



PLANNING & ZONING DEPARTMENT

Before the Mayor & City Council
Meeting of July 5, 2023

PUBLIC HEARING ITEM STAFF REPORT

Rodney Ashby, AICP
Planning Director

Annexation and Zoning to RS6 (Single-Family Residential) zoning district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023).

Original Concept: a single parcel with two existing homes to be split into two parcels w/ a home on each parcel.

Action: **Decision**

Nampa Planning & Zoning Commission Decision

The Nampa Planning & Zoning Commission voted on June 13, 2023 to recommend approval of the proposed annexation and zoning and adopted the Proposed Conditions, and Proposed Findings listed in this staff report.

STAFF RECOMMENDATION

ANNEXATION:

1. Be contiguous with the city limits or be enclaved by other properties so annexed.
 - **Staff finds this to be met.**
2. The proposed zoning district is consistent with the adopted Comprehensive Plan Future Land Use Map.
 - **Staff finds this to be met.**
3. All private landowners have consented to annexation.
 - **Staff finds this to be met.**

ZONING

1. The proposed map amendment(s) is, are or would be in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map.
 - **Staff finds this to be met.**

2. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses.
 - **This conclusion of law provides the City Council/Commission significant liberty to determine whether this project establishes a set of use that are compatible with immediately adjoining properties.** However, staff finds this to be met.
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts.
 - **This conclusion of law provides the City Council/Commission significant liberty to determine whether the zone in the area is compatible with immediately adjoining districts in use type and density.** However, staff finds this to be met.
4. The proposed map amendment(s) is not, are not or would not create a “spot” zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s).
 - **Staff finds this to be met.**
5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.
 - **This conclusion of law provides the City Council/Commission significant liberty to determine whether the timing and location is appropriate for annexation. Council must determine whether this conclusion of law is applicable to the proposed project.** However, staff finds this to be met.

Based upon the analysis that was completed utilizing the Criteria in Nampa City Code and the State of Idaho Statutes, the Nampa Comprehensive Plan, along with the findings and conditions listed in the staff report and adopted by the Nampa Planning & Zoning Commission, the project appears to meet all requirements. Staff can reasonably recommend to the City Council that the project be approved.

PROPERTY DETAILS

Current Jurisdiction/Status: This Property, is currently under the jurisdiction of Canyon County, within Nampa City's Impact Area and, is either owned or optioned by the Applicant or that the Applicant has the Property owner's permission to apply for the applications made the subject of this report.

Surrounding Zoning:

North: RS6 PUD – multiple detached homes on a single lot (Silvercrest Estates)

South: RS6 (single family residential) – Laurelwood #1

East: County R1 zoning (large-lot single family residence)

West: County R1 zoning (agricultural animal pasture and accessory structures)

Services: The City maintains the following utilities in the vicinity of the project:

The City currently maintains the following utility mainlines in the area:

- Domestic water – 12” mainline in W Orchard Ave.
- Sewer – 12” mainline in W Orchard Ave at +/- 10’ depth.
- Pressure Irrigation – 8” mainline crossing N Coppertree Dr, approx. 28’ south of curb line on W Orchard Ave.

APPLICABLE REGULATIONS

Annexation:

Idaho State Code Title 50-222. ANNEXATION BY CITIES. (1) Legislative intent. The legislature hereby declares and determines that it is the policy of the state of Idaho that cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe.

50-222(3) outlines the Criteria required for approval of Annexation as a category A annexation, specifically:

- Be contiguous with the city limits or be enclaved by other properties so annexed.
- The comprehensive plan includes the area of annexation
- All private landowners have consented to annexation.

Zoning/Rezoning:

10-2-3-(c). Conclusions of Laws Pertinent to Proposed Zoning Map Amendments: Before the commission recommends an amendment to the city's official zoning map and before the council approves any proposed zoning map amendment(s), the commission and the council must individually find and conclude:

1. The proposed map amendment(s) is, are or would be in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map; and
2. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses; and
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts; and
4. The proposed map amendment(s) is not, are not or would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted comprehensive land use map so as to only serve(s) to benefit the applicant(s); and
5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.

Nampa City Code, Title 10, Chapter 8 RS Zoning District (Single-Family Residential):

The RS Single-Family Residential District is intended for [medium and] low density, urban single-family residential and compatible uses. A stable and healthful environment, together with the full range of urban services, makes this an important land use district within the community.

CORRESPONDENCE

Agency/City department comments have been received regarding the annexation request. Such correspondence, by way of information, as received from agencies or the citizenry regarding the application package [received by noon June 7, 2023] is hereafter attached to this report. Agency comments that indicate no comment/issues/concerns will not be listed here, but are attached to this staff report.

1. **Building Department:** Project is subject to City Ordinance – Title 4 – Building Regulations.

2. **Engineering Division:**

General Comments:

1. The following public roads provide access to the property.
 - W Orchard Ave – classified as “Minor Arterial”, 35-mph.
2. Required right of way dedication along W Orchard Ave will be 40’ from section line. Owner will be responsible for preparing and submitting a legal description and exhibit for City review prior to annexation recording.
2. Site access for future development shall adhere to the City’s Access Management Policy for spacing and alignment requirements along a Minor Arterial classified road.
 - Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.
3. Frontage improvements in accordance with Nampa City Code Section 9-3-1 will be required at the time of development.
 - Minor Arterial – 5’ wide sidewalk, street drainage.
4. A Traffic Impact Study (TIS) is required for any project generating more than 100 new vehicle trips during any peak hour or 1,000 new daily trips (total in and out vehicular movements).
 - A TIS will not be required for this project.
5. The City currently maintains the following utilities in the area:
 - Domestic water – 12” mainline in W Orchard Ave.
 - Sewer – 12” mainline in W Orchard Ave at +/- 10’ depth.
 - Pressure Irrigation – 8” mainline crossing N Coppertree Dr, approx. 28’ south of curb line on W Orchard Ave.
6. Nampa Bike & Ped Master Plan identifies future bike lanes along W Orchard Ave.

Conditions:

1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City’s pressure irrigation system. Applicant/ Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.

4. Applicant/Owner shall dedicate the following public road right-of-way as a condition of annexation:
 - W Orchard Ave – 40' from section line.
5. Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.

STAFF ANALYSIS

Land Uses: This is an area that has developed on the edge of the city in Canyon County. It has a mix of large lot single family county properties and medium density city residential subdivisions. Though the proposed lot split (Property Boundary Adjustment) will create two parcels that exceed the maximum lot size for the RS6 zoning district, the homes on the property are already constructed. Creating a lot that does not comply with our maximum lot size, is not in conflict with our city code unless it is intended to be a buildable lot. City policy allows larger lot sizes for “non-buildable” lots.

The detached single-family residential land use is consistent with development already completed in the area.

Comprehensive Plan: The future land use designation is Medium Density Residential. The proposed RS6 zoning district fits within this designation.

Medium Density Residential (2.51 – 8 Dwelling Units Per Acre (Gross))

With a gross density of 2.51 to 8 dwelling units per acre (gross), this is the most common land use setting in the Nampa Area of City Impact. Its character is more urban than rural but can contain rural elements such as open space. This land use setting contains **single-family-detached homes, patio homes, townhomes, medium-density apartments, duplexes, and condominiums**. These units will be highly compatible with adjoining properties. High-density development is not allowed in this land use setting. The character of Medium-Density Residential development in Nampa typically consists of traditional streetscapes with sidewalks, street trees, covered entries, and a diversity of architectural styles. Access to garages is provided from the street, private or shared drive, or loaded by an alley at the rear of the property.

