# STAR CITY COUNCIL REGULAR MEETING AGENDA



City Hall - 10769 W State Street, Star, Idaho Tuesday, May 4, 2021 7:00 PM

PUBLIC NOTICE: THIS MEETING IS RECORDED AND PLACED IN AN ONLINE FORMAT. PERSONS MAY EITHER VIEW OR LISTEN TO VIDEO / AUDIO OF THIS MEETING UNTIL SUCH TIME THE RECORDING IS DESTROYED UNDER THE CITY'S RECORD RETENTION POLICY.

- 1. CALL TO ORDER Welcome/Pledge of Allegiance
- 2. INVOCATION Jakob King Eagle Christian Church
- 3. ROLL CALL
- **4. CONSENT AGENDA (ACTION ITEM)** \*All matters listed within the Consent Agenda have been distributed to each member of the Star City Council for reading and study, they are considered to be routine and will be enacted by one motion of the Consent Agenda or placed on the Regular Agenda by request.
  - A. Approval of Claims Provided
  - B. Minutes (April 6, 2021 & April 20, 2021)
  - C. Final Plats:
    - i. Trident Ridge Subdivision #5 (FP-21-06)
    - ii. Cresta Del Sol Subdivision #1 (FP-21-08)
    - iii. Saddlewood Subdivision #1 (FP-21-09)

#### 5. PUBLIC HEARINGS & ACTION ITEMS

- A. <u>PUBLIC HEARING: East Star River Ranch Subdivision</u> Rezone, Development Agreement, Preliminary Plat, Conditional Use Permit and Private Street (RZ-20-12/DA-20-28/PP-21-03/CU-21-01/PR-21-02)
  - Action of East Star River Ranch Subdivision Table to Date Specific
- B. <u>PUBLIC HEARING: Landyn Village Subdivision</u> Annexation, Development Agreement, Preliminary Plat, Planned Unit Development and Private Street (AZ-20-04/DA-21-14/PP-20-04/PUD-20-03/PR-21-07)
  - i. Action of Landyn Village Subdivision Table to Date Specific
- C. <u>PUBLIC HEARING: Loran Estates Subdivision</u> Annexation, Development Agreement, Short Plat and Private Street (AZ-21-02/DA-21-03/SP-21-01/PR-21-03) **Tabled from April 20, 2021** 
  - i. <u>Action</u> of Loran Estates Subdivision Tabled from April 20, 2021
- D. <u>PUBLIC HEARING: Greyloch Cabinetry</u> Conditional Use Permit Modification for Height Exception (CUP-20-04 MOD)
  - Action of Greyloch Cabinetry Conditional Use Permit Modification
- E. Area of Impact Committee of Nine
  - i. Action on selecting two Star Council Members to sit IC 67-6526
- F. Senior Center Mural
  - i. Action to approve requested funds from the Parks, Art and Beautification Committee
- G. Flood Plain Ordinance (336)
  - Action on suspension of rules requiring three separate readings on three separate days and approval on first reading by title only and approval of Summary of Ordinance 336
- H. Pavilion Dog Park
  - i. Action on approving bidding documents
- I. Blake Park Upgrades
  - i. Action on approving bidding documents

Any person needing special accommodation to participate in the above noticed meeting should contact the City Clerk's Office at 208-286-7247, at least 24 hours in advance of the meeting date.

# STAR CITY COUNCIL REGULAR MEETING AGENDA



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#### 6. REPORTS

- A. Elected Official Reports
- **B.** Staff Reports

# 7. ADJOURNMENT

#### 8. FUTURE MEETING TOPICS

- A. Canyon Highway District #4 Impact Fees
- B. Cranefield Subdivision Rezone, DA, Preliminary Plat
- C. Moyle Estates Village-Heights Subdivision Development Agreement, Preliminary Plat
- D. South of the River Plan
- E. Rivermoor Subdivision Annexation, DA, Preliminary Plat, Private Street
- F. Stonebriar Subdivision Annexation
- G. Stargazer Subdivision Annexation, DA, Preliminary Plat
- H. Cherished Estates Subdivision Rezone, DA, Preliminary Plat
- I. Inspirado Subdivision Annexation, DA, Preliminary Plat, Planned Unit Development
- J. Starpointe Subdivision Annexation, DA, Preliminary Plat
- K. Oaklawn Crossing Subdivision Annexation, DA, Preliminary Plat
- L. Moon Valley Townhomes Rezone, DA, Preliminary Plat
- M. Fountain Park Subdivision Annexation, DA, Preliminary Plat
- N. Venue Use Ordinance (Parks, River House & Other City Owned Public Spaces)
- O. Consolidated Fee Schedule Public Hearing for new fees
- P. Personnel Policy Manual
- Q. Ethics Manual
- R. Social Media Policy
- S. Records Destruction Resolution
- T. Surplus Property
- U. Audit Presentation

Limited seating is available at the City Council Meeting at City Hall due to COVID-19. The meeting can be viewed via a link posted to the City of Star website at <u>staridaho.orq</u>. Information on how to participate in a public hearing remotely will be posted to <u>staridaho.orq</u> under the meeting information. The public is always welcomed to submit comments in writing.

# STAR CITY COUNCIL REGULAR MEETING AGENDA



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# **Public Hearing Process**

Public signs up to speak at the public hearing
Mayor Opens the Public Hearing
Mayor asks council if there is any Ex Parte Contact
Applicant has up to 20 minutes to present their project
Council can ask the applicant questions and staff questions
Public Testimony (3 minutes per person)

- 1. Those for the project speak
- 2. Those against the project speak
- 3. Those who are neither for or against but wish to speak to the project
- 4. Council may ask the individual speaking follow-up questions that does not count towards their 3 minutes

Applicant rebuttal (<u>10 minutes</u>)
Council can ask the applicant and staff questions
Mayor closes the public hearing
Council deliberates

Motion is made to approve, approve with conditions, deny or table the application to a date certain in the future

Thank you for coming to the Star City Council meeting, public involvement is fantastic and helps in shaping our city for the future. As this is a public hearing, there will be no cheering, clapping, jeering or speaking out during the hearing. Only the person at the podium has the floor to speak during their allotted time. If someone does speak out, cheer, claps, etc. they will be asked to leave the hearing and or escorted out of the hearing. We want to keep these hearings civil so everyone can be heard.

Thank you for your participation.

Mayor Trevor Chadwick



# **CITY OF STAR**

# LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Yul

MEETING DATE: May 4, 2021

FILE(S) #: FP-21-06, Final Plat, Trident Ridge Subdivision Phase 5

# **REQUEST**

Applicant is seeking approval of a Final Plat for Trident Ridge Subdivision Phase 5, consisting of 37residential lots and 3 common lots on 11.9 acres. The phase is located west of Wing Road, north of Beacon Light Road in Star, Idaho. Ada County Parcels R4830410600, R4830410300, R4830410100 and R4830410200.

# **APPLCIANT/REPRESENTATIVE:**

Tim Mokwa Hayden Homes Idaho LLC 1406 N. Main St., Ste 109 Meridian, Idaho 83642

### **OWNER:**

Brookfield Holdings (Hayden II) LLC 250 Vesey St., 15<sup>th</sup> Floor New York, NY 10281

#### PROPERTY INFORMATION

Land Use Designation - Residential R-3-PUD

Phase 5

Acres - 11.90 acres

Residential Lots - 37 Common Lots - 3

#### **HISTORY**

September 4, 2007 Council approved applications for Annexation and Zoning (R-1 &

R-3)

November 21, 2017 Public hearing for Preliminary Plat (PP-17-04) was tabled until December

19, 2017 so Council could do a site visit of property.

November 22, 2017 Council visited the proposed development location.

December 19, 2017	Council approved the Preliminary Plat (PP-17-04) for Trident Ridge Subdivision consisting of 143.6 acres, 324 residential lots and 23 common lots with a density of 2.26 du/ac. City accepted the donation of a parcel of land for a city park of +/- 50 acres and agreed to pay up to \$60k toward a bridge at the end of Wing Road for emergency vehicle access.
January 2, 2018	Council formally clarified that a pedestrian foot bridge is to be built along with eight parking spaces and the use of park impact fees not to exceed \$60k for construction of a emergency vehicle access bridge.
June 4, 2019	Council approved Final Plats for phase 1 and 2 (FP-18-04 & FP-18-05). Phase 1 sits on 17.12 acres and has 45 residential lots and 8 common lots. Phase 2 is on 2 acres and consists of 20 residential lots and 0 common lots.
October 6, 2020	Council approved the Final Plat for Phase 3 (FP-20-15) sitting on 11 acres and consisting of 46 residential lots and 1 common lot.
April 20, 2021	Council approved the Final Plat for Phase 4 (FP-21-05) sitting on 10.56 acres and consisting of 38 residential lots and 2 common lots.

### **GENERAL DISCUSSION**

The applicant is requesting approval of the Final Plat for phase 5 of Trident Ridge Subdivision consisting of 37 residential lots and 3 common lots on 11.90 acres. After phase 5, 186 residential lots will have been approved in final plats. The preliminary plat originally approved 324, leaving 138 residential lots for the remaining four phases of Trident Ridge Subdivision.

The Final Plat layout for Phase 5 generally complies with the approved Preliminary Plat.

In recent discussions with the applicant regarding the dedication of the future park property and construction of a bridge over Farmers Union Ditch, issues with the irrigation district, an adjacent property owner, and the applicants desire to continue the phasing of the development have arisen. Staff and the Mayor have met with the applicant regarding this issue with the discussion that the applicant should move forward with the dedication prior to signature of Phase 5, and that the applicant should provide their share portion of the bridge construction in the amount of \$60,000.00. Once this is completed, the City will work with the District and the Community moving forward, allowing the applicant to complete the development without the park and bridge issues as their responsibility. Council should discuss the acceptance of this prior to approval of Phase 5.

For the eight parking stalls that were requested to be part of the improvements at the end of Wing Road, a condition will be added requiring the completion of the spaces as part of the Phase 5 construction.

# **Original Preliminary Plat Review:**

Site Data:

Total Acreage of Site – 143.6 acres

Total Number of Lots – 347 lots
Total Number of Residential Lots – 324 lots
Total Number of Common Lots – 23 lots
Total Number of Commercial Lots – None
Type of Units – Single Family Units
Dwelling Units Per Gross Acre – 2.26 Units per acre
Total Acreage of Common Lots – 64.4 acres
Percent of Site as Common Area – 45.6%

General Site Design Features:

# **Landscaping**

The landscape plan submitted was approved as far as the locations. However, the UDC, Chapter 4, Section B-7 C-3 Street Trees, states that a minimum density of one (1) tree per thirty-five (35) linear feet is required. This can be accomplished with the requirement of having trees installed in the front yards of each lot.

# **Open Space**

Open space for the subdivision comes in the form of passive green space, active play areas, exercise trails, picnic area, and a large natural park area with trails.

Street Design.

# **Public Streets**

All streets are required to meet Ada County Highway District regulations. This will be the final phase with street widths less than the required 36'.

Applicant requested and was granted a waiver of block lengths exceeding 500' as part of the original approval.

# **Sidewalks**

The Applicant will be required to provide sidewalks throughout the development.

# **Lighting**

Streetlights shall be of the same design throughout the entire development and shall be required to follow the "dark skies" regulations.

# **Public Park Proposal:**

The Applicant intends to develop only the Residential (R3) portion of the subdivision. In the original application approved by the City, the Applicant offered to give to the City the 50 plus acre property above the Farmers Union Canal; in exchange the City agreed to provide up to \$60,000 for construction of a new bridge at the end of Wing Road for emergency vehicle use only.

# **Staff analysis of Final Plat Submittal:**

**Lot Layout** – The gross density of Phase 5 is 3.10 du/acre. The application states that lot sizes range in from 5,928 square feet to 14,685 square feet.

<u>Common/Open Space and Amenities</u> – This phase will include 3.3 acres of common area. Open space for the overall development is also provided in other phases of the subdivision. Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. (Please see "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.)

<u>Setbacks</u> – The applicant has not requested any special setbacks and the development will adhere to current requirements of the R-3 zone.

<u>Streetlights</u> – Streetlight plan/design specifications was previously submitted with the final plat application for Phases 1 & 2. The streetlight design meets the dark sky standards consistent with the intent of the City. Streetlights shall be consistent throughout the remaining phases of the subdivision.

<u>Mailbox Clusters</u> – The Star Postmaster, Mel Norton has provided an approval letter for the mailbox clusters for this development. A letter of approval indicating specific locations has been provided in the original submittal documents for prior phases.

**Street Names** - Applicant has provided documentation from Ada County that the proposed street names have been approved. Correct street names are reflected on the final plat.

<u>Sidewalks</u> - Sidewalks are proposed at five-foot (5') widths and will be attached throughout the overall subdivision.

### **PUBLIC NOTIFICATIONS**

Notifications of this application were sent to agencies having jurisdiction on March 29, 2021.

April 12, 2021 Keller Associates Recommend Approval w/Conditions

### **FINDINGS**

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve this Final Plat, the Unified Development Code requires that Council must find the following:

A. The Plat is in conformance with the Comprehensive Plan.

The Council finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.

B. Public services are available or can be made available and are adequate to accommodate the proposed development.

Staff finds that all public services are available and able to accommodate this development.

- C. There is public financial capability of supporting services for the proposed development. Staff knows of no financial hardship that would prevent services from being provided.
- D. The development will not be detrimental to the public health, safety or general welfare; and, Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.
- E. The development preserves significant natural, scenic or historic features. Staff finds that existing conditions have not substantially changed from the approved Preliminary Plat of this subdivision.

### **CONDITIONS OF APPROVAL**

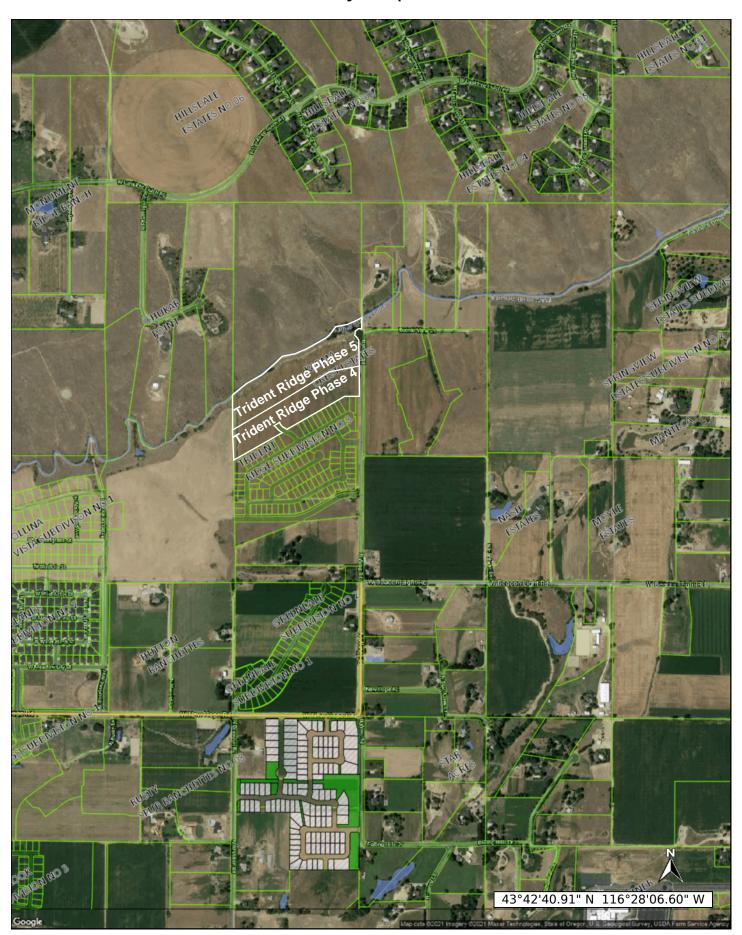
- 1. The applicant shall dedicate the park area and provide the City with a payment of \$60,000.00 for future improvements to the Farmers Union Ditch crossing prior to the signature of the final plat.
- 2. The approved Final Plat for Trident Ridge Subdivision Phase 5 shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 3. The property associated with this approved Final Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
- 4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
- 6. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
- 7. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 8. The streetlight design and style should utilize the lights already in place from previous phases and be consistent through all phases of the development.
- 9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance.
- 10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by Council.

- 11. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.)
- 12. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
- 13. A separate sign application is required for any subdivision sign.
- 14. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior** to signature of the final plat.
- 15. Applicant shall provide the City with two (2) full size and two (1) 11"x17" copy of the signed recorded final plat with all signatures, prior to any building permits being issued.
- 16. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
- 17. The mylar/final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
- 18. A copy of signed irrigation agreements shall be submitted to the City **prior to signature of the final plat.**
- 19. All common areas shall be maintained by the Homeowners Association.
- 20. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). Sign shall be approved by the City prior to start of construction.
- 21. A copy of the recorded CC&R's shall be submitted to the City of Star prior to any building permits being issued.
- 22. **Prior to signature of the final plat**, a signed Irrigation District Agreement with the Irrigation Districts shall be provided to the City of Star. This requirement shall be with each subsequent Final Plat application.
- 23. Any additional Condition of Approval as required by Staff and City Council.

	COUNCIL DECISION
The Star City Council	File # FP-21-06 Trident Ridge Subdivision, Final Plat, Phase 5
on May, 2021.	



# Trident Ridge Phase 4 and 5 Vicinity Map



Mar 05, 2021 - landproDATA.com Scale: 1 inch approx 1000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.



# **Trident Ridge Subdivision No. 5**

City of Star P.O. Box 130 Star, Idaho 83669 P: 208-286-7247

# **FINAL PLAT APPLICATION**

\*\*\*All information must be filled out to be processed.

FILE NO.:
Date Application Received: Fee Paid:
Processed by: City:
pplicant Information:
PRIMARY CONTACT IS: Applicant 🗶 Owner Representative
pplicant Name: Tim Mokwa, Hayden Homes Idaho LLC
pplicant Address: <u>1406 N Main Street, Suite 109, Meridian, ID</u> Zip: <u>83642</u> hone: <u>(208)869-9785</u> Email: <u>tmokwa@hayden-homes.com</u>
India. <u>Territoria and a la l</u>
wner Name: Brookfield Holdings (Hayden II) LLC
wner Address: 250 Vesey Street, 15th Floor, New York, NY Zip:10281 hone: _(212)417-7480
TIONO. 1212/11-1700 EMAIN. MIANING STOCKHOLA.COM
epresentative (e.g., architect, engineer, developer):
ontact: Tim Mokwa Firm Name: Hayden Homes Idaho LLC
ddress: <u>1406 N Main Street, Suite 109, Meridian, ID</u> Zip: Zip: hone: <u>(208)869-9785</u> Email: <u>tmokwa@hayden-homes.com</u>
roperty Information:
ubdivision Name: Trident Ridge Phase: 5
arcel Number(s): R4830410617
pproved Zoning: R-3 Units per acre: 3
otal acreage of phase: <u>11.9 acres</u> Total number of lots: <u>40</u>
esidential:
ommon lots:3 Total acreage of common lots: <u>3.3 acres</u> Percentage: <u>28%</u>
ercent of common space to be used for drainage:0 Acres:0
pecial Flood Hazard Area: total acreage number of homes
hanges from approved preliminary plat pertaining to this phase:
Preliminary Plat Final Plat
umber of Residential Lots: 37 37
umber of Common Lots: 33
umber of Commercial Lots: 0
oads:all roads are in substantial conformance with approved preliminary plat

Amenities	S:Farn of o	se 5 common area is eitheners Union Canal easeme verall HOA and has acces nities installed in other p		nrt	_ _
Flood Zo	ne Data: (Thi	s Info Must Be Filled O	ut Completely Prior to Acc	eptance):	
Subdivis	sion Name:	Trident Ridge	Phase: _	5	
Special	Flood Hazard	Area: total acreage	number of homes	S	
b. F F C. F re	which the propose plat in situal roperties being EMA FIRM parties being EMA FIRM parties and Electrical Electr	erty or properties are locations where two or more g surveyed.  anel(s): #160xxxxxxC, 16 date(s): mm/dd/year Zone X, Zone A, Zone A evation(s): AE0 ft., 6 te subject to change by F hapter 10 of the Star City	E, Zone AH, etc.: _	ot be drawn on the property of	r  
Applicant	(Applications are	_ ,	of the following unless otherwise i	notea.)	Staff
(√) <b>×</b>	Completed and	signed copy of Final Plat App	cription		(√)
*	Fee: Please co	ontact the City for current fee.	Fees may be paid in person with or for electronic payment. Additional		
×	Electronic copy with the approv include the follo     Gross o     Lot ran     Descrip percent	of letter of intent and stateme ed Preliminary Plat and Condi owing: density of the phase of the Fin ge and average lot size of pha otion of approved open space tage of overall open space, nu		ent shall nase including ities	
×		of legal description of the pro	perty (word.doc and pdf version w		
×		of current recorded warranty	deed for the subject property		
×	If the signature statement (affice	on this application is not the c	wner of the property, an <b>original</b> owner stating the applicant and/o		
×			from Ada County Surveyor's office	e.	
×	Copy of the "fin County Street N	al" street name evaluation/app Naming	proval or proof of submittal reques		
×	Electronic copy	of vicinity map showing the lo	cation of the subject property		

One (1) 24" X 36" paper copy of the Final Plat & Electronic Copy\*\*
One (1) 11" X 17" paper copy of the Final Plat

Electronic copy of the Final landscape plan\*\*

×

×

×	One (1) 11" X 17" copy of the Final landscape plan	
×	Electronic copy of site grading & drainage plans**	
×	Electronic copy of originally approved Preliminary Plat**	
×	Electronic copy of a Plat with all phases marked with changes, if applicable**	
×	Electronic copy of final engineering construction drawings, stamped and signed by a registered engineer**	
×	Storm drainage calculations must be submitted for <u>private</u> streets/drives and parking areas within subdivisions**	
×	Electronic copy of streetlight design and location information	
N/A	Special Flood Information – Must be included on Preliminary/Final Plat and Application form.	
×	Electronic copy of all easement agreements submitted to the irrigation companies	
×	Electronic copy of the proposed Covenants, Conditions, & Restrictions (CC&R's)	_
×	One (1) copy of Electronic versions of submitted applications, including signed Final Plat Application, legal description, recorded warranty deed, vicinity map, final plat, landscape plan, site grading & drainage plans, copy of original Preliminary Plat, plat with phases marked, engineering construction drawings, storm drainage calculations, streetlight design and location, and signed irrigation agreements, CC&R's shall be submitted in original pdf	
	format (no scans for preliminary plat, landscape plans or grading and drainage plans) on a thumb drive only (no discs) with the files named with project name and plan type.	
	<ul> <li>Upon Recording of Final Plat, the applicant shall submit the following to the Planning Department prior to building permit issuance:         <ul> <li>One (1) 11" X 17" and (1) 18" X 24" recorded copy of Final Plat</li> <li>Electronic copy of final, approved construction drawings</li> <li>Electronic copy of as-built irrigation plans</li> <li>Electronic copy of recorded CC&amp;R's</li> <li>Proof of required Construction Sign installation at entrance to development (as conditioned in Preliminary Plat approval) – Picture of installed sign</li> </ul> </li> <li>Electronic copies shall be submitted in pdf format on a thumb drive with the files named with project name and plan type. **Original pdf's are required for all plans – No Scanned PDF's please.</li> </ul>	
	After construction, a letter from the Star Sewer & Water District stating that subdivision information has been submitted to the District in GIS format and the property has been annexed into the Star Sewer & Water District. GIS to include pressurized irrigation, streetlights, and storm drains in addition to Star Sewer & Water requirements. This shall be a condition prior to Final Plat signature.	

# **FEE REQUIREMENT:**

\*\* I have read and understand the above requirements. I further understand fees are due at the time of filing. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.

Sin ML	3/8/21
Applicant/Representative Signature	Date



March 8, 2021

City of Star Attn. Ryan Field, Assistant City Planner P.O. Box 130 Star, ID 83669

RE: Trident Ridge Subdivision No 5 Final Plat Application Letter of Intent

Dear Mr. Field:

Attached is the final plat application with the required checklist materials. I have not included the construction plans or the storm water report as these documents were submitted previously and reviewed by the City's engineering consultant.

The final plat is in substantial compliance with the approved Preliminary Plat and Conditions of Approval.

Per the Application Checklist:

- The Gross density of this phase is 3.1 units/acre.
- The proposed lot sizes range from to 5,814 SF to 18,531 SF.
- The open space proposed in this phase is 3.3 acres (28%). As a phased community, this phase will be part of the overall Trident Ridge HOA and will have use of the common area and amenities installed in other phases of the subdivision.
- Setbacks will be those stated in the City Code for Zone R-3. No variations to the setbacks were requested or approved with the Trident Ridge Preliminary Plat.

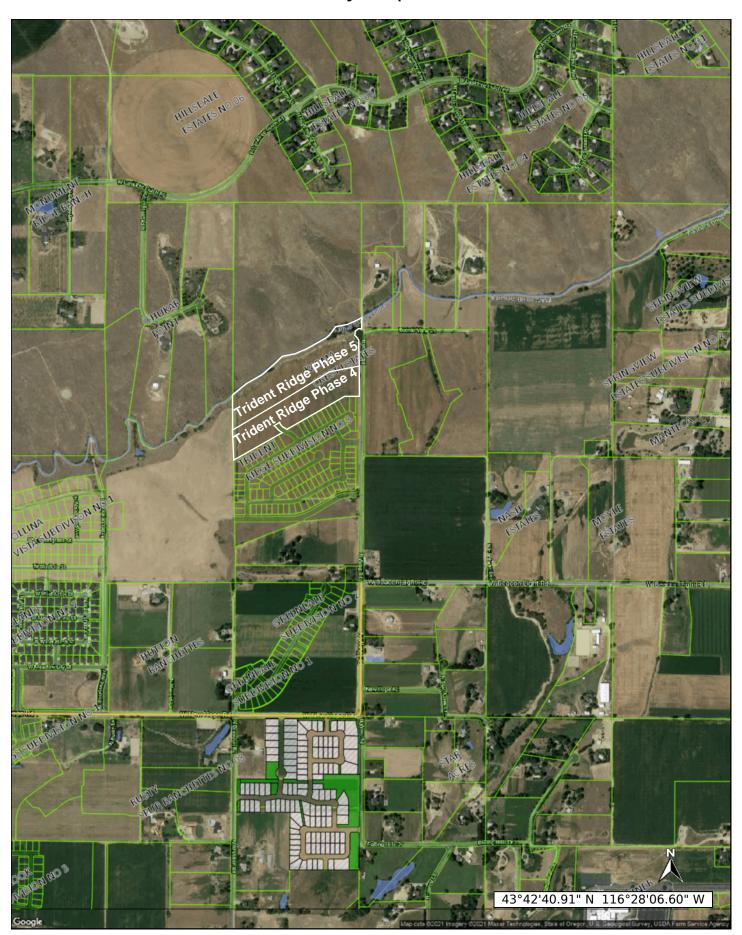
We would like to have this final plat added to a City Council Agenda as soon as possible. Should you have any questions or require additional information please feel free to contact me at (208) 869-9785 or tmokwa@hayden-homes.com

Sincerely,

Tim Mokwa, Hayden Homes



# Trident Ridge Phase 4 and 5 Vicinity Map



Mar 05, 2021 - landproDATA.com Scale: 1 inch approx 1000 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

# AT 455778 336343AM

Recording Requested By and When Recorded Return to:

Brookfield Holdings (Hayden II) LLC 250 Vesey Street, 15th Floor

BOISE IDAHO Pgs=5 CHE FOWLER ALLIANCE TITLE - BOISE PRODUCTION CENTER

2019-118739 11/26/2019 12:41 PM

\$15.00

New York, New York 10281

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

# SPECIAL WARRANTY DEED

This Special Warranty Deed is made this 26th day of November, 2019, between FIRST SECURITY CORPORATION, ("Grantor"), and BROOKFIELD HOLDINGS (HAYDEN II) LLC, a Delaware limited liability company, whose mailing address is 250 Vesey Street, 15th Floor, New York, New York 10281 ("Grantee"), witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00). and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, grant, bargain, sell and convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Ada, State of Idaho (the "Property"):

# SEE SCHEDULE I ATTACHED HERETO AND INCORPORATED HEREIN

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity, provided, however, that Grantor expressly reserves all water rights appurtenant to the Property.

Grantor's covenants or warranties with respect to title, express or implied, are those, and only those, implied by use of the word "grant" as set forth in Idaho Code § 55-612 and that the Property is free from all monetary liens or encumbrances created, granted, caused or suffered by Grantor, subject, however, to: (i) reservations or restrictions in federal patents or state or railroad deeds or in laws providing for such patents or deeds; (ii) building or use restrictions, building and zoning regulations and ordinances of any governmental entity; (iii) location in a special flood hazard area; (iv) the lien of real property taxes not yet due and payable; (v) all tenancies, leases, easements, rights of way, claims of easements, covenants, restrictions and encumbrances or other matters of record or that would appear from an ALTA survey or careful examination of the Property; (vi) any exception created by or consented to by Buyer; and (vii) those items identified in Schedule II, attached hereto and incorporated herein.

THE PROPERTY IS SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED. RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT

(EXCEPT THE WARRANTIES AND COVENANTS IN THE PRECEDING PARAGRAPH) OR CONDITION OF THE PROPERTY, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor as of the date first set forth above.

SELLER:

FIRST SECURITY CORPORATION, an Idaho corporation

By: Cindy Crowther, Authorized Signatory

STATE OF OREGON ) ss. County of Deschutes )

On this 26<sup>th</sup> day of November, 2019, before me, Traci L. Swelly a Notary Public in and for said State, personally appeared Cindy Crowther, known or identified to me to be an authorized signatory for First Security Corporation, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



# **SCHEDULE I**

Lots 1, 2, 3, and 6 in Block 1 of Karma Crest Estates, according to the plat thereof, filed in Book 60 of Plats at Page(s) 6037 through 6039, records of Ada County, Idaho

#### SCHEDULE II

- 1. Rights or claims of parties in possession not shown by the public records.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Property.
- 3. Easements, or claims of easements, not shown by the public records.
- 4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- 5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- 6. Taxes or special assessments which are not shown as existing liens by the public records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- 7. Special assessments, if any, for the City of Star.
- 8. Liens, levies and assessments of the Star Sewer and Water District.
- 9. Levies and assessments of the Farmers Union Ditch Co. Ltd. Irrigation District, and the rights, powers and easements of said district as by law provided.
- 10. Ditch, road and public utility easements as the same may exist over said premises.
- 11. Right-of-way for Farmers Union Canal and the rights of access thereto for maintenance of said canal.
- 12. Right-of-way for Hutton Ranchette Lateral and the rights of access thereto for maintenance of said lateral.
- Right-of-way for HRM Lateral and the rights of access thereto for maintenance of said lateral.
- 14. Easements, reservations, notes and/or dedications as shown on the official plat of Karma Crest Estates.
- 15. Power Line Easement, recorded June 29, 1946 as Instrument No. 251751, Book 19 of Miscellaneous Page 539, records of Ada County.

- Power Line Easement, recorded June 29, 1946 as Instrument No. 251752, Book 19 of Miscellaneous Page 540, records of Ada County.
- 17. Power Line Easement, recorded June 29, 1946 as Instrument No. 251753, Book 19 of Miscellaneous Page 541, records of Ada County.
- 18. Power Line Easement, recorded: February 23, 1971 as Instrument No. 763309, records of Ada County.
- Power Line Easement, recorded August 9, 1989 as Instrument No. 8937584, records of Ada County.
- 20. Non-Exclusive Easement, recorded: June 12, 1991 as Instrument No. 9131177, records of Ada County.
- 21. Non-Exclusive Easement, recorded: October 22, 1992 as Instrument No. 9272343, records of Ada County.
- 22. Easement (with subordination), recorded September 13, 2012 as Instrument No. 112093600, records of Ada County.
- 23. Order of Inclusion and Annexation, recorded: May 2, 2018 as Instrument No. 2018-039396, records of Ada County.
- 24. Sewer Easement Agreement, recorded January 18, 2019 as Instrument No. 2019-004635, records of Ada County.
- 25. Crossing Agreement, recorded February 13, 2019 as Instrument No. 2019-011645, records of Ada County.
- 26. Crossing Agreement, recorded February 21, 2019 as Instrument No. 2019-013874, records of Ada County.
- 27. Temporary License Agreement, recorded July 8, 2019 as Instrument No. 2019-059517, records of Ada County.
- 28. Permanent Slope Easement Agreement, recorded July 9, 2019 as Instrument No. 2019-060331, records of Ada County.
- 29. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.
- 30. Lack of right of access to Lot 6.
- 31. Temporary License Agreement, recorded July 8, 2019 as Instrument No. 2019-059517, re-recorded on October 21, 2019 as Instrument No. 2009-102810, records of Ada County.



Page 1 of 4

# **Trident Ridge Phase 5**Preliminary Land Description

A parcel of land being a re-subdivision of a portion of Lots 6 of Block 1, as shown on the Plat of Karma Crest Estates Subdivision, recorded in Book 60 of Plats, at page 6037-6039, records of Ada County, Idaho, lying in the NE1/4 of the SW1/4 and the SE1/4 of the NW1/4 of Section 32, Township 5 North, Range 1 West, Boise Meridian, City of Star, Ada County, Idaho, more particularly described as follows:

**COMMENCING** at the south one-quarter corner of Section 32; thence, along the east boundary of said SW1/4,

- A) N.00°30′00″E., 2250.82 feet to the northeast corner of Trident Ridge Subdivision No.4, recorded in Book XXXX of Plats, at Pages XXXXX through XXXXX, records of Ada County, Idaho; thence, along the north boundary thereof,
- B) N.89°30′00″W., 25.00 feet to the northeast corner of Trident Ridge Subdivision No.3, recorded in Book 119 of Plats, at Pages 18507 through 18511, records of Ada County, Idaho and the **POINT OF BEGINNING**; thence, along the exterior boundary thereof, the following courses:
  - 1) N.89°30'00"W., 106.42 feet to the beginning of a tangent curve; thence,
  - Westerly along said curve to the left, having a radius of 474.00 feet, an arc length of 249.66 feet, through a central angle of 30°10′39″ and a long chord which bears S.75°24′41″W., 246.78 feet; thence, tangent from said curve,
  - 3) S.60°19'21"W., 257.11 feet to the beginning of a non-tangent curve; thence,
  - 4) Northwesterly along said curve to the left, having a radius of 325.33 feet, an arc length of 6.30 feet, through a central angle of 01°06′35″ and a long chord which bears N.58°29′06″W., 6.30 feet to a point of reverse curvature; thence,
  - 5) Northwesterly along said curve to the right, having a radius of 278.33 feet, an arc length of 128.92 feet, through a central angle of 26°32′21″ and a long chord which bears N.45°46′13″W., 127.77 feet; thence, non-tangent from said curve,
  - 6) N.15°19'05"E., 19.39 feet; thence,
  - 7) S.60°19'05"W., 75.28 feet; thence,



Page 2 of 4

- 8) S.74°40'55"E., 20.59 feet to the beginning of a non-tangent curve; thence,
- 9) Southeasterly along said curve to the left, having a radius of 325.33 feet, an arc length of 132.37 feet, through a central angle of 23°18′46″ and a long chord which bears S.43°53′59″E., 131.46 feet; thence, non-tangent from said curve,
- 10) S.60°19′21″W., 804.26 feet to the west boundary of said Lot 6 Block 1 of Karma Crest Estates Subdivision; thence along said boundary,
- 11) N.00°02'40"W., 339.51 feet to the centerline of the Farmer's Union Canal; thence, along said centerline the following courses:
- 12) N.46°01'57"E., 59.39 feet to the beginning of a tangent curve; thence,
- 13) Northeasterly along said curve to the right, having a radius of 380.00 feet, an arc length of 86.39 feet, through a central angle of 13°01′31″ and a long chord which bears N.52°32′42″E., 86.20 feet; thence, tangent from said curve,
- 14) N.59°03'27"E., 101.49 feet to the beginning of a tangent curve; thence,
- 15) Northeasterly along said curve to the left, having a radius of 1000.00 feet, an arc length of 103.20 feet, through a central angle of 5°54′47″ and a long chord which bears N.56°06′04″E., 103.16 feet; thence, tangent from said curve,
- 16) N.53°08'41"E., 124.15 feet to the beginning of a tangent curve; thence,
- 17) Northeasterly along said curve to the left, having a radius of 700.00 feet, an arc length of 136.54 feet, through a central angle of 11°10′33″ and a long chord which bears N.47°33′24″E., 136.32 feet to a point of reverse curvature; thence,
- 18) Northeasterly along said curve to the right, having a radius of 98.66 feet, an arc length of 79.74 feet, through a central angle of 46°18′27" and a long chord which bears N.65°07′21"E., 77.59 feet to a point of reverse curvature; thence,
- 19) Northeasterly along said curve to the left, having a radius of 325.00 feet, an arc length of 106.65 feet, through a central angle of 18°48′03″ and a long chord which bears N.78°52′32″E., 106.17 feet to a point of compound curvature; thence,



Page 3 of 4

- 20) Northeasterly along said curve to the left, having a radius of 1132.64 feet, an arc length of 229.73 feet, through a central angle of 11°37′16″ and a long chord which bears N.63°39′53″E., 229.34 feet to a point of reverse curvature; thence,
- 21) Northeasterly along said curve to the right, having a radius of 590.00 feet, an arc length of 84.20 feet, through a central angle of 8°10′36″ and a long chord which bears N.61°56′33″E., 84.13 feet to a point of reverse curvature; thence,
- 22) Northeasterly along said curve to the left, having a radius of 200.00 feet, an arc length of 102.19 feet, through a central angle of 29°16′28″ and a long chord which bears N.51°23′37″E., 101.08 feet; thence, tangent from said curve,
- 23) N.36°45'22"E., 56.99 feet to the beginning of a tangent curve; thence,
- 24) Northeasterly along said curve to the right, having a radius of 80.00 feet, an arc length of 66.51 feet, through a central angle of 47°37′52″ and a long chord which bears N.60°34′18″E., 64.61 feet; thence, tangent from said curve,
- 25) N.84°23′14″E., 52.16 feet to the beginning of a tangent curve; thence,
- 26) Northeasterly along said curve to the left, having a radius of 250.00 feet, an arc length of 94.78 feet, through a central angle of 21°43′22″ and a long chord which bears N.73°31′33″E., 94.22 feet; thence, tangent from said curve,
- 27) N.62°39′52″E., 105.34 feet to the east boundary of said SE1/4 of the NW1/4; thence, leaving said centerline, along said boundary,
- 28) S.00°30′00″W., 118.89 feet to the beginning of a non-tangent curve and the north and west right-of-way of N. Wing Road as shown on said Karma Crest Estates Subdivision; thence along said right-of-way the following courses:
- 29) Westerly and Southerly along said curve to the left, having a radius of 50.00 feet, an arc length of 150.17 feet, through a central angle of 172°04′49″ and a long chord which bears 5.21°55′02″W., 99.76 feet to a point of reverse curvature; thence,



Page 4 of 4

30) Southeasterly along said curve to the right, having a radius of 20.00 feet, an arc length of 22.56 feet, through a central angle of 64°37′23″ and a long chord which bears S.31°48′41″E., 21.38 feet; thence, tangent from said curve,

31) S.00°30′00″W., 281.78 feet to the POINT OF BEGINNING.

