325,000 per intersection	Cost does not include widening of roadway. Costs associated with turn-lanes added based on need to widen roadway approaches. Cost includes limited ROW impacts and bicycle and pedestrian facilities.
Traffic Signal (5x5) ²	\$400,000 per intersection	
Roadway Widening	\$1,500,000 per lane per mile	ROW not included and determined on a case-by-case basis. Assumes cross-section with 12' travel lanes, 14' center-turn lanes, sidewalks, bike lanes, and/or multi-use path.
New Roadway	\$1,300,000 per lane per mile	ROW not included and determined on a case-by-case basis assuming a unit cost of \$2.50 per square foot. Assumes cross-section with 12' travel lanes, 14' center-turn lanes, sidewalks, bike lanes, and/or multi-use path.
Turn Lane Improvement	\$300,000 per turn lane	Assumes cost of \$75 per square foot. Project unit cost is for 250' turn lane with 150' taper.
Bridge or Major Culvert	\$400 per square foot	From ITD planning level estimates.

1. 3x3 assumes one through lane, one left-turn lane, and one through lane on each approach.

2. 5x5 assumes two through lanes, one left-turn lane, and two through lanes on each approach.

Impact Fee Eligibility

The overall cost of impact fee eligible projects is used to determine the final impact fee schedule. The proportion of impact fee eligible costs was calculated for each CIP project. Impact fee eligibility is based on the requirements in Idaho Code 67-82 which states that impact fee funding should meet the following criteria:

- *Address deficiencies in capacity*
- *Address deficiencies that are attributable to future development (not existing deficiencies)*
- *Are included in the CIP (requiring updating every five years)*

Intersection projects on SH 44 (ITD facility) should be jointly funded by ITD and CHD4, the City of Star, or the City of Middleton. Only those portions of the SH 44 intersection projects that are outside of the ITD right-of-way (excluding the local share of signal equipment costs) are considered impact fee eligible. Projects, or portions of projects, that address existing deficiencies are not impact fee eligible.

Certain other projects that lie on the boundaries of the service area (for example, Can Ada Road, or the Middleton Road /Lincoln Road intersection), are only partially eligible for impact fee funds collected within the Mid-Star service area. Those projects costs are estimated as a percentage of the total cost, as portions of the total project cost will be borne by the adjacent jurisdiction or service area. The percentage varies with the specific project location and configuration.

In accordance with Idaho Code 67-82, development impact fees may not charge growth and development more than their proportionate share of the system improvements required to serve that growth. Portions of the CIP project costs are fully impact fee eligible to serve this new demand, including right-of-way costs, storm drain facilities, traffic signals, curbs and gutters, intersection approaches, and additional travel lanes. Other project costs do not serve the demand created by new growth, and are not impact fee eligible. These components include re-construction of existing travel lanes, bicycle lanes, sidewalks, irrigation to serve landscaping, landscaping amenities, and street lighting. The percent of each project cost that is attributable to these non-eligible components was determined based on regional project cost estimates and used to create a series of impact fee eligible adjustment factors. The adjustment factors represent the percent of each project's cost estimate that is not impact fee eligible due to the project components. The impact fee eligible project cost adjustment factors are as follows:

- **Bicycle and Pedestrian Facilities:**
 - Intersection Projects – 4% of total cost
 - New Roadway and Roadway Widening Projects – 10% of total cost
- **Re-Construction of Existing Travel Lanes**
 - Intersection Projects – 0% of total cost
 - *Roundabout projects planned for use throughout the service area change intersection configuration and do not utilize existing intersection capacity. Traffic signal intersections improvements on the SH-44 corridor are assumed to utilize the existing travel lanes on the minor public road approaches, and can be improved by addition of turn lanes added to the existing roadway.*
 - Roadway Widening Projects – 3% of total cost

- *Roadway widening unit costs assume minimal re-construction of existing travel lanes – re-construction of existing travel lanes is limited to sawcut, fog seal, and striping.*

Landscaping and irrigation are also assumed to be non-impact fee eligible, but the costs associated with landscaping and irrigation were assumed to be negligible (less than 1% of total project costs). The costs associated with ROW acquisition services, utility re-location, engineering design and engineering inspection were assumed to be impact fee eligible, and are calculated as 20% of the construction cost of the project.