Public Interest: The city of Nampa’s Comprehensive Plan identifies a public interest in providing diverse housing options within the city boundaries. This project is consistent with providing on-going single-family land uses to the city. It is also in the interest of the community to provide utilities to existing homes. Annexation is a necessary step to obtaining access to city utility services.

Traffic: Does not meet the threshold to require a traffic impact study.

Future development: There could be opportunities for further development of the parcel which would require a subdivision application and further approval.

Infill Development: This property is enclaved and therefore is considered to be infill due to the fact that it is primarily surrounded by city limits and available to city utilities and other services. The goals of the Nampa Comprehensive plan are to encourage development in areas where they can make efficient use of existing services. This helps to decrease sprawl to the outer edges of the city limits where services do not yet exist.

PROPOSED CONDITIONS OF APPROVAL

Should the City Council vote to approve of the annexation and zoning, then Staff would suggest the following as (a) Condition(s) of Approval for adoption with any such vote/action (note: the City Council may obviously add, subtract and/or modify conditions as it deems appropriate):

1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City's pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Applicant/Owner shall dedicate the following public road right-of-way as a condition of annexation:
 - W Orchard Ave – 40' from section line.
5. Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.
6. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
7. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
8. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
9. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
10. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
11. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
12. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
13. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

PROPOSED FINDINGS

Proposed Findings for [Approval](#):

A. All private landowners have consented to annexation.

- The applicant (Timberline Surveying) represents the property owner – Kenneth Roberts, as evidenced by the attached Affidavit of Legal Interest.

B. Property shall be contiguous with the city limits or be enclaved by other properties so annexed.

- The property is contiguous with city limits to the south where W Orchard Ave and Laurelwood #1 Subdivision are annexed and zoned RS6 (Single-Family Residential). The property is contiguous with city limits to the north where Silvercrest Estates is annexed and zoned RS6 (Single-Family Residential).

C. The proposed map amendment(s) is in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map (will not create a “spot zone”).

- The proposed RS6 (Single-Family Residential) zoning is consistent with the Comprehensive Plan Future Land Use Map designation of medium density residential. Therefore, RS6 (Single-Family Residential) zoning would not create a spot zone.

D. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses.

- The proposed RS6 (Single-Family Residential) zoning district allows for dwelling, single-family.
- The City of Nampa 2040 Comprehensive Plan defines “Residential Area” as “A given area of the community in which the predominant character is residential. Uses, which support residential activity such as parks, churches, schools, fire stations, and utility substations, may also be permitted.”
- This property is enclaved and therefore is considered to be infill due to the fact that it is in an area of other county properties that are surrounded by city limits and available to city utilities and other services. The goals of the Nampa Comprehensive plan are to encourage development in areas where they can make efficient use of existing services. This helps to decrease sprawl to the outer edges of the city limits where services do not yet exist.
- The proposed annexation is for a property that has two existing homes already built. Because the area is already residential in land use, the existing use is compatible with existing, adjoining property uses.

E. The area can reasonably be assumed to be available for the orderly development of the city.

- According to 10-3-2 Schedule of uses, dwelling, single-family is a permitted use in the RS6 (Single-Family Residential) zoning district.
- City services and utilities are available to this property.
- The use is an existing use has already been developed, but surround properties are enclaved and are available for development/redevelopment.

F. The proposed zoning map amendment(s) is in the interest of the public and reasonably necessary.

- City codes are written to protect the public interest by providing guidance for development, therefore, this project is presumed to be in the public interest because any further development or redevelopment of the property will be required to meet City standards for development and shall install appropriate site improvements upon development.
- Upon annexation this property will dedicate right of way along W Orchard Ave. It is considered to be within the public interest to develop infill properties rather than properties on the outer edges of city limits.

<And any other findings determined by the Commission or Council>

POTENTIAL MOTIONS – ANNEXATION & ZONING

APPROVE:

I move to approve the **Annexation and Zoning** to RS6 (Single-Family Residential) zoning district [and potential development agreement] for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023) with all conditions listed in the staff report and to adopt the proposed findings of approval as stated in the staff report.

DENY:

I move to deny the **Annexation and Zoning** to RS6 (Single-Family Residential) zoning district [and potential development agreement] for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023) based on the following findings _____, because the project does not meet _____ Conclusions of Law.

Annexation Criteria for Approval:

1. The property shall be contiguous with the city limits or be enclaved by other properties so annexed.
2. The comprehensive plan includes the area of annexation.
3. All private landowners have consented to annexation.

Zoning Assignment Conclusions of Law:

1. The proposed map amendment(s) is, are or would be in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map; and,
2. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses; and,
3. The proposed map amendment(s) is, are or would make a change on the land use map of the city which would establish an area of zoning the same as or compatible with immediately adjoining districts; and,
4. The proposed map amendment(s) is not, are not or would not create a "spot" zone (having a section of one kind of zoning surrounded by another) having no supportive basis per the adopted

comprehensive land use map so as to only serve(s) to benefit the applicant(s); and,

5. The proposed amendment(s) is, are or would be in the interest of the public and reasonably necessary.

ATTACHMENTS

- Application
- Affidavit of Legal Interest
- Narrative
- Concept Plan
- Comp Plan Future Land Use Map
- Zoning Map
- Aerial View
- Utility Map
- Correspondence
- Nampa Planning & Zoning Commission Decision Letter



Planning & Zoning Department

Master Application

Staff Use Only

Project Name: Roberts Future Lot Split

File Number: ANN-00278-2023

Related Applications: _____

Type of Application

- | | |
|---|--|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Legal Non-Conforming Use |
| <input checked="" type="checkbox"/> Annexation/Pre-Annexation | <input type="checkbox"/> Planned Unit Development/MPC |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Short |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final |
| <input type="checkbox"/> Multi-Family Housing | <input type="checkbox"/> Condo |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Modification | <input type="checkbox"/> Fireworks Stand |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Vacation |
| <input type="checkbox"/> Daycare | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Kennel License | <input type="checkbox"/> Staff Level |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Zoning Map/Ordinance Amendment (Rezone) |
| <input type="checkbox"/> Mobile Home Park | <input type="checkbox"/> Other: _____ |

You must attach any corresponding checklists with your application or it will not be accepted

Applicant Name: Timberline Surveying Phone: 208-465-5687
Applicant Address: 847 Park Centre Way #3 Email: KCook@timberlineSurvey.com
City: Nampa State: ID Zip: 83651
Interest in property: ☐ Own ☐ Rent ☒ Other: Surveyor hired by owner
Owner Name: Kenneth Roberts Phone: 208-870-0711
Owner Address: 2226 W. Orchard Ave Email: broday1967@yahoo.com
City: Nampa State: ID Zip: 83651
Contractor Name (e.g., Engineer, Planner, Architect): Ken Cook
Firm Name: Timberline Surveying Phone: 208-465-5687
Contractor Address: 847 Park Centre Way #3 Email: KCook@timberlineSurvey.com
City: Nampa State: ID Zip: 83651