CONTAINING: 11.884 Acres

This is a Preliminary boundary description for final plat submittal and review and may be subject to change prior to record

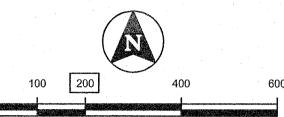


# **Street Name Evaluation Response Sheet**

Subdivision/Jurisdiction:	Trident Ridge No 05/Star

Representatives:			Comments
1_	Ada County Assessor	Approved As Reviewed	
2_	Ada County Sherrif	Approved As Reviewed	
3_	ACHD	No Response/Defer	
4_	Ada County Development Services	Approved As Reviewed	
5 <b>_</b>	Star Fire	No Response/Defer	
6_	City of Star	No Response/Defer	
7_		No Response/Defer	
8_		No Response/Defer	
9_		No Response/Defer	

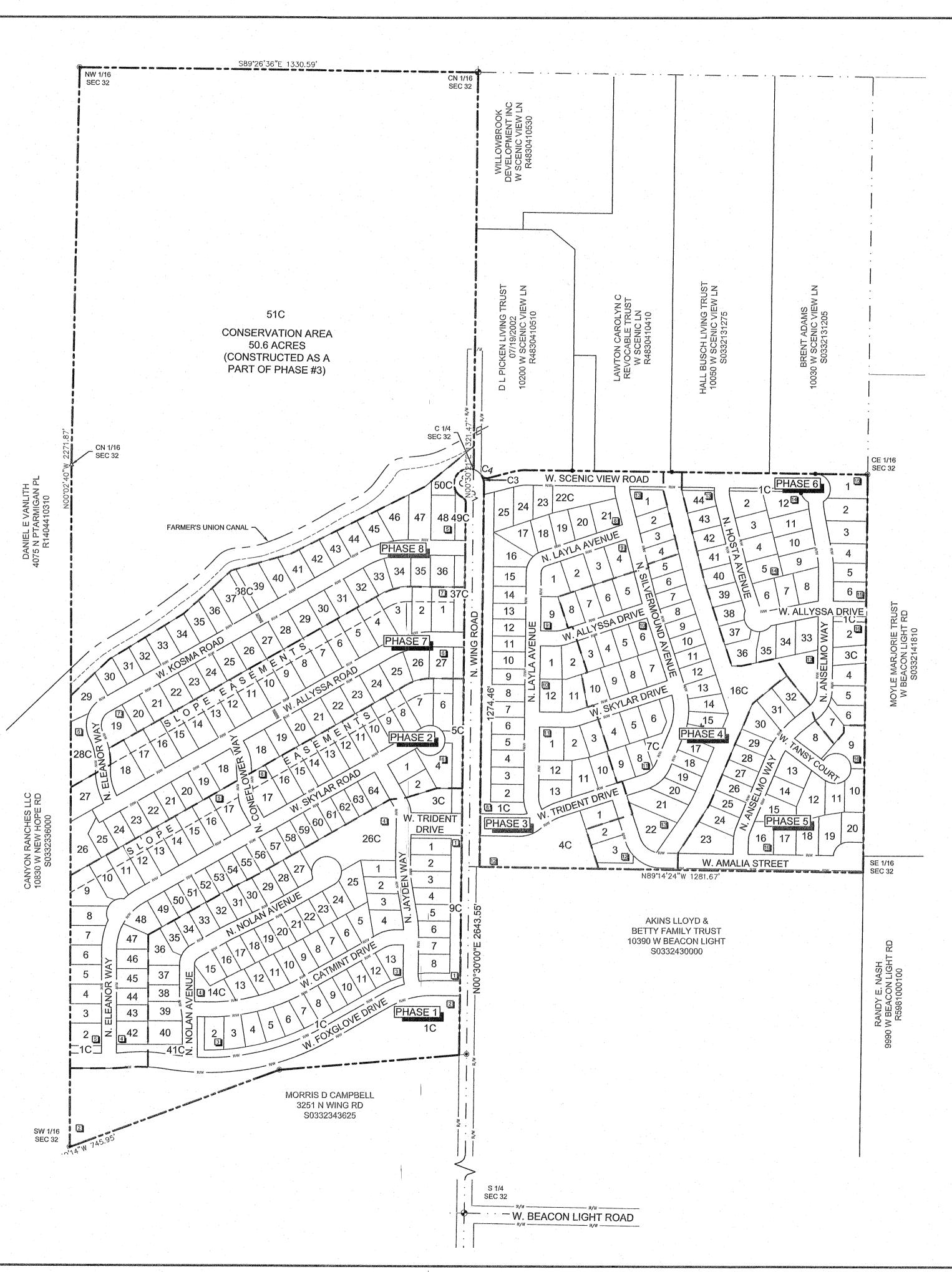
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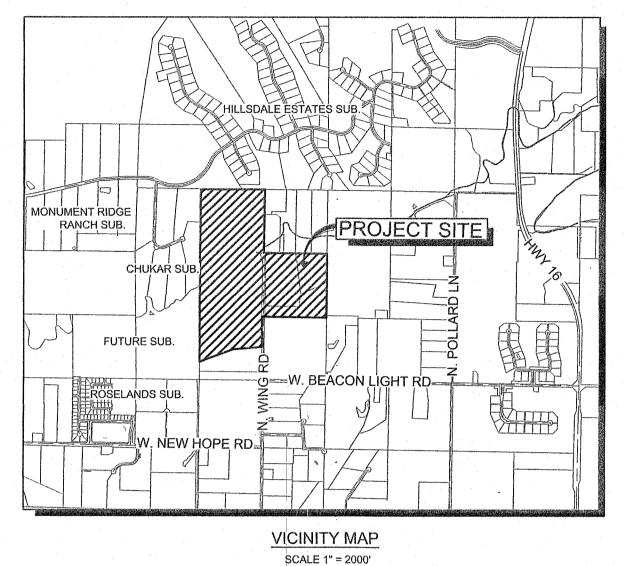
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W(8")		PROPOSED WATER LINE
		PROPOSED STORM DRAIN LINE
		PROPOSED PRESSURE IRRIGATION LINE
ментиний при	· IR amounteencommunications	EXISTING GRAVITY IRRIGATION LINE
9		PROPOSED DRAINAGE FLOW PATH
		PROPOSED SEWER MANHOLE
(S)		PROPOSED STORM DRAIN MANHOLE
· · · · · · · · · · · · · · · · · · ·		PROPOSED CATCH BASIN/AREA INLET
		PROPOSED GRAVITY IRRIGATION BOX
1		PROPOSED BLOCK NUMBER
1		PROPOSED RESIDENTIAL LOT NUMBER
1C		PROPOSED COMMON LOT NUMBER
2550		PROPOSED MAJOR CONTOUR
2548		PROPOSED MINOR CONTOUR
2550		EXISTING MAJOR CONTOUR
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- 1. ALL COMMON LOTS ARE TO BE OWNED AND MAINTAINED BY THE TRIDENT RIDGE HOMES OWNER ASSOCIATION.
- 2. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN A PUBLISHED FLOOD ZONE.
- 3. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN, PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- 4. THIS PROPERTY IS PROVIDED IRRIGATION SERVICES BY FARMER'S UNION DITCH CO LTD, AND THE OWNER HAS COMPLIED WITH THE IDAHO CODE, SECTION 31-3805 AS IT PERTAINS TO IRRIGATION WATER. THE IRRIGATION SYSTEM SHALL BE OWNED AND OPERATED BY THE HOA.
- 5. STREET DRAINAGE WILL BE ROUTED IN CURB AND GUTTER TO THE STORM SYSTEM. STORM DRAINAGE WILL BE DESIGNED IN ACCORDANCE WITH THE CATALOG OF STORM WATER BEST MANAGEMENT PRACTICES FOR IDAHO CITIES AND COUNTIES AND THE ADA COUNTY HIGHWAY DISTRICT.
- 6. DIRECT LOT ACCESS TO N. WING ROAD IS PROHIBITED FOR RESIDENTIAL LOTS.
- 7. ALL ROADWAYS ARE PROPOSED TO BE PUBLIC AND DEDICATED TO ACHD. N. WING ROAD SHALL TERMINATE AT W. SCENIC VIEW ROAD AND NOT CONTINUE TO THE

		CUR	VE TABLE		
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00'	22.56'	64°37'23"	S31°48'41"E	21.38'
C2	50.00'	116.33'	133°17'56"	S41°18'29"W	91.81'
C3	50.00'	29.03'	33°15′58″	N16°18'40"W	28.62'
C4	20.00'	24.91'	71°21'25"	S68°37'21"E	23.33'







# SITE DATA

# DEVELOPER/PLANNER

HAYDEN HOMES TIM MOKWA 2464 SW GLACIER PL, SUITE 110 REDMOND, OR 97756

(800)923-6607

# OWNER

FIRST SECURITY CORPORATION 401 W. FRONT STREET BOISE, ID 83702

T-O ENGINEERS JOHN CARPENTER, PE NAMPA, ID 83687 (208) 442-6300

# SURVEYOR

T-O ENGINEERS ROB O'MALLEY, PLS 332 N. BROADMORE WAY SUITE 101 NAMPA, ID 83687 (208) 442-6300

# ACREAGE SUMMARY

TOTAL = 141.36 AC (EXCLUDE WING ROAD) ZONE R-1 = 50.60 AC ZONE R-3 = 90.76 AC

TOTAL = 143.6 AC (INCLUDE N WING ROAD) WING ROAD = 2.24 AC

NUMBER OF

38

37

324

OPEN SPACE PROVIDED = 64.40 AC (45.56%)

# SEWER AND WATER PROVIDER STAR SEWER AND WATER

FIRE DISTRICT STAR FIRE PROTECTION DISTRICT

EXISTING R-1 (CONSERVATION LOT 51C): LOW DENSITY RESIDENTIAL DISTRICT

FRONT LIVING = 15' FRONT GARAGE = 20'

ROADWAY JURISDICTION

ADA COUNTY HIGHWAY DISTRICT

STREET SIDE - LOCAL = 20' LANDSCAPE BUFFER

**COLLECTOR STREET= 35'** ENTRY WAY = 40'

EXISTING R-3 (PROPOSED RESIDENTIAL LOTS):

MEDIUM LOW DENSITY RESIDENTIAL DISTRIC

INTERIOR = 5' PLUS 5' FOR EACH STORY

# IRRIGATION DISTRICT

FAMERS UNION DITCH CO LTD

I. TITLE SHEET

# SHEETINDEX

PHASE	LOTS	
1	58	
2	54	
3	44	
4	36	
5	23	
6	34	

PHASE SUMMARY

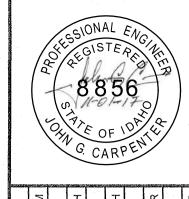
TOTAL

2.	LOT DIMENSION (WEST SIDE)
3.	
4.	7 AND 11 AND 2 AND 1 AND 1
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5. GRADING PLAN (CONSERVATION LOT) UTILITY/GRADING/DRAINAGE PLAN (WEST SIDE) 7. UTILITY/GRADING/DRAINAGE PLAN (EAST SIDE) 8. STREET/SEWER PROFILES (WEST SIDE)

9. STREET/SEWER PROFILES (WEST SIDE) 10. STREET/SEWER PROFILES (EAST SIDE) 11. STREET/SEWER PROFILES (EAST SIDE)

100	AND PHOTO CONTINUE CO								
		AREA AND LOT SUMMARY							
	LOT TYPE	NUMBER OF LOTS	DWELLING UNITS	AREA (AC)	% OF TOTAL				
	RESIDENTIAL	324	324	56.92	39.64% 44.85%				
	COMMON	23	N/A	64.40					
	PUBLIC ROADWAYS	N/A	N/A	20.04	13.96%				
	N. WING ROAD	N/A	N/A	2.24	1.55%				
	TOTAL	347	324	143.60	100%				
	The state of the s								
Γ	PROPOSED DENSITY	2.26			COMPANIES CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR CONTRACTOR C				

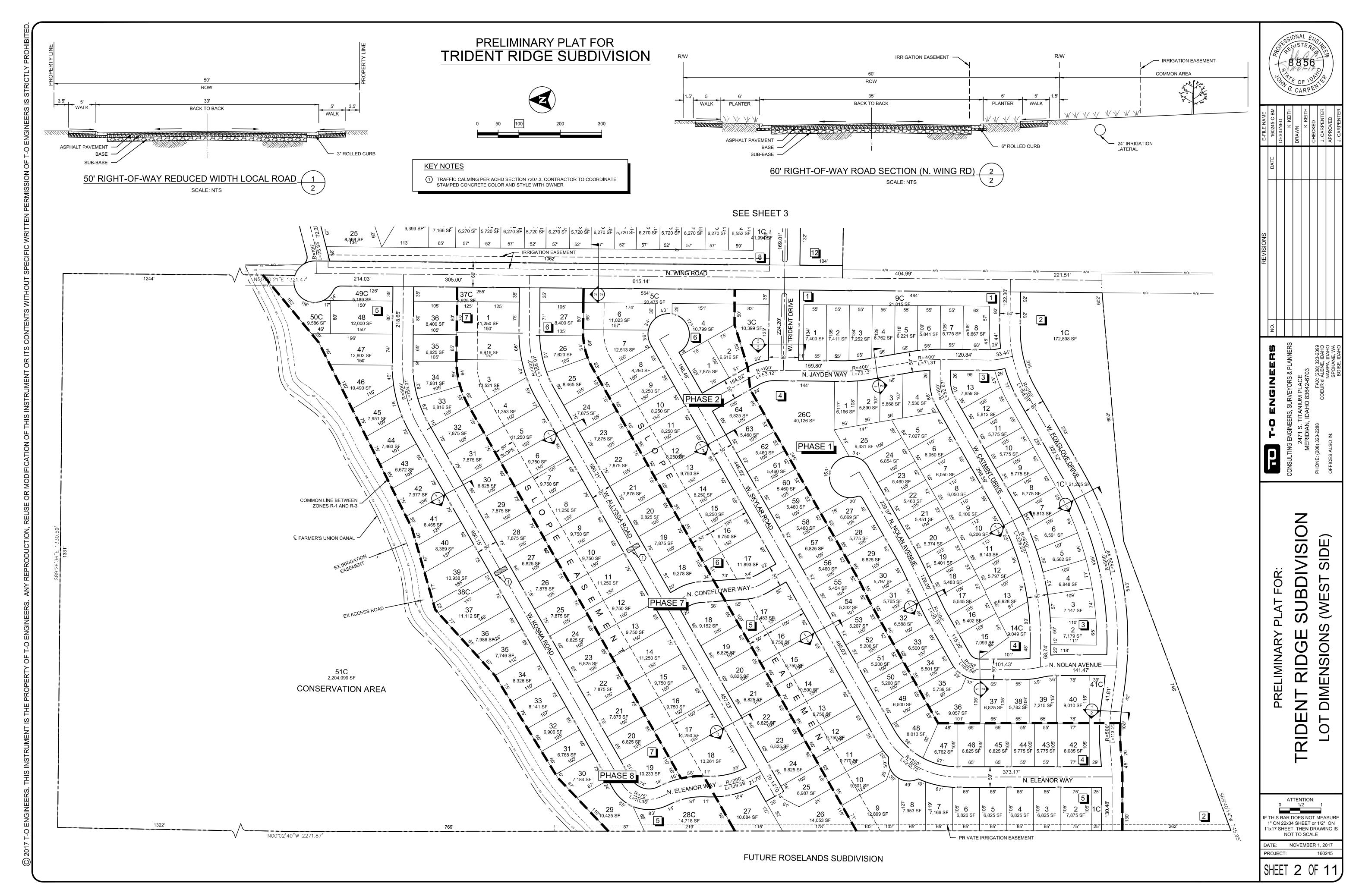


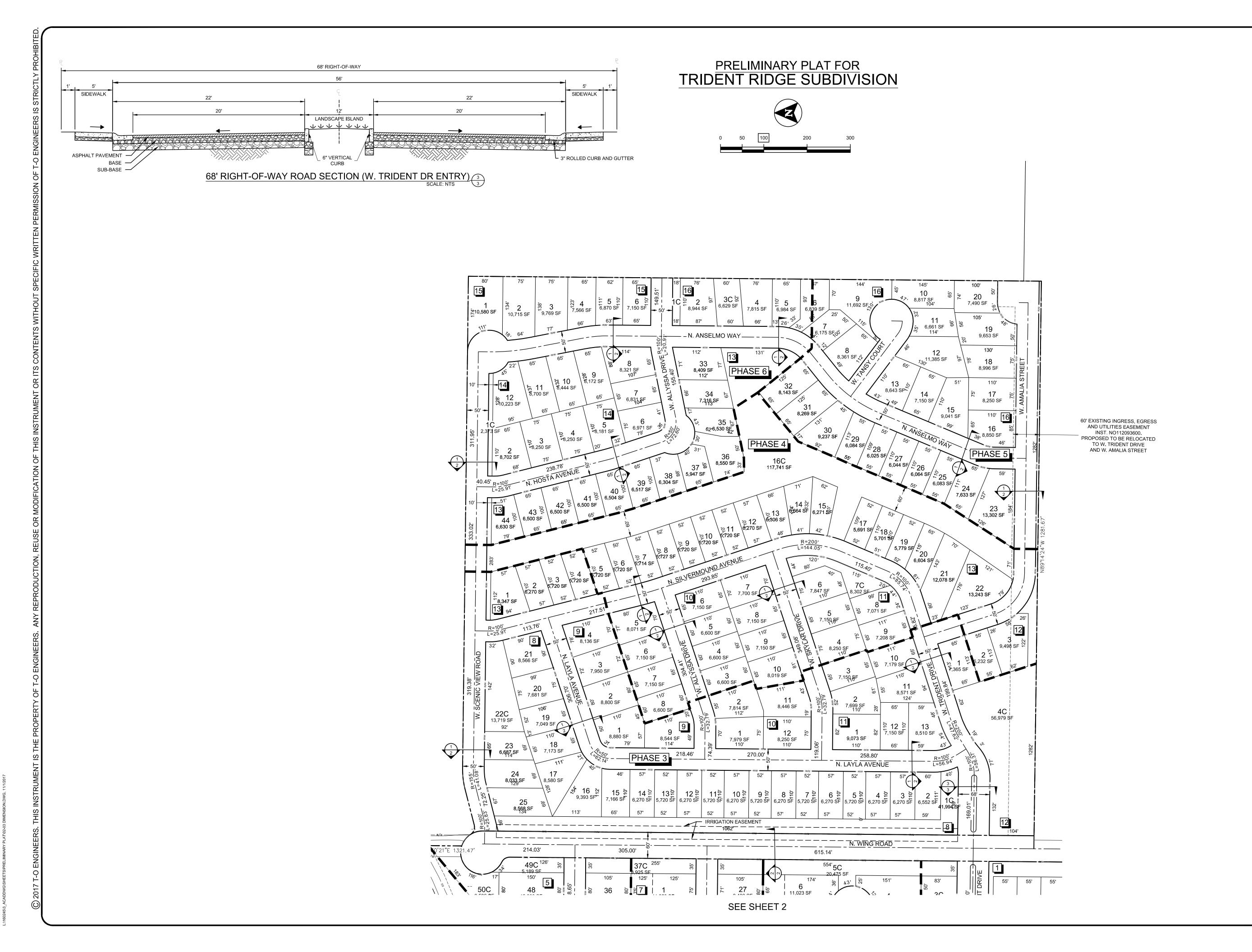
		REVISIONS	E-FILE NAME
	NO.	DATE	160245-C-BM
			DESIGNED
S & PLANNERS			K. KEITH
Ш			DRAWN
703			K. KEITH
(208) 323-2399			CHECKED
ALENE, IDAHO			J. CARPENTER
NAMPA, IDAHO SPOKANE, WA			APPROVED

S 

ATTENTION: THIS BAR DOES NOT MEASURE 1" ON 22x34 SHEET or 1/2" ON 11x17 SHEET, THEN DRAWING IS NOT TO SCALE DATE: NOVEMBER 1, 2017

PROJECT:







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E-FILE NAME	160245-C-BM	DESIGNED	K. KEITH	DRAWN	K. KEITH	CHECKED	J. CARPENTER	APPROVED	J. CARPENTER
	DATE								
REVISIONS	NO.								
	E S		ANNERS			73-7300	E, IDAHO	V, IDAHO	E, IDAHO

CONSULTING ENGINEERS, SURVEYORS & PLANI
2471 S. TITANIUM PLACE
MERIDIAN, IDAHO 83642-6703
PHONE: (208) 323-2288
COEUR d' ALENE, ID
OFFICES ALSO IN:

IT RIDGE SUBDIVISION (MENSIONS (EAST SIDE)

ATTENTION:

0 1/2 1

IF THIS BAR DOES NOT MEASURE
1" ON 22x34 SHEET or 1/2" ON
11x17 SHEET, THEN DRAWING IS
NOT TO SCALE

OATE: NOVEMBER PROJECT:

SHEET 3 OF 1





April 12, 2021

Mayor Trevor Chadwick City of Star P.O. Box 130 Star, Idaho 83669

Re: Trident Ridge Subdivision Phase 5 – Final Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Final Plat and Construction Drawings for the Trident Ridge Subdivision Phase 5 dated April 5, 2021. We reviewed this package to check conformance with the City Subdivision Ordinance and coordinated our review with Shawn L. Nickel. There are a few outstanding items that need to be addressed prior to the City Engineer signing the final plat as indicated on the attached Final Plat and Construction Drawing Review Checklist.

We recommend that the construction drawings and final plat be **APPROVED**. The City Engineer's signature on the final plat will be withheld until the requirements identified on the attached checklist are satisfactorily addressed. The attached checklist was reviewed with the applicant's engineer and it was agreed that the additional items needed for approval would be addressed.

By stamping and signing the Final Plat and Construction Drawings, the Registered Professional Land Surveyor and Professional Engineer, respectively, are responsible to ensure that said plat and construction drawings conform to all City standards, ordinances, and policies (and State laws and statutes). Any variances or waivers to these standards, ordinances, or policies must be specifically and previously approved in writing by the City. Acceptance of the above referenced Final Plat and Construction Drawings does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.** 

Ryan V. Morgan, P.E.

City Engineer

Enclosure(s)

cc: File



# **CITY OF STAR**

# LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Mah

MEETING DATE: May 4, 2021

FILE(S) #: FP-21-08, Final Plat, Cresta Del Sol Subdivision Phase 1

# **REQUEST**

Applicant is seeking approval of a Final Plat for Cresta Del Sol Subdivision Phase 1, consisting of 38 residential lots and 7 common lots on 15.09 acres. The phase is located on the north side of W. Beacon Light Road in Star, Idaho. Ada County Parcels R5865420011 and R5865420021.

# **APPLCIANT/REPRESENTATIVE:**

Sabrina Durtschi Toll Southwest LLC 3103 W. Sheryl Drive Meridian, Idaho 83642

# **OWNER:**

Toll Southwest LLC 3103 W. Sheryl Drive Meridian, Idaho 83642

# **PROPERTY INFORMATION**

Land Use Designation - Residential R-3-PUD

Phase 1

Acres - 15.09 acres

Residential Lots - 38 Common Lots - 7

### **HISTORY**

December 15, 2020 Council approved applications for Moyle Estates No. 2, Annexation and

Zoning of R-3-DA (AZ-20-18), Development Agreement (DA-20-22) and

Preliminary Plat (PP-20-15).

#### **GENERAL DISCUSSION**

The applicant is requesting approval of the Final Plat for phase 1 of Cresta Del Sol Subdivision consisting of 38 residential lots and 7 common lots on 15.09 acres.

The Final Plat layout for Phase 1 generally complies with the approved Preliminary Plat.

# **Original Preliminary Plat Review:**

Site Data: All Phases

Total Acreage of Site – 28.09 acres

Total Number of Lots – 86 lots

Total Number of Residential Lots – 74 lots

Total Number of Common Lots – 12 lots

Total Number of Commercial Lots – None

Type of Units – Single Family Units

Dwelling Units Per Gross Acre – 2.72 Units per acre

Total Acreage of Common Lots – 5.08 acres

Percent of Site as Common Area – 45.6%

# General Site Design Features:

# **Landscaping**

The landscape plan submitted was approved as far as the locations. However, the UDC, Chapter 4, Section B-7 C-3 Street Trees, states that a minimum density of one (1) tree per thirty-five (35) linear feet is required. This can be accomplished with the requirement of having trees installed in the front yards of each lot.

# **Open Space**

Open space for the subdivision comes in the form of passive green space, active play areas, exercise trails, picnic area, and a large natural park area with trails.

Street Design.

# **Public Streets**

The development has 2 cul-de-sacs that each measure less than 750 feet long. This satisfies the requirements of Section 8-6B-2-B4.

# Sidewalks

Sidewalks are proposed at five-foot (5') widths and will be detached throughout the overall subdivision with 8-foot landscape strips.

# **Streetlights**

Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. The applicant has submitted a street light design.

### **Street Names**

Street names will be approved by the Ada County Street Naming Committee prior to submittal of a final plat application.

# **Staff Analysis of Final Plat Submittal:**

The submitted preliminary plat consisted of 74 residential lots and 12 common lots. Phase 1 has 38 residential lots leaving 36 residential lots available for phase 2.

<u>Lot Layout</u> – The gross density of Phase 1 is 2.51 du/acre. The Final Plat indicates lot sizes range in size from 8,398 square feet to 12,873 square feet. The average buildable lot is 10,119 square feet. This is inline with the approved preliminary plat.

<u>Common/Open Space and Amenities</u> – This phase will include a 1.13-acre central common area with playground equipment, benches, pathway, and a picnic shelter. There is also a 1.10-acre linear open space lot in the southwest corner of the project that contains a natural riparian area with a pathway and waterway. These 2.23 acres of open space provide 14.77% usable open space which satisfies section 8-4E-2 of the Unified Development Code.

<u>Landscaping - Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. The landscaping plan, as submitted appears to satisfy this requirement. Common Area landscape requirements call for one deciduous shade tree per 4,000 square feet. The plan as submitted meets these requirements.</u>

<u>Setbacks</u> – The applicant has not requested any special setbacks and the development will adhere to current requirements of the R-3 zone.

<u>Mailbox Clusters</u> – The Star Postmaster, Mel Norton has approved the location of the mailbox clusters for this development. They are to be located on the southwest corner of Lot 1, Block 3 facing southwest and accessible from the street. This letter of approval is part of the applicant's submittal package.

<u>Street Names</u> – Applicant has provided documentation from Ada County that the proposed street names have been approved. Correct street names are reflected on the final plat.

<u>Sidewalks</u> - Sidewalks are proposed at five-foot (5') widths and will be detached throughout the overall subdivision with 8-foot landscape strips.

# **PUBLIC NOTIFICATIONS**

Notifications of this application were sent to agencies having jurisdiction on March 29, 2021.

April 9, 2021 Keller Associates Checklist

April 9, 2021 DEQ Standard Response April 8, 2021 Central District Health Standard Response

#### **FINDINGS**

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve this Final Plat, the Unified Development Code requires that Council must find the following:

A. The Plat is in conformance with the Comprehensive Plan.

The Council finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.

B. Public services are available or can be made available and are adequate to accommodate the proposed development.

Staff finds that all public services are available and able to accommodate this development.

- C. There is public financial capability of supporting services for the proposed development. Staff knows of no financial hardship that would prevent services from being provided.
- D. The development will not be detrimental to the public health, safety or general welfare; and, Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.
- E. The development preserves significant natural, scenic or historic features. Staff finds that existing conditions have not substantially changed from the approved Preliminary Plat of this subdivision.

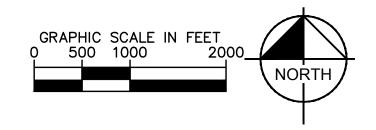
# **CONDITIONS OF APPROVAL**

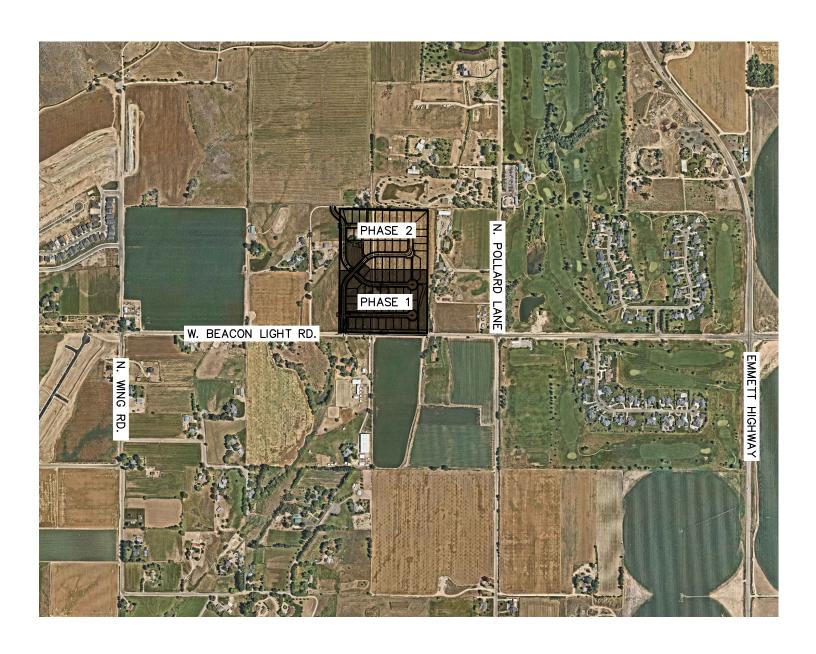
- 1. The approved Final Plat for Cresta Del Sol Subdivision Phase 1 shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. All public streets shall have a minimum street width of 36' and shall be constructed to ACHD standards.
- 3. The property associated with this approved Final Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
- 4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.

- 5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
- 6. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
- 7. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 8. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting.
- 9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance.
- 10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by Council.
- 11. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.)
- 12. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 13. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
- 14. A separate sign application is required for any subdivision sign.
- 15. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior** to signature of the final plat.
- 16. Applicant shall provide the City with two (2) full size and two (1) 11"x17" copy of the signed recorded final plat with all signatures, prior to any building permits being issued.
- 17. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
- 18. The mylar/final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
- 19. A copy of signed irrigation agreements shall be submitted to the City **prior to signature of the final plat.**
- 20. All common areas shall be maintained by the Homeowners Association.
- 21. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). Sign shall be approved by the City prior to start of construction.
- 22. A copy of the recorded CC&R's shall be submitted to the City of Star prior to any building permits being issued.

- 23. **Prior to signature of the final plat**, a signed Irrigation District Agreement with the Irrigation Districts shall be provided to the City of Star. This requirement shall be with each subsequent Final Plat application.
- 24. Any additional Condition of Approval as required by Staff and City Council.

		COUNCIL DECISION
The Star City Council Phase 1 on April	, 2021.	_ File # FP-21-08 Cresta Del Sol Subdivision, Final Plat,





CRESTA DEL SOL LOCATION MAP STAR, IDAHO 03/18/2021





# **FINAL PLAT APPLICATION**

\*\*\*All information must be filled out to be processed.

Date Application Received: Processed by:	
Applicant Information:	
PRIMARY CONTACT IS: Applicant Owner	r Representative
Applicant Name: Toll Southwest LLC	
Applicant Address: 3103 W Sheryl Drive, Meridian, Idaho Phone: 208-780-6726 Email: acapell@tollbrothers.com	Zip: <u>83642</u>
Email: acapene to not other second	
Owner Name: Same as Applicant	
Owner Address: Email:	Zip:
rnone Email:	<del></del>
Representative (e.g., architect, engineer, developer):	
Contact: Sabrina Durtschi Firm Name: _	
Address: 3103 W Sheryl Drive, Meridian, Idaho Phone: 208-250-6161 Email: sdurtschi@tollbrothers.com	
Property Information:	
Subdivision Name: Cresta Del Sol Subdivision	Phase: <u>1</u>
Parcel Number(s): <u>R5865420021</u>	
Approved Zoning: <u>R-3 DA</u> Units pe	er acre:
Total acreage of phase: <u>15.09</u> Total nu	
Residential: <u>38</u> Commercial:	
Common lots:7 Total acreage of common lots:	
Percent of common space to be used for drainage: $0\%$	Acres:0 acres
Special Flood Hazard Area: total acreageN/A	number of homes
Changes from approved preliminary plat pertaining to this	s phase:
Preliminary Plat	· Final Plat
Number of Residential Lots:38	38
Number of Common Lots:	
Number of Commercial Lots:	
Roads:	
Amonitios:	
Amenities:	

# Flood Zone Data: This shall be completed by applicant for All applications

Subdivision Name: Cresta Del Sol Subdivision		Phase: 1	
Special Flood Hazard Area: total acreage	. N/A	number of homes _	N/A
<ul> <li>a. A note must be provided on the fin which the property or properties are the plat in situations where two or properties being surveyed.</li> </ul>	al plat docu e located.	imenting the current flood The boundary line must b	d zone in oe drawn on
<ul> <li>b. FEMA FIRM panel(s): #160xxxxxx</li> <li>FIRM effective date(s): mm/dd/yea</li> <li>Flood Zone(s): Zone X, Zone A, Zone Base Flood Elevation(s): AE</li> </ul>	ar one AE, Zoi		

- c. Flood Zones are subject to change by FEMA and all land within a floodplain is regulated by Chapter 10 of the Star City Code.
- d. Please see link for help with FEMA information <a href="https://msc.fema.gov/portal/search">https://msc.fema.gov/portal/search</a>
- e. All maps will delineate flood plain lines.

# **Application Requirements:**

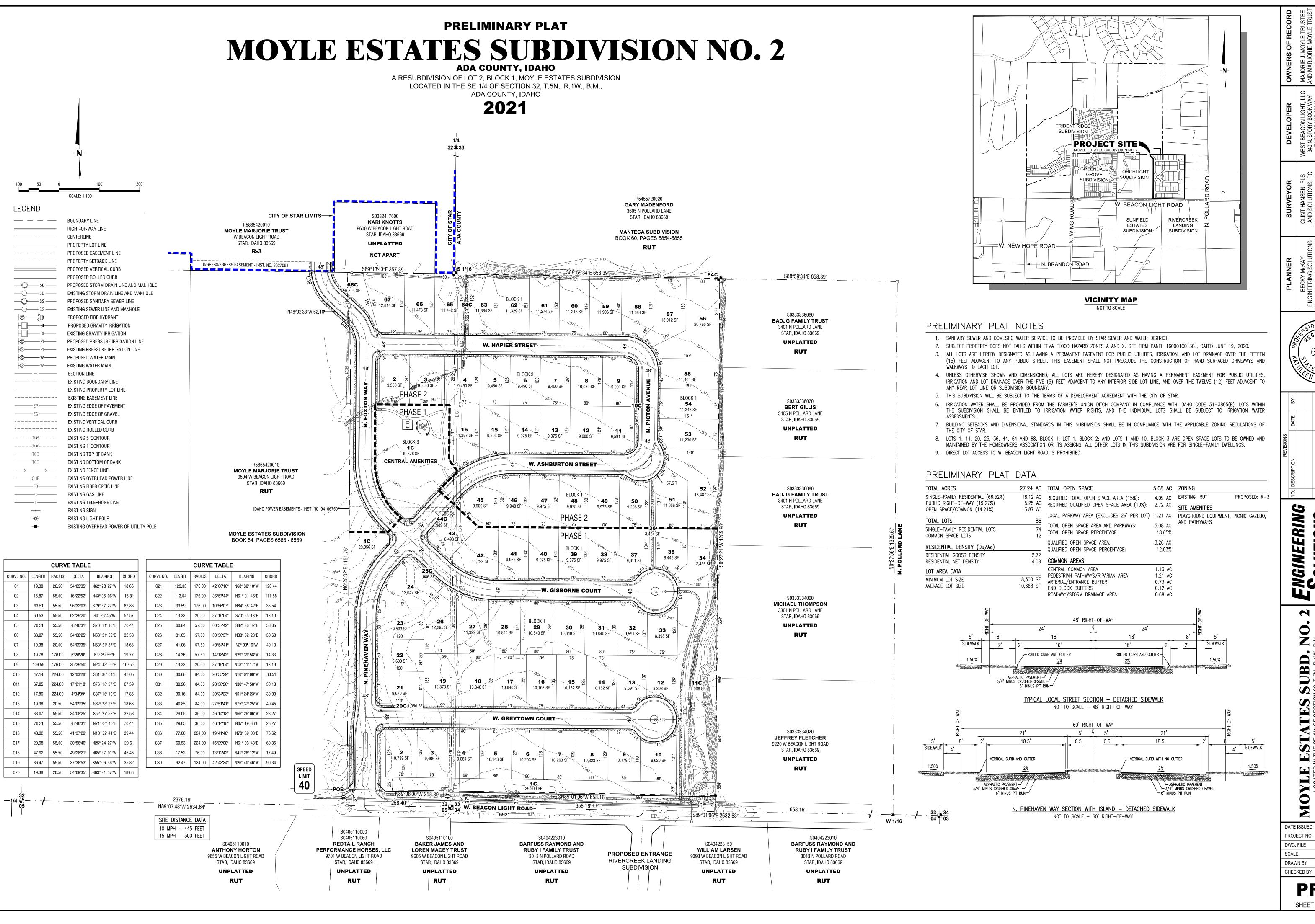
(Applications are required to contain one copy of the following unless otherwise noted.)

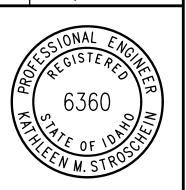
Applicant		Staff
(1/)	Description	(√)
	Completed and signed Final Plat Application	
<b>✓</b>	Fee: Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
	Electronic copy of letter of intent and statement of compliance (or substantial compliance) with the approved Preliminary Plat and Conditions of Approval. The letter of intent shall include the following:  • Gross density of the phase of the Final Plat submitted	
	Lot range and average lot size of phase	
	<ul> <li>Description of approved open space being provided in the submitted phase including percentage of overall open space, number and type of approved amenities</li> <li>List any specific approved building setbacks approved by Council.</li> </ul>	
<b>√</b>	Electronic copy of legal description of the property (with engineer's seal) and closure sheet	
<b>-</b>	Electronic copy of recorded warranty deed for the subject property	
<b>✓</b>	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant and/or representative is authorized to submit the application. Please submit original sighed affidavit.	
<b>-</b>	Electronic copy of subdivision name approval from Ada County Surveyor's office.	
<b>V</b> _	Electronic copy of the "final" street name evaluation/approval from Ada County.	
<b>V</b> _	Electronic copy of vicinity map showing the location of the subject property	
<b>V</b> _	One (1) 24" X 36" paper copy of the Final Plat & Electronic Copy**	
	One (1) 11" X 17" paper copy of the Final Plat	
<b>V</b>	Electronic copy of the landscape plan**	
<b>-</b>	One (1) 11" X 17" copy of the landscape plan	

<b>V</b>	Electronic copy of site grading & drainage plans**	
<b>V</b> -	Electronic copy of originally approved Preliminary Plat**	
7	Electronic copy of a Plat with all phases marked with changes to date**	
<b>\</b>	Electronic copy of final engineering construction drawings, stamped and signed by a registered engineer/surveyor**	
N/A	Storm drainage calculations must be submitted for <u>private</u> streets/drives and parking areas within subdivisions**	
<b>V</b>	Electronic copy of streetlight design and location information	
N/A	Electronic copy of all Special Flood Information	
N/A	Electronic copy of all easement agreements submitted to the irrigation companies	
<b>V</b>	Electronic copy of the proposed Covenants, Conditions, & Restrictions (CC&R's)	
<b>✓</b>	Electronic versions of submitted applications, including signed Final Plat Application, legal description, recorded warranty deed, vicinity map, final plat, landscape plan, color copy of landscape plan, site grading & drainage plans, copy of original Preliminary Plat, plat with phases marked, engineering construction drawings, storm drainage calculations, streetlight design and location, and signed irrigation agreements shall be submitted in original pdf format submitted on a thumb drive with the files named with project name and plan type.  **Original pdf's are required for all plans – No Scanned PDF's please.	
noted	<ul> <li>Upon Recording of Final Plat, the applicant shall submit the following to the Planning Department prior to building permit issuance: <ul> <li>One (1) 11" X 17" and (1) 18" X 24" recorded copy of Final Plat</li> <li>Electronic copy of final, approved construction drawings</li> <li>Electronic copy of as-built irrigation plans</li> <li>Electronic copy of recorded CC&amp;R's</li> <li>Proof of required Construction Sign installation at entrance to development (as conditioned in Preliminary Plat approval) – Picture of installed sign</li> <li>Electronic copies shall be submitted in pdf format on a thumb drive with the files named with project name and plan type. **Original pdf's are required for all plans – No Scanned PDF's please.</li> </ul> </li> </ul>	
Noted	After construction, a letter from the Star Sewer & Water District stating that subdivision information has been submitted to the District in GIS format and the property has been annexed into the Star Sewer & Water District. GIS to include pressurized irrigation, streetlights, and storm drains in addition to Star Sewer & Water requirements.  This shall be a condition prior to Final Plat signature.	

# FEE REQUIREMENT:

** I have read and understand the above requirements. I further understand I understand that there may be other fees associated with this application is reviews or referrals by architect, engineering, or other professionals necessing this application. I understand that I, as the applicant, am responsible for all	ncurred by the City in obtaining sary to enable the City to expedite
Applicant/Representative Signature	 Date





SOLUTIONS

DATE ISSUED 01/25/202 PROJECT NO. DWG. FILE 200220-P-PREL.dwg AS SHOWN DRAWN BY

**PREL** SHEET 01 OF 01

		CU	RVE TABLE		
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	147.13	176.00'	47 <b>°</b> 53'50"	N23°30'10"W	142.88
C2	42.11'	224.00'	10*46'19"	S47°56'04"W	42.05'
C3	146.97	200.00'	42°06'10"	S21°29'50"W	143.68
C4	146.97	200.00'	42°06'10"	S68'30'10"E	143.68'
C5	19.38'	20.50'	54*09'35"	S62°28'27"E	18.66'
C6	15.87'	55.50'	16 <b>°</b> 22'52"	S43°35'06"E	15.81'
C7	93.51'	55.50'	96*32'03"	N79 <b>°</b> 57'27"E	82.83'
C8	60.53'	55.50'	62*29'20"	N0°26'45"E	57.57
C9	76.31'	55.50'	78 <b>°</b> 46'31"	N70°11'10"W	70.44
C10	33.07	55.50'	34 <b>°</b> 08'25"	S53°21'22"W	32.58'
C11	19.38'	20.50'	54*09'35"	S63°21'57"W	18.66'
C12	19.78'	176.00'	6 <b>°</b> 26'20"	N3°39'55"E	19.77'
C13	109.55	176.00'	35*39'50"	N24°43'00"E	107.79'
C14	31.75'	224.00'	8°07'14"	S51°30'42"E	31.72'
C15	47.14'	224.00'	12*03'28"	S61°36'04"E	47.05'
C16	67.85	224.00'	17°21'18"	S76"18'27"E	67.59'
C17	17.86'	224.00'	4°34'09"	S87°16'10"E	17.86'
C18	19.38'	20.50'	54*09'35"	S62°28'27"E	18.66'
C19	33.07	55.50'	34 <b>°</b> 08'25"	S52°27'52"E	32.58'
C20	76.31'	55.50'	78 <b>°</b> 46'31"	N71°04'40"E	70.44
C21	40.32	55.50'	41*37'29"	N10°52'41"E	39.44'
C22	29.98'	55.50'	30 <b>°</b> 56'46"	N25°24'27"W	29.61'
C23	47.92'	55.50'	49°28'21"	N65°37'01"W	46.45
C24	15.22'	55.50'	15*42'47"	S81°47'26"W	15.17'
C25	36.47	55.50'	37*38'53"	S55°06'36"W	35.82
C26	19.38'	20.50'	54°09'35"	S63°21'57"W	18.66'
C27	129.33'	176.00'	42°06'10"	N68°30'10"W	126.44'
C28	164.60'	224.00'	42°06'10"	S21°29'50"W	160.92'

	LINE T	ABLE
LINE	LENGTH	BEARING
L1	48.00'	N42*32'55"E
L2	11.61'	N47*27'05"W
L3	24.28'	S42°32'55"W
L4	5.60'	N0*28'02"E
L5	20.26	N45*39'31"E
L6	28.36'	N44°20'29"W
L7	28.28'	N45°26'45"E
L8	14.14'	N44°33'15"W
L9	14.14'	N44°33'15"W
L10	10.00'	S5818'35"E
L11	10.00'	N5912'05"E
L12	14.14'	N87°32'55"E
L13	14.14'	N87°32'55"E
L14	28.28'	S2°27'05"E
L15	3.12'	S47°27'05"E
L16	24.00'	N42°32'55"E
L17	24.00'	N42°32'55"E
L18	21.19'	N42°32'55"E
L19	28.28'	N87°32'55"E
L20	14.14'	N2*27'05"W
L21	14.14'	N2*27'05"W
L22	24.00'	S47°27'05"E
L23	24.00'	S47°27'05"E
L24	10.00'	S5818'35"E
L25	50.00'	N49°07'10"E
L26	44.38'	N89°08'00"W
L27	49.98'	N89*08'00"W
L28	20.64	N43°31'32"W
L29	28.51'	N45*53'43"E
L30	44.32'	N89*33'15"W



CRESTA	DFI	SOL	SURDI	VISI	$\bigcap$	NO	1
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BOOK	,	PAGE
		_

# CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE REAL PROPERTY DESCRIBED BELOW IN ADA COUNTY, IDAHO, AND THAT WE INTEND TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS PLAT OF CRESTA DEL SOL SUBDIVISION NO. 1;

A PARCEL BEING A PORTION OF LOT 2 OF BLOCK 1 OF MOYLE ESTATES SUBDIVISION AS SHOWN IN BOOK 64 OF PLATS ON PAGES 6568 THROUGH 6569, RECORDS OF ADA COUNTY, IDAHO, LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 33, AND THE SE 1/4 OF THE SE 1/4 OF SECTION 32, TOWNSHIP 5 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF STAR, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP MONUMENT MARKING THE SOUTHWEST CORNER OF SAID SECTION 33, FROM WHICH A BRASS CAP MONUMENT MARKING THE SOUTHEAST CORNER OF THE SW 1/4 OF SAID SECTION 33 BEARS S 89°01'06" E A DISTANCE OF 2632.64 FEET;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SE 1/4 OF THE SE 1/4 OF SECTION 32 N 89°08'00" W A DISTANCE OF 258.40 FEET TO A

THENCE LEAVING SAID SOUTHERLY BOUNDARY N 0°28'02" E A DISTANCE OF 40.00 FEET TO A POINT MARKING THE SOUTHWEST CORNER OF SAID LOT 2, BLOCK 1 OF MOYLE ESTATES SUBDIVISION AND THE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 2 N 0°28'02" E (FORMERLY N 0°01'46" E) A DISTANCE OF 640.45 FEET TO A POINT;

THENCE LEAVING SAID WESTERLY BOUNDARY S 89°31'58" E A DISTANCE OF 96.58 FEET TO A POINT;

THENCE N 42°32'55" E A DISTANCE OF 48.00 FEET TO A POINT;

THENCE N 47°27'05" W A DISTANCE OF 11.61 FEET TO A POINT OF CURVATURE;

THENCE A DISTANCE OF 147.13 FEET ALONG THE ARC OF A 176.00 FOOT RADIUS CURVE RIGHT. SAID CURVE HAVING A CENTRAL ANGLE OF 47°53'50" AND A LONG CHORD BEARING N 23°30'10" W A DISTANCE OF 142.88 FEET TO A POINT OF TANGENCY;

THENCE N 0°26'45" E A DISTANCE OF 143.47 FEET TO A POINT;

THENCE S 89°33'15" E A DISTANCE OF 185.00 FEET TO A POINT;

THENCE S 0°26'45" W A DISTANCE OF 136.79 FEET TO A POINT;

THENCE S 36°40'47" E A DISTANCE OF 37.14 FEET TO A POINT ON A CURVE;

THENCE A DISTANCE OF 42.11 FEET ALONG THE ARC OF A 224.00 FOOT RADIUS NON-TANGENT CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 10°46'19" AND A LONG CHORD BEARING S 47°56'04" W A DISTANCE OF 42.05 FEET TO A POINT OF TANGENCY;

THENCE S 42°32'55" W A DISTANCE OF 24.28 FEET TO A POINT;

THENCE S 47°27'05" E A DISTANCE OF 133.00 FEET TO A POINT;

THENCE S 89°33'15" E A DISTANCE OF 595.43 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 2, BLOCK 1;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID LOT 2, BLOCK 1 S 0°27'21" W (FORMERLY S 0°00'46" W) A DISTANCE OF 663.92 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF SAID LOT 2, BLOCK 1;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 2, BLOCK 1 N 89°01'06" W A DISTANCE OF 658.16 FEET (FORMERLY N 89°27'01" W, 658.20 FEET) TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY BOUNDARY N 89°08'00" W A DISTANCE OF 258.39 FEET (FORMERLY N 89°33'44" W, 258.38 FEET) TO THE POINT OF BEGINNING

THIS PARCEL CONTAINS 15.09 ACRES MORE OR LESS.

ALL THE LOTS IN THIS SUBDIVISION WILL BE ELIGIBLE TO RECEIVE WATER AND SEWER SERVICE FROM THE STAR SEWER AND WATER DISTRICT. THE STAR SEWER AND WATER DISTRICT HAS AGREED IN WRITING TO SERVE ALL THE LOTS IN THIS SUBDIVISION.

THE PUBLIC STREETS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. PUBLIC UTILITY, IRRIGATION AND DRAINAGE EASEMENTS ON THIS PLAT ARE NOT DEDICATED TO THE PUBLIC, BUT THE RIGHT OF ACCESS TO, AND USE OF, THESE EASEMENTS IS HEREBY RESERVED FOR PUBLIC UTILITIES, DRAINAGE AND FOR ANY OTHER USES AS MAY BE DESIGNATED HEREON AND NO PERMANENT STRUCTURES OTHER THAN FOR SAID USES ARE TO BE ERECTED WITHIN THE LIMITS OF SAID EASEMENTS.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_\_\_, 20\_\_\_.

TOLL SOUTHWEST LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY SUSAN STANLEY, DIVISION PRESIDENT

# **ACKNOWLEDGMENT**

STATE OF IDAHO SS.S.

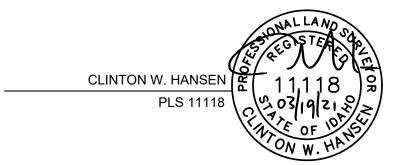
, 20\_\_\_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED SUSAN STANLEY, KNOWN TO ME TO BE THE DIVISION PRESIDENT OF TOLL SOUTHWEST LLC, A DELAWARE LIMITED LIABILITY COMPANY, WHO SUBSCRIBED SAID LIMITED LLIABILITY COMPANY'S NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME IN SAID LIABILITY COMPANY'S NAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES	
RESIDING AT	
NOTARY PUBLIC FOR THE STATE OF IDAHO	

# CERTIFICATE OF SURVEYOR

I, CLINTON W. HANSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE "CERTIFICATE OF OWNERS" WAS DRAWN FROM THE FIELD NOTES OF A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.