Certain future collector and arterial roadways within the service area were included in the year 2040 deficiencies analysis to provide a more realistic distribution of year 2040 traffic volumes. The project costs associated with these roadways were considered for impact fee eligibility if the roadways were expected to serve significant amounts of regional traffic. Future roadways shown on the map but not included in the CIP project list are principally for local property access, are not impact fee eligible, and will be constructed by development. These future roadways may be added to subsequent capital improvement plans for this service area if their function becomes more regionally significant as the area develops.

Project List

The final CIP project list is shown in Table 10. , and project locations are displayed in Figure 9. Projects include roadways and intersections with existing and future deficiencies, as well as previously planned future roadways and intersections. Table 10. includes the project cost estimates, TIF eligible costs, and estimated project timeframe.



Table 10. Mid-Star Service Area CIP Projects

Project ID	Intersection	Existing Deficiency	Project Description	Project Cost Estimate	TIF-Eligible Cost	Timeframe
I-1	Old Highway 30 & Galloway Road	No	Single-Lane Roundabout	\$1,600,000	\$1,536,000	2035-2040
I-2	Old Highway 30 & Purple Sage Road	No	Single-Lane Roundabout	\$2,000,000	\$1,920,000	2025-2030
I-3	Old Highway 30 & Willis Road ²	No	Single-Lane Roundabout	\$2,200,000	\$2,112,000	2035-2040
I-4	Purple Sage Road & Middleton Road	No	Single-Lane Roundabout	\$2,000,000	\$1,920,000	2035-2040
I-5	Purple Sage Road & Duff Lane	No	Single-Lane Roundabout	\$1,800,000	\$1,728,000	2035-2040
I-6	Purple Sage Road & Lansing Lane ³	No	Single-Lane Roundabout	\$2,400,000	\$2,304,000	2035-2040
I-7	Purple Sage Road & Emmett Road ²	No	Single-Lane Roundabout	\$2,000,000	\$1,920,000	2035-2040
I-8	Purple Sage Road & Harvey Road	No	Single-Lane Roundabout	\$1,900,000	\$1,824,000	2035-2040
I-9	Purple Sage Road & Blessinger Road	No	Single-Lane Roundabout	\$2,400,000	\$2,304,000	2025-2030
I-10	Freezeout Road & Willis Road	No	Single-Lane Roundabout	\$2,000,000	\$1,920,000	2035-2040
I-11	SH 44 & Middleton Road	Yes	Traffic Signal	\$962,500	\$0	2020-2025
I-12	SH 44 & Dewey Avenue	No	Traffic Signal	\$362,500	\$166,750	2020-2025
I-13	SH 44 & Hawthorne Drive	No	Traffic Signal	\$362,500	\$166,750	2020-2025
I-14	SH 44 & Cemetery Road	No	Traffic Signal	\$1,262,500	\$730,750	2020-2025
I-15	SH 44 & Hartley Road ⁴	No	Traffic Signal	\$1,562,500	\$718,750	2025-2030
I-16	SH 44 & Emmett Road	Yes	Traffic Signal	\$362,500	\$0	2035-2040
I-17	SH 44 & Duff Lane	No	Traffic Signal	\$962,500	\$742,750	2020-2025
I-18	SH 44 & Canyon Lane	No	Restricted Left Turn	N.A. ¹	N.A. ¹	2035-2040
I-19	SH 44 & Channel Road	No	Restricted Left Turn	N.A. ¹	N.A. ¹	2035-2040
I-20	SH 44 & Lansing Lane	Yes	Traffic Signal	\$1,262,500	\$0	2020-2025
I-21	SH 44 & River Road ²	No	Restricted Left Turn	N.A. ¹	N.A. ¹	2035-2040

Canyon County Highway District 4 | Mid-Star Service Area Capital Improvements Plan