Subject Property Information

Address: 2226 & 2230 W. Orchard
Parcel Number(s): R3138700000 Total acreage: 1.527 Zoning: RS-6
Type of proposed use: ☒ Residential ☐ Commercial ☐ Industrial ☐ Other: _____
Project/Subdivision Name: Roberts Annexation & Lot Split w/ easement
Description of proposed project/request: Roberts Future Lot Split

Proposed Zoning: RS-6 Acres of each proposed zone: 1.527

Development Project Information (if applicable)

Lot Type	Number of Lots	Acres
Residential	<u>1</u>	1.53
Commercial		
Industrial		
Common (Landscape, Utility, etc.)		
Right of Way (internal roadways, ROW to be dedicated, etc.)	Staff Use Only	
Qualified Open Space	Staff Use Only	
Total	1	1.53

Please answer all questions that are relevant to your project

Minimum square footage of structure: _____ Maximum building height: _____
Minimum property size (s.f.): _____ Average property size (s.f.): _____
Gross density: _____ Net density: _____
Type of dwelling proposed: ☐ Single-family Detached ☐ Single-family Attached
☐ Duplex ☐ Multi-family ☐ Condo ☐ Other: _____
Proposed number of units: _____
Total number of parking spaces provided: _____
% of qualified open space: _____

Additional information may be requested after submittal.

Authorization

Print applicant name: Ken Cook
Applicant signature: [Signature] Date: 4/20/23

City Staff

Received by: JKW Received date: 4/20/2023



City of Nampa

PLANNING and ZONING DEPARTMENT

CITY HALL

411 THIRD STREET SO.

NAMPA, IDAHO 83651

OFFICE (208) 468-5484

FAX (208) 465-2261

AFFIDAVIT OF LEGAL INTEREST

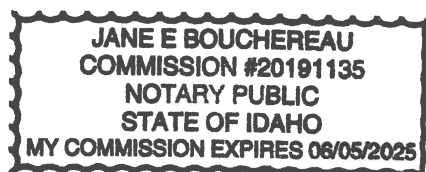
STATE OF IDAHO)
) :SS
COUNTY OF CANYON)

- A. I, Kenneth Tine Roberts, whose address is 2918 E. IMNAHA CT Nampa, ID 83686, being first duly sworn upon oath, depose and say that I am the owner of record of the property described on the attached application.
- B. I grant my permission to TimberLine Surveying, whose address is 847 Parkcentre Way, suite 3 Nampa, ID 83651, to submit the accompanying application pertaining to the property described on the attached application.
- C. I agree to indemnify, defend and hold the City of Nampa and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

Dated this 21 day of April, 2023.

Kenneth Tine Roberts
Signature

SUBSCRIBED AND SWORN to before me the 21 day of April, 2023.



[Signature]
Notary Public for Idaho
Residing at: 1313 Caldwell Blvd, Nampa ID 83651
Commission Expires: 06/05/2025



Subject: Kenneth Roberts Annexation Narrative

To Whom it may concern,

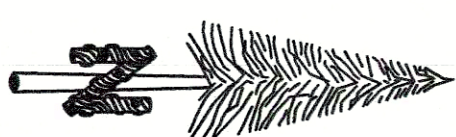
The reason for this proposed annexation is to do be able to do a lot split on parcel #R3138700000, splitting the lot into two parcels that will be less than the current 1 acre minimum, required by Canyon County. The proposed plans for the land is residential.

Thank you,

Timberline Surveying

RECORD OF SURVEY FOR
KENNETH ROBERTS

A PORTION OF THE SOUTHWEST 1/4, OF THE SOUTHWEST 1/4,
OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 2 WEST, B.M.,
CANYON COUNTY, IDAHO
-2023-



LEGEND

- 18, 17 SECTION COR. MONUMENT AS NOTED
- 19, 20
- 17, 20 1/4 COR. MONUMENT AS NOTED
- 17, 20 1/16 COR. MONUMENT AS NOTED
- FOUND 1/2" REBAR AS NOTED
- FOUND 5/8" REBAR AS NOTED
- SET 1/2" REBAR W/ CAP "KHC PLS 9895"
- SET 5/8" REBAR W/ CAP "KHC PLS 9895"
- △ CALC POINT
- POINT OF BEGINNING
- P.O.B.
- W.C.
- BOUNDARY LINE
- ADJOINER LINE
- SECTION LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- LOT LINE
- FENCE LINE

RECORD DATA

ROS INST. No. 1986024717
Silvercrest Estates Inst # 9106719
WARRANTY DEED INST. No. 2020-036724

NARRATIVE:

THIS SURVEY WAS MADE AT THE REQUEST OF KENNETH ROBERTS TO
ESTABLISH THE BOUNDARY AS SHOWN. BOUNDARY WAS DEFINED FROM
FOUND MONUMENTS OF RECORD.

BASIS OF BEARING:

THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 3
NORTH, RANGE 2 WEST, BOISE MERIDIAN, TAKEN AS SOUTH 89°25'16" EAST
AND DISTANCE BETWEEN MONUMENTS FOUND TO BE 2,649.87 FEET.

CERTIFICATE:

I, KENNETH H. COOK, A PROFESSIONAL LAND SURVEYOR LICENSED BY THE STATE OF
IDAHO, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY
DIRECT SUPERVISION AT THE INSTANCE OF KEN ROBERTS.
2. THE LANDS SURVEYED LIE WITHIN SECTION 17, TOWNSHIP 3 NORTH, RANGE 2 WEST,
BOISE MERIDIAN, AND THE SURVEY WAS COMPLETED ON MAY 18, 2022.
3. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, AND
OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND
DURABILITY, AND IS IN CONFORMITY WITH THE CORNER PERPETUATION AND FILING
ACT, STATE OF IDAHO CODE 55-1801 THROUGH 55-1812.