HEALTH CERTIFICATE	
ACCORDING TO THE LETTER TO BE READ ON	DAHO CODE, TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED IN FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE TRICTIONS MAY BE RE-IMPOSED, IN ACCORDANCE WITH ANCE OF A CERTIFICATE OF DISAPPROVAL.
	CENTRAL DISTRICT HEALTH, EHS DATE
APPROVAL OF CITY COUNCIL	
	DR THE CITY OF STAR, ADA COUNTY ,IDAHO, DO HEREBY THE CITY COUNCIL HELD ON THE DAY OF, APPROVED.
	CITY CLERK
APPROVAL OF THE CITY ENGI	INEER
	FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY, APPROVE THIS PLAT.
	CITY ENGINEER ~ STAR, IDAHO
APPROVAL OF ADA COUNTY H	IIGHWAY DISTRICT
HE FOREGOING PLAT WAS ACCEPTED AND A ISTRICT COMMISSIONERS ON THE DAY	APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY OF, 20

PRESIDENT, ADA COUNTY HIGHWAY DISTRICT

CRESTA DEL SOL SUBDIVISION NO. 1

# CERTIFICATE OF THE COUNTY SURVEYOR

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR ADA COUNTY, IDAHO, HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

ADA COUNTY SURVEYOR

# CERTIFICATE OF THE COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

DATE: \_\_\_\_\_ COUNTY TREASURER

# CERTIFICATE OF COUNTY RECORDER

STATE OF IDAHO
COUNTY OF ADA

S.S.

INSTRUMENT NO.

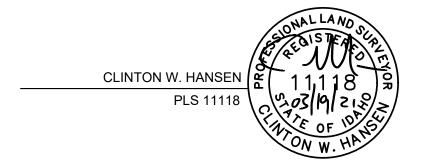
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF

LAND SOLUTIONS, P.C., AT \_\_\_\_ MINUTES PAST \_\_\_ O'CLOCK \_\_ .M. ON

THIS \_\_\_ DAY OF \_\_\_\_ , 20\_\_\_, IN BOOK \_\_\_ OF PLATS AT PAGES \_\_\_\_\_.

DEPUTY

EX-OFFICIO RECORDER

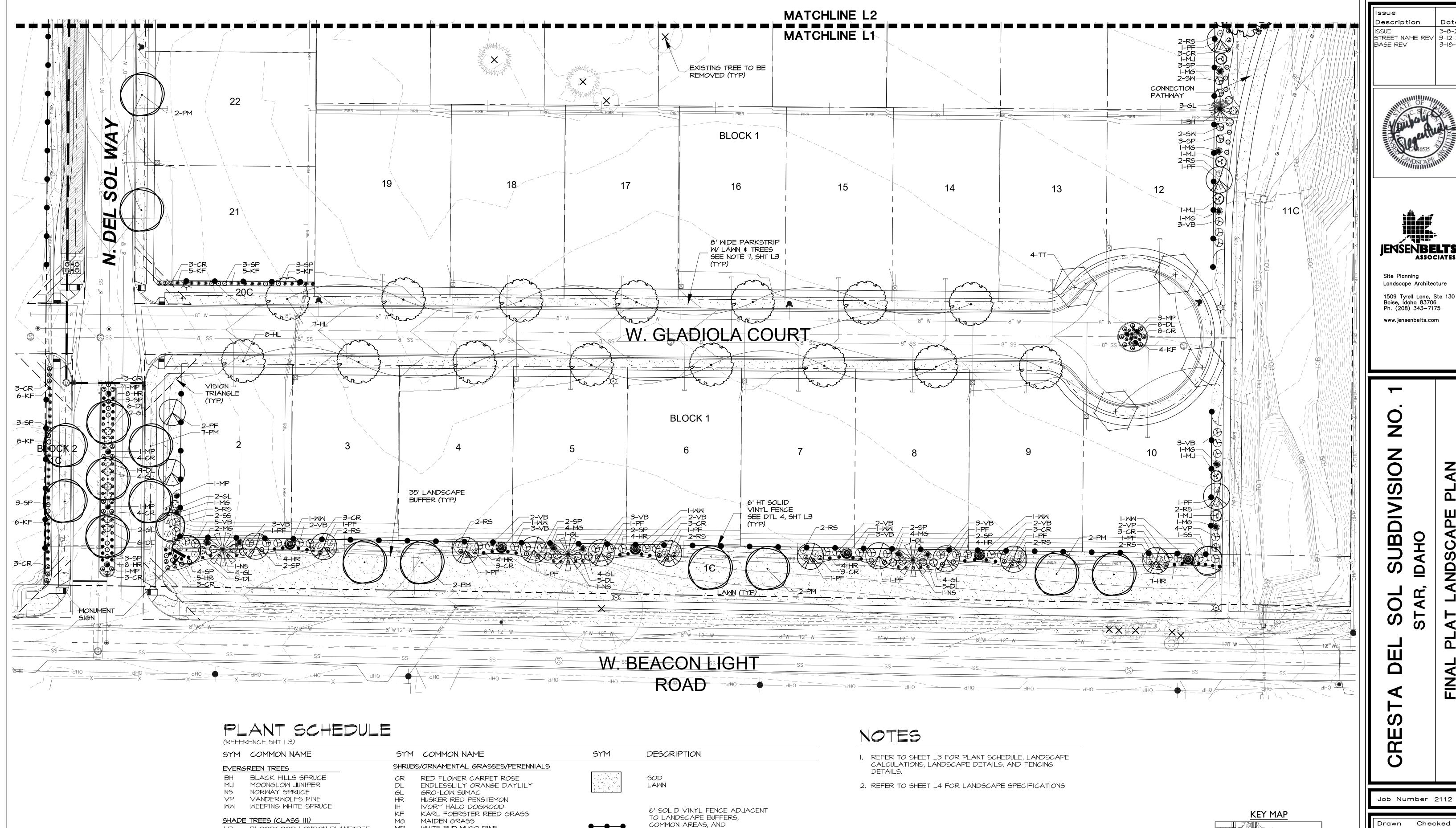


JOB NO. 20-05





BOOK \_\_\_\_\_, PAGE



PERIMETER LOT LINES.

SEE DTL 4, SHT L3 (TYP)

WHITE BUD MUGO PINE

SUNSET POTENTILLA

SUMMERWINE NINEBARK

RUSSIAN SAGE

VB BLUE MUFFIN VIBURNUM

LP BLOODGOOD LONDON PLANETREE

SHADE/STREET TREES (CLASS II)

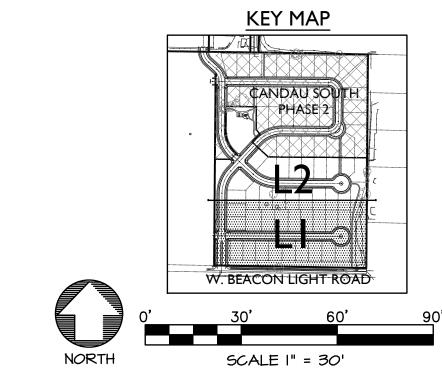
LITTLELEAF LINDEN PM PACIFIC SUNSET MAPLE

ORNAMENTAL TREES (CLASS I) AM FLAME AMUR MAPLE

TT TULIP TREE

SKYLINE HONEYLOCUST

PRAIRIFIRE CRABAPPLE SS SPRING SNOW CRABAPPLE



| 155UE | 3-8-2| | 3-12-2| | 3-18-2| | 3-18-2|



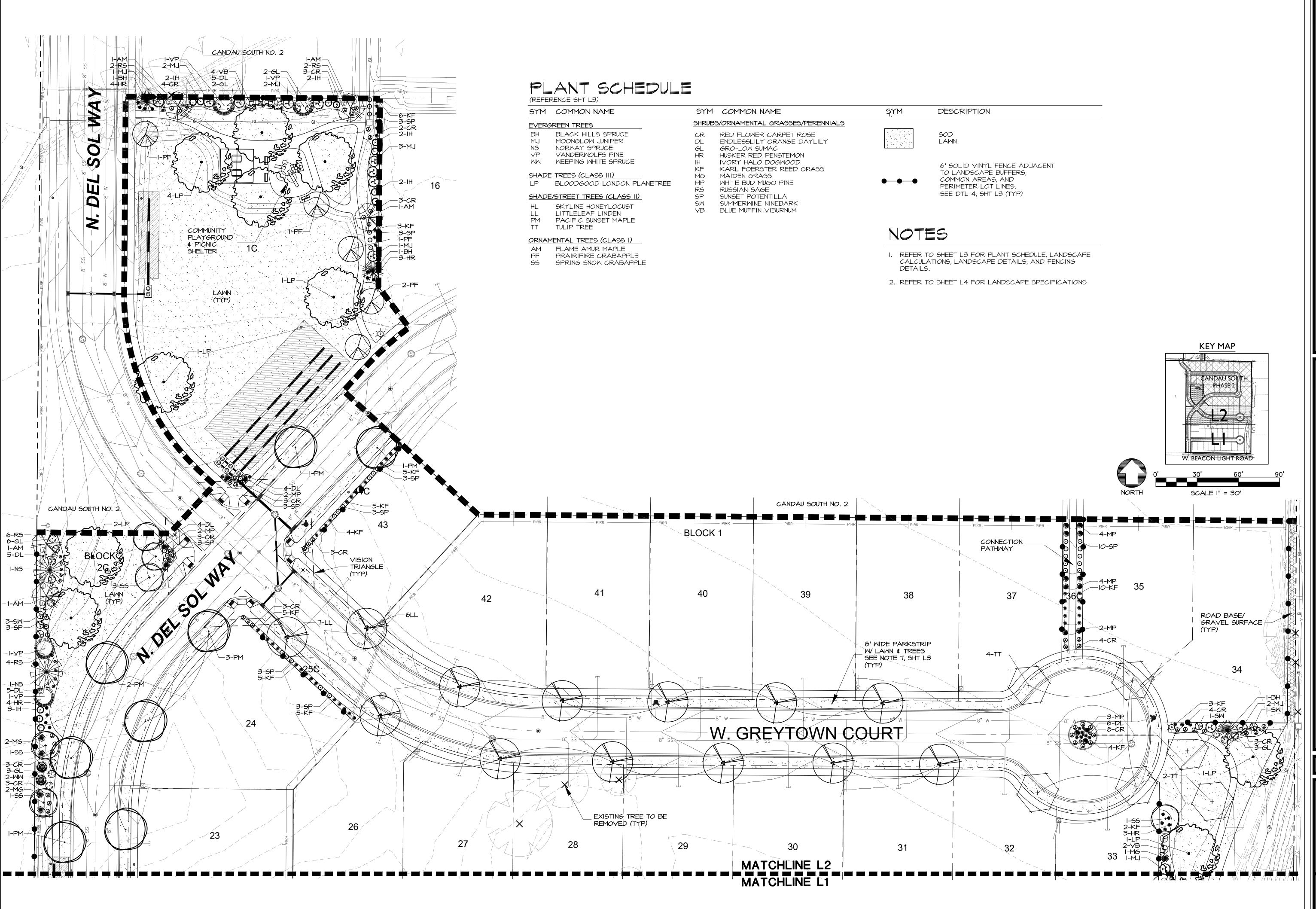
JENSENBELTS ASSOCIATES

Site Planning Landscape Architecture 1509 Tyrell Lane, Ste 130 Boise, Idaho 83706 Ph. (208) 343—7175 www.jensenbelts.com

Drawn Checked KCS Scale AS SHOWN Sheet Title

LANDSCAPE **PLAN** 

Sheet Number



Issue
Description
Date
ISSUE
STREET NAME REV
BASE REV
3-12-21
3-18-21



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SUBDIVISION NO. 1
IDAHO
NDSCAPE PLAN

ESTA DEL SOL SUBDIV STAR, IDAHO FINAL PLAT LANDSCAPE

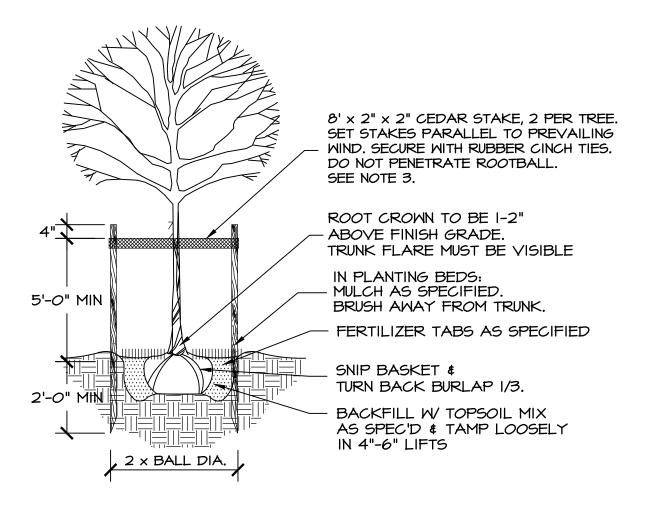
Job Number 2112

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Scale AS SHOWN

LANDSCAPE PLAN

Sheet Number

L2



NOTES:

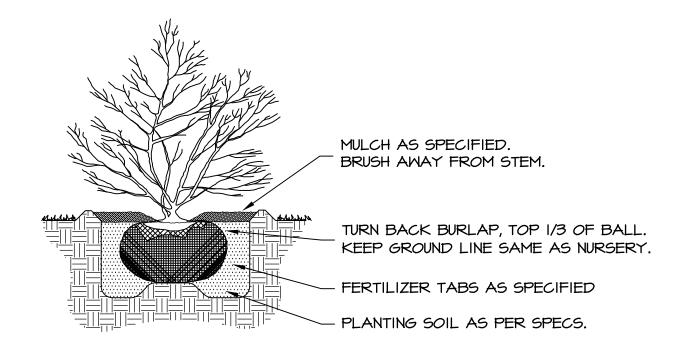
I. REMOVE ALL TWINE, ROPE, OR BINDINGS FROM ALL TRUNKS.

- 2. REMOVE BURLAP AND WIRE BASKETS FROM THE TOP 1/3 OF ALL ROOT BALLS AFTER PLANTING. IF SYNTHETIC WRAP/BURLAP IS USED, IT MUST BE COMPLETELY REMOVED.

  3. STAKING OF TREES TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND REMAIN STRAIGHT FOR A MIN OF I YEAR. ALL STAKING SHALL BE REMOVED AT THE END OF
- THE I YEAR WARRANTY PERIOD.

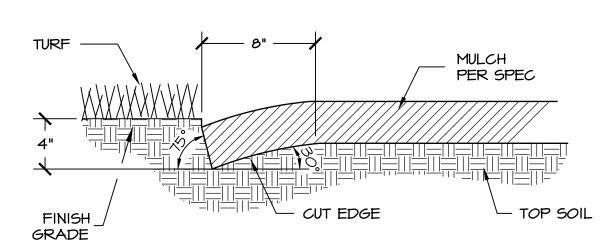
  4. TREES PLANTED IN TURF AREAS: REMOVE TURF 3' DIA. FROM TREE TRUNK.



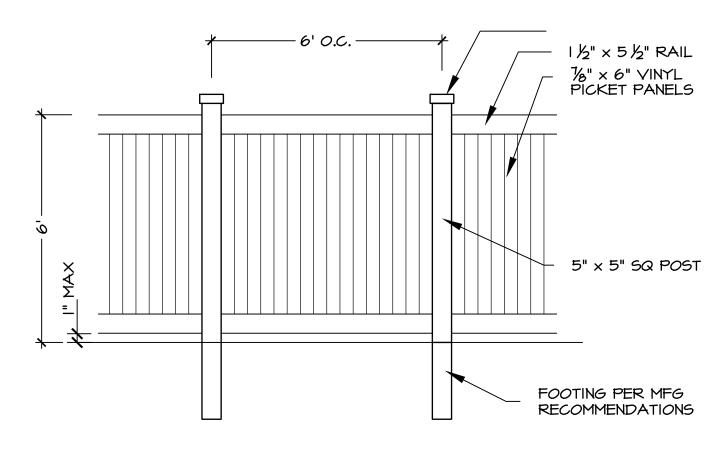


NOTE: DIG HOLE THICE THE SIZE OF ROOTBALL.

2 SHRUB PLANTING
NOT TO SCALE



3 PLANTER CUT BED EDGE



NOTES:

I. FENCE TO STEP DOWN TO 3' HEIGHT 20' FROM ROW.

2. VINYL FENCE STYLE MAY VARY SLIGHTLY.

4) VINYL PRIVACY FENCE

NOT TO SCALE

# LANDSCAPE CALCULATIONS

LOCATION	BUFFER WID	TH LENGTH	REQUIRED	PROVIDED
W. BEACON LIGH	IT RD. 35'	855' / 35' =	25 TREES	28 TREES
NUMBER OF TRE	ES PROVIDED ON ES PROVIDED ON ES	RESIDENTIAL PARKS	STRIPS:	28 38 78
TOTAL NUMBER	OF TREES:			144

# PLANT SCHEDULE

SYM	COMMON NAME	BOTANICAL NAME	SIZE
EVER	SREEN TREES		
BH	BI ACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6-8' HT B&B
M.I	MOONGLOW JUNIPER	JUNIPERUS SCOPI UI ORUM 'MOONGI OW'	6-8' HT B&B
NS	NORWAY SPRICE	PICEA ABIES	6-8' HT B&B
\/P	VANDERWOLES PINE	PINIS ELEXILIS 'VANDERMOLES'	6-8' HT B&B
ЙM	MEEPING WHITE SPRUCE	PICEA GLAUCA 'DENSATA' JUNIPERUS SCOPLULORUM 'MOONGLOM' PICEA ABIES PINUS FLEXILIS 'VANDERWOLFS' PICEA GLAUCA 'PENDULA'	6-8' HT B&B
	TREES (CLASS III)		
LP		PLATANUS x ACERIFOLIA 'BLOODGOOD'	2" CAL B&B
SHADI	E/STREET TREES (CLASS II)		
HL	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS F. INERMIS 'SKYCOLE'	2" CAL B&B
	LITTLELEAF LINDEN	TILIA CORDATA 'GREENSPIRE'	2" CAL B&B
	PACIFIC SUNSET MAPLE	ACER TRUNCATUM × A. PLATANOIDES 'WARRENRED'	
TT	TULIP TREE	LIRODENDRON TULIPIFERA	2" CAL B&B
1 1	TOLII TINLL	LINODERDINOR IVEILII LINA	2 UAL D4D
ORNAI	MENTAL TREES (CLASS I)		
AM	FLAME AMUR MAPLE	ACER GINNALA 'FLAME'	6-8' HT. MULTI-STEM
PF	PRAIRIFIRE CRABAPPLE	MALUS x 'PRAIRIFIRE'	2" CAL B&B
SS	SPRING SNOW CRABAPPLE	ACER GINNALA 'FLAME' MALUS x 'PRAIRIFIRE' MALUS 'SPRINGSNOW'	2" CAL B&B
SHRUE	3S/ORNAMENTAL GRASSES/PERENNIAL	5	
<u></u>	DED EL OMED CARDET DOCE	ROSA 'FLOWER CARPET- NOARE'	7 ( )
CR		ROSA FLOMER CARPET- NOARE	3 GAL
DL	ENDLESSLILY ORANGE DAYLILY	HEMEROCALLIS FULVA 'DHEMORANGE' RHUS AROMATICA 'GRO-LOW'	I GAL
GL	GRO-LOW SUMAC	RHUS AROMATICA 'GRO-LOW'	5 GAL
HR	HUSKER RED PENSTEMON	PENSTEMON DIGITALIS 'HUSKER RED' CORNUS ALBA 'BAILHALO'	I GAL
ΙΗ	IVORY HALO DOGWOOD	CORNUS ALBA 'BAILHALO'	5 GAL
KF	KARL FOERSTER REED GRASS	CALAMAGROSTIS ARUNDINACEA 'K.F.'	I GAL
MG	MAIDEN GRASS	MISCANTHUS SINENSIS 'GRACILLIMUS' PINUS MUGO 'WHITE BUD' PEROVKSIA ATRIPLICIFOLIA	I GAL
MP	WHITE BUD MUGO PINE RUSSIAN SAGE	PINUS MUGO 'WHITE BUD'	3 GAL
RS	RUSSIAN SAGE	PEROVKSIA ATRIPLICIFOLIA	2 GAL
SP	SUNSET POTENTILLA	POTENTILLA FRUTICOSA 'SUNSET'	3 GAL
SM	SUMMERWINE NINEBARK	PHYSOCARPUS OPULIFOLIA 'SEWARD'	5 GAL
VB	BLUE MUFFIN VIBURNUM	VIBURNUM DENTATUM 'CHRISTOM'	5 GAL
,	DECEMBER 11 TO THE PROPERTY OF	. Doi doi i Delivi vioi i Orino Iori	J U/ L
		6' SOLID VINYL FENCE ADJACENT	
	SOD	TO LANDSCAPE BUFFERS,	

# NOTES

LAMN

 ALL PLANTING AREAS SHALL BE INSTALLED BE IN ACCORDANCE WITH CITY OF STAR CODE. REFER TO SHEET L4 -SPEC SECTION 32 90 00 - LANDSCAPE SPECIFICATIONS.

COMMON AREAS, AND

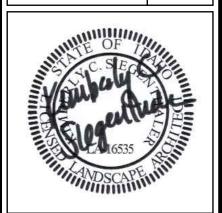
PERIMETER LOT LINES. SEE DTL 4, THIS SHT (TYP)

- 2. ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM. REFER TO SHEET L4 SPEC SECTION 32 84 00 IRRIGATION PERFORMANCE SPECIFICATIONS.
- 3. LOCATE AND PROTECT ALL UTILITIES DURING CONSTRUCTION.
- 4. TREES SHALL NOT BE PLANTED WITHIN THE IO-FOOT CLEAR ZONE OF ALL ACHD STORM DRAIN PIPE, STRUCTURES, OR FACILITIES IN PARKSTRIPS. SEEPAGE BEDS MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM. ALL SHRUBS PLANTED OVER OR ADJACENT TO SEEPAGE BEDS TO HAVE A ROOT BALL THAT DOES NOT EXCEED 18" IN DIAMETER. NO LAWN SOD TO BE PLACED OVER DRAINAGE SWALE SAND WINDOWS. ACHD STORMWATER BASINS AND SWALES SHALL BE LANDSCAPED ACCORDING TO THE 'ADA COUNTY HIGHWAY DISTRICT STORMWATER MANAGEMENT BASIN REVEGETATION GUIDANCE MANUAL' (OCTOBER 2017) IN APPENDIX D.
- 5. NO TREES SHALL IMPEDE THE 40' VISION TRIANGLE AT ALL INTERSECTIONS. NO CONIFEROUS TREES OR SHRUBS OVER 3' HIGH AT MATURITY WILL BE LOCATED WITHIN SIGHT TRIANGLE OR ACHD ROW. AS TREES MATURE, THE OWNER SHALL BE RESPONSIBLE FOR PRUNING TREE CANOPIES TO MEET ACHD REQUIREMENTS FOR MAINTAINING CLEAR VISIBILITY WITHIN 40' STREET VISION TRIANGLE.
- 6. TREES SHALL BE PLANTED NO CLOSER THAN 50' FROM INTERSECTION STOP SIGNS.
- 7. CLASS II TREES AND LANDSCAPE IN FRONT OF BUILJING LOTS ON INTERIOR STREETS TO BE COMPLETED DURING CONSTRUCTION ON THESE LOTS. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES MUST BE CLASS II AND SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UNDERGROUND UTILITY LINES.
- 8. PLANT LIST IS SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES DUE TO PLANT MATERIAL AVAILABILITY. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS MUCH AS POSSIBLE, AT LEAST HALFWAY DOWN THE BALL OF THE TREE. ALL NYLON ROPES TO BE COMPLETELY REMOVED FROM TREES.
- 9. ALL EXISTING TREES ON SITE TO BE REMOVED.



Description Date

ISSUE 3-8-21
STREET NAME REV 3-12-21
BASE REV 3-18-21





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Landscape Architecture

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SOL SUBDIVISION N STAR, IDAHO PLAT LANDSCAPE PLAN

Job Number 2112

Drawn Checked
JJN KCS
Scale AS SHOWN
Sheet Title

LANDSCAPE PLAN

Sheet Number

L3

7 of 4 Shoots

1.1 RELATED DOCUMENTS A. Drawings and general provisions of Contract, including General and Supplementary Conditions and Division 1 Specification Sections.

A. This Section includes provisions for the following items:

2. Shrubs; Ground cover.

# Lawns.

4. Topsoil and Soil Amendments. 5. Miscellaneous Landscape Elements.

6. Initial maintenance of landscape materials.

B. Related Sections: The following sections contain requirements. 1. Underground sprinkler system is specified in Section 32 84 00 - Irrigation

# 1.3 QUALITY ASSURANCE

A. Subcontract landscape work to a single firm specializing in landscape work.

# B. Source Quality Control:

1. General: Ship landscape materials with certificates of inspection required by governing authorities. Comply with regulations applicable to landscape materials.

2. Do not make substitutions. If specified landscape material is not obtainable, submit proof of non-availability to Architect, with proposal for use of equivalent material.

3. Analysis and Standards: Package standard products with manufacturer's certified analysis. For other materials, provide analysis by recognized laboratory made in

accordance with methods established by the Association of Official Agriculture Chemists, wherever applicable.

4. Trees, Shrubs and Groundcovers: Provide trees, shrubs, and groundcovers of quantity, size, genus, species, and variety shown and scheduled for work complying with recommendations and requirements of ANSI Z60.1 "American Standard for Nursery Stock". Provide healthy, vigorous stock, grown in recognized nursery in accordance with

good horticultural practice and free of disease, insects, eggs, larvae, and defects such as knots, sun-scaLJ, injuries, abrasions, or disfigurement. 5. Label at least one tree and one shrub of each variety with attached waterproof tag with

legible designation of botanical and common name. a. Where formal arrangements or consecutive order of trees or shrubs are shown, select stock for uniform height and spread.

6. Inspection: The Architect may inspect trees and shrubs either at place of growth or at site before planting, for compliance with requirements for genus, species, variety, size, and quality. Architect retains right to further inspect trees and shrubs for size and condition of balls and root systems, insects, injuries and latent defects, and to reject unsatisfactory or defective material at any time during progress of work. Remove rejected trees or shrubs immediately from project site.

# 1.4 SUBMITTALS

A. General: Submit the following in accordance with Conditions of Contract and Division 1

# Specification Sections. B. Plant and Material Certifications:

1. Certificates of inspection as required by governmental authorities 2. Manufacturer's or vendor's certified analysis for soil amendments and fertilizer materials 3. Label data substantiating that plants, trees, shrubs and planting materials comply

specified requirements. C. Mulch: Submit 1 gal bag of mulch sample for approval.

# 1.5 DELIVERY, STORAGE AND HANDLING

A. Sod: Time delivery so that sod will be placed within 24 hours after stripping. Protect sod

against drying and breaking of rolled strips. B. Trees and Shrubs: Provide freshly dug trees and shrubs. Do not prune prior to delivery unless otherwise approved by Architect. Do not bend or bind-tie trees or shrubs in such manner as to damage bark, break branches, or destroy natural shape. Provide protective

covering during delivery. Do not drop balled and burlapped stock during delivery. C. Deliver trees and shrubs after preparations for planting have been completed and plant immediately. If planting is delayed more than 6 hours after delivery, set trees and shrubs in shade, protect from weather and mechanical damage, and keep roots moist by covering with mulch, burlap or other acceptable means of retaining moisture.

D. Do not remove container-grown stock from containers until planting time. E. Do not drop or dump materials from vehicles during delivery or handling. Avoid any damage

# to rootballs during deliver, storage and handling.

# 1.6 JOB CONDITIONS

A. Utilities: Determine location of underground utilities and work in a manner which will avoid possible damage. Hand excavate, as required. Maintain grade stakes until removal is mutually agreed upon by parties concerned.

B. Excavation: When conditions detrimental to plant growth are encountered, such rubble fill, adverse drainage conditions, or obstructions, notify Architect before planting.

C. Adjacent Landscape: Protect planted areas adjacent to construction area. Replace or recondition to prior conditions at project completion.

# 1.7 SEQUENCING AND SCHEDULING

A. Planting Time: Proceed with, and complete landscape work as rapidly as portions of site become available, working within seasonal limitations for each kind of landscape work

1. Plant or install all plant materials during normal planting seasons from 15 March to 15 November.

2. Correlate planting with specified maintenance periods to provide maintenance from

date of substantial completion. B. Coordination with Lawns: Plant trees and shrubs after final grades are established and prior to planting of lawns, unless otherwise acceptable to Architect. If planting of trees and shrubs

occurs after lawn work, protect lawn areas and promptly repair damage to lawns resulting from planting operations.

# 1.8 SPECIAL PROJECT WARRANTY

A. Warranty lawns through specified lawn maintenance period, until Final Project Acceptance. B. Warranty trees and shrubs, for a period of one year after date of substantial completion, against defects including death and unsatisfactory growth, except for defects resulting from neglect by Owner, abuse or damage by others, or unusual phenomena or incidents beyond

Landscape Installer's control. C. Remove and replace trees, shrubs, or other plants dead or in unhealthy condition during warranty period. Make replacements during growth season following end of warranty period. Replace trees and shrubs which are in doubtful condition at end of warranty period; unless,

in opinion of Architect, it is advisable to extend warranty period for a full growing season.

# PART 2 - PRODUCTS

A. If deemed usable, native topsoil shall be stockpiled for re-use in landscape work. Topsoil shall be fertile, friable, natural loam, surface soil, reasonable free of subsoil, clay lumps, brush, weeds, roots, stumps, stones larger than 1 inch in any dimension, and other

extraneous or toxic matter harmful to plant growth. 1. Contractor shall send a minimum of three (3) representative topsoil samples for testing. See testing requirements below. Contractor is responsible for whatever soil additives are recommended by the tests. Submit to Architect for approval. Compost will be added to other additives and added regardless of test results.

B. If quantity of stockpiled topsoil is insufficient, contractor to provide imported topsoil that is fertile, friable, natural loam, surface soil, reasonably free of subsoil, clay lumps, brush, weeds and other litter, and free of roots, stumps, stones larger than 1 inches in any

dimension, and other extraneous or toxic matter harmful to plant growth 1. Obtain topsoil from local sources or areas with similar soil characteristics to that of project site. Obtain topsoil only from naturally well-drained sites where topsoil occurs in a depth of not less than 4 inches. Do not obtain from bogs or marshes.

2. Composition: Topsoil shall contain from 1 to 20% organic matter as determined by the Organic Carbon, 6A, Chemical Analysis Method described in USDA Soil Survey Investigation Report No. 1. Maximum particle size, 3/4-inch, with maximum 3% retained on 1/4-inch screen.

Other components shall conform to the following limits: 6.5 to 7.5 Soluble Salts 600 ppm maximum Silt 25-50% Clay 10-30%

4. Contractor shall coordinate, obtain and pay for all soil tests.

20-50% 3. Contractor shall submit representative soil report on imported topsoil proposed for use for approval. Report shall meet standards below. Contractor is responsible for whatever soil additives are recommended by the test. Compost will be in addition to other additives and added regardless of test results.

C. Soil Testing 1. Soil tests are required for this project (see above for requirements). Test shall be provided

a. Provide certified analysis at time of sample submitted (three samples imported topsoil). Amend soils per chemist's recommendations and as herein specified unless otherwise approved by Architect

2. Test shall include, but not limited to recommendations on chemical distributions, organic contents, pH factors, and sieve analysis as necessary. Test #1T by Western Laboratories (1-800-658-3858) is required.

3. Contractor is responsible for whatever soil additives are recommended by the soil testing laboratory.

### 5. If regenerative noxious weeds are present in the soil, remove all resultant growth including roots throughout one-year period after acceptance of work, at no cost to Owner.

2.2 pH ADJUSTERS A. When pH does not comply with this specification, commercial grade aluminum sulfate shall

# 2.3 SOIL AMENDMENTS

be used to adjust soil pH.

# A. Compost: "Cascade Compost" from Cloverdale Nursery (208) 375-5262 and NuSoil Compost (208) 629-6912 or approved equal in equal amounts by volume.

B. Commercial Fertilizer: Fertilizer shall be complete, standard commercial brand fertilizer. It shall be free-flowing and packaged in new waterproof, non-overlaid bags clearly labeled as to weight, manufacturer, and content. Protect materials from deterioration during delivery and while stored at site

1. Commercial fertilizer "A" for trees and shrubs during planting; slow release Agriform Planting 5-gram tablets 20-10-5 type or equal.

2. Commercial fertilizer "B" for lawn areas, applied to bed prior to seeding or sodding, to be

16-16-17 applied at the rate of ten pounds per acre. 3. Commercial fertilizer "C" for lawn areas three to four weeks after planting (sod) or after

first mowing (seed). Organic Fertilizer Milorganite (6-0-2) type or equal. C. Herbicide: Pre-emergent for topical application in planting beds. Oxiadiazon 2G brand or pre-approved equal. Use in accordance with manufacturer's recommendation on all planting

# 2.4 PLANT MATERIALS

A. Quality: Provide trees, shrubs, and other plants of size, genus, species, and variety shown for landscape work and complying with recommendations and requirements of ANSI Z60.1 "American Standard for Nursery Stock".

B. Deciduous Trees: Provide trees of height and caliper scheduled or shown with branching configuration recommended by ANSI Z60.1 for type and species required. Single stem trees except where special forms are shown or listed.

C. Deciduous Shrubs: Provide shrubs of the height shown or listed, not less than minimum number of canes required by ANSI Z60.1 for type and height of shrub.

D. Coniferous and Broadleafed Evergreens: Provide evergreens of sizes shown or listed. Dimensions indicate minimum spread for spreading and semi-spreading type evergreens and height for other types, such as globe, dwarf, cone, pyramidal, broad upright, and columnar. Provide normal quality evergreens with well balanced form complying with requirements for other size relationships to the primary dimension shown.

# 2.5 GRASS MATERIALS

A. Lawn sod: Provide strongly rooted sod, not less than 1 growing season oLJ, and free of weeds and undesirable native grasses. Provide only sod capable of growth and development when planted (viable, not dormant).

1. Provide sod of uniform pad sizes with maximum 5% deviation in either length or width. Broken pads or pads with uneven ends will not be acceptable. Sod pads incapable of supporting their own weight when suspended vertically with a firm grasp on upper 10% of pad will be rejected.

B. Provide sod composed of: Rhizomatous Tall Fescue (RTF) from the The Turf Company, Meridian, ID (208) 888-3760 or approved equal.

# 2.6 MISCELLANEOUS LANDSCAPE MATERIALS

A. Anti-Desiccant: Emulsion type, film-forming agent designed to permit transpiration, but retard excessive loss of moisture from plants. Deliver in manufacturer's fully identified containers and mix in accordance with manufacturer's instructions.

B. Mulch: Rock mulch for planting beds to be: Crushed Stone Perma Bark - dark color. 1/2" max size. 3" thick in all areas. Provide samples of rock mulch for approval by architect and ownership group prior to installation. Rock mulch to be placed over woven weed barrier

fabric installed per manufacturer's instructions. C. Stakes and Guys: Provide stakes and deadmen of sound new hardwood, treated softwood, or redwood, free of knot holes and other defects. Provide wire ties and guys of 2-strand, twisted, pliable galvanized iron wire, not lighter than 12 ga. with zinc-coated turnbuckles. Provide not less than 2 inch diameter rubber or plastic hose, cut to required lengths and of uniform color, material, and size to protect tree trunks from damage by wires.

# PART 3 - EXECUTION

3.1 PREPARATION - GENERAL

A. General Contractor shall be responsible for excavating planting areas to appropriate depths for placement of topsoil as specified herein.

B. Lay out individual tree and shrub locations and areas for multiple plantings. Stake locations and outline areas and secure Architect's acceptance before start of planting work. Make minor adjustments as may be required.

# 3.2 PREPARATION OF PLANTING SOIL

A. Before mixing, clean topsoil of roots, plants, sod, stones, clay lumps, and other extraneous

materials harmful or toxic to plant growth. B. Mix specified compost and fertilizers with topsoil at rates specified. Delay mixing fertilizer if planting will not follow placing of planting soil in a few days. Compost: Lawn Areas: 1/4 compost, : 3/4 topsoil.

Shrub Areas: 1/3 compost, 2/3 topsoil. Fertilizer: Per soil test and manufacture's recommendations. C. For shrub and lawn area, mix planting soil either prior to planting or apply on surface of

# 3.3 PREPARATION FOR PLANTING LAWNS

topsoil and mix thoroughly before planting.

A. After excavating and removing surface material to proper depth, loosen subgrade of lawn areas to a minimum depth of 4 inches. Remove stones measuring over 1-1/2 inches in any dimension. Remove sticks, roots, rubbish, and other extraneous matter. Limit preparation to

areas which will be planted promptly after preparation. 1. Spread topsoil mix to minimum depth of 4 inches for sodded lawns as required to meet lines, grades, and elevations shown, after light rolling, addition of amendments, and natural settlement. Place approximately 1/2 of total amount of topsoil required. Work into top of loosened subgrade to create a transition layer and then place remainder of planting soil. Add specified soil amendments as required and mix thoroughly into upper 4 inches of topsoil.

# 3.4 PREPARATION OF PLANTING BEDS

A. Loosen subgrade of planting areas to a minimum depth of 6 inches using a culti-mulcher or similar equipment. Remove stones measuring over 1 1/2 inches in any dimension. Remove stocks, stones, rubbish, and other extraneous matter.

B. Spread planting soil mixture to minimum 12 inch depth required to meet lines, grades, and elevations shown, after light rolling and natural settlement. Add 1 1/2 inches of specified compost over entire planting area and mix thoroughly into upper 6 inches of topsoil. Place approximately 1/2 of total amount of planting soil required. Work into top of loosened subgrade to create a transition layer, then place remainder of the planting soil.

C. Apply Pre-Emergent per manufacturer's recommendation.

# 3.5 PLANTING TREES AND SHRUBS

A. Set balled and burlapped (B&B) stock on layer of compacted planting soil mixture, plumb and in center of pit or trench with top of ball at same elevation as adjacent finished landscape grades. Remove burlap from sides of balls; retain on bottoms. When set, place additional backfill around base and sides of ball, and work each layer to settle backfill and eliminate voids and air pockets. Place fertilizer tablets in excavated area per manufacture's written instructions. When excavation is approximately 2/3 full, water roughly before placing remainder of backfill. Repeat watering until no more is absorbed. Water again after placing final layer of backfill. Remove all ties from around base of trunk.

B. Set container grown stock, as specified, for balled burlapped stock, except cut cans on 2 sides with an approved can cutter and remove can; remove bottoms of wooden boxes after partial backfilling so as not to damage root balls.

C. Trees planted in turf area: Remove turf 3' dia around tree trunk. Dish top of backfill to allow D. Mulch pits, and planted areas. Provide not less than following thickness of mulch, and work

into top of backfill and finish level with adjacent finish grades. 1. Provide 3 inches thickness of mulch. E. If season and weather conditions dictate, apply anti-desiccant, using power spray, to provide

an adequate film over trunks, branches, stems, twigs and foliage. F. Prune, thin out, and shape trees and shrubs in accordance with standard horticultural practice. Prune trees to retain required height and spread. Unless otherwise directed by Architect, do not cut tree leaders, and remove only injured or dead branches from flowering

trees, if any. Prune shrubs to retain natural character. G. Remove and replace excessively pruned or misformed stock resulting from improper pruning. H. Guy and stake trees immediately after planting, as indicated.

I. Apply approved herbicide to all shrub bed areas at manufacture specified rate. Re-apply as necessary for elimination of weeds.

# 3.6 SODDING NEW LAWNS

A. General: Install lawn sod in all areas designated on the drawings. B. Soil Preparation

1. Any sod lawn areas that may have become compacted prior to sodding must be scarified to a depth of eight (8) inches by approved means, then finish graded as hereinbefore C. Lay sod within 24 hours from time of stripping. Do not plant dormant sod or if ground is

D. Sod Placement 1. Sod will be brought onto lawn areas by wheeled means with proper protection of sod beds. Sod layers shall be experienced, or if inexperienced, shall be constantly supervised by an experienced foreman. The Contractor shall insure that the base immediately ahead of sod layer is moist. Sod shall be laid tight with not gaps. Allowance

shall be made for shrinkage. Lay sod with long edges perpendicular to primary slope. 2. Lay to form a solid mass with tightly fitted joints. Butt ends and sides of strips; do not overlap. Stagger strips to offset joints in adjacent courses. Work on boards to avoid damage to subgrade or sod. Tamp or roll lightly to ensure contact with subgrade. Work sifted soil into minor cracks between pieces; remove excess to avoid smothering of

adjacent grass. 3. Sod shall be rolled with a two hundred (200) pound roller after installation to insure proper contact between soil and sod. Final rolling must provide a uniform surface. After final rolling, the sod lawn shall be mowed and watered. Approval of sod lawns shall be based on uniform, healthy and vigorous growth with no dry or dead spots. 4. Add fertilizer "B" at the manufacturer's recommended application rate.

E. Water sod thoroughly with a fine spray immediately after planting. F. Sodded Lawn Establishment

1. The Contractor shall be responsible for first mowing, subsequent mowings and fertilizing of sod lawn areas until Final Acceptance of the project. 2. Mowing shall be done by an approved "reel" type mower. Mower blades shall be set at

two (2) inches high for all mowings. 3. Subsequent fertilizing shall occur three to four weeks after installation. Apply fertilizer as per the Manufacturer's recommended application rate. Verify all methods of application. Contractor shall notify the Architect in writing that the fertilizer applications have occurred and on what dates.

# A. Begin landscape maintenance immediately after planting. Maintenance shall continue until

Project Final Acceptance. B. Maintain trees, shrubs, and other plants by pruning, cultivating, and weeding as required for healthy growth. Restore planting saucers. Tighten and repair stake and guy supports and reset trees and shrubs to proper grades or vertical position as required. Restore or replace

damaged wrappings. Spray as required to keep trees and shrubs free of insects and disease. C. Maintain lawns by watering, fertilizing, weeding, mowing, trimming, and other operations such as tolling, regrading and replanting as required to establish a smooth, acceptable lawn,

D. Maintain lawns for no less than period stated above, or longer as required to establish acceptable lawn.

# 3.8 CLEANUP AND PROTECTION

free of eroded or bare areas.

A. During landscape work, keep pavements clean and work area in an orderly condition. B. Protect landscape work and materials from damage due to landscape operations, operations by other contractors and trades, and trespassers. Maintain protection during installation and maintenance periods. Treat, repair, or replace damaged landscape work as directed.

3.9 INSPECTION AND ACCEPTANCE

A. When landscape work is completed, including maintenance, Architect will, upon request, make an inspection to determine acceptability.

B. When inspected landscape work does not comply with requirements, replace rejected work and continue specified maintenance until reinspected by Architect and found to be acceptable. Remove rejected plants and materials promptly from project site.

END OF SECTION

1.1 CONDITIONS AND REQUIREMENTS:

A. General and Supplementary Conditions, and Division 1 General Requirements.

# 1.2 SUMMARY

all lawn and planting areas.

2. Connect to main water supply at existing site stubout as provided. 3. Sleeving under paved areas (by others)

the Contract Documents, applicable codes, and good design practice. 6. Winterization of system.

# 1.3 SUBMITTALS

A. Within 30 days after Contractor's receipt of Owner's Notice to Proceed, submit: 1. Manufacturer's printed product information and catalog cut sheets for all

B. Shop Drawings: Submit shop drawings for underground irrigation system including plan layout and details illustrating location and type of head, type and size of valve, piping circuits, circuit GPM, pipe size, controls, and accessories.

2. Operations and Maintenance information (2 copies), including: maintenance schedules and procedures for system components b. Operation, adjustment of system and components instructions.

d. Schedule indicating required open valve time to produce given precipitation amounts and seasonal adjustments.

f. Submit five copies.

A. Guarantee in writing all materials, equipment and workmanship furnished to be

may be found at no additional cost to Owner. B. Fill and repair all depressions and replace all necessary lawn and planting which result from the settlement of irrigation trenches for one year after date of

C. Supply all manufacturer's printed guarantees.

# 1.5 QUALITY ASSURANCE

B. Contractor shall have at least two years prior experience in projects of equal or larger scope. Provide minimum of three references and list of similar projects with owners' names, addresses, and phone numbers, when requested by

C. Contractor shall employ on site at all times a foreman who is thoroughly experienced and competent in all phases of the work of this Section.

2. Layout system to obtain optimum coverage using manufacturer's standard heads. Spray on walks, walls or paved areas is not acceptable.

distribution for types of plantings and shapes of planting areas.

6. Install approved backflow prevention device in conformance with local or

4. Design pressures: Install pressure regulating equipment as necessary. 5. Provide/install approved fixed tee or coupling device for air blow winterization. Location shall be on main supply line downstream from main shut off valve.

A. In addition to installed system, furnish owner with the following:

1. Valve operating key and marker key. 2. Wrench for each sprinkler head cover type.

4. Two (2) nozzles for each size and type used. B. Store above items safely until Substantial Completion.

2.1 PIPE AND FITTINGS

schedule rating, size, type. Solvent-weld type:

a. Pressure lines: Schedule 40 solvent weld. b. Lateral lines: Class 200 pvc.

c. Sleeving: Class 200 pvc.

"polypipe" riser. 4. Solvent: NSF approved solvent for Type I & II PVC.

2. Fittings: Schedule 80 PVC. Clamps: Stainless Steel. C. Drip Line: Netafim Techline Dripperline, with .6 GPH drippers at 18" spacing.

A. Description: Appropriate for application in throw, pressure and discharge. Each type of head shall be of a single manufacturer.

1. Lawn heads: pop-up type.

2.3 AUTOMATIC CONTROL SYSTEM A. General; Furnish low voltage system manufactured expressly for control of automatic circuit valves of underground irrigation systems. Provide unit of

C. Circuit Control: each circuit variable from approximately 5 to 60 minutes. Including switch for manual or automatic operation of each circuit. D. Timing Device: Adjustable 24-hour and 7 or 14 day clocks to operate any time

# of control unit; type AWG-UF, UL approved.

2. Size: 3/4 inch.

2.4 VALVING parts. Low power solenoid control, normally closed, with manual flow

adjustment; same manufacturer as control unit.

valve if not connected to potable water. 2. Drip Control Zone Kit: Hunter PCZ-101. C. Quick coupler valve: brass or bronze construction with hinged top. One per zone

1. Standard sprinkler valve shall be Rainbird PEB-PRS-B. Use scrubber

with cross type operating handle designed to receive operating key. Calco, Champion 100, or approved equal.