I-22	SH 44 & Freezeout Road ²	No	Traffic Signal	\$1,262,500	\$430,750	2035-2040
I-23	SH 44 & Old Highway 30 ²	Yes	Traffic Signal	\$1,262,500	\$0	2035-2040
I-24	SH 44 & Kingsbury Lane	No	Traffic Signal	\$1,262,500	\$430,750	2020-2025
I-25	SH 44 & Blessinger Road	No	Traffic Signal	\$1,562,500	\$718,750	2030-2035
I-26	SH 44 & Can Ada Road	Yes	Traffic Signal	\$1,262,500	\$0	2020-2025
I-27	Middleton Road & Sawtooth Lake Drive	No	Multi-Lane Roundabout ⁵	\$3,000,000	\$2,880,000	2020-2025
I-28	Middleton Road & Lincoln Road ⁷	No	Multi-Lane Roundabout ⁵	\$4,200,000	\$2,016,000	2020-2025
I-29	Middleton Road & Cornell Street	No	Single-Lane Roundabout	\$2,000,000	\$1,920,000	2025-2030
I-30	Can Ada Road & Foothill Road ⁶	No	Single-Lane Roundabout	\$2,000,000	\$1,440,000	2025-2030

Project ID	Roadway	Existing Deficiency	Project Description	Project Cost Estimate	TIF-Eligible Cost	Timeframe
R-1	Middleton Road ² Lincoln Road to Sawtooth Lake Drive	Partial – Existing Deficiency Mitigated by Turn Lanes at Intersections	Widen to 5 Lanes (Lincoln Road to Bass Lane); Add Continuous Left Turn Lane (Bass Lane to Middleton Rd) (3.2 lane miles)	\$12,569,545	\$9,735,505	2020-2025
R-2	Middleton Road Alignment ^{1,4} Sawtooth Lake Drive to SH 44	Future Roadway	Construct a 4-5 Lane Roadway connecting Sawtooth Lake Drive to SH 44 at the N Middleton Road Alignment	\$2,665,909	\$2,399,318	2025-2030
R-3	Old Highway 30 US 26 to Willis Road	No	Widen to 4 Lanes and Add Left Turn Lanes at Intersections (where absent)	\$3,705,000	\$3,223,350	2035-2040
R-4	Purple Sage Road Old Hwy 30 to Emmett Road	No	Add Left Turn Lanes at Intersections (4 turn lanes)	\$1,296,000	\$1,257,120	2030-2035
R-5	Purple Sage Road ³ Emmett Road to Middleton Road	No	Add Left Turn Lanes at Intersections (4 turn lanes)	\$1,296,000	\$1,257,120	2035-2040

Canyon County Highway District 4 | Mid-Star Service Area Capital Improvements Plan

R-6	Purple Sage Road ¹ Middleton Road to Kingsbury Road	No	Add Left Turn Lanes at Intersections (5 turn lanes)	\$1,620,000	\$1,571,400	2035-2040
R-7	Purple Sage Road ² Kingsbury Road to Can Ada Road	No	Add Left Turn Lanes at Intersections (5 turn lanes)	\$648,000	\$628,560	2035-2040
R-8	Willis Road Old Highway 30 to Ranch Road	No	Add Left Turn Lanes at Intersections (2 turn lanes)	\$768,000	\$744,960	2030-2035
R-9	Blessinger Road ³ SH 44 to Willis Road	No	Add Left Turn Lanes at Intersections (4 turn lanes)	\$1,296,000	\$1,257,120	2035-2040
R-10	Can Ada Road ³ SH 44 to Willis Road	No	Add Left Turn Lanes at Intersections (3 turn lanes)	\$972,000	\$471,420	2025-2030
R-11	Can Ada Road ³ Willis Road to Purple Sage Road	No	Add Left Turn Lanes at Intersections (2 turn lanes)	\$648,000	\$471,420	2030-2035
R-12	Cemetery Road ⁴ Sawtooth Lake Drive to SH 44	Future Roadway	Construct Two Lane Roadway	\$2,749,242	\$2,474,318	2020-2025
R-13	Blessinger Road ³ Willis Road to Purple Sage Road	Future Roadway	Construct Two Lane Roadway with Left Turn Lanes at Intersections (4 turn lanes)	\$1,552,400	\$1,200,000	2035-2040
R-14	Willis Road Wanda Way to Old Middleton Road	Future Roadway	Construct Two Lane Roadway (0.74 lane miles)	\$2,150,821	\$1,935,739	2035-2040
R-15	Willis Road Blessinger Road to Can Ada Road	Future Roadway	Construct Two Lane Roadway (1.3 lane miles)	\$2,423,300	\$2,180,970	2030-2035
R-16	9 th Street Connection west of Cemetery Road	Future Roadway	Construct Two Lane Roadway (0.2 lane miles)	\$256,061	\$230,455	2030-2035
R-17	9 th Street Willow Drive to Magic Ave	Future Roadway	Construct Two Lane Roadway (2.4 lane miles)	\$4,708,800	\$4,237,920	2030-2035
Total Cost				\$86,537,579	\$67,126,695	