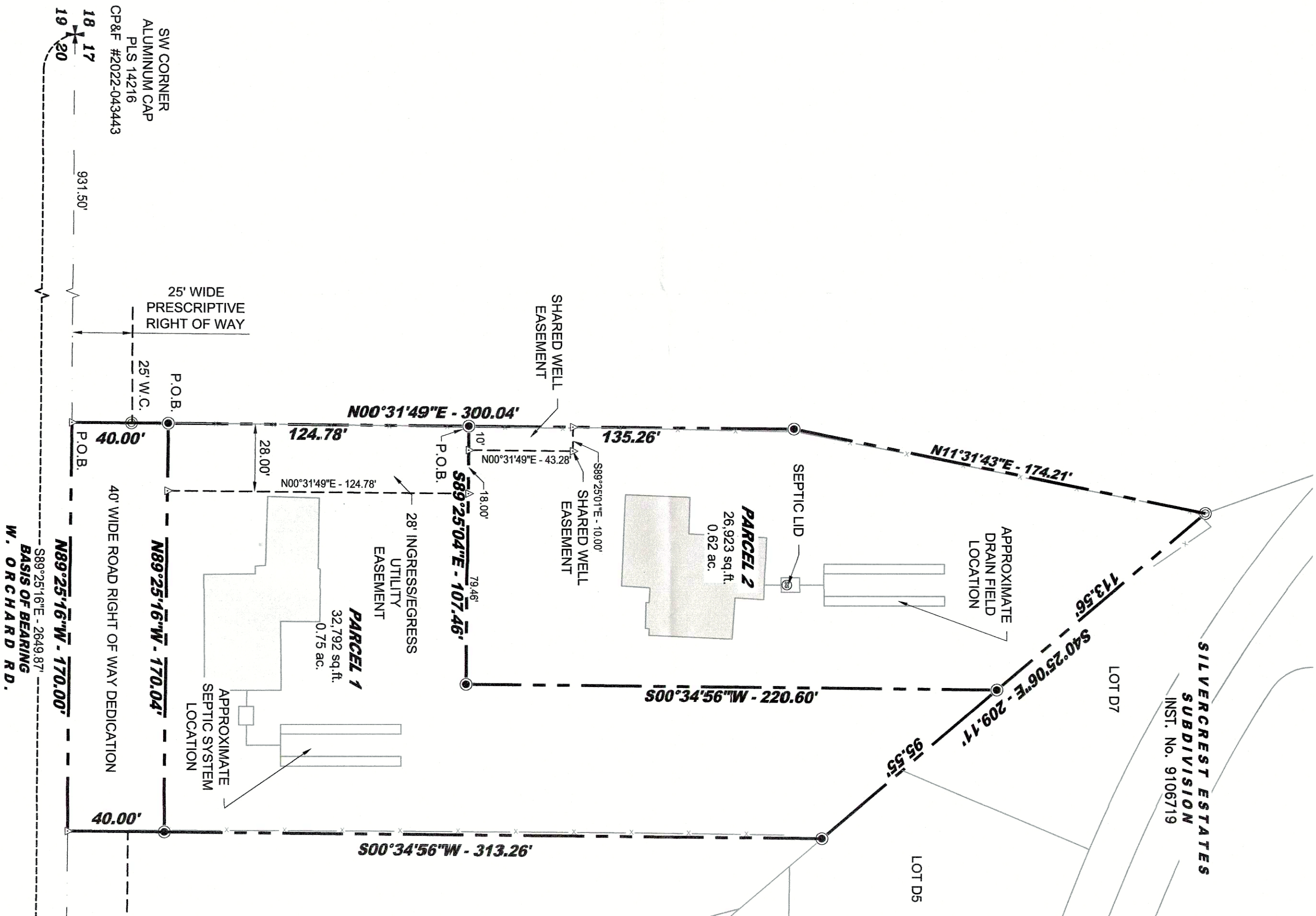
KENNETH H. COOK

PLS. 9895

Preliminary
Date: 5/17/23

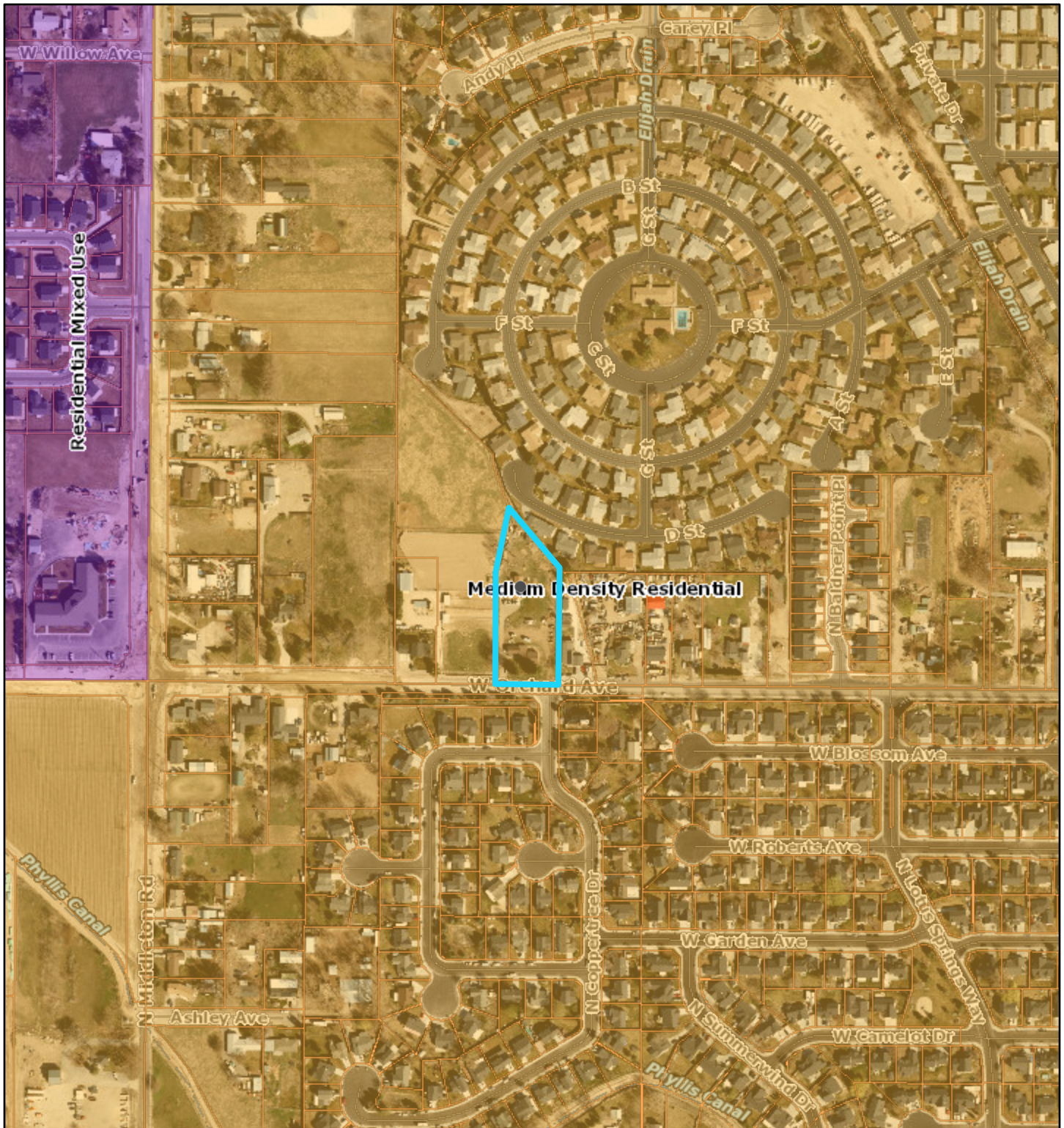


847 PARKCENTRE WAY, SUITE 3, NAMPA, IDAHO 83651
P. 208-465-5687 ~ E. 208-465-5690
FILE:2215 ROBERTS BNDY 5-17-23.dwg
JOB NO. 2215 COUNTY: CANYON
SHEET: 1 OF 1
INDEX NO. 324-17-3-3-00-00



DISCLAIMER
Timberline Surveying assumes no responsibility for
presenting future compliance or noncompliance of
any structure to include building permits or the
issuance thereof.