SECTION 32 84 00 - IRRIGATION (PERFORMANCE)

# PART 1 - GENERAL

# A. Work included:

1. Provide and install a complete and operating automatic irrigation system for

4. Obtain and pay for all permits and fees for the work of this section. 5. Perform work on a design/construct basis, subject to the requirements of

system components; five copies.

C. Record Drawings: At completion of this work, submit to the Contractor: 1. Record Drawings; reproducible and five prints. a. Information including descriptive details, parts list, specifications,

c. Winterization procedures.

e. Warranties and guarantees.

# 1.4 GUARANTEE

free of all defects of workmanship and materials. Within one year after date of Substantial Completion repair or replace all defective parts or workmanship that

Substantial Completion.

A. Contractor shall be licensed in the State in which this work is being performed.

1.6 SYSTEM DESCRIPTION A. Design requirements: 1. Minimum water coverage: Planting areas - 85%, Lawn areas - 100%

3. Zoning shall be designed for optimum use of available pressure and efficient

### prevailing codes, and in approved site location. Provide for drainage without erosive damage.

1.7 EXTRA EQUIPMENT

3. Two (2) sprinkler head bodies of each size and type.

# C. Deliver above items at Substantial Completion.

PART 2 - PRODUCTS

A. PVC 1120, ASTM D-1784, permanently marked with manufacturer's name,

2. Fittings: Schedule 40 PVC, solvent-weld type. Install threaded joints where required at valves, risers, etc. 3. Risers: Lawn and shrub heads - flexible and damage-resistant plastic

B. Polyethylene Pipe 1. Pipe: Class 100, 3/4" lateral line, for use on drip irrigation zone(s) where drip tubing is not otherwise used.

# 2.2 SPRINKLER HEADS

B. Manufacturer: Rainbird, Hunter, Weathermatic Irrigation Company.

capacity to suit number of circuits as indicated. B. Control Enclosure: Manufacturer's standard wall mount with locking cover, complying with NFPA 70.

# of day and skip any day in a 7 or 14 day period. E. Wiring: Solid or stranded direct-burial type as recommended by manufacturer

A. Manual valves: brass or bronze for direct burial, gate valves, 150 pound class, threaded connection with cross type handle designed to receive operating key. B. Automatic circuit valves: high impact plastic with corrosion-resistant internal

or valve grouping. D. Manual drain valves: 1. Bronze construction, straight type, 150 pound class, threaded connections, E. Pressure Regulator: Netafim Model PRV075HF35, 3/4", one per zones. F. Flushing Valve: Netafim Model TLFV-1, two per zone (each end). G. Filter: Netafim Model DF075-120, 3/4" filter; one per drip zone.

# H. Air Relief Valve: Netafim Model TLAVRV,

2.5 MISCELLANEOUS A. Chemicals: primer and solvent glue as required by pipe manufacturer.

B. Valve box - high impact plastic, green in color. C. Valve cover and frame - compatible with valve box with provision for locking. D. Drainage backfill - clean gravel or crushed stone, graded from 3" maximum to 3/4" minimum.

# PART 3 - EXECUTION

# 3.1 GENERAL

A. Install system to provide for adequate protection against freeze damage. B. Install system in accordance with approved Contractor design drawings. All deviations from the plans must be approved, and clearly recorded on record drawing. C. Install system and components in strict accordance with manufacturer's

recommendations. D. Install quick coupler(s) on main supply line, approximately equal spacing, at valve box locations or intervals of approximately 200 feet, whichever is greater. Locate adjacent to paved surfaces, at valve boxes where practical.

# 3.2 SURFACE CONDITIONS

A. Examine the areas and conditions under which work will be performed. Notify Contractor of conditions detrimental to timely and proper completion of Section work. Do not proceed until unsatisfactory conditions are corrected. B. Locate all underground utilities and structures and notify Architect of any conflict with Section work. Protect structures and utilities. Repair or

# replace said structures or utilities damaged by this work at no cost to the Owner.

3.3 SLEEVING A. Sleeving installed by others. Coordinate with other trades.

# 3.4 TRENCHING AND BACKFILLING

B. Cut trenches straight and without abrupt grade changes to allow the following minimum cover: 1. Main Lines and Sleeving: 18 inches.

A. Trenching and backfilling shall be per applicable ISPWC Section.

# 2. PVC Laterals: 12 inches. C. Surround lines with 2 inches of clean rock-free material on all sides.

3.6 CIRCUIT VALVES

operating pressures.

3.5 MISCELLANEOUS VALVES

and connect to controller.

A. Install manual drain valves up stream. Install devise at mainline tap in accordance

with manufacturer requirements for complete operation. Install backflow provision

1. Provide union on downstream side. 2. Adjust automatic control valves to provide flow rate of rated operating pressure required for each sprinkler circuit.

A. Install in valve box, arranged for easy adjustment and removal.

3.7 PIPE INSTALLATION A. Lay PVC pipe in accordance with standard and acceptable practice. Thrust blocks to be used at points of intersection and change of direction in main line pipe as per manufacturer's recommended specifications. Install manual drains.

wipe from surface all saw chips, dust, dirt, moisture and any foreign matter which may contaminate the cemented joint. Apply cleaner/primer and solvent cement, make joints in accordance with manufacturer's recommendations. Use Teflon thread sealant (tape) at all threaded joints. C.Contractor shall size pipe according to schedule provided. Flow velocities shall not exceed 5 feet/second in all cases. Lateral lines shall be laid out and installed

Pipe Size Pipe Section Pipe Size Pipe Section

of water prior to installation of flush valves at end of circuit runs.

E. Flush Valves: Install flush valve at end of each drip line run.

per zone to balance the pressure loss and provide minimum fluctuation in system

B. PVC pipe joints, solvent welded except as indicated. Cut pipe square, deburr,

10-17 GPM 35-50 GPM 2" 2 1/2" 51-80 GPM 1 1/4" 18-25 GPM D. Techline Drip Line: Place in shallow furrow at 1"-2" below finish topsoil grade, below layer of specified mulch. Lay in uniform grid pattern in groundcover/shrub areas (rows 18"-24" apart max). Coil 20 linear feet at each balled and burlapped tree around base and to allow

for tree removal if required. Staple drip line every 36" max. Flush all lines with full head

26-34 GPM

### A. Flush circuit lines with full head of water prior to head installation. 1. Install heads at level with mulch

at 100' maximum intervals between.

until it has been inspected and tested.

otherwise indicated. Keep overspray to a minimum. 3.9 CONTROL WIRE INSTALLATION A. Bury wires beside or below main line pipe in same trench.

B. Bundle multiple wires together with tape at ten feet (10') maximum intervals.

C. Provide 36 inch loop in wires at each valve where controls are connected and

2. Locate part-circle shrubbery heads to maintain a minimum distance of six

inches (6") from walls and four inches (4") from other boundaries unless

# D. Make all electrical joints (splices) in boxes only. Make electrical joints waterproof. Scotch-Lock connectors, or approved.

occurs in 15 minutes

3.11 TESTING

3.8 SPRINKLER HEADS

3.10 AUTOMATIC CONTROLLER A. Install on site as approved. Verify location with Owner Representative. B. Install typewritten legend inside controller door.

A. Do not allow or cause any work of this Section to be covered up or enclosed

3. Fill all main supply lines with water. Pressurize to 100 psi. Close air supply

and test for leakage. Test shall be approved if no greater than 5 psi loss

B. Pressure testing: 1. Make necessary provision for thoroughly bleeding the line of air and debris. 2. Before testing, cap all risers, and install all valves.

4. Fill all zone lines with water to static pressure. Hold for 15 minutes. Inspect for leakage. 5. Contractor shall provide all required testing equipment and personnel. Test shall be performed in presence of Architect. Contractor shall make notice of test (48) hours in advance.

C. Coverage inspection: upon completion of all systems, perform a coverage test

to determine if coverage of water afforded all areas is complete, adequate and uniform. Change heads, nozzles, orifices and/or adjustment as directed to provide uniform coverage.

1. Clean, adjust, and balance all systems. Verify that:

a. Remote control valves are properly balanced;

6. Provide required testing equipment and personnel.

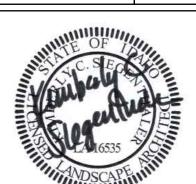
7. Repair leaks, and retest until acceptance by the Architect.

b. Heads are properly adjusted for radius and arc of coverage; c. The installed system is workable, clean and efficient. E. Winterization: Winterize system at the end of first season of system operation. Review procedures with Owner Representative.

END OF SECTION

D. Final inspection:

Date Description 3-8-2 STREET NAME REV | 3-12-21 BASE REV 3-18-21





IENSEN**belts** 

Site Planning Landscape Architecture 1509 Tyrell Lane, Ste 130 Boise, Idaho 83706 Ph. (208) 343-7175 www.jensenbelts.com

**(**) 0 UB

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Drawn

Job Number 2112

Checked

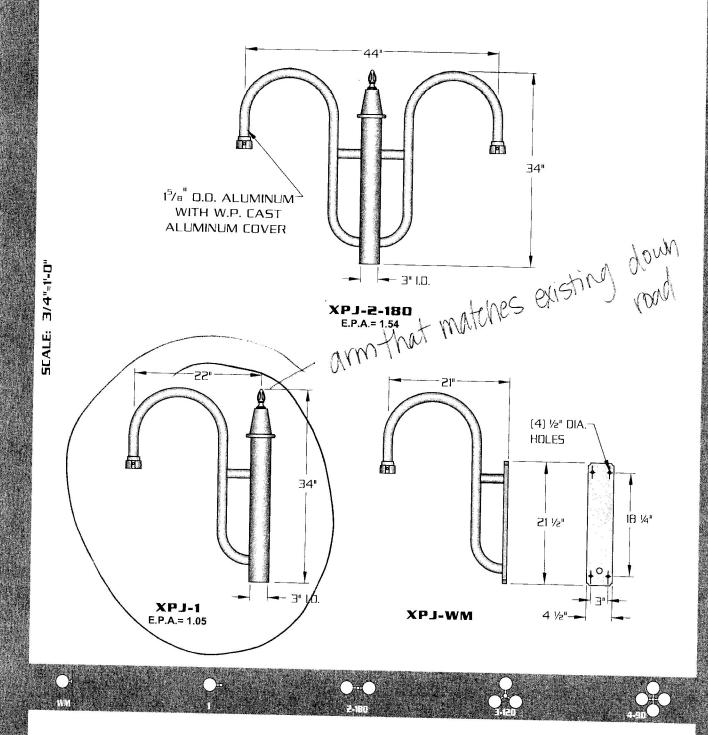
KCS AS SHOWN Scale Sheet Title

LANDSCAPE

**SPECIFICATIONS** 

Sheet Number

XPJ



DURABLE CORROSION RESISTANT, CAST AND EXTRUDED ALUMINUM CONSTRUCTION.



# SOLID STATE AREA LIGHTING

# **DSS SERIES - VLED**

### **FEATURES**

#### Luminaire

Upper housing is heavy gauge cast aluminum (min. .125" wall; alloy >0.2% Cu for DSS30) or spun aluminum with reveal (.125" min. wall for DSS20). Lower housing is 0.080" thick spun aluminum with integrated LED module seat. Lower housing is vented at top and bottom for convective cooling of LED module. Top Driver chamber is barriered from LED Module chamber. Trulevel ball coupling mount is welded to housing and facilitates quick leveling and installation.

### VLED' Optics

Low copper (A356 Alloy; <0.2% Cu) cast aluminum housing. Integrated clear tempered glass lens sealed with a continuous silicone gasket protects emitters (LED's), Reflector-Prism optics, and seals the module from water intrusion and environmental contaminants, Module is sealed to meet an IP67 rating, Each emitter is optically controlled by a Reflector-Prism injection molded from H12 acrylic (3 types per module; one from  $0^{\circ}$  -  $50^{\circ}$ ; one from 50° - 65°; one from 65° - 72°). Each Reflector-Prism is secured to an optical plate made of matte black anodized aluminum has indexing pins for precise aiming. The optical plate locates every Reflector-Prism over an emitter, are inserted to the optical plate from above and are secured with a UV curing adhesive. The Reflector-Prisms are arrayed to produce IES Type II, III, IV, and V-SQ distributions. The entire Optical Module is field rotatable in 90° increments. Both module and drivers are factory wired using water resistant, insulated cord.

### **LED Emitters**

High output LED's are utilized with drive currents ranging from 350mA to 700mA. 70CRI Minimum. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

### **LED Driver**

Constant current programmable electronic with a power factor of >.90 and a minimum operating temperature of -40°F/-40°C. Driver(s) is/are UL and cUL recognized. In-line terminal blocks facilitàte wiring between the driver and optical arrays. Drivers accept an input of 120-277V, 50/60Hz or 347V-480V, 50,60Hz. (0 -10V dimmable driver is standard. Driver has a minimum of 3KV internal surge protection. Luminaire supplied with 20KV surge protector for field installation.)

#### Amber LED's

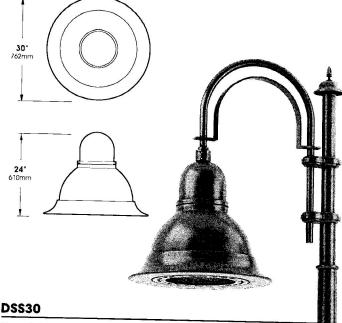
PCA (Phosphor Converted Amber) LED's utilize phosphors to create color output similar to LPS lamps and have a slight output in the blue spectral bandwidth, TRA (True Amber) LED's utilize material that emits light in the amber spectral bandwidth only without the use of phosphors.

### **Finish**

Polyester powder coat incorporates four step iron phosphate process to pretreat metal surface for maximum adhesion. Top coat is baked at 400°F for maximum hardness and exterior durability.

PROJECT NAME:

FIXTURE TYPE:



(Formerly DSS1)

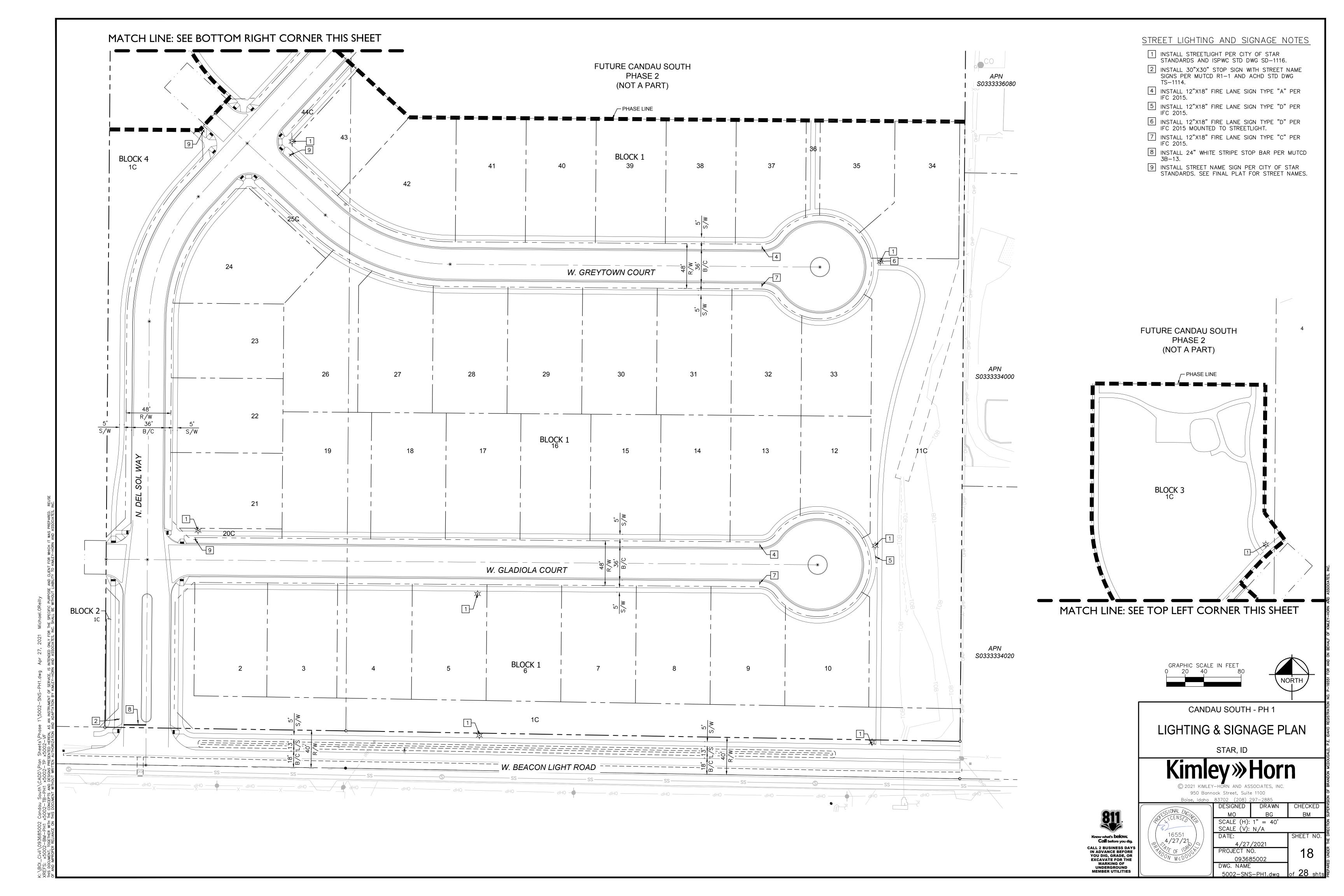
Patent pending













Moyl Subdivision: <u>Del S</u>	e Estates No 2. (Cresta Sol)	Phase: 2	Date:	04/09/2021		
Developable Lots: _	38 Review No: 1					
Developer: Toll Brothers						
Tel: 208.424.0020	Fax:	Email:				
Engineer: Kimley	r-Horn and Associates					
Tel: 208.918.010	0_ Fax:	Email:				
Property Address:	W Beacon Light Rd and N	Pollard Ln				
Reviewed By:	Kelsie Styrlund, E.I., Keller	Associates				
Review Check By:	Ryan Morgan, P.E., Keller	Associates				

# **FINAL PLAT REVIEW**

ITEM	OK	NEED	N/A	FINAL PLAT APPLICATION REQUIREMENTS
1	X			Submit two (2) copies of final engineering construction drawings showing streets, sidewalk, water, sewer, pressure irrigation, street lighting, landscaping, and other public improvements.
2			X	Submit one (1) 8½ x 11 map showing property in relation to floodplain and/or floodway. Provide Floodplain Development Permit Application as required.
3	X			Provide (1) copy of the "Preliminary Plat Findings of Fact and Conclusions of Law".
4	Х			Landscape plan provided. Confirm consistent with approved preliminary plat.
5	X			Verified written legal description.
6		X		Letter of credit for outstanding pressure irrigation and landscaping improvements <b>only</b> when weather conditions precludes construction of improvements prior to signature of mylar.
ITEM	OK	NEED	N/A	FINAL PLAT REVIEW
7	x			Public and private easements are shown on plat for open spaces, access drives, drainage facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for detached flood water storage impoundments, existing irrigation ditches, new irrigation ditches or pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments), and irrigation piping.
8	Х			Right to Farm Act Note on face of plat.

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9			x	Note on face of plat: "This subdivision is located within zone AE as shown on the firm panel 125 of 875, Ada County, Idaho and Incorporated Areas. A building permit shall not be issued for any lot that is located within the mapped floodplain until a Flood Plain Development Permit is obtained for the individual lot. Each lot within the mapped floodplain shall require an individual Flood Plain Development Permit."
10	X			10-foot utility and irrigation easements are shown, or noted, along the front lot lines, rear lot lines, and side lot lines as required.
11	x			Note is shown on the final plat: "Minimum building setbacks shall be in accordance with the City of Star applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and / or required, or as shown on the this plat."
12	X			Seal of Professional Land Surveyor is displayed, dated, and signed on face of plat.
13	x			Water and sewer easements shown on face of plat. (Note to Plan Reviewer: Provide plat to Justin Walker for easement water and sewer easement verification.)
14	x			On the signature page of the plat please include the following  "I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY,
15		X		"Change of Ownership" document filed with the IDWR to the HOA for all conveyable water rights.

# **CONSTRUCTION DRAWING REVIEW**

ITEM	OK	NEED	N/A	GENERAL
16	X			Construction drawings are stamped, signed, & dated by a professional engineer licensed in the State of Idaho.
17	x			Natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with the City's code.
18	Х			Each sheet has north arrow, graphic scale, date, title block and sheet number.
19	X			All profiles are drawn to the same horizontal scale as plan views.
20		X		Street lighting plans are provided showing pole locations

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				and luminary types. All street lighting shall be in accordance with the current edition of the ISPWC and the City of Star Supplemental Specifications. Provide streetlight at the entrance to the subdivision.
ITEM	OK	NEED	N/A	FLOODPLAIN DEVELOPMENT PERMIT
21		.,	X	Floodplain and floodway boundaries and elevations are shown on the grading plans.
22			X	Building finished floor elevations are greater than or equal to 2-feet above the base flood elevation, or verification is provided of flood proofing.
23			X	Roadway centerline elevations and manhole and other minor structure rim elevations are 0.5-feet above the base flood elevation.
24			x	All buildings are set back a minimum of 50-feet from the floodway boundary line except that when the area of special flood hazard boundary is 50-feet or less from the flood way line, the boundary line shall be the setback line.
25			X	Easements and conveyance provisions have been made for connection between the floodway and any detached floodwater storage impoundment.
26			Х	Calculations are provided and show 48-hour max time period for 100% utilization of detached storage impoundment.
ITEM	OK	NEED	N/A	GRADING PLAN
<b>ITEM</b> 27	OK X	NEED	N/A	
		NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State
27	х	NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.  Grading plans show finished, existing, and base flood 1-
27 28	x	NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.  Grading plans show finished, existing, and base flood 1-foot contour elevations.
27 28 29	x x x	NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.  Grading plans show finished, existing, and base flood 1-foot contour elevations.  Drainage facilities and easements are shown.  Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.  Existing irrigation ditches, canals, and easements are shown.
27 28 29 30	x x x	NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.  Grading plans show finished, existing, and base flood 1-foot contour elevations.  Drainage facilities and easements are shown.  Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.  Existing irrigation ditches, canals, and easements are shown.  Cut and fill slopes are no steeper that 2H:1V. (Spot checked by City Engineer)
27 28 29 30 31	x x x	NEED	N/A	GRADING PLAN  Grading plans are provided and are stamped, dated, and signed by a professional engineer licensed in the State of Idaho.  Grading plans show finished, existing, and base flood 1-foot contour elevations.  Drainage facilities and easements are shown.  Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.  Existing irrigation ditches, canals, and easements are shown.  Cut and fill slopes are no steeper that 2H:1V. (Spot

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	1		1	
35			X	Provisions have been made for erosion control at pipe outfalls, along steep earth slopes, and within drainage
				ditches. Seepage bed is used.
				The vertical datum used for elevations shown on grading
36			X	and drainage plans is NAVD 88 for all developments that
				are fully or partially within the floodplain.
27	v			Existing and proposed elevations match at property
37	X			boundaries.
ITEM	OK	NEED	N/A	DRAINAGE PLAN
				Drainage plans are provided and stamped, dated, and
38	X			signed by a professional engineer licensed in the State
				of Idaho.
				Drainage calculations are provided and stamped, dated,
39	X			and signed by a professional engineer licensed in the
39	_ ^			
				State of Idaho.
40	X			Narrative is provided that describes the proposed
				method of stormwater retention.
				Drainage calculations contain no arithmetic errors. (Spot
				checked by City Engineer) Common lots and seepage
41		X		bed areas must be included in the calculations. It
				also appears that an area on the north east side of
				the property is not included. Please update.
				The design storm, percolation rate, or other design
				criteria are within accepted limits. (ITD Zone A—IDF
42	X			Curve; Storage designed for 100 year storm; Primary
				conveyance designed for 25-year storm)
40				Peak discharge rate and velocity through sand and
43	X			grease traps calculated and are less than 0.5 ft/sec.
44	X			Section view of drainage facility provided.
77				
45	X			Able to determine drainage directions from information
				given.
46	X			Drainage facilities do not conflict with other utilities.
				(Spot check by City Engineer)
47			X	Provision for conveyance or disposal of roof drainage
71				provided for commercial developments.
				Building finished floor elevation shown is above possible
48			X	max water surface elevation and 2-feet above base flood
				elevation.
				Storm water pretreatment provided. BMP facilities are
				designed in conformance with the "State of Idaho
49	X			Catalog of Stormwater Best Management Practices".
				- Catalog of Ctofffinator Book Management Flactions .
				5-foot setback from property line maintained for drainage
50	X			facilities.
51	X			Drainage basin / pond dimensions listed or noted.
31				
52	X			Drainage facilities drawn to scale on grading and
				drainage plan.

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53	X			Drain rock, ASTM C33 sand, or pond liner specified.
54	X			3-foot separation from bottom of drainage facility to maximum seasonal high groundwater elevation shown on detail.
55			X	Vegetative cover shown over biofiltration facilities.
56			X	Appropriate license agreements have been executed and are provided for offsite discharge of storm water.
ITEM	OK	NEED	N/A	GRAVITY IRRIGATION
57		X		Plan approval letter is provided from the appropriate irrigation district.
ITEM	OK	NEED	N/A	PRESSURE IRRIGATION
58	X			Plans for a pressure irrigation system are provided (Required only if development contains more than four lots).
59		X		The pressure irrigation system is <i>not</i> connected to the potable water system. This system doesn't appear to connect to an existing system, please clarify.
60		X		Design provides a minimum of 15 gpm @ 45 PSI to each destination point.
61	X			Easements are provided for all pressure irrigation piping. (Note on face of plat).
62	X			Main line distribution piping is 3-inches in diameter or greater.
63	Х			Provisions are made for diversion and flow measurement from a gravity irrigation source ditch.
64		X		Applicant provided verification with a signed contract indicating written assurance that provisions have been made for ownership, operation, and maintenance of the irrigation system.
65			х	Provide written verification and plan approval from Star Sewer and Water District if potable water is planned to be used as a secondary irrigation source.
66		X		Provided verification that water rights will be transferred to the association managing entity.
67		X		If pressure irrigation will not be available to each lot at all times, provide rotation schedule for irrigation system usage identifying times and days that pressure irrigation will be available to each lot.
ITEM	OK	NEED	N/A	RE-SUBMITTAL REQUIREMENTS*
68		X		Return (1) one revised plan set in pdf format with the redlined set for review and/or approval to Keller Associates. Unbound or un-collated plan sets will not be accepted.
69		X		Provide a response letter, <b>referencing the City of Star</b> , with the revised plan set that highlights what actions

Revised 5/29/08 4/9/2021 Page 5 of 6

		were taken to correct any outstanding items.
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<sup>\*</sup>All re-submittals should be returned to the City of Star for re-review.

# Notes:

Additional Final Plat Comments:

•

Additional Construction Drawing Comments:

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1		CENTRAL DISTRICT Division of Community and Environmental Health  one #  ditional Use #	Return to:  ACZ Boise Eagle Garden Cit					
		iminary / Final / Short Plat FP-21-08	☐ Meridian					
_	101	Cresta Del Sol 1	☐ Kuna Star					
	1.	We have No Objections to this Proposal.						
	2.	We recommend Denial of this Proposal.						
	3.	Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.						
	4.	We will require more data concerning soil conditions on this Proposal before we can comment.						
	5.	Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:    high seasonal ground water   waste flow characteristics   other   other						
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters.	vaters and surface					
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construct availability.	tion and water					
<b>P</b>	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for:    Central sewage	vater well					
Z	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmenta community sewage system community versions community with the community of community with the community with the community of community with the com						
	10.	This Department would recommend deferral until high seasonal ground water can be determined if o considerations indicate approval.	ther					
	11.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Regulations.	Sewage					
	12.	We will require plans be submitted for a plan review for any:  food establishment swimming pools or spas child care cell beverage establishment grocery store	nter					

13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

14.



1445 N Orchard Street, Boise, ID 83706 (208) 373-0550

Brad Little, Governor Jess Byrne, Director

April 9, 2021

By e-mail: Snickel@staridaho.org

Shawn Nickel City of Star P.O. Box 130 Star, Idaho 83669

Subject: Cresta Del Sol Subdivision Final Plat Phase 1 (formerly Moyle Estates No. 2), FP-21-08

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: <a href="deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts">deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts</a>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

### 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls
  to prevent fugitive dust from becoming airborne are utilized during all phases of construction
  activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

#### 2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems
  or a centralized community wastewater system whenever possible. Please contact DEQ to
  discuss potential for development of a community treatment system along with best
  management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use
  management plan, which includes the impacts of present and future wastewater management
  in this area. Please schedule a meeting with DEQ for further discussion and recommendations
  for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

### 3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval.
   Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <a href="deq.idaho.gov/water-quality/drinking-water.aspx">deq.idaho.gov/water-quality/drinking-water.aspx</a>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction
  of a new community drinking water system. Please contact DEQ to discuss this project and to
  explore options to both best serve the future residents of this development and provide for
  protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

### 4. SURFACE WATER

- A DEQ short-term activity exemption (STAE) from this office is required if the project will
  involve de-watering of ground water during excavation and discharge back into surface water,
  including a description of the water treatment from this process to prevent excessive sediment
  and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution
  Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be
  required if this project will disturb one or more acres of land, or will disturb less than one acre
  of land but are part of a common plan of development or sale that will ultimately disturb one
  or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate
  construction best management practices (BMPs) to assist in the protection of Idaho's water
  resources. Additionally, please contact DEQ to identify BMP alternatives and to determine
  whether this project is in an area with Total Maximum Daily Load stormwater permit
  conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <a href="https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html">https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html</a>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
  - For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

### 5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Solid Waste. No trash or other solid waste shall be buried, burned, or otherwise disposed of at
  the project site. These disposal methods are regulated by various state regulations including
  Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and
  Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the
  Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also
  defined in the Solid Waste Management Regulations and Standards
- Hazardous Waste. The types and number of requirements that must be complied with under
  the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards
  for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated.
  Every business in Idaho is required to track the volume of waste generated, determine whether
  each type of waste is hazardous, and ensure that all wastes are properly disposed of according
  to federal, state, and local requirements.
- Water Quality Standards. Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- Ground Water Contamination. DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

### 6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <a href="deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx">deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx</a> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the
  following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal
  facilities, composted waste, and ponds. Please contact DEQ for more information on any of
  these conditions.

Response to Request for Comment April 9, 2021 Page 5

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

Aaron Scheff

Regional Administrator DEQ-Boise Regional Office

EDMS#: 2021AEK54



# **CITY OF STAR**

# LAND USE STAFF REPORT

**TO:** Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Muli

**MEETING DATE:** May 4, 2021

**FILE(S) #:** FP-21-09, Final Plat, Saddlewood Subdivision, Phase 1

# **REQUEST**

Applicant is seeking approval of a Final Plat for Saddlewood Subdivision Phase 1, consisting of 25 residential lots and 3 common lots on 5.06 acres. The phase is located on the western portion of the approved preliminary plat, at 864 N. Star Road in Star, Idaho. Ada County Parcels S0408233800 and S0408233900.

# **APPLCIANT/REPRESENTATIVE:**

Inspiration Homes Idaho, LLC 338 S. Long Bay Way Star, Idaho 83669

# **OWNER:**

Inspiration Homes Idaho, LLC 338 S. Long Bay Way Star, Idaho 83669

### **PROPERTY INFORMATION**

Land Use Designation - Residential R-5-DA

Phase 1

Acres - 5.06 acres

Residential Lots - 25 Common Lots - 3

# **HISTORY**

- **July 19**, **2020** Application for Re-Zone from RUT to R-7 and a Development Agreement was accepted by the City.
- <u>August 18, 2020</u> Public Hearing for Re-Zone and DA Council Approved R-5 and the DA.

- <u>November 2, 2020</u> Ordinance 316 was recorded with Ada County regarding Re-zone and DA.
- **January 19, 2021** Council approved the preliminary plat (PP-20-20).

### **GENERAL DISCUSSION**

The applicant is requesting approval of the Final Plat for phase 1 of Saddlewood Subdivision consisting of 25 residential lots and 3 common lots on 5.06 acres.

The Final Plat layout for Phase 1 generally complies with the approved Preliminary Plat.

# **Original Preliminary Plat Review:**

Site Data: All Phases

Total Acreage of Site – 9.90 acres

Total Number of Lots – 56 lots

Total Number of Residential Lots – 49 lots

Total Number of Common Lots – 7 lots

Total Number of Commercial Lots – None

Type of Units – Single Family Units

Dwelling Units Per Gross Acre – 4.95 dwelling units per acre

Total Acreage of Common Lots – 1.90 acres

Percent of Site as Common Area – 19.4%

# **Staff Analysis of Final Plat Submittal:**

The approved preliminary plat consisted of 49 residential lots and 7 common lots. Phase 1 has 25 residential lots leaving a maximum of 24 residential lots available for phase 2.

<u>Lot Layout</u> – The gross density of Phase 1 is 4.95 du/acre. The Final Plat indicates lot sizes range in size from 5,080 square feet to 5,223 square feet. The average buildable lot is 5,175 square feet. This is inline with the approved preliminary plat.

<u>Common/Open Space and Amenities</u> – The current Unified Development Code, Section 8-4E-2 requires a development of this size to have 1 site amenity. The applicant is proposing a common area of 1.1 acres with a gazebo. The development will also have walking paths with benches and a picnic area. The development is also providing a path to the school on the south. The total of 1.90 acres of open space provides 18.01% usable open space which satisfies section 8-4E-2 of the Unified Development Code.

<u>Landscaping</u> - Landscaping as required by the Unified Development Code, Street Trees; the minimum density of one (1) tree per thirty-five (35) linear feet is required. The

landscaping plan, as submitted appears to satisfy this requirement. Common Area landscape requirements call for one deciduous shade tree per 4,000 square feet. The plan as submitted meets these requirements. Staff would like to recognize the extra trees placed along the back of the homes on the south of the development and the extra landscaping in the buffers along Star Road.

<u>Setbacks</u> – Applicant received setback waivers when the property was rezoned and entered into a Development Agreement on August 18, 2020. The property will have R-7 setbacks, 3 feet interior side yard setback for single-level homes and 5 feet interior side yard setback for two-story homes.

<u>Streetlights</u> – Streetlight design specifications have been submitted with the final plat application and they meet the dark sky standards consistent with the intent of the City. Streetlights shall be consistent throughout the remaining phases of the subdivision.

<u>Mailbox Clusters</u> – The Star Postmaster, Mel Norton has approved the location of the mailbox clusters for this development. They are to be located on the southeast corner of Lot 1, Block 9 facing south and accessible from the street. This letter of approval is part of the applicant's original submittal package.

<u>Street Names</u> – Applicant has provided documentation from Ada County that the proposed street names have been approved. Correct street names are reflected on the final plat.

<u>Sidewalks</u> - Sidewalks are proposed at five-foot (5') widths and will be attached throughout the overall subdivision.

<u>Street Width</u> - Streets in the Saddlewood Subdivision are proposed to be public throughout the development. Proposed local streets measure 36 ft from back of curb to back of curb on the submitted preliminary plat. This street width satisfies UDC Section 8-6B-2.

<u>Traffic Calming</u> – The entry road into this development has knuckles built in to help calm traffic. No parking signs will need to be placed at Block 1 and Block 2 Lots 7 & 8. There will also be this same requirement in phase 2, that will be addressed at that time. ACHD must approve all traffic calming proposed on public streets.

<u>Street Length</u> – Given the length of the street and that phase 1 does not have any additional access points, applicant/owner will be required to provide an all-weather surface turn around that meets Fire Department standards or provide an all-weather

surface to the stub streets either to the north or south in order to allow emergency services turn around access.

### **PUBLIC NOTIFICATIONS**

Notifications of this application were sent to agencies having jurisdiction on March 29, 2021.

March 26, 2021 Keller Associates Checklist

April 9, 2021 DEQ Standard Response April 8, 2021 Central District Health Standard Response

April 27, 2021 Star Fire District Comments

### **FINDINGS**

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve this Final Plat, the Unified Development Code requires that Council must find the following:

A. The Plat is in conformance with the Comprehensive Plan.

The Council finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.

- B. Public services are available or can be made available and are adequate to accommodate the proposed development.
- Staff finds that all public services are available and able to accommodate this development.
- C. There is public financial capability of supporting services for the proposed development.

Staff knows of no financial hardship that would prevent services from being provided.

- D. The development will not be detrimental to the public health, safety or general welfare; and,
- Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.
- E. The development preserves significant natural, scenic or historic features.

Staff finds that existing conditions have not substantially changed from the approved Preliminary Plat of this subdivision.

### **CONDITIONS OF APPROVAL**

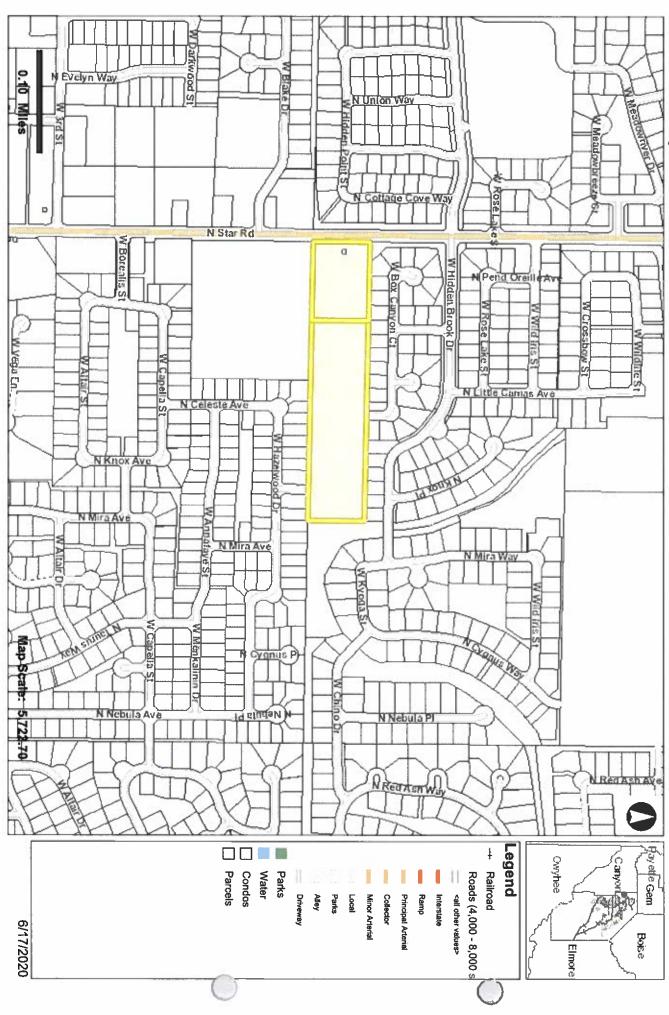
- 1. The approved Final Plat for Saddlewood Subdivision Phase 1 shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star, and all conditions of approval in the approved preliminary plat and recorded development agreement.
- 2. ITD Proportionate Shares shall be collected by the City for this phase in the amount of \$18,495.00 (25 lots x \$739.80/lot) prior to signature of the final plat.
- 3. The property associated with this approved Final Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
- 4. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application. A copy of signed irrigation agreements shall be submitted to the City **prior to signature of the final plat.**
- 5. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
- 6. The approved Landscaping Plan shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
- 7. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 8. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed and operational prior to any building permit. If streetlights are not installed prior to final plat signature, bonding shall be required. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting.
- 9. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance.
- 10. The subsequent Final Plats shall comply with and be in accordance with the current City of Star Code, with the exception of any waivers granted by Council.
- 11. Requested surety bond shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.)

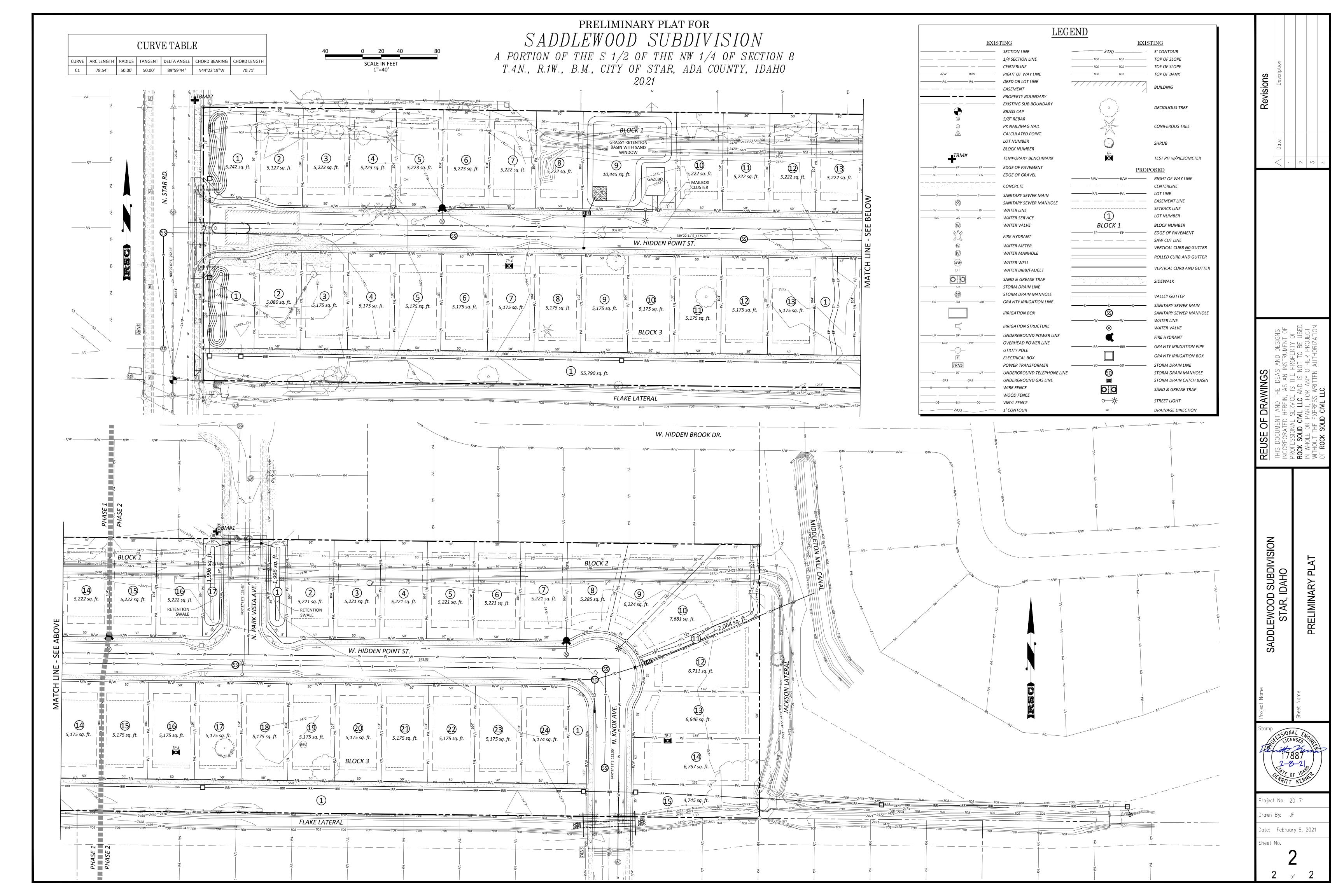
- 12. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
- 13. A separate sign application is required for any subdivision sign.
- 14. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior to any building permits being issued**.
- 15. Applicant shall provide the City with two (2) full size and one (1) 11"x17" copy of the signed recorded final plat with all signatures, prior to any building permits being issued.
- 16. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
- 17. The mylar/final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
- 18. All common areas shall be owned and maintained by the Homeowners Association.
- 19. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). Sign shall be approved by the City prior to start of any construction.
- 20. A copy of the recorded CC&R's shall be submitted to the City of Star **prior to any building permits being issued.**
- 21. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION					
The Star City Council, 2021.	File # FP-21-09 Saddlewood Subdivision, Final				

# Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.





# SOLID STATE AREA LIGHTING

# **DSA SERIES-LED**

#### **FEATURES**

#### Luminaire

Upper housing is 0.125" thick formed alumunim. Lower housing is 0.080" thick formed aluminum. Threaded reciever accepts glass diffuser. Glass diffuser is heavy wall tempered prismatic glass available in clear prismatic or prismatic opal. Pendant Mount uses Trulevel ball coupling mount. Wall mount has integrated side mount extruded aluminum arm and cast aluminum wall plate. All hardware is stainless steel.

### LED Power Array™

Three-dimensional array of individual LED Tubes fastened to a retaining plate. Each LED Tube consists of circuit board populated with a multiple of LED's and is mechanically fastened to a radial aluminum heat sink. An acrylic Lens and end cap protects the LED Tube's internal components.

Vertical Power Array™: LED Tubes are aligned vertically and arranged radially to produce an even raw light distribution that simulates standard light sources. Produces a minimal glare, symmetric diffuse light distribution.

#### **LED Emitters**

High Output LED's are driven at 350mA for nominal 1 Watt output each. LED's are available in standard Neutral White (4000K), or optional Cool White (5000K) or Warm White (3000K). Consult Factory for other LED options.

