

NOTICE OF STAR CITY COUNCIL MEETING

City Hall
June 16, 2020
7:00 pm

AGENDA

1. CALL TO ORDER (Welcome/Pledge of Allegiance)
2. ROLL CALL
3. APPROVAL OF AGENDA (Approval of Agenda as it stands/Amend Agenda) **Action Item**
4. CONSENT AGENDA **Action Items**
 - *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. Regular Meeting Minutes of May 19, 2020
 - B. Findings of Fact & Conclusions of Law for: Ryken Meadows Subdivision
(AZ-20-08/PP-20-10/PR-20-02)
5. BUDGET / PRESENTATIONS
 - A. Star Lion's Club
 - B. Tina Gustaveson, Western Alliance for Economic Development
 - C. Star Sports Coordinator – Ron Weston
 - D. Star Maintenance Supervisor – Bob Little
 - E. Star Recreation Coordinator – Kim Ingraham
 - F. Star Police Department – Chief Jake Vogt
6. OLD/NEW BUSINESS **Action Items**
 - A. Public Hearing: Moon Valley Estates Subdivision (AZ-20-06/DA-20-02/MOD/PPP-20-03)
 - B. Public Hearing: Moon Valley Commons Subdivision (PP-20-06/DA-20-02/MOD)
 - C. Public Hearing: Rosti Farms Subdivision (AZ-20-03/PP/PUD-20-02)
 - D. Public Hearing: Star River Holdings DA Modification for Crystal Springs Apts.
(DA-20-04/MOD) tabled to August 18, 2020
 - E. Public Hearing: Canopi Estates Subdivision (AZ-20-07/PP-20-06/DA-20-06)
 - F. Public Hearing: Recreation Fees Indoor & Outdoor
7. EXECUTIVE SESSION under Idaho Code Statue 74-206 (1)(c) Real Property Negotiations
8. POSSIBLE ACTION FROM EXECUTIVE SESSION **Action Item**
9. REPORTS
10. ADJOURNMENT **Action Item**

Limited seating will be available for the public to attend 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 staridaho.org. This link will be posted by Tuesday, June 16, 2020. Information on how to attend and participate in the public hearing remotely will be posted to the City of Star website, staridaho.org. The public is always welcome to submit comments in writing

**Star City Council
Meeting Minutes
May 19, 2020**

The regular meeting of the Star City Council was held on Tuesday, May 19, 2020 at 7:00 pm at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Trevor Chadwick called the meeting to order and all stood for the Pledge of Allegiance.

ROLL CALL: Councilman Kevin Nielsen was present. Councilmen Michael Keyes, David Hershey and Councilwoman Jennifer Salmonsens were present via ZOOM, with Salmonsens joining the Council Meeting in person part way through.

APPROVAL OF THE AGENDA: Keyes mentioned that the numbering was incorrect on the agenda and the spelling of Arete Investments was incorrect. Keyes moved to approve the agenda. Nielsen seconded the motion. All ayes. Motion carried.

CONSENT AGENDA: Keyes moved to approve the agenda. Nielsen seconded the motion. The Mayor asked for any further discussion. Keyes mentioned that the Impact Fee Advisory Committee is only supposed to have 5 members, so we need to remove The Mayor and designate him as an alternate. Additionally, on the May 5 minutes, the comment by Director Wong said that impact fees could not be used for arterials but that should be changed to collectors. Keyes also had a question on the Reunion subdivision, if the flood designation and other issues had been resolved. Shawn Nickel, City Planner, confirmed that they had. Keyes had two comments regarding the Snack shack. First, he mentioned it has a \$250,000 liability insurance requirement and questioned whether that was high enough. Secondly, the prior tenants had not been allowed to operate during the Home Town Celebration and asked if that would be the case for the current tenant and it should be noted in the lease so there is no misunderstanding. The Mayor confirmed that it was in the lease. The Mayor also stated that the liability was originally \$100,000 and was increased to the current amount. Keyes moved to approve the amended agenda to include the changes. Nielsen seconded the motion. All ayes. Motion carried.

OLD/NEW BUSINESS

A – Public Hearing for the Rosti Farms Subdivision to be tabled to June 16, 2020. Hershey moved to approve. Keyes seconded the motion. All ayes. Motion carried.

Council moved to Item F with the approval of Chris Yorgason, Legal Counsel, to change the order of the agenda.

F – Ordinance No 307, Monroe-Butler Property Annexation and Zoning. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded the motion. All ayes. Motion carried. Nielsen moved to approve Ordinance No 307. Keyes seconded the motion. Roll call, all ayes, with the exception of Salmonsens who was not yet in attendance. Motion carried.