Comp Plan FLUM

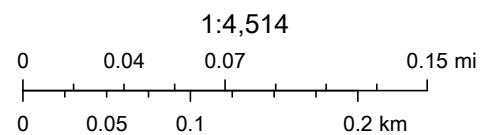


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Comp Plan

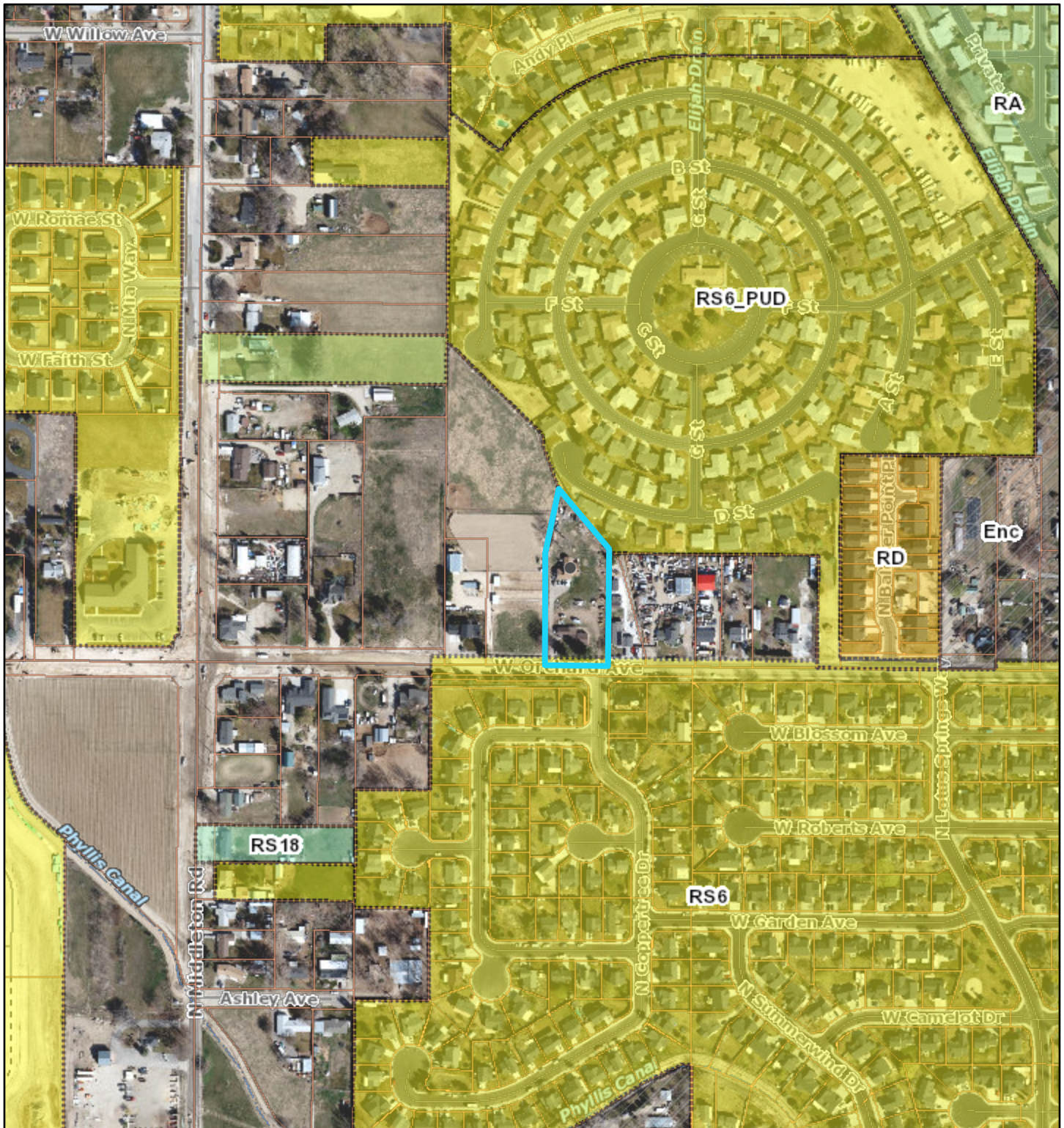
- Agricultural
- Airport
- Commercial
- Downtown
- Education, Public Administration, Healthcare and Other Institutions
- Industrial

Parks



Canyon County Assessor, CCSO, GeoTerra, Inc.

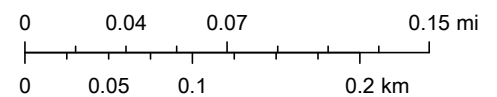
Zoning Map - Wide



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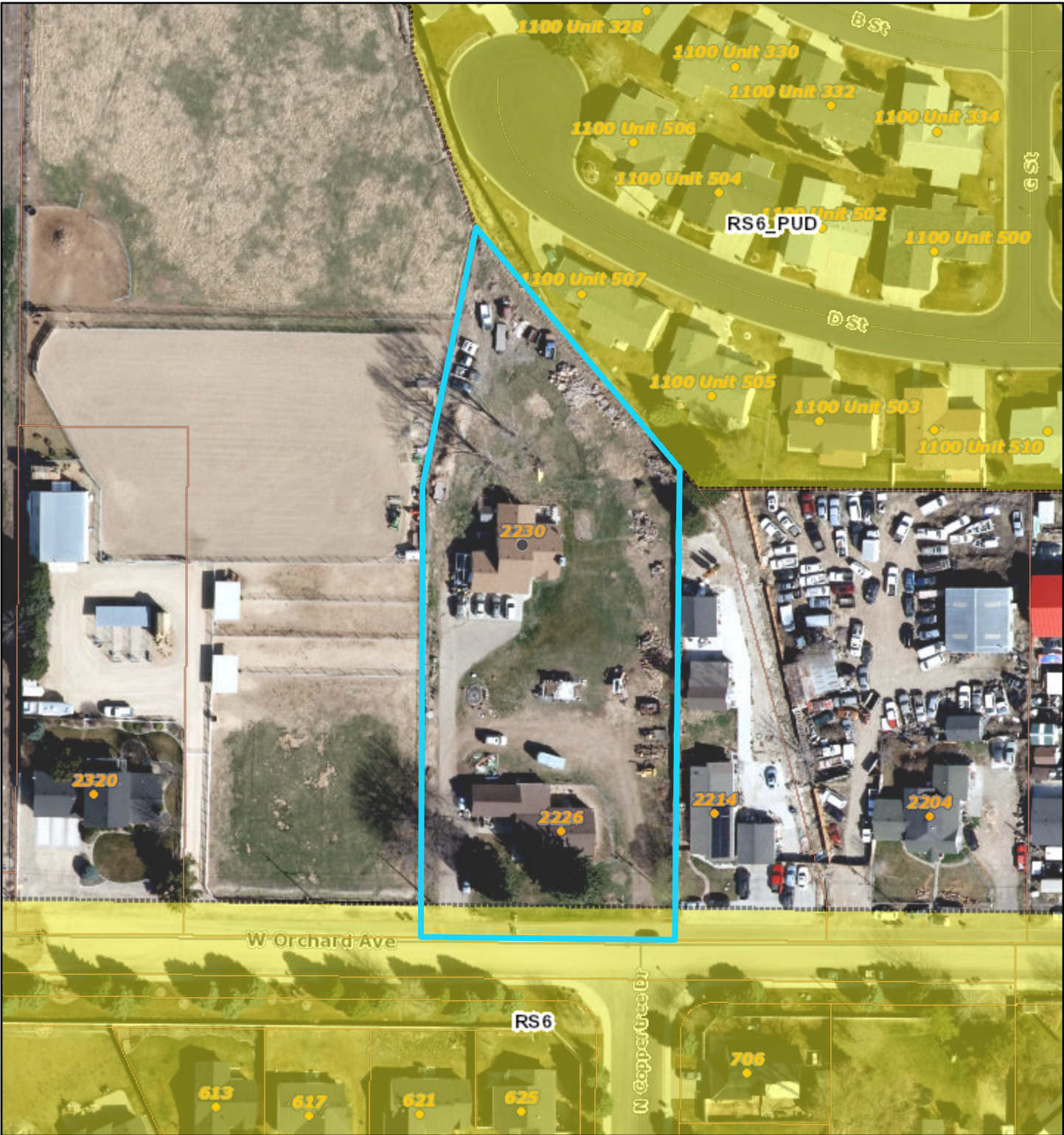
Zoning	DB	HC	RA	RP_PUD
AG	DH	IH	RD	RS4
BC	DV	IL	RD_PUD	RS6
BC_PUD	Enc	IL_PUD	RMH	RS6_PUD
BF	GB1	IL_RS	RML	RS7
BN	GB2	IP	RML_PUD	RS7_PUD
BN_PUD	GBE	IP_RS	RP	RS8.5

1:4,514



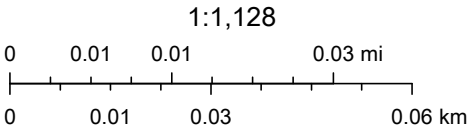
Canyon County Assessor, CCSO, GeoTerra, Inc.