1. Negligible capital costs

2. Previously identified in CHD4 Transportation Master Plan

3. Previously identified in City of Star Comprehensive Plan

4. Previously identified in City of Middleton CIP

5. Minor roadway will have single-lane entry/exit

6. Reduced TIF Eligible costs due to anticipated participation by ACHD

7. Reduced TIF Eligible costs due to anticipated participation by new service area south of Mid-Star.

FUNDING SOURCES

There are three separate roadway jurisdictions within the Mid-Star service area: CHD4, City of Middleton, and City of Star. By agreement² with City of Star, CHD4 acts as this highway jurisdiction for those city streets located within Canyon County, similar to the role of Ada County Highway District for Star within Ada County.

Each of these agencies receives, or is eligible to receive, funding for transportation improvements from a variety of sources:

- Property taxes
- Highway User Fund taxes (fuel taxes)
- Vehicle Registration Fees
- Federal Aid or State grant programs
- Traffic Impact Fees (currently City of Middleton only)

Over the 2015-2019 period, total transportation revenues as described in the Annual Road and Streets Report for each agency is shown in Table 11.

Table 11. Annual Transportation Revenues by Agency (\$1,000)

Year	CHD4	City of Middleton	City of Star
2019	9,439	1,614	0.587
2018	8,402	1,639	0.598
2017	8,019	1,331	0.553
2016	7,422	1,694	0.541
2015	6,336	2,344	0.528

Note: City of Star collects only 50% of property tax revenue allocated for Road & Bridge construction over a small (< 660 acres) portion of Canyon County. It submits this revenue to CHD4 for use in road maintenance.

Average annual transportation revenues for the service area during the previous 5 reported years is approximately \$9.65 M. Assuming a 5% annual growth rate in funding (historical average for CHD4), total transportation revenues for the 2021-2040 CIP horizon can be estimated to be \$319,013,000. Historically, capital improvement expenditures have accounted for 5% or less of CHD4 and Middleton's transportation budget, as maintenance and operation of the existing system has been the principal focus for small urban and rural areas. The projected \$19,411,000 non-impact fee eligible cost for the CIP projects is equivalent to 6.14% of the estimated total revenue over the 20-year CIP. The agencies participating in funding the CIP will need to account for a moderate additional increment of annual expenditures on capital improvements, which is consistent with the current recognized needs.

² Canyon 4/Star Public Agency Coordination Agreement, June 6, 2007.

INTERGOVERNMENTAL AGREEMENTS

The land use and transportation agencies active within the Mid-Star service area will enter into intergovernmental agreements to fund and construct the multi-jurisdictional transportation improvement projects. Those intergovernmental agreements will detail the proportionate share of funding for each agency based on contributing trips from each jurisdiction, location with each jurisdiction, and anticipated new growth within each jurisdiction.

REFERENCES

1. Kittelson & Associates. CHD4 Traffic Impact Fee Program. 2020.
2. Canyon Highway District No. 4. Transportation Master Plan. 2020.
3. City of Middleton. Transportation Study and Capital Improvement Plan 2017 Update. 2017.
4. City of Star. City of Star Comprehensive Plan. 2019.
5. Idaho Transportation Department, District 3. SH-44, I-84 to Eagle, Corridor Study. 2019.
6. Kittelson & Associates. Middleton Road Corridor Plan. 2016.
7. Canyon County. Canyon County 2020 Comprehensive Plan. 2016.
8. City of Middleton. City of Middleton Comprehensive Plan. 2016.
9. City of Star. City of Star Comprehensive Plan. 2019.
10. National Cooperative Highway Research Program. NCHRP Report 825: Planning and Preliminary Engineering Applications Guide to the Highway Capacity Manual. 2016.