#### **LED Driver**

UL and CUL recognized High Power Factor, Constant Current LED drivers operate on input voltages from 120-277VAC, 50/60hz. Consult Factory for 347-480VAC. Driver is mechanically fastened to a retaining bracket. Main power quick disconnect provided. Driver has a minimum 4KV of internal surge protection, 10KV & 20KV Surge Protector optional. Dimming and High-Low Driver options available.

### **Finish**

Polyester powder coat incorporates four step iron phosphate process to pretreat metal surface for maximum adhesion. Top coat is baked at 400°F for maximum hardness and exterior durability.

#### PROJECT NAME:

#### FIXTURE TYPE:



(Formerly DSA1)

Patent pending



(Formerly DSA2)

Patent pending





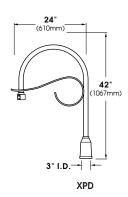


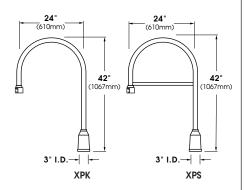


### **DSA SERIES - LED**

### **SPECIFICATIONS**

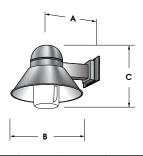
### **Mounting Styles**





Arms are heavy wall extruded aluminum construction. For additional arm options see arm section.

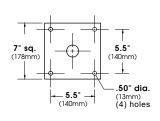
### **Wall Mount**



Fixture	Α	В	C
DSA20	14"	<b>20"</b>	<b>17</b> "
	(356mm)	(508mm)	(432mm)
DSA15	13"	<b>15</b> "	<b>16"</b>
	(330mm)	(381mm)	(406mm)

Extruded aluminum arm and cast aluminum wall bracket assembly provided with built in gasketed wire access for fixture/supply wire connection.

### **Wall Plate**



### **LED Power Array™ Modules**



**DSA20** E.P.A.= 0.83 Available in: 48 LED Module Max





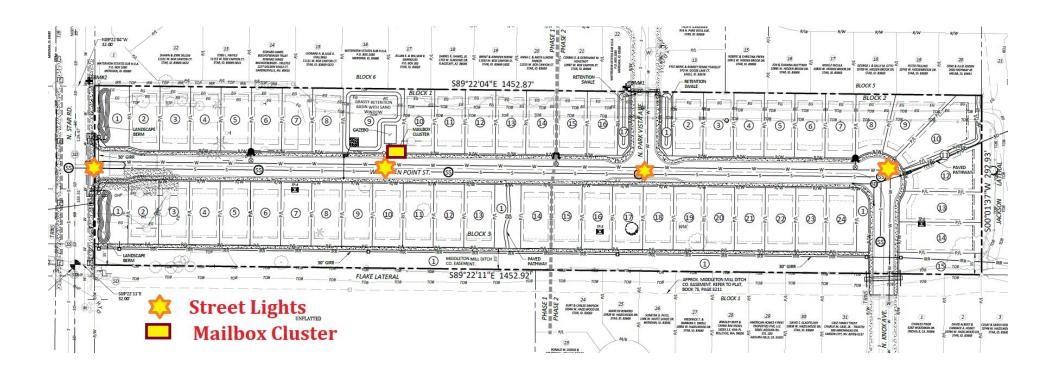
DSA15 E.P.A.= 0.65 Available in: 36 LED Module Max

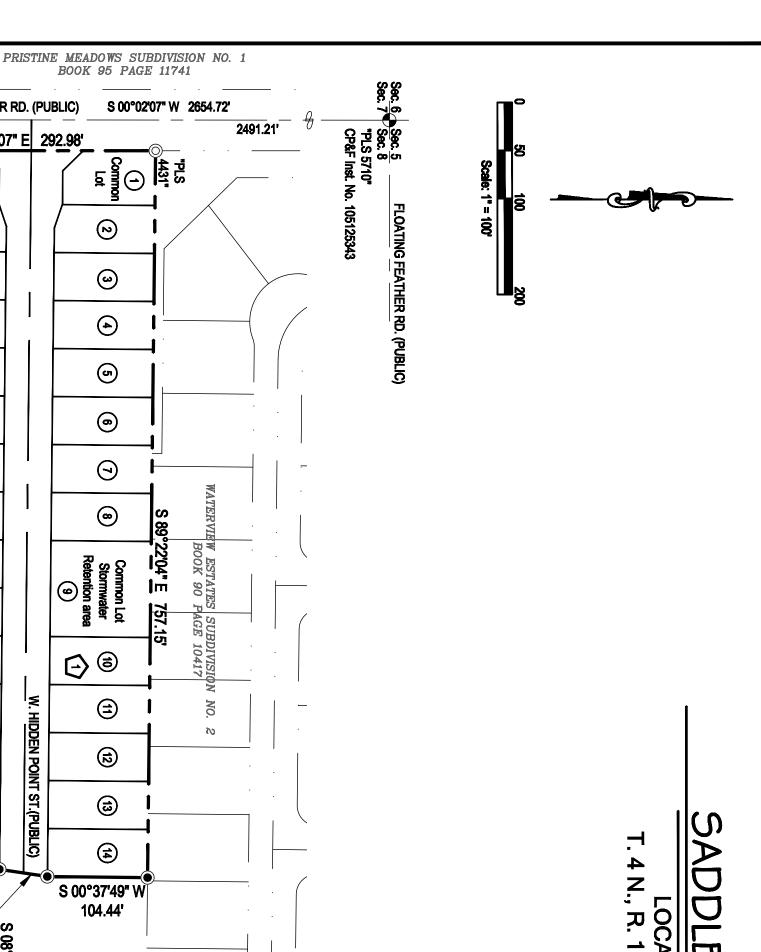
### **ORDERING INFORMATION**

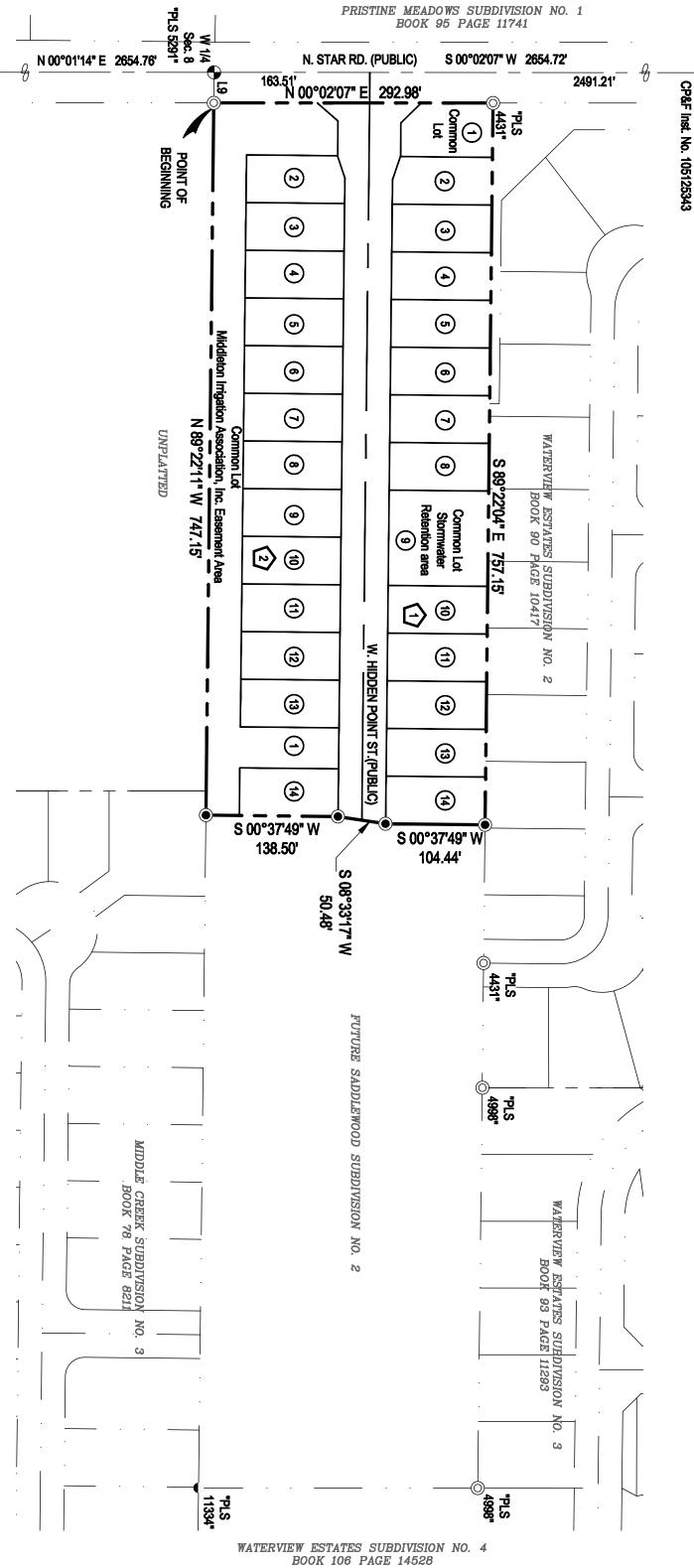
Spec/Order Example: DSA20/VPA-SYM/24LED-350mA/NW/277/CPG/1/RAL-7005-T

Luminaire	Optics	# of LEDs	Color	Voltage	Mounting	Finish	Options
Luminaire	Optics		LED		Mounting	Finish	Options
S DSA20-LED (Formerly DSA1)  □ DSA15-LED (Formerly DSA2)	Vertical Power Array (Sandblasted or Opal Lens)  VPA - SYM	# of LEDs DSA20 48LED 36LED \$\frac{1}{3} 24LED  DSA15 36LED 24LED	Color  NW (4000K)*  *Standard  CW (5000K)  WW (3000K)  Other LED Colors Available Consult Factory	Voltage  \[ \text{\tinit}\\ \text{\texi}\text{\text{\text{\texi\text{\text{\text{\texit{\texi\texi{\ti}\til\tint{\titil\titit{\text{\texi}\til\tii}\\text{\text{\text{\text{\	XPK  XPS  XPD  1  Wallmount  WM  See USALTG.COM for additional arm styles	Standard Textured Finish  Black RAL-9005-T  White RAL-9003-T  Grey RAL-7004-T  Dark Bronze RAL-8019-T  Green RAL-6005-T  For smooth finish remove suffix "T" (Example: RAL-9500)  See USALTG.COM for additional colors	Lens Options  Clear Prismatic Glass Lens (Standard) CPG Opal Prismatic Glass Lens WPG  Stem Mount + Length(in) (48° Max) CM+L Chain Mount + Length(in) (48° Max) CM+L Dimmable Driver(s) (0-10V) DIM High-Low Dimming for Hardwired Switching or Non-integrated Motion Sensor HLSW Photo Cell + Voltage (Example: PC120V) CNEV 10KV Surge Protector 20KV Surge Protector (277V & 480V Only) 20SP









## SURVEYORS NARRITIVE:

"PLS 14221"
CP&F Inst. No. 2018-006993
Sec. 7 Sec. 8 W. STATE ST. (PUBLIC)

1) This Plat requested by Michael Keyes is to establish a Subdivision of the referenced parcel of land. All found monuments are referenced and accepted, as shown hereon. The alignment of the new Subdivision and lots within are marked with set monuments. The boundary was established by retracing ROS Inst. No. 3788, and Quit Claim Deed Inst. No. 113135743, Records of Ada County, and the found monumentation of the surrounding Subdivisions as shown hereon.

	LINE TABLE	
LINE	BEARING	LENGTH
Ц	W "62.80° 14 N	29.95
12	N 41°26'50" E	28.81
เม	W "11.22.68 N	35.27
L4	S 89°22'11" E	36.44
<b>L</b> 5	N 70°54'57" W	25.27
91	N 71°56'28" E	24.97
L <b>7</b>	S 36°42′53″ W	19.80
-		33

				Θ	E	<b>&gt;</b> •	•	0	•	0	$\oplus$	•	$\triangleright$	F
Lot line	Section line	Property line	Boundary line	Lot number	Block number	Found Copper Plug and Tag	Set 1/2 inch dia. x 24 inch iron pin w/ plastic cap "PLS 7732"	Found 1/2 inch dia. iron pin	Set 5/8 inch dia. x 24 inch iron pin w/ plastic cap "PLS 7732"	Found 5/8 inch dia. iron pin	Found aluminum cap monument	Found brass cap monument	Calculated point	LEGEND

### 82 ADA COUNTY RECORDER'S CERTIFICATE

	Min. Past	Filed for record at the request of	COUNTY OF ADA S
	O'Clock	request of	SS
7: 1.0	_ Min. Past O'Clock m. This		
	_	ł	

LOCA:

W., B.M., CITY OF STAR, ADA COUNTY, IDAHO

TED IN THE S1/2 NW1/4 OF SECTION 08,

SUBDIVISION

PLAT OF

Min. Past	O'Clock	m. This	_ Day of	 20 
	Phi	Phi McGrane, RECORDER		
BY				Deputy
Instrument Number				
FEE \$				

### NOTES:

- 1. Any Resubdivision of this Plat shall Comply with the Applicable Zoning Regulations in efficiency ect at that
- Minimum Building Setbacks shall be in Accordance with the Ada County Applicable Zoning and Subdivision Regulations at the time of issuance of Individual Building Permits or as Specifically Approved and/or required, or as shown on this Plat.
   The Sewage System shall be an Extension of the Star Sewer and Water Municipal Sewer System.
   The Water System serving the Lots within this Subdivision shall be an Extension of the Star Sewer and Water Municipal Water System.
- 5. Irrigation water has been provided from the Middleton Irrigation Association, Inc., in compliance with Idaho Code 31-3805(1)(b). The pressurized irrigation system will be owned and operated by the Home Owners Association for Saddlewood Subdivision No. 1. Lots within the subdivision will be entitled to irrigation water rights, and will be obligated for assessments from the Middleton Irrigation Association,
- 6. Lots 1 and 9 Block 1, and Lot 1, Block 2, or a portion of said lots as shown, are servient to and contain the Ada County Highway District Storm Water Drainage System. These lots are encumbered by that certain Master Perpetual Storm Water Drainage Easement Recorded on November 10, 2015 as Instrument No. 2015-103256. Official Records of Ada County and Incorporated herein by this reference as if set forth in full (the "Master Easement"). The Master Easement and the Storm Water Drainage System are dedicated to Ada County Highway District Pursuant to Section 40-2302, Idaho Code. The Master Easement is for the operation and maintenance of the Storm Water Drainage
- This Subdivision is subject to the terms of an Ada County Highway District License Agreement corded as Instrument No.\_\_\_\_\_, Records of Ada County, Idaho

  A Permanent Easement for Public Utilities, Drainage and Pressure Irrigation is Hereby Designated as slows, unless otherwise Dimensioned:

  a) 10' along Subdivision Boundary as Plotted Hereon.
- b) 5' along each side of the Interior Lot Lines as Plotted Hereon.
  c) All Lot Lines Common to any Public Right of Way and Rear Lot Lines are hereby designated as having a Permanent Ten foot wide (10') Easement as Plotted hereon.
  If any Lot Lines are Adjusted, the Easement shall also be Adjusted Accordingly, Providing that
- Facilities have not been Installed within the Easement.

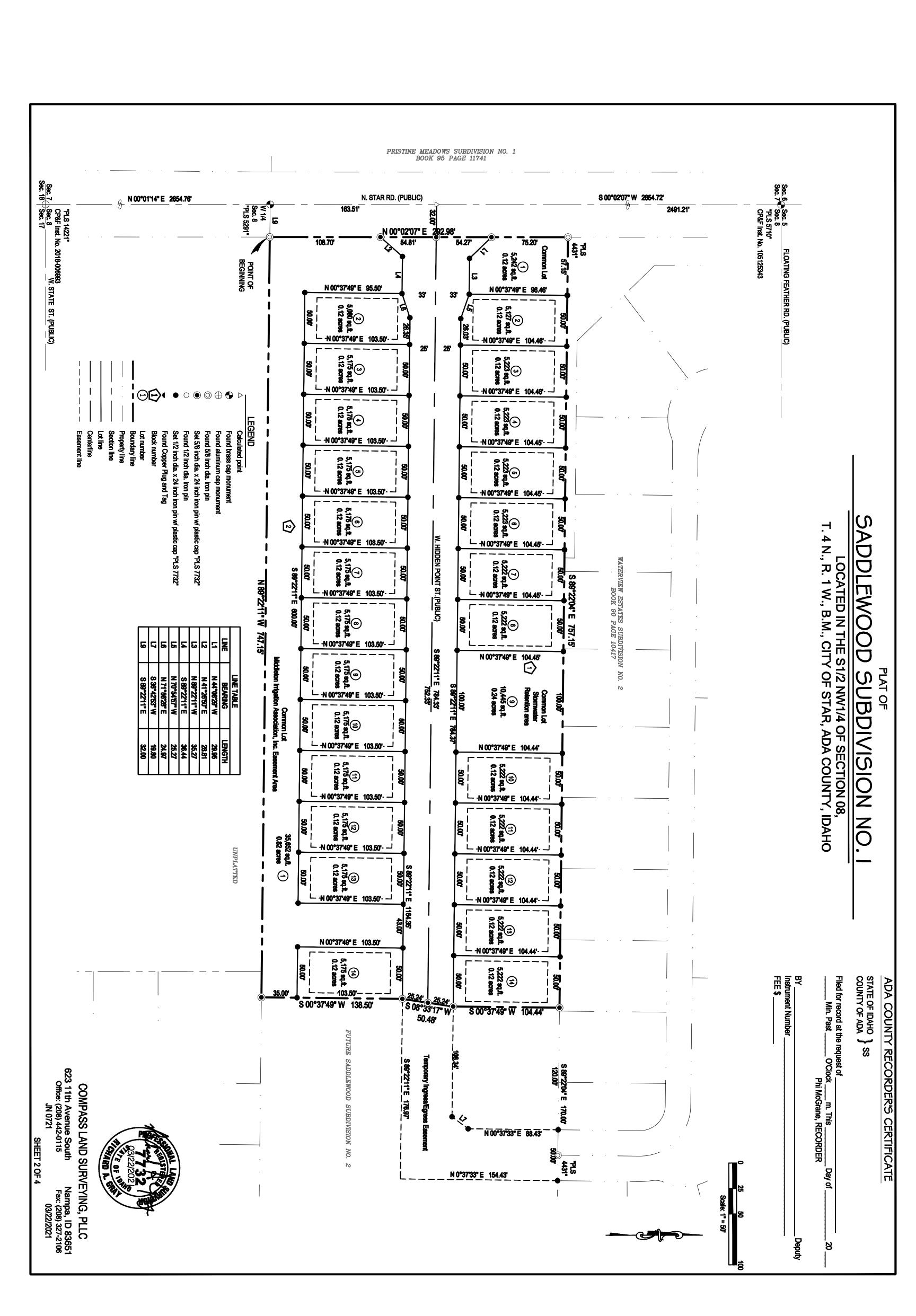
  9.Building Setbacks and Dimensional Standards in this Subdivision Shall Conform to the Applicable Zoning Regulations at the Time of Resubdivision, or as Allowed by Current Zoning and Regulations set forth by the Canyon County.
- 10. This Development Recognizes Section 22-4503 of the Idaho Code, Right of Farm Act, which States: No agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof acility or expansion thereof
- 12. The Homeowner's Association or adjacent property owner is responsible for maintaining any and all amenities (lawns, sprinklers, sidewalks, landscaping, etc.) approved by the District to be within the public right-of-way. No Direct Lot Access to N. Star Rd. is allowed.
   The Homeowner's Association or adjacent prop
- 13. The Homeowner's Association is responsible for all storm drainage facilities outside the public
- ight-of-way, including all routine and heavy maintenance. I4. Lots 1 and 9, Block 1, and Lot 1, Block 2 are to be designated as common lots with a blanket public



# COMPASS LAND SURVEYING, PLLC

623 11th Avenue South Office: (208) 442-0115 JN 0721 SHEET 1 OF 4 Nampa, ID 83651 Fax: (208) 327-2106 04/13/2021

KI	7. A T	<u>210</u>	)NS		
			1	No.	
			A₩	вү	
			AW 04/13/21	No.BY DATE	
			CHANGES PER CITY COMMENT	DESCRIPTION	





Subdivision: Sado	dlewood Subdivision	Phase: _	1	Date:	03/26/2021
Developable Lots: _	Review No:1_				
Developer: Inspira	tion Homes Idaho, LLC				
Tel: 208.914.5322	Fax:	_ Email: _			
Engineer: Rock S	Solid Civil, Derritt Kerner				
Tel: 208.342.327	7_ Fax:	_ Email: _			
Property Address:	N Star Rd and W Hidden E	Brook Dr.			
Reviewed By:	Kelsie Styrlund, E.I., Keller	Associate	s		
Review Check By:	Ryan Morgan, P.E., Keller	Associates	6		

### FINAL PLAT REVIEW

ITEM	OK	NEED	N/A	FINAL PLAT APPLICATION REQUIREMENTS
1	x			Submit two (2) copies of final engineering construction drawings showing streets, sidewalk, water, sewer, pressure irrigation, street lighting, landscaping, and other public improvements.
2			X	Submit one (1) 8½ x 11 map showing property in relation to floodplain and/or floodway. Provide Floodplain Development Permit Application as required.
3	Х			Provide (1) copy of the "Preliminary Plat Findings of Fact and Conclusions of Law".
4		X		Landscape plan provided. Confirm consistent with approved preliminary plat.
5	Х			Verified written legal description.
6		X		Letter of credit for outstanding pressure irrigation and landscaping improvements <b>only</b> when weather conditions precludes construction of improvements prior to signature of mylar.
ITEM	OK	NEED	N/A	FINAL PLAT REVIEW
7	x			Public and private easements are shown on plat for open spaces, access drives, drainage facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for detached flood water storage impoundments, existing irrigation ditches, new irrigation ditches or pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments), and irrigation piping.
8	Х			Right to Farm Act Note on face of plat.

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9			x	Note on face of plat: "This subdivision is located within zone AE as shown on the firm panel 125 of 875, Ada County, Idaho and Incorporated Areas. A building permit shall not be issued for any lot that is located within the mapped floodplain until a Flood Plain Development Permit is obtained for the individual lot. Each lot within the mapped floodplain shall require an individual Flood Plain Development Permit."
10	X			10-foot utility and irrigation easements are shown, or noted, along the front lot lines, rear lot lines, and side lot lines as required.
11	x			Note is shown on the final plat: "Minimum building setbacks shall be in accordance with the City of Star applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and / or required, or as shown on the this plat."
12	Х			Seal of Professional Land Surveyor is displayed, dated, and signed on face of plat.
13	X			Water and sewer easements shown on face of plat. (Note to Plan Reviewer: Provide plat to Justin Walker for easement water and sewer easement verification.)
14		X		On the signature page of the plat please include the following  "I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA COUNTY, IDAHO, ON THIS DAY,
15		X		"Change of Ownership" document filed with the IDWR to the HOA for all conveyable water rights.

### **CONSTRUCTION DRAWING REVIEW**

ITEM	OK	NEED	N/A	GENERAL
16	X			Construction drawings are stamped, signed, & dated by a professional engineer licensed in the State of Idaho.
17	X			Natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with the City's code.
18	X			Each sheet has north arrow, graphic scale, date, title block and sheet number.
19	Х			All profiles are drawn to the same horizontal scale as plan views.
20	X			Street lighting plans are provided showing pole locations and luminary types. All street lighting shall be in

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				accordance with the current edition of the ISPWC and
ITEM	OK	NEED	N/A	the City of Star Supplemental Specifications.  FLOODPLAIN DEVELOPMENT PERMIT
IIEIVI	UK	NEED	IN/A	
21			X	Floodplain and floodway boundaries and elevations are shown on the grading plans.
				Building finished floor elevations are greater than or
22			X	
22			^	equal to 2-feet above the base flood elevation, or
				verification is provided of flood proofing.
23			X	Roadway centerline elevations and manhole and other minor structure rim elevations are 0.5-feet above the
23			^	
				base flood elevation.
				All buildings are set back a minimum of 50-feet from the
24			_	floodway boundary line except that when the area of
24			X	special flood hazard boundary is 50-feet or less from the
				flood way line, the boundary line shall be the setback
				line.
0.5				Easements and conveyance provisions have been made
25			X	for connection between the floodway and any detached
				floodwater storage impoundment.
00				Calculations are provided and show 48-hour max time
26			X	period for 100% utilization of detached storage
17514	014	NEED	21/2	impoundment.
ITEM	OK	NEED	N/A	GRADING PLAN
0.7				Grading plans are provided and are stamped, dated, and
27	X		1	i cianaa nii a nrotaccional anainaar iicancaa in tha Stata
	^			signed by a professional engineer licensed in the State
				of Idaho.
28	X			of Idaho.  Grading plans show finished, existing, and base flood 1-
				of Idaho.  Grading plans show finished, existing, and base flood 1- foot contour elevations.
				of Idaho.  Grading plans show finished, existing, and base flood 1- foot contour elevations.  Drainage facilities and easements are shown. Provide
28	X			of Idaho. Grading plans show finished, existing, and base flood 1- foot contour elevations. Drainage facilities and easements are shown. Provide note on final plat for storm drainage easements.
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28 29 30 31	x x x			of Idaho. Grading plans show finished, existing, and base flood 1- foot contour elevations. Drainage facilities and easements are shown. Provide note on final plat for storm drainage easements.  Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.  Existing irrigation ditches, canals, and easements are shown.  Cut and fill slopes are no steeper that 2H:1V. (Spot checked by City Engineer)
28 29 30 31 32	x x x			of Idaho. Grading plans show finished, existing, and base flood 1- foot contour elevations. Drainage facilities and easements are shown. Provide note on final plat for storm drainage easements.  Plan and profile sheets show proposed and existing utilities (rim elevations, pipe invert elevations, etc.), finished centerline roadway grades, existing grade, and base flood elevations.  Existing irrigation ditches, canals, and easements are shown.  Cut and fill slopes are no steeper that 2H:1V. (Spot checked by City Engineer)  Tops and toes of all cut and fill slopes are set back from
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		I		(f II ) ( (1) ) 1 ( (1) )
				outfalls, along steep earth slopes, and within drainage ditches.
36			X	The vertical datum used for elevations shown on grading and drainage plans is NAVD 88 for all developments that are fully or partially within the floodplain.
37	X			Existing and proposed elevations match at property boundaries.
ITEM	OK	NEED	N/A	DRAINAGE PLAN
38	X			Drainage plans are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
39	X			Drainage calculations are provided and stamped, dated, and signed by a professional engineer licensed in the State of Idaho.
40	X			Narrative is provided that describes the proposed method of stormwater retention.
41		x		Drainage calculations contain no arithmetic errors. (Spot checked by City Engineer) Please provide a scalable drainage basin map. Drainage basins are open ponds but no runoff from ponds are included in the runoff calculations.
42	x			The design storm, percolation rate, or other design criteria are within accepted limits. (ITD Zone A—IDF Curve; Storage designed for 100 year storm; Primary conveyance designed for 25-year storm)
43	X			Peak discharge rate and velocity through sand and grease traps calculated and are less than 0.5 ft/sec.
44	Х			Section view of drainage facility provided.
45	Х			Able to determine drainage directions from information given.
46	Х			Drainage facilities do not conflict with other utilities. (Spot check by City Engineer)
47			Х	Provision for conveyance or disposal of roof drainage provided for commercial developments.
48			X	Building finished floor elevation shown is above possible max water surface elevation and 2-feet above base flood elevation.
49	x			Storm water pretreatment provided. BMP facilities are designed in conformance with the "State of Idaho Catalog of Stormwater Best Management Practices".
50		x		5-foot setback from property line maintained for drainage facilities. It appears that the edge of the storm pond is closer than 5-feet from the property line. How steep is the slope from the back of sidewalk to the top of the pond?
51	Х			Drainage basin / pond dimensions listed or noted.

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52	Х			Drainage facilities drawn to scale on grading and drainage plan.
53	X			Drain rock, ASTM C33 sand, or pond liner specified.
				3-foot separation from bottom of drainage facility to
54	Х			maximum seasonal high groundwater elevation shown
				on detail.
55			X	Vegetative cover shown over biofiltration facilities.
				Appropriate license agreements have been executed
56	X			and are provided for offsite discharge of storm water.
ITEM	OK	NEED	N/A	GRAVITY IRRIGATION
57				Plan approval letter is provided from the appropriate irrigation district.
ITEM	OK	NEED	N/A	PRESSURE IRRIGATION
				Plans for a pressure irrigation system are provided
58	X			(Required only if development contains more than four
30	_ ^			lots). Construction drawings will not be approved
				until the pump station design is approved.
59	Χ			The pressure irrigation system is <i>not</i> connected to the
				potable water system.
				Design provides a minimum of 15 gpm @ 45 PSI to each
60		X		destination point. The Pressure Irrigation Report
				states that there will only be 12.8 gpm, the minimum
				is 15 gpm with a pressure of 45psi. Please update.
61	X			Easements are provided for all pressure irrigation piping. (Note on face of plat).
				Main line distribution piping is 3-inches in diameter or
62	X			greater.
				Provisions are made for diversion and flow measurement
63	X			from a gravity irrigation source ditch.
				Applicant provided verification with a signed contract
64				indicating written assurance that provisions have been
04		X		made for ownership, operation, and maintenance of the
				irrigation system.
				Provide written verification and plan approval from Star
65			X	Sewer and Water District if potable water is planned to
				be used as a secondary irrigation source.
66		X		Provided verification that water rights will be transferred
				to the association managing entity.
				If pressure irrigation will not be available to each lot at all
67		X		times, provide rotation schedule for irrigation system
				usage identifying times and days that pressure irrigation
ITEM	OV	NEED	N/A	will be available to each lot.
ITEM	OK	NEED	IN/A	RE-SUBMITTAL REQUIREMENTS*  Deturn (1) one revised plan set in pdf formet with the
68		X		Return (1) one revised plan set in pdf format with the redlined set for review and/or approval to Keller
				realised set for review and/or approval to relief

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		Associates. Unbound or un-collated plan sets will not be accepted.
69	X	Provide a response letter, <b>referencing the City of Star</b> , with the revised plan set that highlights what actions were taken to correct any outstanding items.

<sup>\*</sup>All re-submittals should be returned to the City of Star for re-review.

### Notes:

Additional Final Plat Comments:

•

Additional Construction Drawing Comments:

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### FIRE DISTRICT STAFF REPORT

Saddlewood Subdivision

DATE: April 27, 2021

TO: City of Star, Planning & Zoning

FROM: Victor Islas, Deputy Chief

SUBJECT: Fire District Review

PROJECT NAME: Saddlewood Subdivision Final Plat Phase 1 (FP-21-09)

### **Fire District Summary Report:**

<u>Overview:</u> This development can be serviced by the Star Fire Protection District. This development shall comply with the 2018 International Fire Code (IFC) and any codes set forth by the City of Star, Idaho.

<u>Fire Response Time:</u> This development will be served by the Star Fire Protection District Station 51, located at 11655 W. State St., Star, Idaho. Station 51 is 0.8 miles with a travel time of 2 minutes under ideal driving conditions to the proposed entrance of the development.

**Review History:** Staff Report PP-20-20 Submitted December 29, 2020

Staff Report Traffic Calming February 9, 2021

### **Accessibility:**

Temporary emergency turnaround or out access will be required during phase 1.

### **Specialty/Resource needs:**

None

### **Water Supply:**

Plans submitted meet the intent of the IFC for water supply.

### **Inspections:**

Final inspection by the Fire District of the above listed including hydrant flow must be completed before building permits are issued

### **Additional Comments:**

After review of the provided documents, the Fire District does not agree with the Developmental Agreement, which allowed a modification of the side set back. The Fire District urges the City of Star to correct the agreement and follow city code as outlined in 8-3A-4: ZONING DISTRICT DIMENSIONAL STANDARDS.





### FIRE DISTRICT STAFF REPORT

**Saddlewood Subdivision** 

The combination of new building methods and materials for the single-family dwelling has created a unique and dangerous dimension: extremely rapid-fire spread. In these cases, the fire quickly envelops the home along several paths at the same time.

Attached you will find pictures from two fires that had 10ft side set back. You will note the melting of the siding and even damage to windows. This is due to the radiant heat from the main fire building.

A decrease in setback will increase the chances of fire spread to neighboring structures. This would create significant property damage and have the potential to injury occupants.







		CENTRAL Ada County Transmittal DISTRICT Division of Community and Environmental Health HEALTH	Retu	rn to: ACZ Boise				
	Rez	one #		Eagle				
		ditional Use #		Garden Cit				
		iminary / Final / Short Plat FP-21-09		Meridian				
ľ	101	Sable wood 1		Kuna Star				
Ŀ		THOMEWICA 1	100	Stai				
_								
Ц	1.	We have No Objections to this Proposal.						
Ш	2.	We recommend Denial of this Proposal.						
	3.	5. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.						
	4.	. We will require more data concerning soil conditions on this Proposal before we can comment.						
	5.	Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:    high seasonal ground water   waste flow characteristics   other   other						
	6.	This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters.	waters a	nd surface				
	7.	This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.						
Ø	8.	After written approvals from appropriate entities are submitted, we can approve this proposal for:						
		central sewage	vater we	ell				
D	9.	The following plan(s) must be submitted to and approved by the Idaho Department of Environmenta	l Quality	<i>/</i> :				
τ		central sewage						
	10.	This Department would recommend deferral until high seasonal ground water can be determined if o considerations indicate approval.	ther					
	11.	If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Regulations.	Sewage	<u>,</u>				

swimming pools or spas

grocery store

13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.

12. We will require plans be submitted for a plan review for any:

\_\_\_\_\_ food establishment \_\_\_\_\_ swimming

beverage establishment

\_\_\_\_\_\_

child care center

Reviewed By: Date: 4 / 8 /2021

14.



1445 N Orchard Street, Boise, ID 83706 (208) 373-0550

Brad Little, Governor Jess Byrne, Director

April 9, 2021

By e-mail: Snickel@staridaho.org

Shawn Nickel City of Star P.O. Box 130 Star, Idaho 83669

Subject: Saddlewood Subdivision Final Plat Phase 1, FP-21-09

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: <a href="deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts">deq.idaho.gov/assistance-resources/environmental-guide-for-local-govts</a>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

### 1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
- All property owners, developers, and their contractor(s) must ensure that reasonable controls
  to prevent fugitive dust from becoming airborne are utilized during all phases of construction
  activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

### 2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the district health department.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems
  or a centralized community wastewater system whenever possible. Please contact DEQ to
  discuss potential for development of a community treatment system along with best
  management practices for communities to protect ground water.
- DEQ recommends that cities and counties develop and use a comprehensive land use
  management plan, which includes the impacts of present and future wastewater management
  in this area. Please schedule a meeting with DEQ for further discussion and recommendations
  for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

### 3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval.
   Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.

- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <a href="deq.idaho.gov/water-quality/drinking-water.aspx">deq.idaho.gov/water-quality/drinking-water.aspx</a>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction
  of a new community drinking water system. Please contact DEQ to discuss this project and to
  explore options to both best serve the future residents of this development and provide for
  protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

### 4. SURFACE WATER

- A DEQ short-term activity exemption (STAE) from this office is required if the project will
  involve de-watering of ground water during excavation and discharge back into surface water,
  including a description of the water treatment from this process to prevent excessive sediment
  and turbidity from entering surface water.
- Please contact DEQ to determine whether this project will require a National Pollution
  Discharge Elimination System (NPDES) Permit. A Construction General Permit from EPA may be
  required if this project will disturb one or more acres of land, or will disturb less than one acre
  of land but are part of a common plan of development or sale that will ultimately disturb one
  or more acres of land.
- If this project is near a source of surface water, DEQ requests that projects incorporate
  construction best management practices (BMPs) to assist in the protection of Idaho's water
  resources. Additionally, please contact DEQ to identify BMP alternatives and to determine
  whether this project is in an area with Total Maximum Daily Load stormwater permit
  conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <a href="https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html">https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html</a>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
  - For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

### 5. SOLID WASTE, HAZARDOUS WASTE AND GROUND WATER CONTAMINATION

- Solid Waste. No trash or other solid waste shall be buried, burned, or otherwise disposed of at
  the project site. These disposal methods are regulated by various state regulations including
  Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and
  Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the
  Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also
  defined in the Solid Waste Management Regulations and Standards
- Hazardous Waste. The types and number of requirements that must be complied with under
  the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards
  for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated.
  Every business in Idaho is required to track the volume of waste generated, determine whether
  each type of waste is hazardous, and ensure that all wastes are properly disposed of according
  to federal, state, and local requirements.
- Water Quality Standards. Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- Ground Water Contamination. DEQ requests that this project comply with Idaho's Ground
  Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the
  release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into
  the environment in a manner that causes a ground water quality standard to be exceeded,
  injures a beneficial use of ground water, or is not in accordance with a permit, consent order or
  applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, Waste & Remediation Manager, at (208) 373-0550.

### 6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, the site should be evaluated to determine whether the UST is regulated by DEQ. EPA regulates ASTs. UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <a href="deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx">deq.idaho.gov/waste-mgmt-remediation/storage-tanks.aspx</a> for assistance.
- If applicable to this project, DEQ recommends that BMPs be implemented for any of the
  following conditions: wash water from cleaning vehicles, fertilizers and pesticides, animal
  facilities, composted waste, and ponds. Please contact DEQ for more information on any of
  these conditions.

Response to Request for Comment April 9, 2021 Page 5

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

Aaron Scheff

Regional Administrator DEQ-Boise Regional Office

EDMS#: 2021AEK55



### CITY OF STAR

### LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel – Planning Director and Zoning Administrator Management 1. The Land

**MEETING DATE:** May 4, 2021 – PUBLIC HEARING

FILE(S) #: RZ-20-12 Rezone

**DA-20-28 Development Agreement** 

PP-21-03 Preliminary Plat for East Star River Ranch Subdivision

**CU-21-01 Conditional Use Permit** 

**PR-21-02 Private Street** 

### OWNER/APPLICANT/REPRESENTATIVE

**Property Owner/Applicant:** 

Star River Development, LLC 855 S. Calhoun Place Star, Idaho 83669 Representative:

Jay Walker, Allterra Consulting, LLC 849 E. State Street #104

Eagle, Idaho 83616

### **REQUEST**

**Request:** The Applicant is seeking approval of a Rezone (R-8 & C-2), a Development Agreement, a Preliminary Plat for a proposed residential and commercial subdivision consisting of 266 residential lots, 21 commercial lots and multiple common lots, a Conditional Use Permit for a Senior Living Facility and Private Streets. The property is located at 8874 W. Wildbranch Street and 855 S. Calhoun Place in Star, Idaho, and consists of a total of 59.29 acres.

### **UPDATE**

The application is being tabled to a future date specific in order to allow ACHD and ITD additional time to provide review comments on the application.



### CITY OF STAR

### LAND USE STAFF REPORT

**TO:** Mayor & Council

FROM: Shawn L. Nickel, Planning Director and Zoning Administrator Management 1. Manage

**MEETING DATE:** May 4, 2021 – PUBLIC HEARING (Originally heard March 3, 2020)

FILE(S) #: AZ-20-04 Annexation and Zoning

**DA-21-14 Development Agreement** 

PP-20-04 Preliminary Plat for Landyn Village Subdivision

**PUD-20-03 Planned Unit Development** 

**PR-21-07 Private Street** 

### OWNER/APPLICANT/REPRESENTATIVE

### **Property Owner:**

Linda Lubbers 551 S. Crystal Springs Lane Star, Idaho 83669

### **Applicant/Representative:**

Steve Arnold, A Team Land Consultants 1785 Whisper Cove Ave. Boise, ID 83709

### REQUEST

**Request:** The Applicant is seeking approval of an Annexation and Zoning to Mixed Use (M-U-DA) with a Development Agreement, a Preliminary Plat and Planned Unit Development for a proposed mixed-use residential and commercial subdivision consisting of 53 residential lots, 10 live/work lots, a future commercial lot and 9 common lots, and a Private Street. The property is located at 551 S. Crystal Springs Lane in Star, Idaho, and consists of 10 acres with a proposed residential density of 6.2 dwelling units per acre.

### **UPDATE**

The application is being tabled to a future date specific in order to allow ACHD and ITD additional time to provide review comments on the application.



### **CITY OF STAR**

### LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Ryan B. Field, Assistant City Planner Shu 1. Mul.

**MEETING DATE:** May 4, 2021 – PUBLIC HEARING (tabled from 4-20-21)

FILE(S) #: AZ-21-02 Annexation and Zoning

**DA-21-03 Development Agreement** 

**SP-21-01 Short Plat for Loran Estates Subdivision** 

PR-21-03 Private Street

### OWNER/APPLICANT/REPRESENTATIVE

### **Property Owner:**

Gary Olson 23307 N. Can Ada Road Star, ID 83669

### **Applicant/ Representative:**

Nate Mitchell 1470 Rook Way Star, Idaho 83669

### **REQUEST**

**Request:** The Applicant is seeking approval of an Annexation and Zoning (from RUT to Residential R-1-DA) with a Development Agreement, and a Short Plat and a Private Street for a proposed residential subdivision consisting of 4 residential lots. The property is located at 23307 N. Can Ada Road in Star, Idaho and consists of 10.53 acres with a proposed density of .37 dwelling units per acre.

### **PROPERTY INFORMATION**

**Property Location:** The subject property is generally located on the west side of N.

Can Ada Road, south of Somerset Lane Star, Canyon County, Idaho.

Canyon County Parcel Nos. R3378900000, R33789011A0.

### **Surrounding Land Use/Designations:**

	Zoning Designation	Comp Plan Designation	Land Use	
Existing	RUT	Estate Residential	Rural	
			Residential/Agriculture	
Proposed	R-1-DA	Estate Residential	Residential (R-1-DA)	
North of site	RUT	Estate Residential	Rural	
			Residential/Agriculture	
South of site RUT Estate Resident		Estate Residential	Rural	
			Residential/Agriculture	
East of site	R-3-DA	Neighborhood Residential	Wildrye Estates	
West of site	RUT Estate Residential Vacant/Agricu		Vacant/Agriculture	

**Existing Site Characteristics:** The property currently has a single-family residential home, and the majority of the parcel is vacant and corrugated for irrigation and farming or row crops.

Irrigation/Drainage District(s): Middleton Irrigation Assn Inc; Middleton Mill Ditch Co.

**Flood Zone:** This property is outside of the flood zone.

### **Special On-Site Features:**

- ◆ Areas of Critical Environmental Concern No known areas.
- Evidence of Erosion No evidence.
- Fish Habitat There is a pond in site.
- Floodplain Property is not in a Special Flood Hazard area.
- Mature Trees Several existing mature trees around the residence. Most to remain.
- Riparian Vegetation None.
- Steep Slopes None.
- Stream/Creek None.
- O Unique Animal Life No unique animal life has been identified.
- O Unique Plant Life No unique plant life has been identified.
- Unstable Soils No known issues.
- Historical Assets No historical assets have been observed.
- Wildlife Habitat No wildlife habitat has been developed or will be destroyed.

### **APPLICATION REQUIREMENTS**

Pre-Application Meeting Held	February 4, 2021
Neighborhood Meeting Held	February 3, 2021
Application Submitted & Fees Paid	March 8, 2021
Application Accepted	March 15, 2021
Residents within 300' Notified	March 16, 2021
Agencies Notified	March 16, 2021

### **HISTORY**

This property does not have any history of land use applications within the City of Star.

### **CODE DEFINITIONS / COMPREHENSIVE PLAN**

### **UNIFIED DEVELOPMENT CODE:**

### 8-1B-1: ANNEXATION AND ZONING; REZONE:

- B. Standards:
- 1. The subject property shall meet the minimum dimensional standards of the proper district.
- 2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.
- 3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.
- 4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.
- 5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.
- C. Required Findings: The council shall review the application at the public hearing. In order to

grant an annexation and zoning or rezone, the council shall make the following findings:

- 1. The map amendment complies with the applicable provisions of the comprehensive plan;
- 2. The map amendment complies with the regulations outlined for the proposed district;
- 3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
- 4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.
- 5. The annexation (as applicable) is in the best interest of city.

### 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED:

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

<u>DA DEVELOPMENT AGREEMENT</u>: This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

### 8-3A-3: USES WITHIN ZONING DISTRICTS

The following table lists principal permitted (P), accessory uses (A), conditional (C), or prohibited (N) uses.

ZONING DISTRICT USES	A	R-R	R
Accessory structure	А	А	Α
Dwelling:			
Multi-family 1	N	N	С
Secondary 1	А	А	Α
Single-family attached	N	N	С
Single-family detached	Р	Р	P
Two-family duplex	N	N	Р

### 8-3A-4: ZONING DISTRICT DIMENSIONAL STANDARDS:

	Maximum Height	Minimum Yard Setbacks Note Conditions				
<b>Zoning District</b>	<b>Note Conditions</b>	Front (1)	Rear	Interior Side	Street Side	
R-1	35'	30'	30'	10'	20'	

### Notes:

- 1. Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.
- 2. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.

### 8-4D-3: STANDARDS (PRIVATE STREETS):

All private streets shall be designed and constructed to the following standards:

### A. Design Standards:

1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.