G – Ordinance 308, Arete Investments Property Rezone. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded. Salmonsens noted a discrepancy on a date showing February 12, when the meeting was held on February 11. The date will be corrected. All ayes. Motion carried. Nielsen moved to approved Ordinance 308 with the corrections of the spelling of Arete and the second parcel number. Keyes seconded the motion. Roll call, all ayes. Motion carried.

H – Ordinance 309, J & E Properties Rezone and PUD. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded. All ayes. Motion carried. Hershey moved to

approve Ordinance 309. Nielsen seconded the motion. The Mayor mentioned looking at the February date of this as well. Roll call, all ayes. Motion carried.

B – Public Hearing, Unified Development Code Amendments. Nickel went through the following redline report.

***Redlines added after March 11, 2020 City Council Workshop**

CITY COUNCIL UNIFIED DEVELOPMENT CODE AMENDMENT PUBLIC HEARING MAY 19, 2020

CHAPTERS:

1.
 - a. **Added Prelim Plats to applications requiring Public Hearings (page 4)**
 - b. Added 30-day review notice to agencies to review – (Page 6)
 - c. Added language regarding reimbursements/costs associated with ITD (Page 11)
 - d. Removal of some Comp Plan Amendment language (Page 14)
 - e. Guesthouse/Granny Flat definition revised to match Specific Use Standards (page 39)
 - f. Added Live/Work Definition (page 41)
2. No Changes
3.
 - a. Added language to CBD for Multi-Family (page 57)
 - b. Revised 8-3E-1 Mixed Use Timing and Ratios (page 58)
 - c. Accessory structures revised in CBD & MU (page 60)
 - d. Residential uses in the CBD changed to Prohibited except Multi-Family as CUP (page 61)
 - e. Live/Work added as use in CBD & MU (page 61)
 - f. Added Riding Arena or Stable, Commercial and Private page 63
 - g. Removed Stable (page 63)
 - h. Misc. classification changes as directed by Council (page 60-64)
 - i. Remove Note 4 for Sidewalk measurement (page 66)
4.
 - a. Reworded Mixed-Use ratio/phasing timing (page 72)
 - b. New Permitted/Prohibited Sign Exhibit – page 82
 - c. Added 8' sidewalks along State Street in the CBD (page 84)
 - d. Fireworks Stands- Remove 500 sq. ft. max size – page 96 &
 - e. Changed Food Truck Vendor Permit to 1 year – page 101
 - f. Added “or development agreement” to Private Streets (page 102)
 - g. Added exemption for approval of utility/infrastructure (page 102)
 - h. Added Fire District approval to private street gates (page 102)
 - i. Added Private Street Sidewalk Waiver (page 103)
 - j. Changed Private “Roads” to “Streets (pages 102-104)
5.
 - a. Renumbered Uses (pages 107-134)
 - b. Added Live/Work Specific Use Standards (page 116)
 - c. Added Commercial Riding Arena Standards (page 124)
 - d. Changed Dwelling Unit, Secondary to Secondary Dwelling Unit (page 125)

- e. Grammar change to Central District Health (per M.K.) (page 125)
- 6.
- a. Added Access issues to Application Requirements (Page 136)
 - b. Added minimum Public Street width requirement (page 143)
 - c. 8-6B-3 Developer's Responsibility – Homeowners Assoc. (page 145)
 - d. Revised 8-6B-3: DEVELOPER'S RESPONSIBILITY: H-3-d SB "...Star City Code ~~of~~ **or** in the original CC&Rs...".(per M.K.) (page 146)
- 7.
- a. Added Private street interconnectivity to 8-7-4-3 (page 148)
- 8.
- a. Signs
 - i. Added Animated sign definition (page 152)
 - ii. Menu Boards "Drive-Thru Added (page 160)
 - iii. Off-Premises signs revised (page 160)
 - iv. Signs Exempt From This Chapter revised page (171)
 - v. Signs Not Requiring Permits revised page including removal of prohibition of flagpoles in back yards (page 173)
 - b. Bike Parking Standards – Removed from Code **per Council Workshop discussion**
 - c. New redlines throughout Landscape Article D as reviewed by Council at our February 5th workshop
 - d. Misc. Text removed throughout Section per City Attorney Review
 - e. Added additional language for Certification of Completion of Landscaping (page 205)
 - f. Added language to Landscaping Alternative Methods of Compliance (Page 210)

Comments from Council regarding the Unified Development Code Amendment presentation:

Page 58 – Nielsen asked for clarification regarding timing components from page 58. This was answered on page 72 of Chapter 4.