Zoning Map - Close



5/30/2023, 4:21:18 PM

Zoning		DB	HC	RA	RP_PUD
AG		DH	IH	RD	RS4
BC		DV	IL	RD_PUD	RS6
BC_PUD	Enc		IL_PUD	RMH	RS6_PUD
BF	GB1		IL_RS	RML	RS7
BN	GB2		IP	RML_PUD	RS7_PUD
BN_PUD	GBE		IP_RS	RP	RS8.5



Canyon County Assessor, CCSO, GeoTerra, Inc.

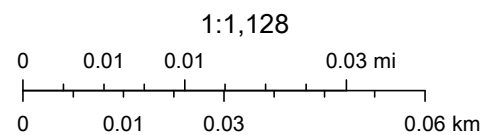
Aerial View



5/30/2023, 4:26:48 PM

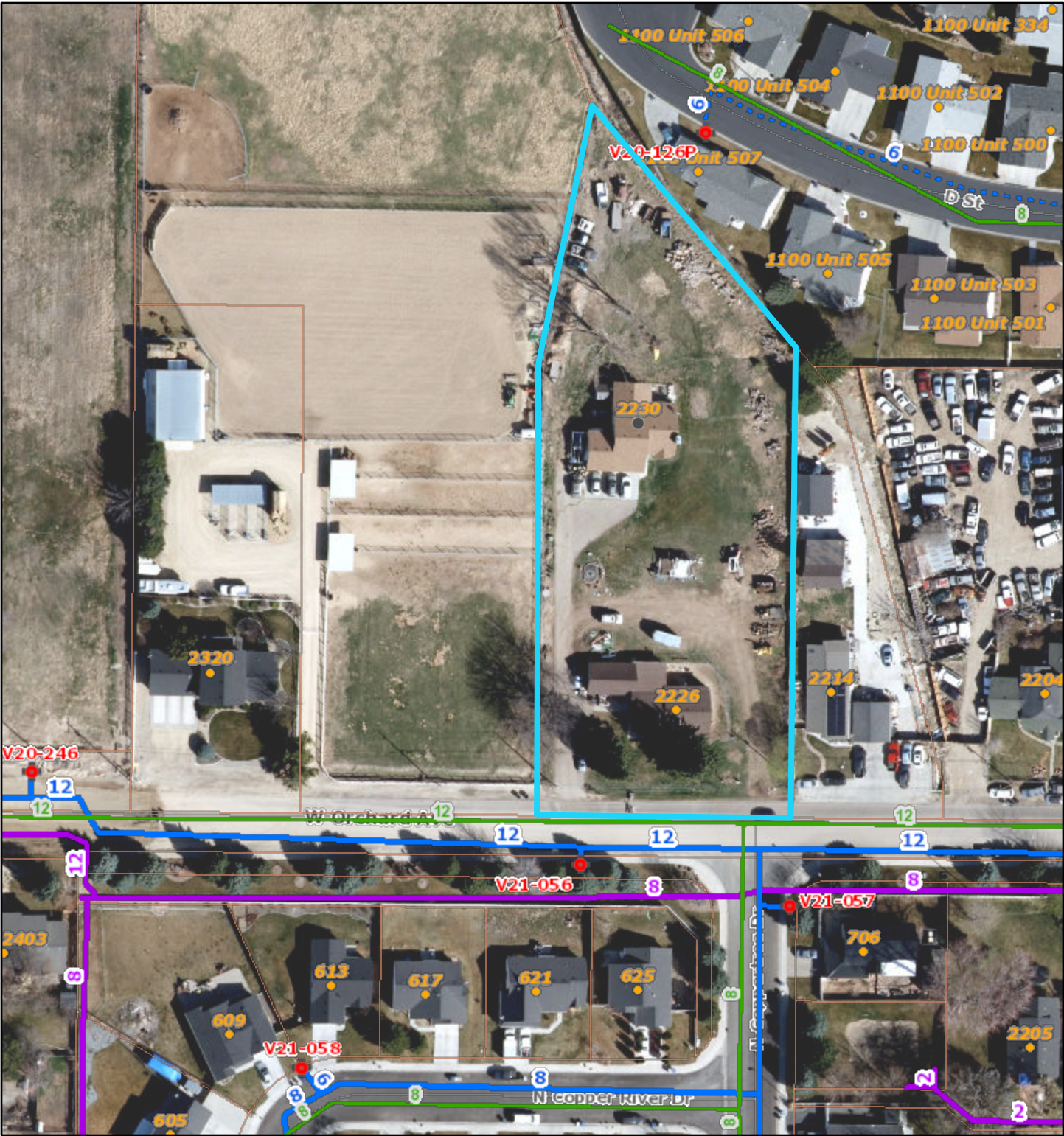
- County Parcels
- Proposed
- Retired
- Active
- Other
- Hold

Address Points



Canyon County Assessor, CCSO, GeoTerra, Inc.

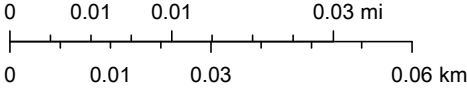
Utility Map



5/30/2023, 4:23:54 PM

1:1,128

- | | |
|---|-------------------------------------|
| Irrigation Line | Sewer Main |
| --- Pressure Irrigation (Inactive, Private, etc.) | --- Sewer (Inactive, Private, etc.) |
| --- Pressure Irrigation (Active) | --- Sewer (Active) |
| Domestic Line | County Parcels |
| --- Domestic Water (Inactive, Private, etc.) | Address Points |
| --- Domestic Water (Active) | • Active |
| • Domestic Hydrant | • Hold |



Canyon County Assessor, CCSO, GeoTerra, Inc.

Keana Poach

From: Rob Willis
Sent: Tuesday, May 9, 2023 3:06 PM
To: Keana Poach
Cc: Jeff Miranda; Patrick Sullivan; Cache Olson
Subject: RE: Roberts Future Lot Split - ANN-00278-2023

Keana,

This action has been approved with conditions by the Building Department.

The project will be subject to all required building codes and related permits based on the requirements of City Ordinance -Title 4 – Building Regulations.