Public Comment Sign In

City Council - October 19, 2022

	Name	Address	Phone or Email	Topic/Agenda Item #
2	Mike McDoban	13037 GREENWELL LN	208 606 2273	GENERAL
1	Terry McCoy	24122 Willis Creek st	208 949-3800	Pheasant Heights Item 5
3	Janet Gibson	On file →		P. H
4	MIRE GRAEFE	1889 RIDGE WAY	208-527-6727	
5	Carol Watkins	NW 44	CM WATKINS	Pl A
6	Jan Taylor	1052 Fremont Drive	208 602 8277	Public Comment
7	Keri Leiten	24532 BLACKBIRD ST	408-421-7566	P.H.
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Public Comment Sign In

City Council - October 19, 2022

	Name	Address	Phone or Email	Topic/Agenda Item #
11				
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5) Pheasant Heights - Annex/Rezone, Preliminary Plat, DA

October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
1	Jose M Sauregui	13201 Willis Road Caldwell, Idaho 83607	(208) 695-7665			X	
2	MIKE GRAEFE	1889 R IAGE WAY	208-577-6227				
3	CAROL WATKINS	14371 Hwy 44	208-249-9149			X	
4	JANET GIBSON	ON FILE	818 929 3549			X	X
5	TODD OGNIENE	1973 SCOTCH PINE DR.	916 549 0342		X		
6		ONE NOT OPPOSED					
7							
8							
9							



5) Pheasant Heights - Annex/Rezone, Preliminary Plat, DA
October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
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5) Pheasant Heights - Annexation/Rezone, Preliminary Plat, DA

October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
1	NICK HYLTON	13075 WILLIS RD	NICK 1024 @ 1607 MAIL 'CA			X	X
2	Paula Wolverton	13065 W. 9th	paulajm3@aol			X	
3	RAY Wolverton	13065 W. 9th St.	RWORCHARDS@AOL.COM			X	X
4	Brian Sheets	24184 Willis Creek St	503-830-1448			X	X
5	Lue Crossley	13189 Willis Rd.	208-585-3823			X	X
6	Roy Thweatt	13089 Will Rd.	530-632-4502			X	X
7	Brian Hyman	13094 W 9th St.	208-891-4200			X	X
8	Traci Pool	13274 Greenwell Ln.	559-470-9274			X	
9	ARTHUR VILLINGS	13258 GREENWELL	208 504 6425			X	

Aaron Spoor

13279 Greenwell Ln. 208 695-8450

X X



5) Pheasant Heights - Annexation/Rezone, Preliminary Plat, DA
October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
10	Christine Villines	13258 Greenwell Ln.	208-504-6425			X	
11	Mike McDermott	13037 GREENWELL LN	208 606 2273			X	X
12	BRENT HECK	13168 GREENWELL LN Crown	208-631-0200			X	X
13	GAREN APPLE	24596 Shantz Ln Crown LN	208-541-1194			X	X
14	TODD SPALDING	23670 FAISAN CT	989-666-8704			X	X
15	BRANDON BIRD	23670 FAISAN CT	503-819-9832			X	
16	Theresa Denham	Middleton	208-505-7678			X	X
17	Cameron Stuart	23690 Faisan Ct	208-315-2216			X	
18	Andrew Easton	8401 Copper creek way	208-697-9712			X	
Jaron Maygea		13045 W 9TH ST.	BRMAYGEA1@gmail.com			X	



7) Additional Construction Walk Through Reinspection Fee

October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
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7) Additional Construction Walk Through Reinspection Fee
October 19, 2022 - City Council - Public Hearing

Please check

	Name	Address	Phone or Email	In Favor	Neutral	Opposed	Testify
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