- 2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.
- 3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.
- 4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council through a Planned Unit Development or Development Agreement.
- B. Construction Standards:
- 1. Obtain approval from the county street naming committee for a private street name(s);
- 2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;
- 3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.
- 4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.
- 5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists.
- 6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.
- 7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.
- C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:
  - 1. Private Road Reserve Study Requirements.
    - a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the

common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

- b. The study required by this section shall at a minimum include:
  - i. Identification of the private road components that the association is obligated to repair, replace, restore, or maintain.
  - ii. Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.
  - iii. An estimate of the cost of repair, replacement, restoration, or maintenance of the components identified in paragraph (1).
  - iv. An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain the components identified in paragraph (1) during and at the end of their useful life, after subtracting total reserve funds as of the date of the study.
  - v. A reserve funding plan that indicates how the association plans to fund the contribution identified in paragraph (4) to meet the association's obligation for the repair and replacement of all private road components.
- c. A copy of all studies and updates shall be provided to the City, to be included in the development application record.

### 8-4D-4: REQUIRED FINDINGS (PRIVATE STREETS):

In order to approve the application, the administrator and/or Council shall find the following:

- A. The design of the private street meets the requirements of this article;
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and
- C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

### 8-4E-2: STANDARDS FOR COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS:

A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):

- 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
- 2. Each development is required to have at least one site amenity.

- 3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
- 4. Developments with a density of less than 1 dwelling units per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

### 8-4E-2: COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS - STANDARDS:

- A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):
- 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the gross land area of the development. Ten percent (10%) of that area shall be usable open space.
- 2. Each development is required to have at least one site amenity.
- 3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
- 4. Developments with a density of less than 1 dwelling unit per acre may request a reduction in total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

### **COMPREHENSIVE PLAN:**

8.2.3 Land Use Map Designations:

Neighborhood Residential

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3 units per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside developable areas, and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future.

### 8.3 Goal:

Encourage the development of a diverse community that provides a mix of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible, an assortment of amenities within walking distance of residential development.

### 8.4 Objectives:

- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

### 8.5.3 Policies Related Mostly to the Urban Residential Planning Areas:

A. The Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.

B. Low densities within the Neighborhood Residential Land Use are to be designed within the floodplain, ridgeline developable areas, hillside developable areas and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future.

### 8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4
   (CHD4), and Idaho Department of Transportation (ITD) for better coordination of
   roadway and access needs.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.

### 18.4 Implementation Policies:

E. Development Agreements allow the city to enter into a contract with a developer upon rezoning. The Development Agreement may provide the city and the developer with certain assurances regarding the proposed development upon rezoning.

### **PROJECT OVERVIEW**

### ANNEXATION & REZONE:

The applicant is requesting approval of an annexation and rezone application to change the zoning designation on 9.97 acres from Rural Urban Transitional (RUT) to Low Density Residential (R-1). This zoning district would allow for a maximum residential density of 1 dwelling unit per

acre. The property is currently not serviceable with central sewer and water provided by Star Sewer and Water District. When services are available, each lot will annex into the Star Sewer and Water District. The property will use a private well and septic system for each lot. The property will be serviced by a private road and has access onto N. Can Ada Road with approximately 361 feet of frontage. The rezone request includes a development agreement that will address future density and development standards along with private road requirements. The applicant has submitted a preliminary plat that shows a layout of 4 residential lots, which is a density of less than 1 dwelling unit per acre.

### PRELIMINARY PLAT & PRIVATE STREET:

The Preliminary Plat submitted contains 4 single family residential lots. The lots will have access and frontage from a private street. The residential lots range in size from 43,644 square feet to 284,076 square feet. The private street will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat is showing a 28 ft width within a 28 ft easement with no sidewalks. This meets the Fire District minimum width requirement and the Fire District verbally accepted their approval in the pre-application meeting. Due to the rural nature of the development and because a maximum of 4 lots will be accessing the private street, Staff is supportive of the reduced width and elimination of sidewalks. The applicant is requesting a gravel surface to serve the lots. The Council should consider whether the street should be paved with ribbon curb at the edges of the street to prevent continued destruction from vehicles. At the very least, the street should be paved a minimum of 30 feet from Can Ada Road to meet Highway District policy standards. A private street maintenance plan, including proposed funding, shall also be required by Staff prior to final plat signature. Applicant has indicated that the first 30 feet of the private street will be paved, per ACHD requirements. Street name must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. The applicant is also requesting, through the submitted preliminary plat, to waive the requirement for 15% open space. Because of the low density proposed, staff is supportive of this request, as is allowed for by Code. For this reason, the applicant has not submitted a landscape plan and is requesting that the existing landscaping along Can Ada Road count towards the required landscape buffer of 30 feet. Council should consider the request for acceptance of the existing landscaping along Can Ada Road.

Canyon Highway District 4 has provided comments relating to frontage improvements along Can Ada Road. Can Ada Road is maintained by ACHD, and CHD4 applies ACHD roadway cross section and design standards for Arterial Roadways through agreement between the two Districts. Roadway improvements for this application include street widening and sidewalk. CHD4 has indicated possible consideration of a road trust in leu of improvements. The applicant will be required to work with CHD4 prior to signature of the Final Plat.

### **DEVELOPMENT AGREEMENT**

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified by the Council through the review process. Items that can be considered by the applicant and Council include the following:

- Density;
- ITD Proportionate Share Fees;
- Annexation into Star Sewer & Water District;
- Private Road Maintenance;
- Private Road Study Every Three (3) Years;

### **AGENCY RESPONSES**

ITD March 18, 2021

Canyon Hwy District 4 April 14, 2021 & April 15, 2021 (email)

Keller Associates April 13, 2021

### **PUBLIC RESPONSES**

No public responses received.

### STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed maximum allowed density of 1 dwelling unit per acre is well below the range of 3-5 dwelling units per acre allowed in the Neighborhood Residential Comprehensive Plan Land Use Map. Staff is supportive of diversity in lot sizes and housing sizes that the (R-1) zoning designation will provide.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

### **FINDINGS**

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve these applications, the Unified Development Code requires that Council must find the following:

### **ANNEXATION/REZONE FINDINGS:**

- 1. The map amendment complies with the applicable provisions of the Comprehensive Plan.

  The purpose of the Star Comprehensive Plan is to promote the health, safety, and
  general welfare of the people of the City of Star and its Impact Area. Some of the prime
  objectives of the Comprehensive Plan include:
  - ✓ Protection of property rights.
  - ✓ Adequate public facilities and services are provided to the people at reasonable cost.
  - ✓ Ensure the local economy is protected.
  - ✓ Encourage urban and urban-type development and overcrowding of land.
  - ✓ Ensure development is commensurate with the physical characteristics of the land.

The goal of the Comprehensive Plan for Land Use is to encourage the development of a diverse community that provides a mixture of land uses, housing types, and a variety of employment options, social and recreational opportunities, and where possible provides an assortment of amenities within walking distance of a residential development. The Council must find compliance with the Comprehensive Plan.

2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.

The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the Neighborhood Residential District is to provide for development suitable primarily for residential use allowing single-family detached dwelling units. Densities range from 3 units per acre to 5 units per acre.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and

The Council must find that there is no indication from the material submitted by any political agency stating that this annexation and zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

The Council must find that it has not been presented with any information from agencies having jurisdiction that public services will be adversely impacted other than traffic, which will continue to be impacted as the City grows.

5. The annexation is in the best interest of the city.

The Council must find that this annexation is reasonably necessary for the orderly development of the City.

### PRELIMINARY PLAT FINDINGS:

1. The plat is in compliance with the Comprehensive Plan.

The City must find that this Plat follows designations, spirit and intent of the Comprehensive Plan regarding residential development and meets several of the objectives of the Comprehensive Plan such as:

- 1. Designing development projects that minimize impacts on existing adjacent properties, and
- 2. Managing urban sprawl to protect outlying rural areas.
- 2. Public Services are available or can be made available and are adequate to accommodate the proposed development.

The City must find that Agencies having jurisdiction on this parcel were notified of this action, and that it has not received notice that public services are not available or cannot be made available for this development.

- 3. There is public financial capability of supporting services for the proposed development; The City must find that they have not been notified of any deficiencies in public financial capabilities to support this development.
- 4. The development will not be detrimental to the public health, safety or general welfare; The City must find that it has not been presented with any facts stating this Preliminary Plat will be materially detrimental to the public health, safety and welfare. Residential uses are a permitted use.
- 5. The development preserves significant natural, scenic or historic features;

  The City must find that there are no known natural, scenic, or historic features that have been identified within this Preliminary Plat.

### **PRIVATE STREET FINDINGS:**

- A. The design of the private street meets the requirements of this article;

  The City must find that the proposed private streets meets the design standards in the Code.
- B. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity:

The City must find that it has not been presented with any facts stating this private road will cause damage, hazard or nuisance, or other detriment to persons, property or uses in

the vicinity.

C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

The City must find that the use is not in conflict with the comprehensive plan and/or regional transportation plan.

Upon granting approval or denial of the application, the Council shall specify:

- 1. The Ordinance and standards used in evaluating the application;
- 2. The reasons for recommending approval or denial; and
- 3. The actions, if any, that the applicant could take to obtain approval.

### **CONDITIONS OF APPROVAL**

- 1. The approved Preliminary Plat for the Loran Estates Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 2. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees will be collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.
- 3. The applicant shall meet all requirements of Canyon Highway District 4 regarding access and frontage requirements for this development.
- 4. The private street shall have a minimum street width of 28' and shall otherwise be constructed to ACHD standards. The private street shall meet all requirements of the Star Fire District.
- 5. The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.
- 6. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that when services are available for these homes that they will annex into the District.
- 7. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. Applicant/Owner shall submit a streetlight plan/design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.
- 8. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.

- 9. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 10. Applicant has not indicated how the properties will be irrigated, this needs to be confirmed and details provided to the City prior to signature of the final plat. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
- 11. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
- 12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 13. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 14. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
- 15. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
- 16. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). Sign shall be approved by the City prior to start of construction.
- 17. A sign application is required for any subdivision signs.
- 18. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION				
The Star City Council Estates 23307 N. Can Ada road, Star, ID A , 2021.	_ File #AZ-21-02/DA-21-03/SP-20-01/PR-21-03 – Loran nnexation/Zoning/Short Plat/Private Street on			
The Star City Council Estates 23307 N. Can Ada road, Star, ID A	_ File #AZ-21-02/DA-21-03/SP-20-01/PR-21-03 – Lorar			



Date: October 23, 2020

To: Star City Council and Planning Staff

From: Nathan Mitchell on behalf of Gary and Kathy Olson

Subject: Narrative for 22307 N Canada Road Rezone and Land Division

Gary and Kathy Olson, 23307 Canada Road, are proposing to annex, zone to R1, and plat their property. They are proposing to divide the subject property into 4 lots. One 2 acre lot, two 1 acre lots, and one 6.52 acre lot at the existing house. The current residence is served by a private well and septic system and sits on the proposed 6.52 acre lot. The proposed three lots will also be served by private well and septic. Star Sewer and Water service is currently unavailable. The property will be annexed into Star Sewer and Water District and enter into an agreement for services when available. Idaho Power will provide electrical service to all four properties. The three new properties will be accessed by a 28' wide private. We are requesting that the existing landscape at the current residence meet any requirements you have for road frontage landscaping.

Thank you,

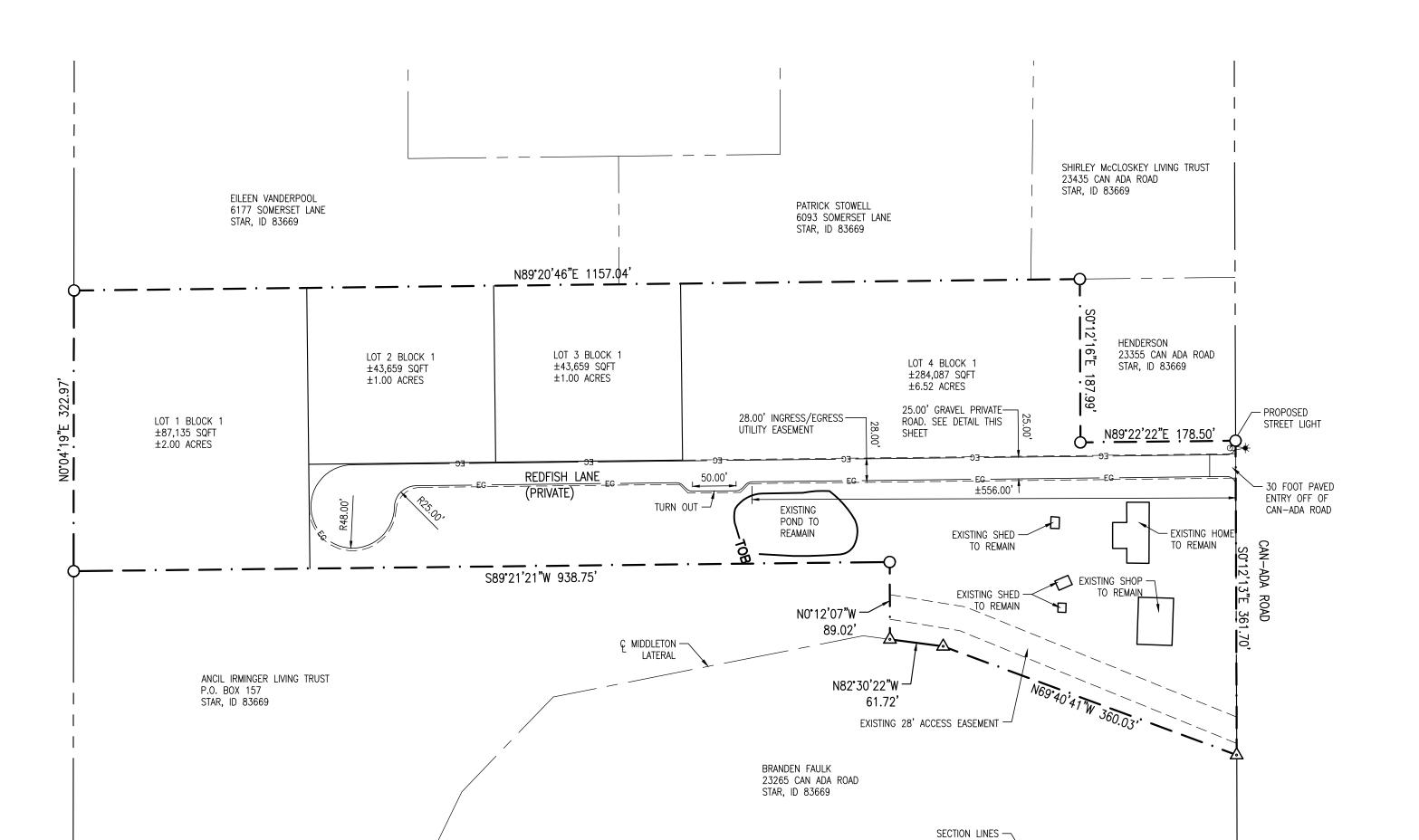
Nate Mitchell

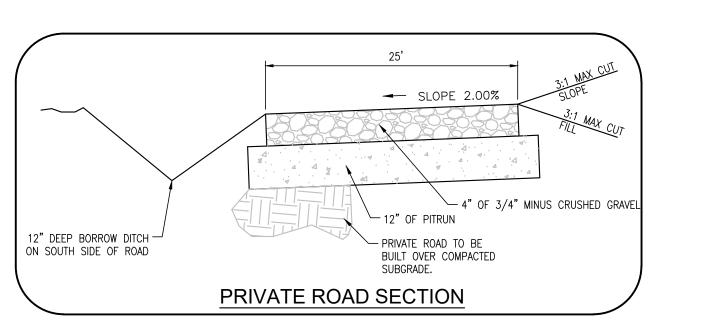
208-941-2688

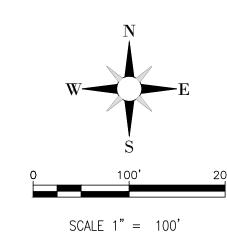
PRELIMINARY PLAT SHOWING

## LORAN ESTATES SUBDIVISION

A PARCEL OF LAND BEING LOCATED IN THE N.E. 1/4 OF THE S.E. 1/4 OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST BOISE-MERIDIAN, CANYON COUNTY IDAHO









#### NOTES:

\_\_\_\_\_

1. LOT 4 BLOCK 1 HAS A 28 FOOT WIDE INGRESS/EGRESS AND PUBLIC UTILITY EASEMENT.

LEGEND

- 2. THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM, WHICH STATES "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- 3. MINIMUM BUILDING SETBACKS LINES SHALL BE IN ACCORDANCE WITH CITY OF STAR ZONING CODE AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT OR AS SPECIFICALLY APPROVED.
- 4. ALL STORM DRAIN RUN-OFF SHALL BE CONTAINED ONSITE.
- 5. DEVELOPMENT OF THIS PROPERTY SHALL BE IN CONFORMANCE WITH CITY OF STAR CODE AND THE DEVELOPMENT AGREEMENT ASSOCIATED WITH \_\_\_\_\_ OR ANY SUBSEQUENT MODIFICATIONS.
- 6. ANY RE-SUBDIVISION OF THIS PLAT SHALL BE IN COMPLIANCE WITH THE APPLICABLE SUBDIVISION REGULATIONS IN EFFECT AT THE SAME TIME OF RE-SUBDIVISION.
- 7. THIS DEVELOPMENT IS SUBJECT TO COVENANTS, CONDITIONS, AND RESTRICTIONS, INSTRUMENT #\_\_\_\_\_\_ IS AMENDED. THE HOMEOWNER'S ASSOCIATION CANNOT BE DISSOLVED WITHOUT THE EXPRESS CONSENT OF THE CITY OF

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PROPERTY BOUNDARY LINE

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#### PROPERTY OWNER GARY OLSON

23307 N. CAN ADA ROAD STAR, ID 83669

#### **ENGINEER**

CK-ENGINEERING CHAD KINKELA 1300 E. STATE ST SUITE 102 EAGLE, ID 83616 208-639-1992

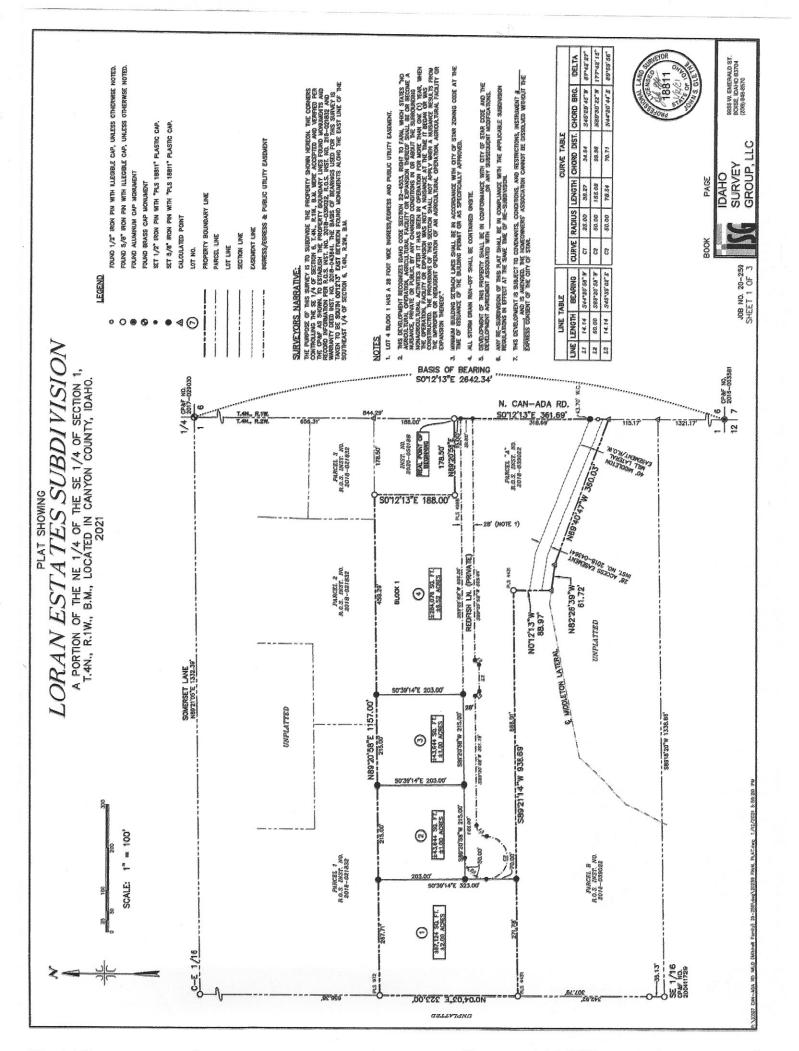
### SURVEYOR

IDAHO SURVEY GROUP JOHN GLETNE 9955 W. EMERALD ST. BOISE, ID 83704 208-846-8570

12/18/20 DS. KINK

PRELIMINARY PLAT

SHEET



# LORAN ESTATES SUBDIVISION A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 1, T.4N., R.1W., B.M., LOCATED IN CANYON COUNTY, IDAHO. 2021 PLAT SHOWING

## CERTIFICATE OF OFNERS

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## CERTIFICATE OF SURVEYOR

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SURVEY DAHO

JOB NO. 20-259 SHEET 2 OF 3

GROUP, LLC

8955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570

(218GF CAN. ADA RID INLD (Whelvel Farrio) 20—259\dwg\ZGI39 FIRM, FLATIGNG 1/112/2021 6:00:12 FA

# LORAN ESTATES SUBDIVISION PLAT SHOWING

A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 1, T.4N., R.1W., B.M., LOCATED IN CANYON COUNTY, IDAHO. 2021

## HEATEN GREETINGAUE

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**CENTRAL DISTRICT HEALTH** 

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I, THE UNDERSIONED, PROFESSIONAL, LAND SURVEYOR IN AND FOR ADA COUNTY, IDANG, HEREBY CERTIFY THAT I HAVE CHECKED THIS RLAT AND THAT IT COMPLIES WITH THE STATE OF EGANO CODE RELATING TO PLATS AND SURVEYS.

COUNTY SURVEYOR

# APPROVAL OF ADA COUNTY HIGHNAY DISTRICT

ACHO PRESIDENT

DATE

I, THE UNDERGROUND. COUNTY TREASURED NA AUD FOR THE COUNTY OF ADA, STATE OF DAYS. FIRE THE COUNTY PROPERTY TAKES FOR THE PROPERTY HAND TAY AND ALL CURRENT ANDOR DELINGUENT COUNTY PROPERTY TAKES FOR THE PROPERTY HAND SUBDIVISION HAND SERBONSON HAND SERBON FOR THE BEEN FAILD THIS CERTIFICATION IS WALID FOR THE REXT THISTY CRED DAYS ONLY.

CERTIFICATE OF COUNTY TREASURER

## APPROVAL OF CITY ENGINEER

i, The Undersigned, City engineer in And For Thee City of Star, Ada County, Idaho, Hereby Approve this plat.

CAT'Y ENGINEER

COUNTY RECORDER'S CERCULICALE

STATE OF IDAHO)
(SS.

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JOB NO. 20-259 SHEET 3 OF 3

IDAHO SURVEY GROUP, LLC

8955 W. EMERALD ST. 805SE, IDAHO 83704 (208) 846-8570



April 13, 2021

Mayor Trevor Chadwick City of Star P.O. Box 130 Star, ID 83669

Re: Loran Estates Subdivision Short Plat Application

#### Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Loran Estates Subdivision dated January 12, 2021. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Shawn L. Nickel. We have the following comments based on our review.

#### **Preliminary Plat Comments:**

- Verified written legal description. The legal and exhibit provided do not match the bearings and distances provided on the preliminary plat, which is also different from the final plat. Please update.
- 2. Provide landscape plans. Tree species must meet the City of Boise acceptable species guidelines, for location within or adjacent to right-of-way, as adopted by Star City Code.
- Public and private easements are shown on plat for open spaces, access drives, drainage
  facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for
  detached flood water storage impoundments, existing irrigation ditches, new irrigation ditches or
  pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments), and irrigation
  piping.
- 4. Water and sewer easements for main lines located outside the right of way must be shown on face of plat.
- 5. Natural features map showing all existing site features and 1-foot contour elevations is provided in accordance with Section 8-6A-3 of City of Star Subdivision Ordinance.
- 6. Storm drainage facilities do not conflict with other utilities. Please show the proposed storm facilities on plat.
- 7. This subdivision will need to be annexed into the Star Sewer and Water District to provide water and sewer to the site.

- 8. All street lighting shall be in accordance with the current edition of the ISPWC and the City of Star Supplemental Specifications. Provide streetlight at the end of the cul-de-sac. Street lighting shall be in accordance with ISPWC and the City of Star Supplementals. Cut sheet for lights and light poles shall be approved in writing by the City prior to installation.
- 9. It is unclear if the project is proposing offsite stormwater disposal to drain ditches. If so, plan approvals and license agreements from the affected irrigation ditch companies will be required.
- 10. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
- 11. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
- 12. Landscape plans including fencing, buffer areas, and street trees will have to conform to the City subdivision ordinance.

#### Final Plat Comments:

- 1. Letter of credit for outstanding pressure irrigation and landscaping improvements only when weather conditions preclude construction of improvements prior to signature of mylar.
- Public and private easements are shown on plat for open spaces, access drives, drainage
  facilities, floodway maintenance boundaries, offsite storage areas and connecting piping for
  detached flood water storage impoundments, existing irrigation ditches, new irrigation
  ditches or pipelines, bicycle / pedestrian pathways (connectivity to adjacent developments),
  and irrigation piping.
- 3. 10-foot utility and irrigation easements are shown, or noted, along the front lot lines, rear lot lines, and side lot lines as required.
- 4. Please provide exact wording. Note is shown on the final plat: "Minimum building setbacks shall be in accordance with the City of Star applicable zoning and subdivision regulations at the time of issuance of individual building permits or as specifically approved and / or required, or as shown on this plat."
- 5. Water and sewer easements for main lines located outside the right of way must be shown on face of plat.
- 6. On the signature page of the plat please include the following
  "I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF STAR, ADA
  COUNTY, IDAHO, ON THIS DAY, \_\_\_\_\_, HEREBY APPROVE THIS PLAT."
  underneath the APPROVAL OF CITY ENGINEER line, and before the signature line.
- 7. "Change of Ownership" document filed with the IDWR to the City of Star for all conveyable water rights.

We recommend that the **preliminary plat conditions 1 through 8 and final plat conditions 1 through 7, listed above be addressed prior to approval of the Short Plat.** Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above-referenced Preliminary Plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.** 

Ryan V. Morgan, P.E.

An 2. ma

City Engineer

cc: File



#### **IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028 • Boise, ID 83707-2028 (208) 334-8300 • itd.idaho.gov

March 18, 2021

Shawn Nickel City Planner P.O. Box 130 Star, Idaho 83669

#### VIA EMAIL

Development Application	AZ-21-02, DA-21-03, SP-21-01, PR-21-03
Project Name	LORAN ESTATES SUBDIVISION
<b>Project Location</b>	23307 Can Ada Road, north of SH-44 milepost 9.45
<b>Project Description</b>	Annexation and zoning (R-1), a development agreement, and a short plat for a proposed residential subdivision of 4 residential lots
Applicant	Nate Mitchell

The Idaho Transportation Department (ITD) reviewed the referenced annexation, zoning, development agreement, and preliminary plat applications and has the following comments:

- 1. This project does not abut the State Highway system.
- 2. ITD and the City of Star have entered into an interagency agreement to collect proportionate share from new developments to mitigate traffic impacts from incoming developments. Proportionate share for each development is calculated based off of number of trips added to State Highway system. The number of trips generated can be determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual. ITD requires trip distribution information to determine where trips generated by developments access the State Highway system.
- 3. No trip distribution information was provided; without trip distribution information ITD must assume the worst case scenario that all trips generated will utilize the Can Ada Road/SH-44 intersection. The proposed subdivision is adding 4 trips to Can Ada Road/SH-44 intersection in the PM Peak at buildout, and 3 trips in the AM Peak. Proportionate share is based on the average AM and PM site trips through the intersection of SH-44/ Star Road which is approximately 0.13% percent of the traffic utilizing the intersection in 2045. The construction of the cost of design, construction, and right-of-way for a future RCUT at SH-44/ Can Ada Road is estimated to cost 2,069,490 (see attached). The applicant will only be responsible for contributing their proportionate share of \$2,690 (0.13%).



#### **IDAHO TRANSPORTATION DEPARTMENT**

P.O. Box 8028 • Boise, ID 83707-2028 (208) 334-8300 • itd.idaho.gov

- 4. In order to provide a more accurate and potentially lower estimate, the applicant could provide ITD specific trip distribution numbers. ITD suggests the applicant contact COMPASS to have a model run conducted to determine trip distribution. ITD would be willing to accept trip distribution numbers provided by COMPASS or a licensed civil engineer.
- 5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
- 6. The Idaho Administrative Procedure Act (IDAPA) 39.03.60 governs advertising along the State Highway system. The applicant may contact Justin Pond, Right-of-Way Section Program Manager, at (208) 334-8832 for more information.
- 7. ITD objects to this development. ITD will remove the objection if the governing board requires, and the applicant agrees to, the execution of a Development Agreement with the City of Star binding the contribution of the proportionate share amount of \$2,690.

If you have any questions, you may contact me at (208) 334-8338 or Erika Bowen (208) 265-4312 ext 7.

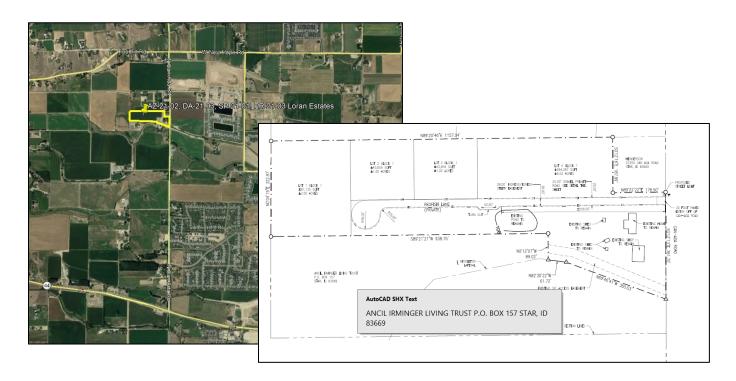
Sincerely,

Sarah Arjona

**Development Services Coordinator** 

Sarah.Arjona@itd.idaho.gov

### Loran Estates Subdivision Proportionate Share Contribution



4 Units Single Family Homes ITE Code (210) Single Family

AM Trip Rate = 0.74 PM Trip Rate = 0.99

A trip distribution diagram was not provided to the department. ITD must assume a worst-case scenario that all 4 residential units will head south on Can Ada Road to the SH-44 / Can Ada intersection. Per the SH-44 Corridor Plan, this intersection's ultimate configuration is to be Restricted U-turn Crossing (RCUT).

ITD estimated the design and construction of an RCUT at SH-44 / Can Ada Road as approximately \$2,069,490.

Proportionate share is based on the average AM and PM site trips through the intersection of SH-44 / Can Ada Road compared to average number of AM and PM trips in 2045.

#### **Site Traffic**

#### **AM Peak**

4 units x 0.74 = 3 trips

#### PM Peak

4 units x 0.99 = 4 trips

#### Total Traffic 2045 @ SH-44 / Can Ada Road

#### 2045 Build

Table 5. 2045 Build intersection turning movement volumes - AM peak hour (7:00-8:00 AM)

Int.		Northbound			Southbound			Eastbound			Westbound		
	Intersection Name	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
			-			-		-	-1	-			•
18	Can Ada Road/SH-44	0	0	0	235	0	78	74	1,295	0	0	543	95

Table 6. 2045 Build intersection turning movement volumes - PM peak hour (4:45-5:45 PM)

Int.			Northbound			Southbound				nd	Westbound		
No.	Intersection Name	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
	<u>-</u>		-			-			-,				
18	Can Ada Road/SH-44	0	0	0	126	0	101	168	986	0	0	1,626	349
		Left 0	Thru - 0	Right		Thru - 0			.,	Right 0	_		

AM Site = 3	AM Total = 2,320	AM% = 0.13
PM Site = 4	<i>PM Total</i> = 3,356	PM% = 0.12
Proportionate Share fo RCUT In	Avg % = 0.13	

Proportionate share contribution of 0.13% is \$2,690.

#### **Conceptual Cost Estimate**

Date: 1/22/2021 Estimated By: Dan Block Date:

Checked By:

Location: SH-44; Can Ada Rd RCUT

#### Scope:

Widen SH-44 east and west of the Can Ada Rd intersection to a 5-lane typical section. Configure Can Ada Rd for right-in, rightout, left-in access to and from SH-44. Local traffic intending to turn left from Can Ada Rd is accommodated downstream of the intersection via a Restricted Crossing U-turn (RCUT). Raised center medians are included to provide separation and channelization. Pavement work is limited to the areas requiring widening. Existing pavement not impacted by the widening or medians is left as-is, and does not receive any treatment.

Right-of-way needs are estimated to be 0.16 acres to accommodate the pavement at the RCUT "loon".

Item	Quantity		Unit Price		Cost	Note
SECTION 1						
201-010A CLEARING & GRUBBING	1.00 LS	\$	10,000.00	\$	10,000.00	KN 18872
203-015A REM OF BITUMINOUS SURF	4,936.00 SY	\$	3.65	\$	18,016.40	KN 22618
205-005A EXCAVATION	5,398.00 CY	\$	11.50	\$	62,077.00	KN 12886
301-005A GRANULAR SUBBASE	11,738.00 TON	\$	17.00	\$	199,546.00	KN 13492
303-022A 3/4" AGGR TY B FOR BASE	7,875.00 TON	Ş	23.98	\$	188,842.50	KN 13476
303-022A 3/4" AGGR TY B FOR BASE 401-020A CSS-1 DIL EMUL ASPH FOR TACK COAT	1,785.00 GAL	\$	4.00	\$	7,140.00	KN 13492
401-020A CSS-1 DIL EMUL ASPH FOR TACK COAT 405-435A SUPERPAVE HMA PAV INCL ASPH&ADD CL SP-3	4,853.00 TON	\$	79.00	Ś	383,387.00	KN 13492
COR OPE A 40" DIDE CHILV	20 00 ET	~	247 50	\$	10,425.00	KN 1004
615-258A CURB TYPE 3 615-651A TRAFFIC SEPARATOR TYPE 1	1,093.00 FT	\$	14.06	\$	15,367.58	KN 20798
615-651A TRAFFIC SEPARATOR TYPE 1	659.00 FT	\$	21.00	\$	13,839.00	KN 13492
621-005A SEED BED PREPARATION	2 1/1 ACDE	\$	4,000.00	\$	8,560.00	KN 13387
621-010A SEEDING	2 14 ΔCRF	\$	2,400.00	\$	5,136.00	KN 13387
630-025A LONGITUDINAL PAV MKG- WATERBORNE	44,040.00 FT	\$	0.13	\$	5,725.20	KN 13492
675-005A SURVEY	1.00 LS	\$	20,000.00	\$	20,000.00	
			00 70		00 054 40	1/11 40044
SP MEDIAN CONCRETE  SP Traffic Control  Mobilization  SECTION 1 Sub-Total	1.00 LS	\$	100,000.00	\$	100,000.00	
Mobilization	10%			\$	106,811.61	
SECTION 1 Sub-Total				\$	1,174,927.72	
SECTION 2						
CN Change Order / Quantity Variance	5%			\$	58,746.39	
CN Non-Bid Items	3.5%			\$	41,122.47	
SECTION 2 Sub-Total				\$	99,868.86	
SUMMARY						
Sub-Total: SECTION 1 & SECTION 2				\$	1,274,796.58	
Contingency - Scoping Level	30%			\$	382,438.97	
TOTAL CONSTRUCTION COST				\$	1,657,235.55	

Summary of Project Costs		Amount	Note
Construction		\$ 1,657,235.55	
Design Services	10%	\$ 165,723.56	
Construction Services	12%	\$ 198,868.27	
Right-of-Way		\$ 47,662.72	
Total Cost		\$ 2,069,490.09	





### CANYON HIGHWAY DISTRICT No. 4 15435 HIGHWAY 44 CALDWELL, IDAHO 83607

TELEPHONE 208/454-8135 FAX 208/454-2008

April 14, 2021

City of Star 10769 W. State Street Star, Idaho 83669

Attention: Shawn Nickel, City Planner

Gary Olson, Owner c/o Nate Mitchell 1470 Rook Way Star, Idaho 83669

**RE:** Loran Estates Subdivision

Annexation, Short Plat, & Private Street

Dear Shawn:

Canyon Highway District No. 4 (CHD4) has reviewed the plat dated January 12, 2021, for Loran Estates Subdivision, and offers the following comments:

#### Jurisdiction

By agreement with the City (*Canyon 4/Star Public Agency Coordination Agreement, June 6<sup>th</sup>, 2007*), CHD4 acts as the supervisory authority for all public roads within the City limits that also lie within Canyon County (except those highways under the jurisdiction of Idaho Transportation Department). This supervisory authority includes highway planning, the establishment of design and use standards, access controls, and other operations and management duties assigned to highway districts under Idaho Code. For continuity with the existing street network in Star, CHD4 will apply roadway cross section and design standards consistent with those adopted by Ada County Highway District. These comments are provided under this authority.

Can Ada Rd is maintained by Ada County Highway District north of SH 44 by agreement between CHD4 and ACHD. This maintenance responsibility includes access and utility permitting, as well of review of proposed improvements for consistency with the surrounding roadway drainage, striping, and signage.

#### **Final Plat**

1. Add a signing statement for CHD4 on Sheet 3 as follows:

"Canyon Highway District No. 4 does hereby accept this plat, and the dedicated public streets, highways and rights-of-way as are depicted on this plat, in accordance with the provisions of I.C. §§ 50-1312, 50-1313, and 50-1330 and pursuant to its authority as set forth in the Public Agency Coordination Agreement Canyon Highway District No. 4 and the City of Star dated June 6, 2007. Private streets depicted on this plat are not maintained or under the jurisdiction of the Highway District. There is no legal obligation or assurances that the private streets will be accepted as public streets in the future."

2. Remove the signing statement for ACHD, they do not have jurisdiction to accept right-of-way dedication within Canyon County.

- 3. Parcel A should be included in the subdivision plat; Canyon County Assessor shows the entirety of this Parcel A and the proposed subdivision as a single parcel. CHD4 has no record of approval for a parcel division for 23307 Can Ada Rd (Canyon Co Parcel R33789).
- 4. Provide a 35-foot half width right-of-way for Can Ada Rd along the east boundary of the subject property.
- 5. Add a note to the Owner's Certificate indicating that the Can Ada Rd right-of-way is dedicated to the public forever.
- 6. Provide a 10-foot wide utility easement on the west side of the Can Ada Rd right-of-way.
- 7. The proposed private road approach to Can Ada Rd will require a permit from ACHD; it is recommended this permit be obtained prior to final plat approval so that the proposed Lots 1-4 have an approved point of access. This approach location appears to meet current ACHD standards (if other existing approaches to Can Ada Rd are removed), and would be acceptable to CHD4 I approved by ACHD.
- 8. Add a note that no lot shall have direct access to Can Ada Rd. Parcel A should be planned to take access via the proposed private road approach to Can Ada Rd.
- 9. Proposed Lot 1 has only a single point of contact with the proposed private road easement; this does not provide sufficient frontage for access.
- 10. Improvements to Can Ada Rd consistent with ACHD Policy 7205.2 for Arterial Streets (adopted by CHD4 for use in City of Star) are required prior to final plat approval by CHD4.

Please return one hard copy of the final plat and plans to CHD4 for subsequent review. Feel free to contact me with any questions on these comments.

Respectfully,

Chris Hopper, P.E.

District Engineer

Canyon Highway District No. 4

#### **Shawn Nickel**

From:

Chris Hopper < CHopper@canyonhd4.org >

Sent:

Thursday, April 15, 2021 5:09 PM Nate Mitchell; Shawn Nickel

To: Cc:

Chad Kinkela: John Gletne

**Subject:** 

RE: Loran Estates Subdivision- CHD4 Comment

#### Thanks Nate.

With respect to your comments on the Can Ada frontage improvements, our recommendation would be to require the standard widening to 17-feet from centerline plus a 3-foot gravel shoulder (these are roadside safety improvements required for all developments in ACHD), and consider accepting payment to the road trust fund in an amount equal to ACHD's current impact fee. This would be consistent with how the project would be handled by ACHD. We could also potentially consider accepting payment for both of those items given the relatively short length of road frontage involved. Final decision on that would be by our board at plat approval, but staff would support one of those alternatives.

Respectfully,

#### Chris Hopper, P.E.

**District Engineer** 

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

From: Nate Mitchell <nate.mitchell@ymail.com>

Sent: Thursday, April 15, 2021 10:24 AM

**To:** Chris Hopper <CHopper@canyonhd4.org>; Shawn Nickel <Snickel@staridaho.org> **Cc:** Chad Kinkela <chad@ck-engineers.com>; John Gletne <jgletne@idahosurvey.com>

Subject: Re: Loran Estates Subdivision- CHD4 Comment

#### Gentleman,

Thank your for the review of our proposed Short Plat.

I will respond to each of CHD4 comments by number.

- 1. We will comply.
- 2. We will comply. I apologize, CHD4 should have been on the Plat to begin with.
- Lot 4 Block 1 contains the entire Original Parcel A (R33789) except for Lots 1,2, and 3.
- 4. We will Comply.
- 5. We will Comply.
- 6. We will Comply.
- 7. We will apply for the permit prior to Final Plat.

- 8. We are ok with Lot 4 (Parcel A) using the private street for access. There is an existing 28 foot ingress/egress easement along the southern boundary of L4 that provides access to the parcel that is adjacent to the south and west. This also is a Drainage District #2 ROW.
- 9 We will move the culdesac further to the west to meet access width requirement for Lot 1.
- 10. When reviewing ACHD policy for General Street Development and Arterial Street Development I would request that the City and District review ACHD policy 7203.5 and the last paragraph of 7205.2d. It appears that the policy contemplates projects of this size and impact to defer improvements. We would respectfully request both the City and District for that exception in this scenario.

I appreciate your time and please contact me with any further questions.

Thank you,

Nate

On Thursday, April 15, 2021, 09:25:16 AM MDT, Shawn Nickel <snickel@staridaho.org> wrote:

Thanks Chris!

Shawn L. Nickel

Shawn

Planning Director and Zoning Administrator

City of Star

snickel@staridaho.org

208-908-5455



From: Chris Hopper < CHopper@canyonhd4.org >

Sent: Wednesday, April 14, 2021 5:59 PM

To: Shawn Nickel <Snickel@staridaho.org>; Nate Mitchell <nate.mitchell@ymail.com>

Subject: Loran Estates Subdivision- CHD4 Comment

#### Shawn & Nate-

Please see the attached comments from CHD4 on Loran Estates Subdivision west of CanAda Rd. I apologize for the late delivery on the comments; we will need additional time for review and comment on development applications due to the volume of applications received from Star, Middleton, Nampa, Caldwell, and Canyon County.

Please feel free to contact me if you have questions on these comments.

Respectfully,

#### Chris Hopper, P.E.

**District Engineer** 

Canyon Highway District No. 4

15435 Hwy 44

Caldwell, Idaho 83607

208-454-8135



#### **CITY OF STAR**

#### LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner Shart. Mach

**MEETING DATE:** May 4, 2021 – PUBLIC HEARING

FILE(S) #: CUP-20-04 MOD Greyloch Custom Cabinetry

#### OWNER/APPLICANT/REPRESENTATIVE

#### **Property Owner/Applicant:**

Joseph A. Moyle & Mike Moyle 208 N. Plummer Road Star, ID 83669

#### Representative:

Glenn Robinette, Hutchinson Smith Architects 270 N. 27<sup>th</sup> Street Boise, Idaho 83702

#### **REQUEST**

**Request:** The Applicant is seeking approval of a Modification to the Conditional Use Permit for Greyloch Custom Cabinetry to allow a height exception to 45 feet for the main structure and 52 feet for the dust silo. The property is located at 8706 W. State Street in Star, Idaho. The current zoning of the property is Industrial (I-L)

#### **PROPERTY INFORMATION**

**Property Location:** The subject property is generally located on the north side of W. State Street, west of Hwy 16 in Star, Idaho. Ada County Parcel No's. S0409438405, S0409438605 & S0409438805.

#### **APPLICATION REQUIREMENTS**

Pre-Application Meeting Held April 5, 2021

Neighborhood Meeting Held

Application Accepted

Residents within 300' Notified

Agencies Notified

April 6, 2021

April 6, 2021

April 6, 2021

April 6, 2021

April 8, 2021

Property Posted

April 23, 2021

#### **HISTORY**

This entire property was approved as Mink Creek Subdivision on April 2, 2019. The original Conditional Use Permit was approved by Council on November 17, 2020.

#### **ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN**

#### **UNIFIED DEVELOPMENT CODE:**

#### 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED:

<u>LI LIGHT INDUSTRIAL DISTRICT</u>: To provide for manufacturing, warehousing, mini-storage and open storage, multi-tenant industrial park, contractors yards, and similar uses. Limited office and commercial uses may be permitted as ancillary uses. All development within this land use shall be free of hazardous or objectionable elements such as excessive noise, odor, dust, smoke, or glare.

#### 8-3A-4: ZONING DISTRICT DIMENSIONAL STANDARDS:

	Maximum Height	Minimum Yard Setbacks Note Conditions						
Zoning District	Note Conditions	Front (1)	Rear	Interior Side	Street Side			
Commercial (no industrial in Code)		20'	5′	0'	20'			

#### **Note Conditions:**

- D. Maximum Height Limit:
- 1. Height exceptions shall not be permitted except by discretion of the council with the submittal of a conditional use permit or development agreement application.