Rob Willis

Plans Examiner Supervisor

P: 208.468-5410 F: 208.468.4494

willisj@cityofnampa.us

[Department of Building Safety](#), [Like us on Facebook](#)

NAMPA Proud

From: Keana Poach <poachk@cityofnampa.us>
Sent: Tuesday, May 9, 2023 9:34 AM
Subject: Roberts Future Lot Split - ANN-00278-2023

Good morning everyone,

RE: Annexation for Roberts Future Lot Split - ANN-00278-2023

I have attached for your review the application for "Annexation and Zoning to RS6 (Single-Family Residential) zoning

district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023). Original Concept: a single parcel with two existing homes to be split into two parcels w/ a home on each parcel."

This application will go before the Planning and Zoning Commission as a public hearing item on the June 13, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to June 2, 2023.

Thank you,



DATE: May 12, 2023
TO: Planning and Zoning Department
FROM: Peter Nielsen, Sr. Eng Plans Examiner
CC: Caleb LaClair, P.E., Nampa Assistant City Engineer
CC: Daniel Badger, P.E., Nampa City Engineer
CC: Tom Points, P.E., Nampa City Public Works Director
APPLICANT: Timberline Surveying
OWNER: Kenneth Roberts
ADDRESS: 2226 & 2230 W Orchard Ave (R3138700000)
RE: **ANN-00278-2022 – Annexation and Zoning to RS6 Zone**

The Engineering Division does not oppose this application with the following comments/conditions:

General Comments:

1. The following public roads provide access to the property.
 - W Orchard Ave – classified as “Minor Arterial”, 35-mph.
2. Required right of way dedication along W Orchard Ave will be 40’ from section line. Owner will be responsible for preparing and submitting a legal description and exhibit for City review prior to annexation recording.
2. Site access for future development shall adhere to the City’s Access Management Policy for spacing and alignment requirements along a Minor Arterial classified road.
 - Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.
3. Frontage improvements in accordance with Nampa City Code Section 9-3-1 will be required at the time of development.
 - Minor Arterial – 5’ wide sidewalk, street drainage.
4. A Traffic Impact Study (TIS) is required for any project generating more than 100 new vehicle trips during any peak hour or 1,000 new daily trips (total in and out vehicular movements).
 - A TIS will not be required for this project.
5. The City currently maintains the following utilities in the area:
 - Domestic water – 12” mainline in W Orchard Ave.
 - Sewer – 12” mainline in W Orchard Ave at +/- 10’ depth.

- Pressure Irrigation – 8” mainline crossing N Coppertree Dr, approx. 28’ south of curb line on W Orchard Ave.
6. Nampa Bike & Ped Master Plan identifies future bike lanes along W Orchard Ave.

Conditions:

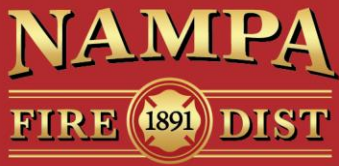
1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.
2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City’s pressure irrigation system. Applicant/Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Applicant/Owner shall dedicate the following public road right-of-way as a condition of annexation:
 - W Orchard Ave – 40’ from section line.
5. Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.

Utility Map



NAMPA DEVELOPMENT SERVICES CENTER

500 12TH AVENUE SOUTH NAMPA, IDAHO | (208) 468-5409 | ENGINEERING@CITYOFNAMPA.US**NAMPA**Ready



EXCELLENCE
SERVICE
STRENGTH IN UNITY

ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208.468.5770

DATE: June 2, 2023

TO: City of Nampa – Planning and Zoning

FROM: Ron Johnson, Nampa Fire District, Fire Marshal

APPLICANT: Timberline Surveying

OWNER: Kenneth Roberts

PROJECT ADDRESS: 2226 & 2230 W. Orchard St

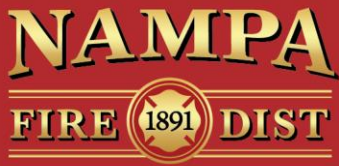
RE: ANN-00278-2023, Roberts future lot split

This application is for the annexation of 1.53 acres with 1 lot to be split to two lots.

The Nampa Fire Department does not oppose the application subject to compliance with all the following code requirements and conditions of approval.

Conditions:

1. Fire hydrants, capable of producing the required fire flow, shall be located along approved fire lanes. Fire hydrant spacing shall meet the requirements of IFC table C105.1.1 (IFC 507.3, IFC B105.2, IFC C105).
2. Dead-end fire apparatus access roads exceeding 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (IFC 503.2.5)
3. Fire apparatus access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of a building measured by an approved route around the exterior of the building or facility. (IFC 503.1.1)
4. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. (IFC 503.2.1)
5. The minimum outside turning radius of a fire apparatus access road shall be 48 feet. The minimum inside turning radius shall be 28 feet. (IFC 503.2.4)
6. Fire apparatus access roads shall have an approved driving surface of asphalt, concrete or other approved driving surface and can support the imposed load of fire apparatus weighing at least 75,000 pounds. Please provide documentation the road surface meets this standard. (IFC D102.1)
7. Fire apparatus access roads shall not exceed 10 percent in grade. (IFC D103.2)
8. For streets having a width less than 33 feet back of curb to back of curb parking shall be restricted on one side; for streets having a width less than 27 feet back of



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ADMINISTRATIVE OFFICE
9 – 12th Avenue South Nampa, ID 83651

208.468.5770

curb to back of curb parking shall be restricted on both sides. A note on the face of the final plat is required noting the parking restriction prior to signing of the final plat. In addition, No Parking signs shall be installed in accordance with the requirements of the IFC. (IFC 503.8)

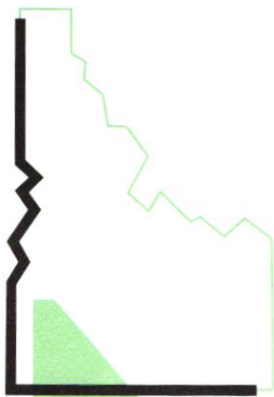
Emergency Response Time Analysis and Service Impact:

1. The City of Nampa 2040 comprehensive plan states the response objective for Nampa Fire Department is to arrive to 90% of emergency medical incidents within 5 minutes of the alarm time, and within 5 minutes and 20 seconds to fire incidents. To accomplish these response time objectives requires that travel distances be approximately 1 ½ miles from the nearest fire station. This development is located approximately 1 mile from Nampa Fire Station 4 with an approximate response time of 3 minutes.
 - a. Infrastructure additions and capital purchases for Fire District services are funded through development impact fees. Impact fees collected for each home at the time of building permit applications will total approximately \$3,134.
2. To properly serve the public for an all-hazards response, the Nampa Fire Department should have 1 firefighter for every 1,000 residents served. This subdivision will add approximately 6 residents to 2 residential lots, with an increased personnel demand of .06 firefighter positions.

General Requirement:

Fire Department required fire hydrants, access, and street identification shall be installed prior to construction or storage of combustible materials on site. Provisions may be made for temporary access and identification measures.

Specific building construction requirements of the International Building Code, International Fire Code and City of Nampa Code will apply. However, these provisions are best addressed by a licensed Architect at time of building permit application.



ORGANIZED 1904

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

May 15, 2023

City of Nampa
Planning & Zoning
500 12th Avenue South
Nampa, ID 83651

RE: ANN-00278-2023/ Roberts Future Lot Split; 2226 & 2230 W. Orchard Ave.

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application, as it lies outside of our District boundaries. Please contact Kirk Meyers of Pioneer Irrigation at (208) 459-3617, P.O. Box 426 Caldwell, ID 83606-0426.