- 2. The maximum height limitations shall not apply to the following architectural features, not intended for human occupation: spire or steeple, belfry, cupola, chimney. Such architectural features shall have a maximum height limit of twenty feet (20'), as measured from the roofline.
- 3. The maximum height limitations shall not apply to the following: amateur radio antenna; bridge tower; fire and hose tower; observation tower; power line tower; smokestack; water tank or tower; ventilator; windmill; wireless communication facility, or other commercial or personal tower and/or antenna structure; or other appurtenances usually required to be placed above the level of the ground and not intended for human occupancy.
- 4. No exception shall be allowed to the height limit where the height of any structures will constitute a hazard to the safe landing and takeoff of aircraft in an established airport.

#### **PROJECT OVERVIEW**

#### **CONDITIONAL USE PERMIT MODIFICATAION HEIGHT EXCEPTION (Greyloch Cabinetry):**

The Conditional Use Permit Modification is to allow for an exception to the 35' structure height maximum for the new custom cabinet manufacturing plant (Greyloch) on the 12.62-acre site. The structure is approved as a 97,660 square feet building. At the time of the original approval the height of the structure was undetermined. The approval of the height exception is necessary for the construction of the facility. The total height of the structure, as discussed by the applicant, will be 45 feet. The dust collection silo proposed will be a total of 52 feet from finished floor. Per Section 8-3A-4D(3) of the UDC, this silo appears to fall under the definition of a ventilator or as an "other appurtenances usually required to be placed above the level of the ground and not intended for human occupancy".

	AGENCY RESPONSES	
None		
	PUBLIC RESPONSES	
None		
	STAFF ANALYSIS & RECOMMENDATIONS	

Staff is supportive of the design and layout of the industrial component of this development application and supports the height exception in this instance for the industrial use.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed conditional use permit modification meets the requirements, standards and intent for development as they relate to the Unified Development

Code and the Comprehensive Plan. The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the applications, either as presented or with added conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date.

#### **CONDITIONS OF APPROVAL**

- 1. The height of the main structure shall not exceed 45 feet.
- 2. The approved Preliminary Plat for Mink Creek Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
- 3. All drive isles shall meet the requirements of the Star Fire District.
- 4. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code.
- 5. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
- 6. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
- 7. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 8. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
- 9. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
- 10. A plat note shall state that development standards for commercial/industrial development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
- 11. All streetlights and parking lot lighting shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. Streetlights shall be installed prior to any building occupancy. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting.
- 12. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
- 13. A sign application is required for any subdivision or commercial use signs.
- 14. Each lot within the subdivision shall be required to record a cross access agreement at the time that each use is approved. The Les Schwab Tire Center shall provide cross access to the east of the development.

- 15. The Greyloch Cabinetry use shall comply with the approved site plan. All parking, lighting, trash enclosures, access and landscaping shall meet the requirements of the UDC at all times.
- 16. Applicant shall apply for any required building and vendor permits.
- 17. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
- 18. Any additional Condition of Approval as required by Staff and City Council.

	COUNCIL DECISION
The Star City Council	_ File #CUP-20-04 MOD for Greyloch Cabinetry on
, 2021.	



April 6, 2021

Shawn Nickel, Administrator City of Star Planning and Zoning Department 10769 W State Street Star, Idaho 83669

Re: CUP – 19-02 Amendment request

Dear Shawn,

Hutchison Smith Architects is requesting an amendment to the CUP 19-02 maximum height allowance of 35'-0" on behalf of Greyloch Custom Cabinetry. We are requesting a height variance for our proposed building with a maximum height of 45'-0" above finish floor and a height variance for the facility dust collection silo of 52'-0" above finish floor.

Should you have any questions regarding this request please feel free to contact Joe Presher or myself at (208) 338-1212.

Sincerely,

Glenn Robinette, Principal Architect

270 N. 27<sup>th</sup> St. Suite 200 Boise, Idaho 83702

Telephone: 208.338.1212

Facsimile: 208.338.0011

hsaarchitects.com

Shawn,

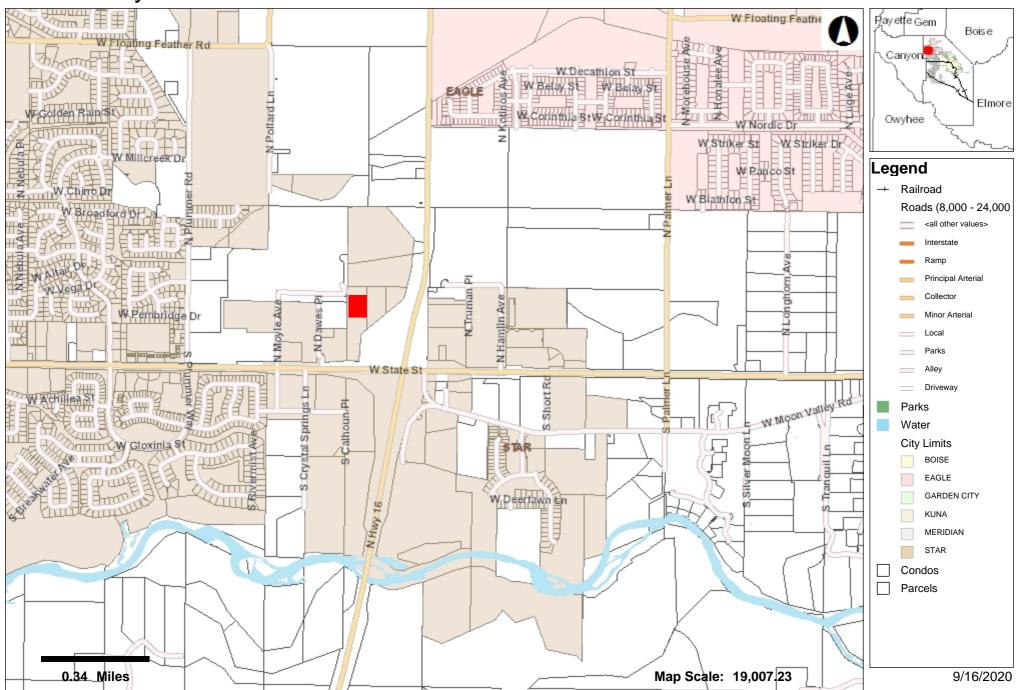
Joseph A Moyle and Lynn S Moyle are in agreement with the request to amend CUP-19-02 maximum height allowance of 35'-0" to a height variance for the proposed building with a maximum height if 45'-0" and a variance for the dust collection silo of 52'-0".

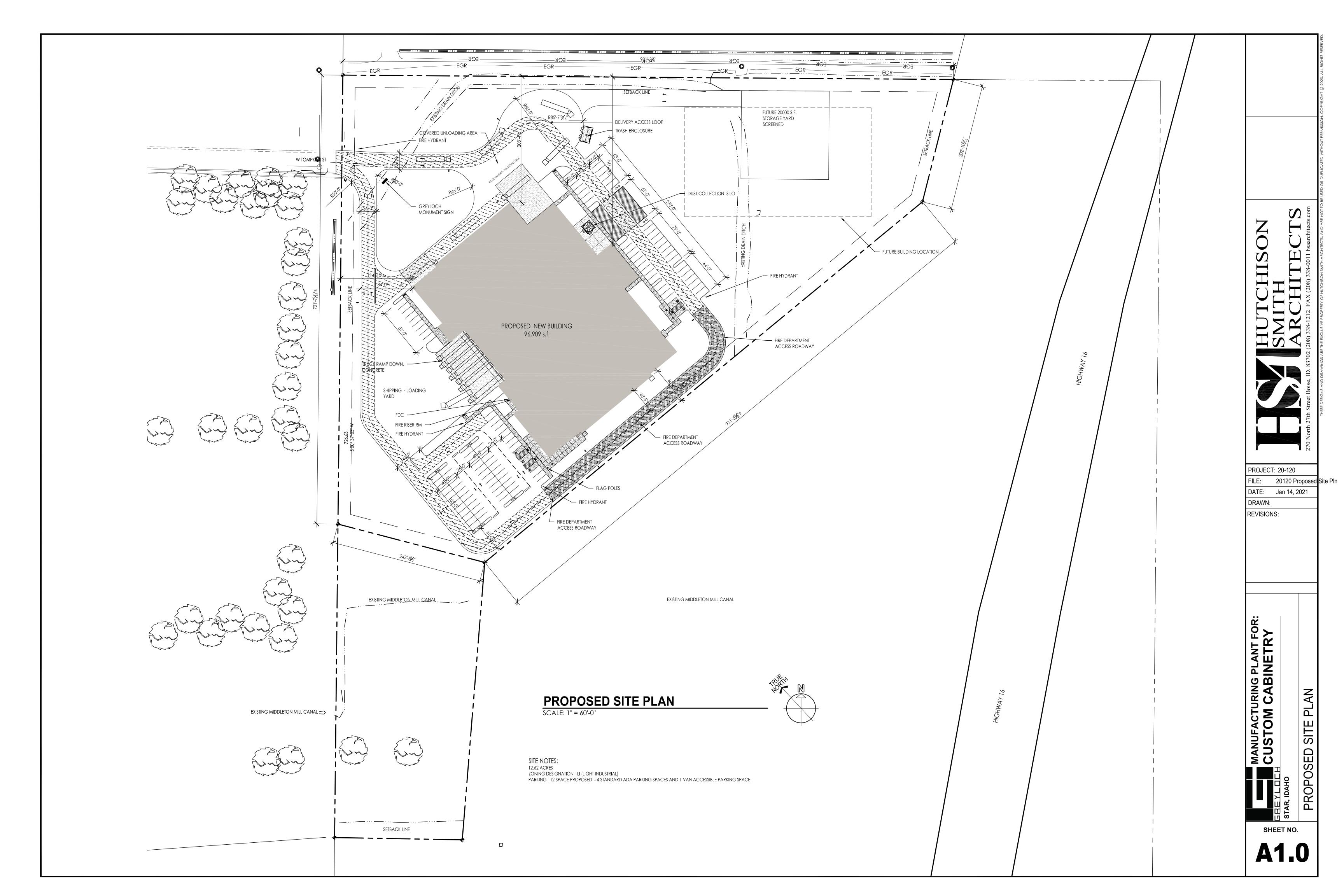
We also agree to waive the neighborhood meeting requirement for the CUP-19-02 amendment.

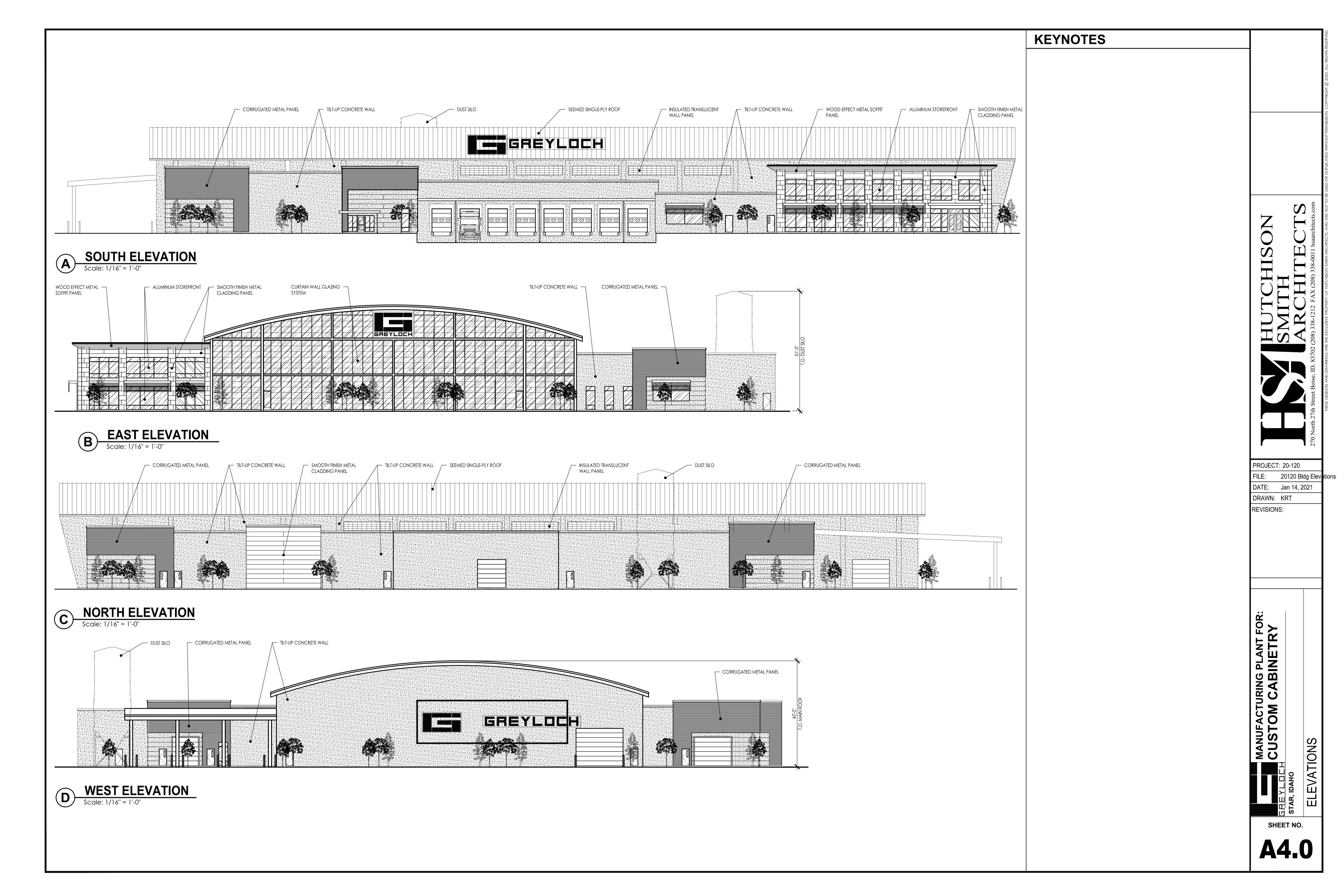
Lynn S Moyle

Legnon & Moyle

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.









#### **Idaho Statutes**

#### Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS
CHAPTER 65
LOCAL LAND USE PLANNING

67-6526. AREAS OF CITY IMPACT — NEGOTIATION PROCEDURE. (a) The governing board of each county and each city therein shall adopt by ordinance following the notice and hearing procedures provided in section 67-6509, Idaho Code, a map identifying an area of city impact within the unincorporated area of the county. A separate ordinance providing for application of plans and ordinances for the area of city impact shall be adopted. Subject to the provisions of section 50-222, Idaho Code, an area of city impact must be established before a city may annex adjacent territory. This separate ordinance shall provide for one (1) of the following:

- (1) Application of the city plan and ordinances adopted under this chapter to the area of city impact; or
- (2) Application of the county plan and ordinances adopted under this chapter to the area of city impact; or
- (3) Application of any mutually agreed upon plan and ordinances adopted under this chapter to the area of city impact.

Areas of city impact, together with plan and ordinance requirements, may cross county boundaries by agreement of the city and county concerned if the city is within three (3) miles of the adjoining county.

If the requirements of section 67-6526(a), Idaho Code, have not been met, either the city or the county may demand compliance with this section by providing written notice to the other of said demand for compliance. Once a demand has been made, the city shall select its representative as hereinafter provided, within thirty (30) days of said demand, and the process set forth in this subsection shall commence. The county commissioners for the county concerned, together with three (3) elected city officials designated by the mayor of the city and confirmed by the council, shall, within thirty (30) days after the city officials have been confirmed by the council, select three (3) city or county residents. These nine (9) persons shall, by majority vote, recommend to the city and county governing boards an area of city impact together with plan and ordinance requirements. The recommendations shall be submitted to the governing boards within one hundred eighty (180) days after the selection of the three (3) members at large and shall be acted upon by the governing boards within sixty (60) days of receipt. If the city or county fails to enact ordinances providing for an area of city impact, plan, and ordinance requirements, either the city or county may seek a declaratory judgment from the district court identifying the area of city impact, and plan and ordinance requirements. In defining an area of city impact, the following factors shall be considered: (1) trade area; (2) geographic factors; and (3) areas that can reasonably be expected to be annexed to the city in the future.

- If areas of city impact overlap, the cities involved shall negotiate boundary adjustments to be recommended to the respective city councils. If the cities cannot reach agreement, the board of county commissioners shall, upon a request from either city, within thirty (30) days, recommend adjustments to the areas of city impact which shall be adopted by ordinance by the cities following the notice and hearing procedures provided in section 67-6509, Idaho Code. If any city objects to the recommendation of the board of county commissioners, the county shall conduct an election, subject to the provisions of section 34-106, Idaho Code, and establish polling places for the purpose of submitting to the qualified electors residing in the overlapping impact area, the question of which area of city impact the electors wish to reside. The results of the election shall be conclusive and binding, and no further proceedings shall be entertained by the board of county commissioners, and the decision shall not be appealable by either city involved. The clerk of the board of county commissioners shall by abstract of the results of the election, certify that fact, record the same and transmit copies of the original abstract of the result of the election to the clerk of the involved cities.
- (d) Areas of city impact, plan, and ordinance requirements shall remain fixed until both governing boards agree to renegotiate. In the event the city and county cannot agree, the judicial review process of subsection (b) of this section shall apply. Renegotiations shall begin within thirty (30) days after written request by the city or county and shall follow the procedures for original negotiation provided in this section.
- (e) Prior to negotiation or renegotiation of areas of city impact, plan, and ordinance requirements, the governing boards shall submit the questions to the planning, zoning, or planning and zoning commission for recommendation. Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board. The governing boards shall undertake a review at least every ten (10) years of the city impact plan and ordinance requirements to determine whether renegotiations are in the best interests of the citizenry.
- (f) This section shall not preclude growth and development in areas of any county within the state of Idaho which are not within the areas of city impact provided for herein.
- If the area of impact has been delimited pursuant to the provisions of subsection (a)(1) of this section, persons living within the delimited area of impact shall be entitled to representation on the planning, zoning, or the planning and zoning commission of the city of impact. Such representation shall as nearly as possible reflect the proportion of population living within the city as opposed to population living within the areas of impact for that city. To achieve such proportional representation, membership of the planning, zoning or planning and zoning commission, may exceed twelve (12) persons, notwithstanding the provisions of subsection (a) of section 67-6504, Idaho Code. In instances where a city has combined either or both of its planning and zoning functions with the county, representation on the resulting joint planning, zoning or planning and zoning commission shall as nearly as possible reflect the proportion of population living within the impacted city, the area of city impact outside the city, and the remaining unincorporated area of the county. Membership on such a joint planning, zoning or planning and zoning commission may exceed twelve (12) persons, notwithstanding the provisions of subsection (a) of section 67-6504, Idaho Code.

#### History:

[67-6526, added 1975, ch. 188, sec. 2, p. 515; am. 1977, ch. 155, sec. 1, p. 396; am. 1979, ch. 87, sec. 1, p. 212; am. 1993, ch. 55, sec. 1, p. 150; am. 1995, ch. 118, sec. 97, p. 506; am. 1996, ch. 116, sec. 2, p. 428; am. 1999, ch. 251, sec. 1, p. 651; am. 2002, ch. 333, sec. 6, p. 947.]

How current is this law?

Search the Idaho Statutes and Constitution



#### Mary Ann Fraser

DECORATIVE PAINTING

**ESTIMATE** 

DATE: April 12, 2021 CLIENT: City of Star, ID

CLIENT ADDRESS: 10769 W. State St, Star ID 83669

PHONE NUMBER: 208-286-7247

JOB NAME: Senior Center "STAR TAKES FLIGHT" JOB ADDRESS: 102 S. Main St, Star, ID 83669

COMPLETION DATE: All phases of the mural are to be completed at the discretion of the artist

but no later than one year from the start date.

but no later than one year from the start date.	
DESCRIPTION OF WORK TO BE PERFORMED:	PRICE
"STAR TAKES FLIGHT" Mural to be divided into 6 phases	n/a
Phase 1: North Wall of Senior Center to be painted by a city contractor in a	
shade of blue to be selected by the artist prior to the artist beginning work	
Phase 2: Artist to complete the background including clouds, barn, and	nte \$2000
farmland (see attached file: Senior Center Mural Phases 1-3)	
Phase 3: Artist to paint large butterfly wings and smaller butterflies	nte \$1000
Phase 4: Artist to paint hot air balloons	nte \$1500
Phase 5: Artist to paint star-shaped kite	nte \$1000
Phase 6: Artist to paint balloons	nte \$1200
Paint and materials	nte \$500
Note: Artist will need access to running water and a place to store ladders	
while painting is in progress	
Additional notes: Scaffolding or a lift to be provided by the city at the city's	n/a
expense.	
(see attached file: Senior Center Mural Phases 1-6) TOTAL	nte \$7200
Phase 3: Artist to paint large butterfly wings and smaller butterflies  Phase 4: Artist to paint hot air balloons  Phase 5: Artist to paint star-shaped kite  Phase 6: Artist to paint balloons  Paint and materials  Note: Artist will need access to running water and a place to store ladders while painting is in progress  Additional notes: Scaffolding or a lift to be provided by the city at the city's expense.	nte \$1500 nte \$1000 nte \$1200 nte \$500

The final payment must be made upon completion of the project. This final payment assumes there have been no add-ons. If the final payment is not made within 10 days after completing the final walk-through, a 10% interest charge will be added to this payment.

PAINTER: X	DATE
CLIENT: X	DATE

#### Star Senior Center



Phases 1-3

#### Star Senior Center



PHASE 6 PHASE 4 PHASE 3 PHASE 5



Mary Ann Fraser uses the latest painting techniques, tools, and design innovations to create exquisite murals and finishes for residential, public, and commercial spaces. Educated in both the fine and decorative arts and with over twenty years of experience, she brings her keen eye for color and design and her talents as an award-winning illustrator to all of her projects. Past member of the International Decorative Artisans League (IDAL) and a Certified Decorative Painter.



553 South Tresa Place, Star, ID 83669 maryafraser@gmail.com 805-501-3754

## Murals

Fine art quality murals add visual interest and dimension while reflecting the client's desires and uniqueness. Murals can be be painted on interior or exterior walls, ceilings or floors, in niches or even on furniture or cabinetry--nearly anywhere. Below is only a small sampling of the many possibilities.













## Trompe l'oeil

Trompe l'oeil is a french term that means to fool the eye and refers to a painting style that creates illusion through perspective and detailed rendering. When masterfully executed tromp l'oeil can visually alter a room's perceived dimensions and add the wonderful element of surprise.















## CALABASH ELEMENTARY

This mural on the history of communication was commissioned by Calabash Elementary for their computer lab.







## SIMI VALLEY PUBLIC LIBRARY





As featured in *The Acorn* and on 99.1 The Ranch, this year the Friends of the Simi Valley Library commissioned me to paint a mural for the Children's Room. The theme was "Storytime Comes to Simi Valley." The finished 60' x 11.5' mural included many city icons along with characters from classic children's tales.

#### **ORDINANCE NO. 336-2021**

(Amended Flood Ordinance)

AN ORDINANCE OF THE CITY OF STAR, IDAHO, REPEALING TITLE 10, CHAPTER 1 OF THE STAR CITY CODE; AMENDING TITLE 10, CHAPTER 2, RENUMBERING THE CODE, CHANGING THE DESIGNATION OF THE FLOODPLAIN MANAGER; ADDING VIOLATION FOR DUMPING IN THE SPECIAL FLOOD HAZARD AREA; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STAR, IDAHO, as follows:

<u>Section 1</u>: Star City Code Title 10, Chapter 1, FLOODPLAIN REGULATIONS, is hereby deleted.

<u>Section 2</u>: Star City Code Title 10, Chapter 2, FLOOD ORDINANCE, is hereby amended and renumbered to read as follows:

## 10-1-1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

**A. Statutory Authority:** The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Star Idaho does hereby ordain as follows:

#### **B.** Findings of Fact

- 1. The flood hazard areas of the City of Star are subject to periodic inundation that results in:
  - a. loss of life and property;
  - b. health and safety hazards;
  - c. disruption of commerce and governmental services;
  - d. extraordinary public expenditures for flood relief and protection; and
  - e. impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- 2. These flood losses are caused by development in flood hazard areas, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
- 3. Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

- C. Statement of Purpose: The purpose of this ordinance is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
- 1. Protect human life, health, and property;
- 2. Minimize damage to public facilities and utilities such as water purification and sewage treatment plants, water and gas mains, electric, telephone and sewer lines, streets, and bridges located in floodplains;
- 3. Help maintain a stable tax base by providing for the sound use and development of flood prone areas;
- 4. Minimize expenditure of public money for costly flood control projects;
- 5. Minimize the need for rescue and emergency services associated with flooding, generally undertaken at the expense of the general public;
- 6. Minimize prolonged business interruptions;
- 7. Ensure potential buyers are notified the property is in an area of special flood hazard; and
- 8. Ensure those who occupy the areas of special flood hazard assume responsibility for their actions.
- 9. Participate in and maintain eligibility for flood insurance disaster relief.
- **D. Objectives and Methods of Reducing Flood Losses:** In order to accomplish its purpose, this ordinance includes methods and provisions to:
- 1. Require that development which is vulnerable to floods, including structures and facilities necessary for the general health, safety, and welfare of citizens, be protected against flood damage at the time of initial construction;
- 2. Restrict or prohibit developments which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
- 3. Control filling, grading, dredging, and other development which may increase flood damage or erosion;
- 4. Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands;
- 5. Preserve and restore natural floodplains, stream channels, and natural protective barriers which carry and store flood waters.

#### 10-1-2. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted according to the meaning they have in common usage and to give this ordinance it's most reasonable application.

<u>Accessory Structure (appurtenant structure)</u>: a structure on the same lot or parcel as a principal structure, the use of which is incidental and subordinate to the principal structure.

<u>Addition (to an existing building)</u>: an extension or increase in the floor area or height of a building or structure.

**Appeal**: a request for review of the Floodplain Administrator's interpretation of provisions of this ordinance or request for a variance.

Area of Shallow Flooding: a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard**: see Special Flood Hazard Area (SFHA).

**<u>Base Flood</u>**: the flood having a one (1) percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): a determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.

**Basement**: any area of the building having its floor sub grade (below ground level) on all sides.

**Building**: see Structure.

<u>Critical Facilities</u>: facilities that are vital to flood response activities or critical to the health and safety of the public before, during, and after a flood, such as a hospital, emergency operations center, electric substation, police station, fire station, nursing home, school, vehicle and equipment storage facility, or shelter; and facilities that, if flooded, would make the flood problem and its impacts much worse, such as a hazardous materials facility, power generation facility, water utility, or wastewater treatment plant.

<u>Datum</u>: the vertical datum is a base measurement point (or set of points) from which all elevations are determined. Historically, that common set of points was the National Geodetic Vertical Datum

of 1929 (NGVD29). The vertical datum currently adopted by the federal government as a basis for measuring heights is the North American Vertical Datum of 1988 (NAVD88).

<u>Development</u>: any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

<u>Development Activity</u>: any activity defined as Development which will necessitate a Floodplain Development Permit; such as: the construction of buildings, structures, or accessory structures; additions or substantial improvements to existing structures; bulkheads, retaining walls, piers, and pools; the placement of mobile homes; or the deposition or extraction of materials; the construction or elevation of dikes, berms and levees.

<u>Digital Flood Insurance Rate Map (DFIRM)</u>: the digital official map of a community, issued by the Federal Insurance Administrator, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

<u>Elevated Building</u>: for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

<u>Elevation Certificate</u>: The Elevation Certificate is an important administrative tool of the NFIP. It is used to determine the proper flood insurance premium rate; it is used to document elevation information; and it may be used to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

**Enclosure**: an area enclosed by solid walls below the BFE/FPE or an area formed when any space below the BFE/FPE is enclosed on all sides by walls or partitions. Insect screening or open wood lattice used to surround space below the BFE/RFPE is not considered an enclosure.

**Encroachment**: the advance or infringement of uses, fill, excavation, buildings, structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**Existing Construction**: for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or Manufactured Home Subdivision: a manufactured home park or subdivision where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before the effective date of the original floodplain management regulations adopted by the community, on September 6, 2002.

**Existing Structures**: see existing construction.

<u>Expansion to an Existing Manufactured Home Park or Subdivision</u>: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

### Flood or Flooding:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1. The overflow of inland or tidal waters.
- 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

### Flood Boundary and Floodway Map (FBFM):

The FBFM shows how the floodplain is divided into the floodway and flood fringe where streams are studied in detail. They also show general floodplain areas where floodplains have been studied by approximate methods.

**Flood Elevation Determination**: See Base Flood Elevation (BFE)

**Flood Elevation Study**: See Flood Insurance Study (FIS)

<u>Flood Hazard Boundary Map (FHBM)</u>: an official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.

<u>Flood Insurance Rate Map (FIRM)</u>: an official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

<u>Flood Insurance Study (FIS)</u>: an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations; or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**Flood Zone**: a geographical area shown on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) that reflects the severity or type of flooding in the area, and applicable insurance rate.

<u>Floodplain or Flood-Prone Area</u>: any land area susceptible to being inundated by water from any source (see definition of "flooding").

<u>Floodplain Administrator</u>: the individual appointed to administer and enforce the floodplain management regulations.

<u>Floodplain Development Permit</u>: any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

<u>Floodplain Management</u>: the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

<u>Floodplain Management Regulations</u>: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

<u>Floodproofing</u>: any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Flood Protection Elevation (FPE)**: the Base Flood Elevation plus the Freeboard.

- a. In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two feet of freeboard; and
- b. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two feet above the highest adjacent grade.

<u>Flood Protection System</u>: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

<u>Floodway</u>: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

<u>Freeboard</u>: a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the

hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the freeboard establishes the Flood Protection Elevation (FPE).

<u>Functionally Dependent Use</u>: a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

<u>Highest Adjacent Grade (HAG)</u>: the highest natural elevation of the ground surface prior to construction, adjacent to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.

#### **Historic Structure**: a structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or to a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - 1. by an approved state program as determined by the Secretary of the Interior, or
  - 2. directly by the Secretary of the Interior in states without approved programs.

<u>Letter of Map Change (LOMC)</u>: a general term used to refer to the several types of revisions and amendments to FIRMs that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F)

- A. <u>Letter of Map Amendment (LOMA)</u>: an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
- B. Letter of Map Revision (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

- C. <u>Letter of Map Revision Based on Fill (LOMR-F)</u>: FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.
- D. <u>Conditional Letter of Map Revision (CLOMR)</u>: A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

<u>Levee</u>: a man-made structure, usually an earthen embankment, designed and constructed according to sound engineering practices, to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

<u>Levee System</u>: a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

<u>Lowest Adjacent Grade (LAG)</u>: the lowest point of the ground level next to the structure. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.

<u>Lowest Floor</u>: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR § 60.3 and this ordinance.

<u>Manufactured Home</u>: a structure, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle."

<u>Manufactured Home Park or Subdivision</u>: a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

<u>Market Value</u>: the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

<u>Mean Sea Level</u>: for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum (such as North America Vertical Datum of 1988 - NAVD88) to which Base Flood Elevations (BFEs) shown on a community's FIRM are referenced.

<u>Mudslide (i.e., mudflow)</u>: describes a condition where there is a river, flow, or inundation of liquid mud down a hillside usually as a result of a dual condition of loss of brush cover and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A mudslide (i.e., mudflow) may occur as a distinct phenomenon while a landslide is in progress and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

<u>Mudslide (i.e., mudflow) Area Management</u>: the operation of an overall program of corrective and preventive measures for reducing mudslide (i.e., mudflow) damage, including but not limited to emergency preparedness plans, mudslide control works, and flood plain management regulations.

<u>Mudslide (i.e., mudflow) Prone Area</u>: an area with land surfaces and slopes of unconsolidated material where the history, geology, and climate indicate a potential for mudflow.

<u>National Flood Insurance Program (NFIP)</u>: The NFIP is a Federal program created by Congress to mitigate future flood losses nationwide through sound, community-enforced building and zoning ordinances and to provide access to affordable, federally backed flood insurance protection for property owners.

New Construction: for floodplain management purposes, a structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. Any construction started after September 6, 2002 and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

<u>New Manufactured Home Park or Subdivision</u>: a place where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community on September 6, 2002.

<u>Post-FIRM</u>: construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).

<u>Pre-FIRM</u>: construction or other development for which the "start of construction" occurred before September 6, 2002, the effective date of the initial Flood Insurance Rate Map (FIRM).

#### **Recreational Vehicle**: a vehicle that is:

- a. Built on a single chassis, and
- b. 400 square feet or less when measured at the largest horizontal projection, and
- c. Designed to be self-propelled or permanently towed by a light duty truck, and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

## **Regulatory Floodway**: See Floodway

Remedy a Violation: to bring the structure or other development into compliance with State or local flood plain management regulations, or, if this is not possible, to reduce the impacts of its non-compliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

**Repetitive Loss Structure**: An NFIP-insured structure that has had at least two paid flood losses of more than \$1,000 each in any 10-year period since 1978.

**Riverine**: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Special Flood Hazard Area (SFHA)**: the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

<u>Start of Construction</u>: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure**: a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

<u>Substantial Damage</u>: damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent (50%) of its market value before the damage occurred. See definition of "substantial improvement". Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent (25%) of the market value of the structure before the damage occurred.

<u>Substantial Improvement</u>: any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- 1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- 2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.

Technical Bulletins and Technical Fact Sheets: FEMA publications that provide guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U S Code of Federal Regulations § 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations. Rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

<u>Temperature Controlled</u>: having the temperature regulated by a heating and/or cooling system, built-in or appliance.

Variance: a grant of relief by the governing body from a requirement of this ordinance.

<u>Violation</u>: the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

<u>Water Surface Elevation</u>: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 (or other specified datum), of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

<u>Watercourse</u>: a lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

#### 10-1-3. GENERAL PROVISIONS

- **A.** Lands to Which This Ordinance Applies: This Ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of the City of Star. Nothing in this ordinance is intended to allow uses or structures that are otherwise prohibited by the zoning ordinance.
- **B.** Basis for Special Flood Hazard Areas: The City of Star, Idaho lies within two counties: 1) Ada County and 2) Canyon County. The Special Flood Hazard Areas identified by the Federal Insurance Administrator in a scientific and engineering report for the portion of the City that lies within Canyon County titled "Flood Insurance Study (FIS) for Canyon County, Idaho and incorporated Areas", dated June 7, 2019, and the portion of the City that lies within Ada County titled "The Flood Insurance Study for Ada County, Idaho and Incorporated Areas" dated June 19, 2020, and accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are adopted by reference and declared a part of this ordinance. The FIS and the FIRM are on file at the office of the Star City Clerk, 10769 W. State Street, Star, Idaho.
- C. Establishment of Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article IV Section B.
- **D.** Compliance: No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.
- **E. Abrogation and Greater Restrictions:** This ordinance shall not in any way repeal, abrogate, impair, or remove the necessity of compliance with any other laws, ordinances, regulations, easements, covenants, or deed restrictions, etcetera. However, where this ordinance and another conflict or overlap, whichever imposes more stringent or greater restrictions shall control.
- **F. Interpretation:** In the interpretation and application of this ordinance all provisions shall be:
- 1. Considered as minimum requirements;
- 2. Liberally construed in favor of the governing body; and
- 3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning and Disclaimer of Liability: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Star or by any officer or employee thereof for flood damages that result from reliance on this ordinance or an administrative decision lawfully made hereunder.

#### **Section H.** Penalties for Violation

- 1. No structure or land shall hereafter be located, extended, converted, or altered unless in full compliance with the terms of this ordinance and other applicable regulations.
- 2. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100) or imprisoned for not more than one hundred eights (180) days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Star from taking such other lawful actions as is necessary to prevent or remedy any violation.
- 3. Illegal placement of fill, debris or other waste material within a SFHA is a violation of the provisions of this ordinance and therefore is subject to the provisions of the previous paragraph.

## 10-1-4. ADMINISTRATION

- **A. Designation of Floodplain Ordinance Administrator:** The Mayor or their designee hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance.
- **B.** Duties and Responsibilities of the Floodplain Administrator: The Floodplain Administrator shall perform, but not be limited to, the following duties:
- 1. Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- 2. Review all proposed development within Special Flood Hazard Areas to assure that all necessary Local, State, and Federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
- 3. Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or

- relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA). (*This is the LOMC procedure*)
- 4. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained; (*This is a Hydraulic & Hydrology Analysis*)
- 5. Prevent encroachments into floodways unless the certification and flood hazard reduction provisions of Article V, Section E are met.
- 6. Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article IV, Section C.3.
- 7. Obtain and maintain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article IV, Section C.3.
- 8. Review plans to verify public utilities are constructed in accordance with the provisions of Article V, Section A.5-7.
- 9. When floodproofing is utilized for a particular structure, obtain and maintain certifications from a registered professional engineer or architect in accordance with the provisions of Article IV, Section C.3. and Article V, Section B.2.
- 10. Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, and floodways (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- 11. When Base Flood Elevation (BFE) data has not been provided in accordance with the provisions of Article III, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data available from a Federal, State, or other source, including data developed pursuant to Article V, Section C.2., in order to administer the provisions of this ordinance.
- 12. When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of Article III, Section B, require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. (*This is a Hydraulic & Hydrology Analysis*)

- 13. When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.
- 14. Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- 15. Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- 16. Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- 17. Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- 18. Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- 19. Follow through with corrective procedures of Article IV, Section D.
- 20. Review, provide input, and make recommendations for variance requests.
- 21. Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article

- III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of your community's mapping needs.
- 22. Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- 23. A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- 24. Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

## C. Floodplain Development Application, Permit, and Certification Requirements

- 1. Application Requirements. Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
  - a. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
    - i. the nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
    - ii. the boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article III, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
    - iii. the flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article III, Section B;
    - iv. the boundary of the floodway(s) as determined in Article III, Section B;
    - v. the Base Flood Elevation (BFE) where provided as set forth in Article III, Section B; Article III, Section C; or Article V, Section C;

- vi. the old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
- vii. the certification of the plot plan by a registered land surveyor or professional engineer.
- b. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
  - i. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;
  - ii. Elevation in relation to mean sea level to which any non-residential structure in Zone A, AE, AH, AO, or A1-30 will be floodproofed; and
  - iii. Elevation in relation to mean sea level to which any proposed utility equipment and machinery will be elevated or floodproofed.
- c. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-33) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures will be required prior to Certificate of Occupancy/Completion.
- d. A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
  - i. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation, or on columns/posts/piers/piles/shear walls); and
  - ii. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article V, Section A.8.b when solid foundation perimeter walls are used in Zones A, AE, AH, AO, and A1-30.
- e. Usage details of any enclosed areas below the lowest floor.
- f. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
- g. Certification that all other Local, State, and Federal permits required prior to floodplain development permit issuance have been received.
- h. Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of Article V, Section B.5 and 6 of this Ordinance are met.
- i. A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and
  - i. A map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

(This is a Hydraulic & Hydrology Analysis, & may involve the LOMC procedure)

2. Permit Requirements. The Floodplain Development Permit shall include, but not be limited to:

- a. A complete description of all the development to be permitted under the floodplain development permit (i.e. house, garage, pool, septic, bulkhead, cabana, pole barn, chicken coop, pier, bridge, mining, dredging, filling, rip-rap, docks, grading, paving, excavation or drilling operations, or storage of equipment or materials, etcetera).
- b. The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article III, Section B.
- c. The Flood Protection Elevation required for the lowest floor and all attendant utilities.
- d. The Flood Protection Elevation required for the protection of all utility equipment and machinery.
- e. All certification submittal requirements with timelines.
- f. A statement that no fill material or other development shall encroach into the floodway of any watercourse, as applicable.
- g. The flood openings requirements.
- h. All floodplain development permits shall be conditional upon the start of construction of work within 180 days A floodplain development permit shall expire 180 days after issuance unless the permitted activity has commenced as per the Start of Construction definition.
- i. Fully enclosed areas below the lowest floor are usable solely for parking of vehicles, building access, or storage.
- j. All materials below BFE/FPE must be flood resistant materials.

### 3. Certification Requirements.

- a. Elevation Certificates
  - i. A Construction Drawings Elevation Certificate (FEMA Form 86-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
  - ii. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.)

- Floodproofing Certificate. If non-residential floodproofing is used to meet the b. Flood Protection Elevation requirements, design plans, with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the lowest floor and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Prior to request for a Certificate of Compliance/Occupancy a Floodproofing Certificate (FEMA Form 086-0-34) shall be provided to the Floodplain Administrator for review and approval.
- c. If a manufactured home is placed within Zone A, AE, AH, AO, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article V, Section B.3.b.
- d. If a watercourse is to be altered or relocated, the following shall all be submitted by the permit applicant prior to issuance of a floodplain development permit:
  - i. a description of the extent of watercourse alteration or relocation; and
  - ii. a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and
  - iii. a map showing the location of the proposed watercourse alteration or relocation; and
  - iv. an Idaho Stream Channel Alteration Permit approval shall be provided by the applicant to the Floodplain Administrator.
- e. Certification Exemptions. The following structures are exempt from the elevation/floodproofing certification requirements specified in items a. and b. of this subsection:
  - i. Recreational Vehicles meeting requirements of Article V, Section B.5.a;
  - ii. Temporary Structures meeting requirements of Article V, Section B.6; and

- iii. Accessory Structures less than 200 square feet meeting requirements of Article V, Section B.7.
- 4. Determinations for Existing Buildings and Structures. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, improvements, repairs of damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:
  - a. Estimate the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
  - b. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
  - c. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
  - d. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the adopted Idaho Building Code and this ordinance is required.

#### **D.** Corrective Procedures

- 1. Violations to be Corrected. When the Floodplain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- 2. Actions in Event of Failure to Take Corrective Action. If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
  - a. that the building or property is in violation of the floodplain management regulations;
  - b. that a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - c. that following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- 3. Order to Take Corrective Action. If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in

violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred and eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.

- 4. Appeal. Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- 5. Failure to Comply with Order. If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

#### **E.** Variance Procedures

- 1. The City Council, hereinafter referred to as the "appeal board", shall hear and decide requests for variances from the requirements of this ordinance.
- 2. Variances may be issued for:
  - a. the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
  - b. functionally dependent facilities, if determined to meet the definition as stated in Article II of this ordinance, provided provisions of Article IV, Section E.8.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or
  - c. any other type of development, provided it meets the requirements of this Section.
- 3. In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
  - a. the danger that materials may be swept onto other lands to the injury of others;
  - b. the danger to life and property due to flooding or erosion damage;
  - c. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - d. the importance of the services provided by the proposed facility to the community;
  - e. the necessity to the facility of a waterfront location as defined under Article II of this ordinance as a functionally dependent facility, where applicable;

- f. the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- g. the compatibility of the proposed use with existing and anticipated development;
- h. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i. the safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- k. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- 4. The applicant shall include a written report addressing each of the above factors in Article IV, Section E.3.a-k with their application for a variance.
- 5. Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- 6. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- 7. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of Idaho upon request.
- 8. Conditions for Variances:
  - a. Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
  - b. Variances shall not be issued within any designated floodway if the variance would result in any increase in flood levels during the base flood discharge.
  - c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - d. Variances shall only be issued prior to development permit approval.
  - e. Variances shall only be issued upon:
    - i. a showing of good and sufficient cause;
    - ii. a determination that failure to grant the variance would result in exceptional hardship; and
    - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public

expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- 9. A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
  - a. The use serves a critical need in the community.
  - b. No feasible location exists for the use outside the Special Flood Hazard Area.
  - c. The lowest floor of any structure is elevated or floodproofed to at least the Flood Protection Elevation.
  - d. The use complies with all other applicable Federal, State and local laws.
- 10. The City of Star will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.
- 11. Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Idaho Code 67-6535.

#### 10-1-5. PROVISIONS FOR FLOOD HAZARD REDUCTION

**Section A.** General Standards: In all Special Flood Hazard Areas the following provisions are required:

- 1. All new construction, substantial improvements, and development shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- 2. All new construction, substantial improvements, and development shall be constructed with materials and utility equipment resistant to flood damage in accordance with the Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the Federal Emergency Management Agency.
- 3. All new construction, substantial improvements, and development shall be constructed by methods and practices that minimize flood damages.
- 4. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
- 5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

- 6. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- 7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- 8. A fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor and used solely for parking, access, and storage shall:
  - a. be constructed entirely of flood resistant materials at least to the Flood Protection Elevation; and
  - b. include, in Zones A, AE, AH, AO, and A1-30, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
    - i. A minimum of two flood openings on different sides of each enclosed area subject to flooding;
    - ii. The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
    - iii. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - iv. The bottom of all required flood openings shall be no higher than BFE above the interior or exterior adjacent grade;
    - v. Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
    - vi. Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or flood resistant wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
- 9. Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- 10. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, or stream setback, provided there is no additional encroachment below the Flood Protection Elevation in the floodway, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- 11. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as

specified in Article IV, Section E.9. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of Article IV, Section C.3.

- 12. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage and determined to be reasonably safe from flooding.
- 13. All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- 14. All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- 15. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
- 16. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data.
- 17. When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- 18. When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest Base Flood Elevation (BFE) shall apply.
- 19. Fill is prohibited in the floodway, including construction of buildings on fill. This includes not signing the Community Acknowledgement page for Conditional Letters or Letters of Map Revision (CLOMR-F or LOMR-F).
- **B.** Specific Standards: In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in 10-2-3, Section B, or 10-2-5, Section D, the following provisions, in addition to the provisions of 10-2-5, Section A, are required:
- 1. Residential Construction. New construction, substantial improvements, and development of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than the Flood Protection Elevation, as defined in Article II of this ordinance.
- 2. Non-Residential Construction. New construction, substantial improvements, and development of any commercial, industrial, or other non-residential structure shall have

the lowest floor, including basement, elevated no lower than the Flood Protection Elevation, as defined in Article II of this ordinance. Structures located in Zones A, AE, AH, AO, and A1-30 may be floodproofed to the Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AH and AO Zones, the floodproofing elevation shall be in accordance with Article V, Section F.2. A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article IV, Section C.3, along with the operational plan and the inspection and maintenance plan.

#### 3. Manufactured Homes.

- a. New and replacement manufactured homes shall be elevated so that the lowest floor of the manufactured home is no lower than the Flood Protection Elevation, as defined in Article II of this ordinance.
- b. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the Idaho Division of Building Safety's "Idaho Manufactured Home Installation Standard" in accordance with Idaho Code § 44-2201(2). Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
- c. All enclosures or skirting below the lowest floor shall meet the requirements of Article V, Section A.8.(a)(b).
- d. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved, or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.

#### 4. Additions/Improvements.

- a. Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are
  - i. not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure; or
  - ii. a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- b. Additions to non-compliant post-FIRM structures that are a substantial improvement with no modifications to the existing structure other than a standard

- door in the common wall shall require only the addition to comply with the standards for new construction.
- c. Additions and/or improvements to non-compliant post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are
  - i. not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction; or
  - ii. a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- 5. Recreational Vehicles. Recreational vehicles shall be either:
  - a. Temporary Placement.
    - i. be on site for fewer than 180 consecutive days or be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or
  - b. Permanent Placement.
    - i. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction, as set forth in Article V, Section A.
- 6. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
  - a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;
  - b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - c. the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);
  - d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
  - e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
  - f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.
- 7. Accessory Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with Article IV, Section C.3, and the following criteria shall be met:
  - a. Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);

- b. Accessory structures shall not be temperature-controlled;
- c. Accessory structures shall be designed to have low flood damage potential;
- d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- e. Accessory structures shall be firmly anchored in accordance with the provisions of Article V, Section A.1;
- f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Article V, Section A.4; and
- g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of Article V, Section A.8.
- h. Accessory structures not used solely for parking, access, and storage must be elevated per Article V. Section B.1. and 2.

An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 or less and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per Article V, Section B.2.

- 8. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
  - a. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);
  - b. Elevated above-ground tanks, in flood hazard areas shall be attached to, and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
  - c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
  - d. Tank inlets, fill openings, outlets and vents shall be:
    - i. at or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and
    - ii. anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- 9. Construction of Below-Grade Crawlspace.
  - a. The interior grade of a crawlspace must not be below the BFE and must not be more than two (2) feet below the exterior lowest adjacent grade (LAG).

- b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, must not exceed four (4) feet at any point.
- c. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
- d. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

See Technical Bulletin 11 for further information.

#### Caution:

Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation of the crawlspace soil at or above the Base Flood Elevation (BFE).

### 10. Other Development in regulated floodways.

- a. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of Article V, Section E of this ordinance.
- b. Retaining walls, bulkheads, sidewalks, and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article V, Section E of this ordinance.
- c. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Article V, Section E of this ordinance.
- d. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance.
- e. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance
- f. Gravel and sand and their subsequent extraction on lands within the Special Flood Hazard Area that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance. A Reclamation Plan Bond for LOMR shall be posted by the mine/property owner with the City of Star to cover the estimated costs of a Reclamation LOMR as determined by the mine/property owner and shall provide supporting documentation for the estimated LOMR cost. A Reclamation LOMR shall be completed within one year of the completion of mining. Upon failure of the property owner to obtain a Reclamation LOMR of the mining site within one year, the Reclamation Plan Bond for LOMR will be forfeited.

## 11. Subdivision plats.

Flood zones.

a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in

situations where two or more flood zones intersect over the property or properties being surveyed.

b. FEMA FIRM panel(s): #160xxxxxxC, & 160xxxxxxE, etc.

FIRM effective date(s): mm/dd/year

Flood Zone(s): Zone X, Zone A, Zone AE, Zone AO, Zone, AH, Zone D, etc.

Base Flood Elevation(s): AE .0 ft., etc.

Flood Zones are subject to change by FEMA & all land within a floodway or floodplain

is regulated by chapter/section of the City/County Code.

#### 12. Critical Facilities.

As a best practice, FEMA recommends protection that exceeds code minimums. For example, FEMA 543, Design Guide for Improving Critical Facility Safety from Flooding and High Winds (2007) recommends protecting critical facilities to withstand at least a 0.2-percent-annual-chance flood event (often called the "500-year flood event"). Flood elevations for the 0.2-percent-annual-chance flood may be greater than the elevation specified by ASCE 24. If federal funding or other Federal action is involved, the requirements of Executive Order 11988 – Floodplain Management may necessitate protection of critical actions to the 500-year flood elevation (critical actions may include the construction and repair of critical facilities).

In existing facilities that have not been substantially damaged, it may not be possible to floodproof or elevate to provide protection from the 0.2-percent-annual-chance flood event. In those instances, floodproofing or elevating as high as three (3) feet is recommended.

## C. Standards for Floodplains without Established Base Flood Elevations

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) and established in Article III, Section B, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Article V, Section A, shall apply:

The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

- 1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article V, Sections A and B.
- 2. When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Article V, Sections B and E.
- 3. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference

- in accordance with Article III, Section B and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued. (See FEMA 480 and/or FEMA 265 for further information.)
- 4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher, as
  - (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher, as defined in Article II. All other applicable provisions of Article V, Section B shall also apply.
- **D.** Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways: Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:
- 1. Standards of Article V, Sections A and B; and
- 2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- **E. Standards for Floodways:** Areas designated as floodways located within the Special Flood Hazard Areas established in Article III, Section B. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article V, Sections A and B, shall apply to all development within such areas:
- 1. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless:
  - a. it is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit (*This is a No-Rise Analysis & Certification*); or
  - b. a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.

- 2. If Article V, Section E.1 is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- 3. Manufactured homes may be permitted provided the following provisions are met:
  - a. the anchoring and the elevation standards of Article V, Section B.3; and
  - b. the encroachment standards of Article V, Section E.1.

## Section F. Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or

**AR/AH):** Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- 1. The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two feet, above the highest adjacent grade; or at least four feet above the highest adjacent grade if no depth number is specified.
- 2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F.1 so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article IV, Section C.3, and Article V, Section B.2.
- 3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)
  - a. Used solely for parking, access, and storage
    - i. Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two feet, above the highest adjacent grade; or at least four feet above the highest adjacent grade if no depth number is specified; or
    - ii. Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of Article V, Section

A.8.

- b. Not used solely for parking, access, and storage
  - i. Shall be elevated per Article V. Section B.1. and 2.
- 4. Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

#### 10-1-6.LEGAL STATUS PROVISIONS

- A. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance: This Ordinance, in part, comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted September 6, 2002 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of the City of Star enacted on September 6, 2002, as amended, which are not reenacted herein are repealed.
- B. Effect upon Outstanding Floodplain Development Permits: Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a Floodplain Development Permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance. Provided, however, that when construction is not begun under such outstanding permit within a period of 180 days subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.
- C. Severability: This Ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

This Ordinance, or summary thereof in compliance with Section 50-901A, Idaho

Code, shall be published once in the official newspaper of the city, and shall take effect immediately upon its passage, approval, and publication.		
Approved by the Mayor on the day of	, 2021.	
	City of Star, Idaho	
	Trevor Chadwick, Mayor	

Jacob Qualls, City Clerk

Section 3:

ATTEST:

# SUMMARY OF FLOOD ORDINANCE NO. 336-2021

AN ORDINANCE OF THE CITY OF STAR, IDAHO, REPEALING TITLE 10, CHAPTER 1 OF THE STAR CITY CODE; AMENDING TITLE 10, CHAPTER 2, RENUMBERING THE CODE, CHANGING THE DESIGNATION OF THE FLOODPLAIN MANAGER; ADDING VIOLATION FOR DUMPING IN THE SPECIAL FLOOD HAZARD AREA; AND PROVIDING AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No adopted on May, 2021, is as follows:	. 336-2021 of the City of Star, Idaho
Section 1: Deletes the redundant Star City Code Tit REGULATIONS.	le 10, Chapter 1, FLOOD
Section 2: Amends Star City Code Title 10, Chapter the code, change the designation of the floodplain mana in the special flood hazard area.	
Section 3: Provides for the publication of the ordinal	ance and establishes an effective date.
A copy of the full ordinance is available at City Hall.	
Approved by the Mayor on the day of	, 2021.
	City of Star, Idaho
	Trevor Chadwick, Mayor
ATTEST:	
Jacob Qualls, City Clerk	

## CERTIFICATION OF ATTORNEY

	ey to the City of Star, Idaho, hereby certify that I have read 21 of the City of Star and that the same is true and complete 2 contents of said Ordinance.
Dated as of the day of May, 2021.	
	Christopher E. Yorgason, City Attorney

#### ORDINANCE NO.

(Amended Flood Ordinance)

AN ORDINANCE OF THE CITY OF STAR, IDAHO, REPEALING TITLE 10, CHAPTER 1 OF THE STAR CITY CODE; AMENDING TITLE 10, CHAPTER 2, RENUMBERING THE CODE, CHANGING THE DESIGNATION OF THE FLOODPLAIN MANAGER; ADDING VIOLATION FOR DUMPING IN THE SPECIAL FLOOD HAZARD AREA; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STAR, IDAHO, as follows:

Section 1: Star City Code Title 10, Chapter 1, FLOODPLAIN REGULATIONS, is hereby deleted.

<u>Section 2</u>: Star City Code Title 10, Chapter 2, FLOOD ORDINANCE, is hereby amended and renumbered to read as follows:

# 10-21-1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

A. Statutory Authority: The Legislature of the State of Idaho, pursuant to Idaho Code §§ 46-1020, 46-1023, and 46-1024, authorizes local governments to adopt floodplain management ordinances that identify floodplains and minimum floodplain development standards to minimize flood hazards and protect human life, health, and property. Therefore, the Council of the City of Star Idaho does hereby ordain as follows:

#### B. Findings of Fact

- 1. The flood hazard areas of the City of Star are subject to periodic inundation that results in:
  - a. loss of life and property;
  - b. health and safety hazards;
  - c. disruption of commerce and governmental services;
  - d. extraordinary public expenditures for flood relief and protection; and
  - e. impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- These flood losses are caused by development in flood hazard areas, which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages, and by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities.
- Local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management.

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- **C. Statement of Purpose:** The purpose of this ordinance is to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
- 1. Protect human life, health, and property;
- Minimize damage to public facilities and utilities such as water purification and sewage treatment plants, water and gas mains, electric, telephone and sewer lines, streets, and bridges located in floodplains;
- 3. Help maintain a stable tax base by providing for the sound use and development of flood prone areas;
- 4. Minimize expenditure of public money for costly flood control projects;
- Minimize the need for rescue and emergency services associated with flooding, generally undertaken at the expense of the general public;
- 6. Minimize prolonged business interruptions;
- 7. Ensure potential buyers are notified the property is in an area of special flood hazard; and
- Ensure those who occupy the areas of special flood hazard assume responsibility for their actions.
- 9. Participate in and maintain eligibility for flood insurance disaster relief.
- **D. Objectives and Methods of Reducing Flood Losses:** In order to accomplish its purpose, this ordinance includes methods and provisions to:
- Require that development which is vulnerable to floods, including structures and facilities
  necessary for the general health, safety, and welfare of citizens, be protected against flood
  damage at the time of initial construction;
- 2. Restrict or prohibit developments which are dangerous to health, safety, and property due to water or erosion hazards, or which increase flood heights, velocities, or erosion;
- Control filling, grading, dredging, and other development which may increase flood damage or erosion;
- Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or that may increase flood hazards to other lands;
- 5. Preserve and restore natural floodplains, stream channels, and natural protective barriers which carry and store flood waters.

#### 10-21-2. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted according to the meaning they have in common usage and to give this ordinance it's most reasonable application.

Accessory Structure (appurtenant structure): a structure on the same lot or parcel as a principal structure, the use of which is incidental and subordinate to the principal structure.

Addition (to an existing building): an extension or increase in the floor area or height of a building or structure.

<u>Appeal</u>: a request for review of the Floodplain Administrator's interpretation of provisions of this ordinance or request for a variance.

Area of Shallow Flooding: a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent (1%) or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard: see Special Flood Hazard Area (SFHA).

**Base Flood**: the flood having a one (1) percent (1%) chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): a determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. When the BFE has not been provided in a Special Flood Hazard Area, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA-approved engineering methodologies. This elevation, when combined with the Freeboard, establishes the Flood Protection Elevation.

**Basement**: any area of the building having its floor sub grade (below ground level) on all sides.

Building: see Structure.

<u>Critical Facilities</u>: facilities that are vital to flood response activities or critical to the health and safety of the public before, during, and after a flood, such as a hospital, emergency operations center, electric substation, police station, fire station, nursing home, school, vehicle and equipment storage facility, or shelter; and facilities that, if flooded, would make the flood problem and its impacts much worse, such as a hazardous materials facility, power generation facility, water utility, or wastewater treatment plant.

<u>Datum</u>: the vertical datum is a base measurement point (or set of points) from which all elevations are determined. Historically, that common set of points was the National Geodetic Vertical Datum

of 1929 (NGVD29). The vertical datum currently adopted by the federal government as a basis for measuring heights is the North American Vertical Datum of 1988 (NAVD88).

<u>Development</u>: any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

<u>Development Activity</u>: any activity defined as Development which will necessitate a Floodplain Development Permit; such as: the construction of buildings, structures, or accessory structures; additions or substantial improvements to existing structures; bulkheads, retaining walls, piers, and pools; the placement of mobile homes; or the deposition or extraction of materials; the construction or elevation of dikes, berms and levees.

<u>Digital Flood Insurance Rate Map (DFIRM)</u>: the digital official map of a community, issued by the Federal Insurance Administrator, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

**Elevated Building**: for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

<u>Elevation Certificate</u>: The Elevation Certificate is an important administrative tool of the NFIP. It is used to determine the proper flood insurance premium rate; it is used to document elevation information; and it may be used to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

<u>Enclosure</u>: an area enclosed by solid walls below the BFE/FPE or an area formed when any space below the BFE/FPE is enclosed on all sides by walls or partitions. Insect screening or open wood lattice used to surround space below the BFE/RFPE is not considered an enclosure.

**Encroachment**: the advance or infringement of uses, fill, excavation, buildings, structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Existing Construction: for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or Manufactured Home Subdivision: a manufactured home park or subdivision where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed before the effective date of the original floodplain management regulations adopted by the community, on September 6, 2002.

**Existing Structures**: see existing construction.

**Expansion to an Existing Manufactured Home Park or Subdivision**: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

#### Flood or Flooding:

A. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1. The overflow of inland or tidal waters.
- 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- 3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph a.2. of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph a.1. of this definition.

#### Flood Boundary and Floodway Map (FBFM):

The FBFM shows how the floodplain is divided into the floodway and flood fringe where streams are studied in detail. They also show general floodplain areas where floodplains have been studied by approximate methods.

Flood Elevation Determination: See Base Flood Elevation (BFE)

Flood Elevation Study: See Flood Insurance Study (FIS)

Flood Hazard Boundary Map (FHBM): an official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E.

Flood Insurance Rate Map (FIRM): an official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Flood Insurance Study (FIS)**: an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations; or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

<u>Flood Zone</u>: a geographical area shown on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM) that reflects the severity or type of flooding in the area, and applicable insurance rate.

<u>Floodplain or Flood-Prone Area</u>: any land area susceptible to being inundated by water from any source (see definition of "flooding").

<u>Floodplain Administrator</u>: the individual appointed to administer and enforce the floodplain management regulations.

**Floodplain Development Permit**: any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

<u>Floodplain Management</u>: the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and flood plain management regulations.

<u>Floodplain Management Regulations</u>: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a flood plain ordinance, grading ordinance, and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

<u>Floodproofing</u>: any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**Flood Protection Elevation (FPE)**: the Base Flood Elevation plus the Freeboard.

- In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus two feet of freeboard; and
- b. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least two feet above the highest adjacent grade.

<u>Flood Protection System</u>: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**Floodway**: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

<u>Freeboard</u>: a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the

hydrologic effects of urbanization in a watershed. The Base Flood Elevation (BFE) plus the freeboard establishes the Flood Protection Elevation (FPE).

<u>Functionally Dependent Use</u>: a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

<u>Highest Adjacent Grade (HAG)</u>: the highest natural elevation of the ground surface prior to construction, adjacent to the proposed walls of a structure. Refer to the FEMA Elevation Certificate for HAG related to building elevation information.

#### Historic Structure: a structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or to a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - 1. by an approved state program as determined by the Secretary of the Interior, or
  - 2. directly by the Secretary of the Interior in states without approved programs.

<u>Letter of Map Change (LOMC)</u>: a general term used to refer to the several types of revisions and amendments to FIRMs that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F)

- A. Letter of Map Amendment (LOMA): an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.
- B. Letter of Map Revision (LOMR): FEMA's modification to an effective Flood Insurance Rate Map (FIRM) or a Flood Boundary and Floodway Map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

- C. <u>Letter of Map Revision Based on Fill (LOMR-F)</u>: FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.
- D. <u>Conditional Letter of Map Revision (CLOMR)</u>: A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building Permits and/or Flood Development Permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

<u>Levee</u>: a man-made structure, usually an earthen embankment, designed and constructed according to sound engineering practices, to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

<u>Levee System</u>: a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

<u>Lowest Adjacent Grade (LAG)</u>: the lowest point of the ground level next to the structure. Refer to the FEMA Elevation Certificate for LAG related to building elevation information.

<u>Lowest Floor</u>: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR § 60.3 and this ordinance.

<u>Manufactured Home</u>: a structure, transportable in one or more sections, built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle."

<u>Manufactured Home Park or Subdivision</u>: a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

<u>Market Value</u>: the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

<u>Mean Sea Level</u>: for purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum (such as North America Vertical Datum of 1988 - NAVD88) to which Base Flood Elevations (BFEs) shown on a community's FIRM are referenced.

<u>Mudslide (i.e., mudflow)</u>: describes a condition where there is a river, flow, or inundation of liquid mud down a hillside usually as a result of a dual condition of loss of brush cover and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A mudslide (i.e., mudflow) may occur as a distinct phenomenon while a landslide is in progress and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

<u>Mudslide (i.e., mudflow) Area Management</u>: the operation of an overall program of corrective and preventive measures for reducing mudslide (i.e., mudflow) damage, including but not limited to emergency preparedness plans, mudslide control works, and flood plain management regulations.

<u>Mudslide (i.e., mudflow) Prone Area</u>: an area with land surfaces and slopes of unconsolidated material where the history, geology, and climate indicate a potential for mudflow.

<u>National Flood Insurance Program (NFIP)</u>: The NFIP is a Federal program created by Congress to mitigate future flood losses nationwide through sound, community-enforced building and zoning ordinances and to provide access to affordable, federally backed flood insurance protection for property owners.

New Construction: for floodplain management purposes, a structure for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. Any construction started after September 6, 2002 and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

New Manufactured Home Park or Subdivision: a place where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community on September 6, 2002.

<u>Post-FIRM</u>: construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map (FIRM).

<u>Pre-FIRM</u>: construction or other development for which the "start of construction" occurred before September 6, 2002, the effective date of the initial Flood Insurance Rate Map (FIRM).

#### Recreational Vehicle: a vehicle that is:

- a. Built on a single chassis, and
- b. 400 square feet or less when measured at the largest horizontal projection, and
- c. Designed to be self-propelled or permanently towed by a light duty truck, and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway: See Floodway

**Remedy a Violation**: to bring the structure or other development into compliance with State or local flood plain management regulations, or, if this is not possible, to reduce the impacts of its non-compliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

<u>Repetitive Loss Structure</u>: An NFIP-insured structure that has had at least two paid flood losses of more than \$1,000 each in any 10-year period since 1978.

Riverine: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Special Flood Hazard Area (SFHA): the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

Start of Construction: includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

<u>Structure</u>: a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

<u>Substantial Damage</u>: damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent (50%) of its market value before the damage occurred. See definition of "substantial improvement". Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent (25%) of the market value of the structure before the damage occurred.

<u>Substantial Improvement</u>: any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure" and the alteration is approved by variance issued pursuant to this ordinance.

<u>Technical Bulletins and Technical Fact Sheets</u>: FEMA publications that provide guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U S Code of Federal Regulations § 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations. Rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

<u>Temperature Controlled</u>: having the temperature regulated by a heating and/or cooling system, built-in or appliance.

Variance: a grant of relief by the governing body from a requirement of this ordinance.

<u>Violation</u>: the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the Finished Construction Elevation Certificate, other certifications, or other evidence of compliance required in 44 CFR  $\S$  60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988 (or other specified datum), of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

<u>Watercourse</u>: a lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

#### 10-21-3. GENERAL PROVISIONS

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- **A.** Lands to Which This Ordinance Applies: This Ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of the City of Star. Nothing in this ordinance is intended to allow uses or structures that are otherwise prohibited by the zoning ordinance.
- B. Basis for Special Flood Hazard Areas: The City of Star, Idaho lies within two counties: 1) Ada County and 2) Canyon County. The Special Flood Hazard Areas identified by the Federal Insurance Administrator in a scientific and engineering report for the portion of the City that lies within Canyon County titled "Flood Insurance Study (FIS) for Canyon County, Idaho and incorporated Areas", dated June 7, 2019, and the portion of the City that lies within Ada County titled "The Flood Insurance Study for Ada County, Idaho and Incorporated Areas" dated June 19, 2020, and accompanying Flood Insurance Rate Maps (FIRM) or Digital Flood Insurance Rate Maps (DFIRM), and other supporting data, are adopted by reference and declared a part of this ordinance. The FIS and the FIRM are on file at the office of the Star City Clerk, 10769 W. State Street, Star, Idaho.
- C. Establishment of Floodplain Development Permit: A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article IV Section B.
- **D.** Compliance: No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.
- **E.** Abrogation and Greater Restrictions: This ordinance shall not in any way repeal, abrogate, impair, or remove the necessity of compliance with any other laws, ordinances, regulations, easements, covenants, or deed restrictions, etcetera. However, where this ordinance and another conflict or overlap, whichever imposes more stringent or greater restrictions shall control.
- **F. Interpretation:** In the interpretation and application of this ordinance all provisions shall be:
- 1. Considered as minimum requirements;
- 2. Liberally construed in favor of the governing body; and
- 3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning and Disclaimer of Liability: The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Star or by any officer or employee thereof for flood damages that result from reliance on this ordinance or an administrative decision lawfully made hereunder.

#### Section H. Penalties for Violation

- 1. No structure or land shall hereafter be located, extended, converted, or altered unless in full compliance with the terms of this ordinance and other applicable regulations.
- 2. Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one hundred dollars (\$100) or imprisoned for not more than one hundred eights (180) days, or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Star from taking such other lawful actions as is necessary to prevent or remedy any violation.
- 3. Illegal placement of fill, debris or other waste material within a SFHA is a violation of the provisions of this ordinance and therefore is subject to the provisions of the previous paragraph.

#### 10-21-4. ADMINISTRATION

- A. Designation of Floodplain Ordinance Administrator: The Mayor or their designee, The City Clerk hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance.
- **B.** Duties and Responsibilities of the Floodplain Administrator: The Floodplain Administrator shall perform, but not be limited to, the following duties:
- Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- Review all proposed development within Special Flood Hazard Areas to assure that all necessary Local, State, and Federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
- Notify adjacent communities and the Idaho Department of Water Resources State Coordinator for the National Flood Insurance Program (NFIP) prior to any alteration or

- relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administrator (FIA). (*This is the LOMC procedure*)
- 4. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained; (*This is a Hydraulic & Hydrology Analysis*)
- Prevent encroachments into floodways unless the certification and flood hazard reduction provisions of Article V, Section E are met.
- 6. Obtain and maintain actual elevation (in relation to mean sea level) of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article IV, Section C.3.
- 7. Obtain and maintain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article IV, Section C.3.
- Review plans to verify public utilities are constructed in accordance with the provisions of Article V, Section A.5-7.
- When floodproofing is utilized for a particular structure, obtain and maintain certifications
  from a registered professional engineer or architect in accordance with the provisions of
  Article IV, Section C.3. and Article V, Section B.2.
- 10. Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, and floodways (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- 11. When Base Flood Elevation (BFE) data has not been provided in accordance with the provisions of Article III, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data available from a Federal, State, or other source, including data developed pursuant to Article V, Section C.2., in order to administer the provisions of this ordinance.
- 12. When Base Flood Elevation (BFE) data is provided but no floodway data has been provided in accordance with the provisions of Article III, Section B, require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community. (*This is a Hydraulic & Hydrology Analysis*)

- 13. When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area (SFHA) is above the Base Flood Elevation (BFE), advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.
- 14. Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- 15. Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- 16. Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- 17. Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- 18. Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- 19. Follow through with corrective procedures of Article IV, Section D.
- 20. Review, provide input, and make recommendations for variance requests.
- Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps, and studies adopted in accordance with the provisions of Article

- III, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify the NFIP State Coordinator and FEMA of your community's mapping needs.
- 22. Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).
- 23. A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator (FIA) of the changes by submitting technical or scientific data in accordance with this part. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.
- 24. Upon occurrence, notify the Federal Insurance Administrator (FIA) in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

#### C. Floodplain Development Application, Permit, and Certification Requirements

- Application Requirements. Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
  - a. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
    - the nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
    - ii. the boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article III, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
    - iii. the flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article III, Section B;
    - iv. the boundary of the floodway(s) as determined in Article III, Section B;
    - v. the Base Flood Elevation (BFE) where provided as set forth in Article III, Section B; Article III, Section C; or Article V, Section C;

- vi. the old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
- vii. the certification of the plot plan by a registered land surveyor or professional engineer.
- b. Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
  - Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;
  - ii. Elevation in relation to mean sea level to which any non-residential structure in Zone A, AE, AH, AO, or A1-30 will be floodproofed; and
  - iii. Elevation in relation to mean sea level to which any proposed utility equipment and machinery will be elevated or floodproofed.
- c. If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-33) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures will be required prior to Certificate of Occupancy/Completion.
- d. A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
  - i. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation, or on columns/posts/piers/piles/shear walls); and
  - ii. Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article V, Section A.8.b when solid foundation perimeter walls are used in Zones A, AE, AH, AO, and A1-30.
- e. Usage details of any enclosed areas below the lowest floor.
- f. Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
- g. Certification that all other Local, State, and Federal permits required prior to floodplain development permit issuance have been received.
- Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of Article V, Section B.5 and 6 of this Ordinance are met.
- A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the floodcarrying capacity of the watercourse and the effects to properties located both upstream and downstream; and
  - A map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

(This is a Hydraulic & Hydrology Analysis, & may involve the LOMC procedure)

Permit Requirements. The Floodplain Development Permit shall include, but not be limited to:

- a. A complete description of all the development to be permitted under the floodplain development permit (i.e. house, garage, pool, septic, bulkhead, cabana, pole barn, chicken coop, pier, bridge, mining, dredging, filling, rip-rap, docks, grading, paving, excavation or drilling operations, or storage of equipment or materials, etcetera).
- b. The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article III, Section B.
- The Flood Protection Elevation required for the lowest floor and all attendant utilities.
- d. The Flood Protection Elevation required for the protection of all utility equipment and machinery.
- e. All certification submittal requirements with timelines.
- f. A statement that no fill material or other development shall encroach into the floodway of any watercourse, as applicable.
- g. The flood openings requirements.
- h. All floodplain development permits shall be conditional upon the start of construction of work within 180 days A floodplain development permit shall expire 180 days after issuance unless the permitted activity has commenced as per the Start of Construction definition.
- Fully enclosed areas below the lowest floor are usable solely for parking of vehicles, building access, or storage.
- j. All materials below BFE/FPE must be flood resistant materials.

#### 3. Certification Requirements.

- a. Elevation Certificates
  - A Construction Drawings Elevation Certificate (FEMA Form 86-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the lowest floor, in relation to mean sea level. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
  - ii. A final as-built Finished Construction Elevation Certificate (FEMA Form 86-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the lowest floor and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(The Finished Construction Elevation Certificate certifier shall provide at least two (2) photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least two (2) additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.)

- Floodproofing Certificate. If non-residential floodproofing is used to meet the b. Flood Protection Elevation requirements, design plans, with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the lowest floor and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Prior to request for a Certificate of Compliance/Occupancy a Floodproofing Certificate (FEMA Form 086-0-34) shall be provided to the Floodplain Administrator for review and approval.
- c. If a manufactured home is placed within Zone A, AE, AH, AO, or A1-30 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article V, Section B.3.b.
- d. If a watercourse is to be altered or relocated, the following shall all be submitted by the permit applicant prior to issuance of a floodplain development permit:
  - i. a description of the extent of watercourse alteration or relocation; and
  - ii. a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and
  - iii. a map showing the location of the proposed watercourse alteration or relocation; and
  - iv. an Idaho Stream Channel Alteration Permit approval shall be provided by the applicant to the Floodplain Administrator.
- e. Certification Exemptions. The following structures are exempt from the elevation/floodproofing certification requirements specified in items a. and b. of this subsection:
  - i. Recreational Vehicles meeting requirements of Article V, Section B.5.a;
  - ii. Temporary Structures meeting requirements of Article V, Section B.6; and

- Accessory Structures less than 200 square feet meeting requirements of Article V. Section B.7.
- 4. Determinations for Existing Buildings and Structures. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, improvements, repairs of damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:
  - a. Estimate the market value or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
  - b. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
  - c. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
  - d. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the adopted Idaho Building Code and this ordinance is required.

#### D. Corrective Procedures

- Violations to be Corrected. When the Floodplain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- Actions in Event of Failure to Take Corrective Action. If the owner of a building or
  property shall fail to take prompt corrective action, the Floodplain Administrator shall give
  the owner written notice, by certified or registered mail to the owner's last known address
  or by personal service, stating:
  - a. that the building or property is in violation of the floodplain management regulations;
  - b. that a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - that following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- Order to Take Corrective Action. If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in

violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred and eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.

- 4. Appeal. Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- 5. Failure to Comply with Order. If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

#### E. Variance Procedures

- The City Council, hereinafter referred to as the "appeal board", shall hear and decide requests for variances from the requirements of this ordinance.
- 2. Variances may be issued for:
  - a. the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
  - b. functionally dependent facilities, if determined to meet the definition as stated in Article II of this ordinance, provided provisions of Article IV, Section E.8.b, c, and d, have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or
  - c. any other type of development, provided it meets the requirements of this Section.
- 3. In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
  - a. the danger that materials may be swept onto other lands to the injury of others;
  - b. the danger to life and property due to flooding or erosion damage;
  - the susceptibility of the proposed facility and its contents to flood damage and the
    effect of such damage on the individual owner;
  - d. the importance of the services provided by the proposed facility to the community;
  - e. the necessity to the facility of a waterfront location as defined under Article II of this ordinance as a functionally dependent facility, where applicable;

- the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- g. the compatibility of the proposed use with existing and anticipated development;
- h. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- the safety of access to the property in times of flood for ordinary and emergency vehicles:
- j. the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- k. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- 4. The applicant shall include a written report addressing each of the above factors in Article IV, Section E.3.a-k with their application for a variance.
- 5. Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- 6. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of Idaho upon request.
- 8. Conditions for Variances:
  - Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
  - b. Variances shall not be issued within any designated floodway if the variance would result in any increase in flood levels during the base flood discharge.
  - c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - d. Variances shall only be issued prior to development permit approval.
  - e. Variances shall only be issued upon:
    - a showing of good and sufficient cause;
    - ii. a determination that failure to grant the variance would result in exceptional hardship; and
    - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public

expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
  - a. The use serves a critical need in the community.
  - b. No feasible location exists for the use outside the Special Flood Hazard Area.
  - The lowest floor of any structure is elevated or floodproofed to at least the Flood Protection Elevation.
  - d. The use complies with all other applicable Federal, State and local laws.
- 10. The City of Star will notify the State NFIP Coordinator of the Idaho Department of Water Resources of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.
- 11. Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Idaho Code 67-6535.

#### 10-21-5. PROVISIONS FOR FLOOD HAZARD REDUCTION

**Section A.** General Standards: In all Special Flood Hazard Areas the following provisions are required:

- All new construction, substantial improvements, and development shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- All new construction, substantial improvements, and development shall be constructed
  with materials and utility equipment resistant to flood damage in accordance with the
  Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from
  the Federal Emergency Management Agency.
- All new construction, substantial improvements, and development shall be constructed by methods and practices that minimize flood damages.
- 4. All new and replacement electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
- All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

- All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- 7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- 8. A fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor and used solely for parking, access, and storage shall:
  - a. be constructed entirely of flood resistant materials at least to the Flood Protection Elevation; and
  - b. include, in Zones A, AE, AH, AO, and A1-30, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
    - A minimum of two flood openings on different sides of each enclosed area subject to flooding;
    - ii. The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
    - iii. If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - iv. The bottom of all required flood openings shall be no higher than BFE above the interior or exterior adjacent grade;
    - v. Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
    - vi. Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or flood resistant wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
- 9. Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- 10. Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, or stream setback, provided there is no additional encroachment below the Flood Protection Elevation in the floodway, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- 11. New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as

specified in Article IV, Section E.9. A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Flood Protection Elevation and certified in accordance with the provisions of Article IV, Section C.3.

- 12. All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage and determined to be reasonably safe from flooding.
- 13. All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- 15. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
- 16. All subdivision proposals and other development proposals greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals base flood elevation data.
- 17. When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- 18. When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest Base Flood Elevation (BFE) shall apply.
- Fill is prohibited in the floodway, including construction of buildings on fill. This includes not signing the Community Acknowledgement page for Conditional Letters or Letters of Map Revision (CLOMR-F or LOMR-F).
- **B.** Specific Standards: In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in 10-2-3, Section B, or 10-2-5, Section D, the following provisions, in addition to the provisions of 10-2-5, Section A, are required:
- Residential Construction. New construction, substantial improvements, and development
  of any residential structure (including manufactured homes) shall have the lowest floor,
  including basement, elevated no lower than the Flood Protection Elevation, as defined in
  Article II of this ordinance.
- Non-Residential Construction. New construction, substantial improvements, and development of any commercial, industrial, or other non-residential structure shall have

the lowest floor, including basement, elevated no lower than the Flood Protection Elevation, as defined in Article II of this ordinance. Structures located in Zones A, AE, AH, AO, and A1-30 may be floodproofed to the Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AH and AO Zones, the floodproofing elevation shall be in accordance with Article V, Section F.2. A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article IV, Section C.3, along with the operational plan and the inspection and maintenance plan.

#### Manufactured Homes.

- a. New and replacement manufactured homes shall be elevated so that the lowest floor of the manufactured home is no lower than the Flood Protection Elevation, as defined in Article II of this ordinance.
- b. Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the Idaho Division of Building Safety's "Idaho Manufactured Home Installation Standard" in accordance with Idaho Code § 44-2201(2). Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
- c. All enclosures or skirting below the lowest floor shall meet the requirements of Article V, Section A.8.(a)(b).
- d. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved, or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.

#### 4. Additions/Improvements.

- Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are
  - not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more nonconforming than the existing structure; or
  - a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- b. Additions to non-compliant post-FIRM structures that are a substantial improvement with no modifications to the existing structure other than a standard

- door in the common wall shall require only the addition to comply with the standards for new construction.
- Additions and/or improvements to non-compliant post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are
  - i. not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction; or
  - ii. a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- 5. Recreational Vehicles. Recreational vehicles shall be either:
  - a. Temporary Placement.
    - be on site for fewer than 180 consecutive days or be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or
  - b. Permanent Placement.
    - Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction, as set forth in Article V, Section A.
- 6. Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
  - a. a specified time period for which the temporary use will be permitted. Time specified may not exceed six (6) months, renewable up to one (1) year;
  - b. the name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - the time frame prior to the event at which a structure will be removed (i.e., immediately upon flood warning notification);
  - d. a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
  - e. designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
  - f. Temporary structures in the floodway must provide a Hydraulic and Hydrology Analysis along with a No-Rise Certification.
- 7. Accessory Structures (Appurtenant structures). When accessory structures (sheds, detached garages, etc.) used solely for parking, and storage are to be placed within a Special Flood Hazard Area, elevation or floodproofing certifications are required for all accessory structures in accordance with Article IV, Section C.3, and the following criteria shall be met:
  - Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking, or restroom areas);

- b. Accessory structures shall not be temperature-controlled;
- c. Accessory structures shall be designed to have low flood damage potential;
- d. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- Accessory structures shall be firmly anchored in accordance with the provisions of Article V, Section A.1;
- f. All utility equipment and machinery, such as electrical, shall be installed in accordance with the provisions of Article V, Section A.4; and
- g. Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of Article V, Section A.8.
- h. Accessory structures not used solely for parking, access, and storage must be elevated per Article V. Section B.1. and 2.

An accessory structure with a footprint less than 200 square feet and is a minimal investment of \$7,500 or less and satisfies the criteria outlined in a - g above is not required to provide the elevation certificate per Article V, Section B.2.

- 8. Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
  - Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the base flood, including the effects of buoyancy (assuming the tank is empty);
  - b. Elevated above-ground tanks, in flood hazard areas shall be attached to, and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse, or lateral movement during conditions of the base flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
  - c. Not elevated above-ground tanks may be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
  - d. Tank inlets, fill openings, outlets and vents shall be:
    - at or above the flood protection elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the base flood; and
    - anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
- 9. Construction of Below-Grade Crawlspace.
  - a. The interior grade of a crawlspace must not be below the BFE and must not be more than two (2) feet below the exterior lowest adjacent grade (LAG).

- b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall, must not exceed four (4) feet at any point.
- c. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
- d. The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace.

See Technical Bulletin 11 for further information.

#### Caution

Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation of the crawlspace soil at or above the Base Flood Elevation (BFE).

#### 10. Other Development in regulated floodways.

- a. Fences that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, in regulated floodways shall meet the limitations of Article V, Section E of this ordinance.
- Retaining walls, bulkheads, sidewalks, and driveways that involve the placement
  of fill in regulated floodways shall meet the limitations of Article V, Section E of
  this ordinance.
- c. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings, and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, which encroach into regulated floodways, shall meet the limitations of Article V, Section E of this ordinance.
- d. Drilling water, oil, and/or gas wells including fuel storage tanks, apparatus, and any equipment at the site that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance.
- e. Docks, piers, boat ramps, marinas, moorings, decks, docking facilities, port facilities, shipbuilding, and ship repair facilities that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance
- f. Gravel and sand and their subsequent extraction on lands within the Special Flood Hazard Area that encroach into regulated floodways shall meet the limitations of Article V, Section E of this ordinance. A Reclamation Plan Bond for LOMR shall be posted by the mine/property owner with the City of Star to cover the estimated costs of a Reclamation LOMR as determined by the mine/property owner and shall provide supporting documentation for the estimated LOMR cost. A Reclamation LOMR shall be completed within one year of the completion of mining. Upon failure of the property owner to obtain a Reclamation LOMR of the mining site within one year, the Reclamation Plan Bond for LOMR will be forfeited.

#### 11. Subdivision plats.

Flood zones.

a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in

situations where two or more flood zones intersect over the property or properties being surveyed.

b. FEMA FIRM panel(s): #160xxxxxxC, & 160xxxxxxE, etc.

FIRM effective date(s): mm/dd/year

Flood Zone(s): Zone X, Zone A, Zone AE, Zone AO, Zone, AH, Zone D, etc.

Base Flood Elevation(s): AE .0 ft., etc.

Flood Zones are subject to change by FEMA & all land within a floodway or floodplain is regulated by chapter/section of the City/County Code.

#### 12. Critical Facilities.

As a best practice, FEMA recommends protection that exceeds code minimums. For example, FEMA 543, Design Guide for Improving Critical Facility Safety from Flooding and High Winds (2007) recommends protecting critical facilities to withstand at least a 0.2-percent-annual-chance flood event (often called the "500-year flood event"). Flood elevations for the 0.2-percent-annual-chance flood may be greater than the elevation specified by ASCE 24. If federal funding or other Federal action is involved, the requirements of Executive Order 11988 – Floodplain Management may necessitate protection of critical actions to the 500-year flood elevation (critical actions may include the construction and repair of critical facilities).

In existing facilities that have not been substantially damaged, it may not be possible to floodproof or elevate to provide protection from the 0.2-percent-annual-chance flood event. In those instances, floodproofing or elevating as high as three (3) feet is recommended.

#### C. Standards for Floodplains without Established Base Flood Elevations

Within the Special Flood Hazard Areas designated as Zone A (also known as Unnumbered A Zones) and established in Article III, Section B, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Article V, Section A, shall apply:

The BFE used in determining the Flood Protection Elevation (FPE) shall be determined based on the following criteria:

- 1. When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article V, Sections A and B.
- When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Article V, Sections B and E.
- Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Such Base Flood Elevation (BFE) data shall be adopted by reference

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- in accordance with Article III, Section B and utilized in implementing this ordinance. The applicant/developer shall submit an application for a Conditional Letter of Map Revision (CLOMR) prior to Preliminary Plat approval and have obtained a Letter of Map Revision (LOMR) prior to any building permits for structures being issued.
- (See FEMA 480 and/or FEMA 265 for further information.)
- 4. When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the lowest floor shall be elevated or floodproofed (non-residential) to two feet (2.0 ft.) above the Highest Adjacent Grade (HAG) at the building site or to the Flood Protection Elevation (FPE) whichever is higher, as defined in Article II. All other applicable provisions of Article V, Section B shall also apply.
- **D.** Standards for Riverine Floodplains with Base Flood Elevations but without Established Floodways: Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but floodways are not identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:
- 1. Standards of Article V, Sections A and B; and
- 2. Until a regulatory floodway is designated, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- **E.** Standards for Floodways: Areas designated as floodways located within the Special Flood Hazard Areas established in Article III, Section B. The floodways are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article V, Sections A and B, shall apply to all development within such areas:
- 1. No encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless:
  - it is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit (*This is a No-Rise Analysis & Certification*); or
  - a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A
    Letter of Map Revision (LOMR) must also be obtained within six months of
    completion of the proposed encroachment.

- 2. If Article V, Section E.1 is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- 3. Manufactured homes may be permitted provided the following provisions are met:
  - a. the anchoring and the elevation standards of Article V, Section B.3; and
  - b. the encroachment standards of Article V, Section E.1.

Section F. Standards for Areas of Shallow Flooding (Zone AO, AH, AR/AO, or AR/AH): Areas designated as shallow flooding areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- The lowest floor shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two feet, above the highest adjacent grade; or at least four feet above the highest adjacent grade if no depth number is specified.
- 2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F.1 so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article IV, Section C.3, and Article V, Section B.2.
- 3. Accessory structure (appurtenant structure) (sheds, detached garages, etc.)
  - Used solely for parking, access, and storage
    - i. Shall have the lowest floor elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of two feet, above the highest adjacent grade; or at

least four feet above the highest adjacent grade if no depth number is specified; or

 Shall have flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Flood Protection Elevation in conformance with the provisions of Article V, Section

A.8.

- b. Not used solely for parking, access, and storage
  - i. Shall be elevated per Article V. Section B.1. and 2.
- Adequate drainage paths shall be provided around structures on slopes to guide floodwaters around and away from proposed structures.

#### 10-21-6. LEGAL STATUS PROVISIONS

- A. Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance: This Ordinance, in part, comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted September 6, 2002 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of the City of Star enacted on September 6, 2002, as amended, which are not reenacted herein are repealed.
- B. Effect upon Outstanding Floodplain Development Permits: Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a Floodplain Development Permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance. Provided, however, that when construction is not begun under such outstanding permit within a period of 180 days subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.
- C. Severability: This Ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.
- **D.** Effective Date: This Ordinance, or summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the city, and shall take effect immediately upon its passage, approval, and publication.

This Ordinance, or summary thereof in compliance with Section 50-901A, Idaho

Code, shall be published once in the official newspaper of the city, and shall take effect immediately upon its passage, approval, and publication.		
Approved by the Mayor on the	day of	, 2021.
		City of Star, Idaho
		Trevor Chadwick, Mayor
ATTEST:		

Jacob Qualls, City Clerk

Section 3:

# SUMMARY OF FLOOD ORDINANCE NO. \_\_\_

AN ORDINANCE OF THE CITY OF STAR, IDAHO, REPEALING TITLE 10, CHAPTER 1 OF THE STAR CITY CODE; AMENDING TITLE 10, CHAPTER 2, RENUMBERING THE CODE, CHANGING THE DESIGNATION OF THE FLOODPLAIN MANAGER; ADDING VIOLATION FOR DUMPING IN THE SPECIAL FLOOD HAZARD AREA; AND PROVIDING AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. on May, 2021, is as follows:	of the City of Star, Idaho adopted
Section 1: Deletes the redundant Star City Code Titl REGULATIONS.	e 10, Chapter 1, FLOOD
Section 2: Amends Star City Code Title 10, Chapter the code, change the designation of the floodplain managin the special flood hazard area.	
Section 3: Provides for the publication of the ordinary	nce and establishes an effective date.
A copy of the full ordinance is available at City Hall.	
Approved by the Mayor on the day of	, 2021.
	City of Star, Idaho
	Trevor Chadwick, Mayor
ATTEST:	
Jacob Qualls, City Clerk	

## CERTIFICATION OF ATTORNEY

• • • • • •	ey to the City of Star, Idaho, hereby certify that I have reach the City of Star and that the same is true and complete and tents of said Ordinance.
Dated as of the day of May, 2021.	
	Christopher E. Yorgason, City Attorney