All private laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site NMID must review drainage plans. The developer must comply with Idaho Code 31-3805.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD/eol

Cc:

Office/ file
K. Meyers Pioneer Irrigation District



APPROXIMATE IRRIGABLE ACRES
RIVER FLOW RIGHTS - 23,000
BOISE PROJECT RIGHTS - 40,000

Keana Poach

From: Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>
Sent: Tuesday, May 9, 2023 9:55 AM
To: Planning-Zoning Staff
Cc: Keana Poach
Subject: RE: Roberts Future Lot Split - ANN-00278-2023

CAUTION: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Good Morning,

After careful review of the transmittal submitted to ITD on May 9, 2023 regarding Roberts Future Lot Split – ANN-00278-2023, the Department has no comments or concerns to make at this time. This application in not impact the state highway facilities.

Thank you,



Niki Benyakhlef
Development Services Coordinator

District 3 Development Services
O: 208.334.8337 | C: 208.296.9750
Email: niki.benyakhlef@itd.idaho.gov
Website: itd.idaho.gov

From: Keana Poach <poachk@cityofnampa.us>
Sent: Tuesday, May 9, 2023 9:34 AM
Subject: Roberts Future Lot Split - ANN-00278-2023

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good morning everyone,

RE: Annexation for Roberts Future Lot Split - ANN-00278-2023

I have attached for your review the application for "Annexation and Zoning to RS6 (Single-Family Residential) zoning

district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023). Original Concept: a single parcel with two existing homes to be split into two parcels w/ a home on each parcel."

Keana Poach

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Tuesday, May 9, 2023 11:13 AM
To: Planning-Zoning Staff
Subject: FW: Roberts Future Lot Split - ANN-00278-2023
Attachments: ANN-00278-2023_Roberts Future Lot Split_Legal Description Parcel.pdf; ANN-00278-2023_Roberts Future Lot Split_Narrative.pdf; ANN-00278-2023_Roberts Future Lot Split_Application.pdf; ANN-00278-2023_Roberts Future Lot Split_Record of Survey.pdf

CAUTION: This email originated from outside of the City of Nampa domain. Do not click on links or open attachments unless you recognize sender email or are sure content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Good Morning,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

From: Keana Poach <poachk@cityofnampa.us>
Sent: Tuesday, May 9, 2023 9:34 AM
Subject: Roberts Future Lot Split - ANN-00278-2023

Good morning everyone,

RE: Annexation for Roberts Future Lot Split - ANN-00278-2023

I have attached for your review the application for "Annexation and Zoning to RS6 (Single-Family Residential) zoning

district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023). Original Concept: a single parcel with two existing homes to be split into two parcels w/ a home on each parcel."

This application will go before the Planning and Zoning Commission as a public hearing item on the June 13, 2023 agenda.

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) prior to June 2, 2023.



June 15, 2023

Timberline Surveying
Ken Cook
847 Park Centre Way #3
Nampa, ID 83651
(208)465-5687
Via email: kcook@timberlinesurvey.com

Re: **Annexation and Zoning** to RS6 (Single-Family Residential) zoning district and potential development agreement for a 1.53 acre parcel #R3138700000 with assigned addresses 2226 & 2230 W. Orchard Ave. (located in the SW ¼ of Section 17, T3N, R2W, BM), for Ken Cook - Timberline Surveying representing Kenneth Roberts (ANN-00278-2023).

Dear Applicant:

The Nampa City Planning and Zoning Commission, during their regularly scheduled public hearing of June 13, 2023, after receiving testimony and reviewing your application, voted to recommend to the City Council that they approve the above referenced annexation request based on the following findings:

A. All private landowners have consented to annexation.

- The applicant (Timberline Surveying) represents the property owner – Kenneth Roberts, as evidenced by the attached Affidavit of Legal Interest.

B. Property shall be contiguous with the city limits or be enclaved by other properties so annexed.

- The property is contiguous with city limits to the south where W Orchard Ave and Laurelwood #1 Subdivision are annexed and zoned RS6 (Single-Family Residential). The property is contiguous with city limits to the north where Silvercrest Estates is annexed and zoned RS6 (Single-Family Residential).

C. The proposed map amendment(s) is in harmony with the city's currently adopted comprehensive plan and comprehensive plan land use map (will not create a “spot zone”).

- The proposed RS6 (Single-Family Residential) zoning is consistent with the Comprehensive Plan Future Land Use Map designation of medium density residential. Therefore, RS6 (Single-Family Residential) zoning would not create a spot zone.

D. The proposed map amendment(s) is, are or would provide for a proposed use or set of uses that would be at least reasonably compatible with existing, adjoining property uses.

- The proposed RS6 (Single-Family Residential) zoning district allows for dwelling, single-family.
- The City of Nampa 2040 Comprehensive Plan defines “Residential Area” as “A given area of the community in which the predominant character is residential. Uses, which support residential activity such as parks, churches, schools, fire stations, and utility substations, may also be permitted.”
- This property is enclaved and therefore is considered to be infill due to the fact that it is in an area of other county properties that are surrounded by city limits and available to city utilities and other services. The goals of the Nampa Comprehensive plan are to encourage development in areas where they can make efficient use of existing services. This helps to decrease sprawl to the outer edges of the city limits where services do not yet exist.
- The proposed annexation is for a property that has two existing homes already built. Because the area is already residential in land use, the existing use is compatible with existing, adjoining property uses.

E. The area can reasonably be assumed to be available for the orderly development of the city.

- According to 10-3-2 Schedule of uses, dwelling, single-family is a permitted use in the RS6 (Single-Family Residential) zoning district.
- City services and utilities are available to this property.
- The use is an existing use has already been developed, but surround properties are enclaved and are available for development/redevelopment.

F. The proposed zoning map amendment(s) is in the interest of the public and reasonably necessary.

- City codes are written to protect the public interest by providing guidance for development, therefore, this project is presumed to be in the public interest because any further development or redevelopment of the property will be required to meet City standards for development and shall install appropriate site improvements upon development.
- Upon annexation this property will dedicate right of way along W Orchard Ave. It is considered to be within the public interest to develop infill properties rather than properties on the outer edges of city limits.

Conditions

The Commission made their recommendation contingent on Developer/Development compliance with the following conditions of approval:

1. Any onsite wells shall be abandoned and/or removed in accordance with Local and State regulations at the time of property development/redevelopment and prior to connection to City services.

2. Property shall be annexed in the Nampa Municipal Irrigation District at the time of connection to pressure irrigation and prior to being served by the City's pressure irrigation system. Applicant/ Owner shall provide documentation to the Nampa Engineering Division verifying water rights for the full parcel.
3. Applicant/Owner shall comply with all City Codes, Policies, and Standards in place at the time of property development/redevelopment.
4. Applicant/Owner shall dedicate the following public road right-of-way as a condition of annexation:
 - W Orchard Ave – 40' from section line.
5. Existing west access shall be the only access allowed at this time. Any additional access for the parcel(s) is subject to review/ approval by City of Nampa Engineering Division.

The matter of annexation and zoning to RS6 (Single-Family Residential) request will be heard before City Council on July 5th, 2023 (subject to change). If you should have any questions concerning this matter, please contact me during normal business hours, Monday through Friday at 468-5457.

Sincerely,

A handwritten signature in black ink that reads "Rodney A. Ashby". The signature is written in a cursive, flowing style.

Rodney Ashby, AICP
Director
City of Nampa Planning & Zoning Department