Page 60 – The Mayor asked about the paragraph "Residential uses may be part of an overall mixed-use development that includes a non-residential component and may not exceed 30% of the overall size of the development." Nickel replied that under Accessory Structures, he revised that to make residential accessory structures a prohibited use but to allow commercial accessory structures as a conditional use. As an example, if a business wanted a small shed that coincided with the commercial use, they would have the ability to review that on a case by case basis.

Page 61 – The Mayor confirmed that for the fireworks stands, we changed from principle use to conditional use.

Page 82 – Salmonsens asked if figure 2 could be reworked to be clearer and more readable.

Page 124 –There was a discussion concerning commercial use, what conditions would be in effect for it to be considered commercial conditional use. Discussions included items such as striking the word "group" and including individual/private lessons, if charging a fee would it automatically make it commercial, if they had a business license, or if it was available to the public. It was decided that it could either be reworded or they could

use a Home Occupation Permit for individual lessons and the group lessons would be covered under the Conditional Use Permit. Also, adding “2 or more” to the definition of group.

Chapter 6, page 136 – Nielsen asked to clarify that “access or traffic generations issues” meant that they are declared by ACHD or ITD and if we should be more specific in the language of who has the authority to declare those issues. His concern was how the public perceives what a complete application is and suggested that adding some language identifying the appropriate traffic agencies who could declare that there is an issue would resolve any misinterpretation. There was some discussion on wording and Nielsen offered to come up with some language to propose during this meeting. Yorgason stated one challenge is to determine what is appropriate for a staff level rejection vs a City Council denial of an application. Nielsen’s proposed language read: “any known access or traffic generation issues identified by the City, ACHD, ITD or CHD4, shall be resolved by the applicant prior to acceptance of any application. The rest would read the same. Yorgason added that he likes the word “known” for two reasons, one because it says if we know it upfront, we can deny the application and number two, opens the door for the City to continue to review any issues that come up after the fact that will still need to be addressed. All agreed to that modification.

Yorgason requested to go back to Page 138 F. There was talk earlier about adding Preliminary Plat under the Public Hearings section of the code and that language was not here in this section. Idaho statutes do not require Public Hearings for Preliminary Plats when there is no request for modifications from the code but if we want to require those Public Hearings, we need to say that “a decision on a Preliminary Plat is made by the City Council after a public hearing and after receiving a recommendation from the administrator.” Yorgason suggested adding this to both sections to provide consistency.

P145 - Salmonsens asked about landscaping and if we want to state that some land is preserved or if owners would be able to change anything in their CC&Rs, including tree distancing or fencing. Nickel replied that once we approve a landscape plan and we sign off on a Final Plat, it’s left up to the HOA to follow through. There was discussion about adding wording that “the HOA shall not alter plans or any other conditions approved by The City.”

Chapter 8, B – Keyes added that we need to include this as an ordinance and at one of the workshops, we should review the language. Nickel added that he would like to bring that back to the Council, along with the design review.

Comments from the public regarding the Unified Development Code Amendment presentation:

Chris Todd. Business address: 53 N Plummer, Star ID, 83669. Todd spoke about conditional uses in the different zones. They had talked about retirement homes being applicable for conditional use in the Central Business District, similar to the 4 other zones that are conditional use areas for retirement homes. There was a discussion concerning the differences between assisted living facilities and retirement homes, the definition of a retirement home and what qualifies for conditional use in the CBD. Todd proposed that putting condos on top of commercial use buildings would qualify as conditional use in the CBD. Salmonsens mentioned prior discussions about retirement homes where it was decided there was no multi-family dwellings allowed in the CBD, but live-work multi use was added, which made her agreeable to add this to conditional use, as it would likely be bringing in income. Todd confirmed that most would have a lobby/amenity area that would require someone to be on site to care for and assist those in the building. Some would include things such as meal plan services, beauty salons or barber shops, etc. and would give residents flexibility to live in the downtown area close to commercial areas where they could walk or bike, and it would be beneficial to the CBD in the long run. Todd also discussed automotive hobby and what would be determined as a conditional use.

The Mayor closed the Public Hearing and opened it up for deliberations.

Salmonsens brought up that in the workshop discussion they had about nursing homes, assisted living and retirement homes and that they had decided to make it not permitted in the CBD because there was no residential in the area. Because an independent living apartment could be attached to commercial use businesses, there was discussion about changing definition of the retirement home, which would include the 55 and older independent living facilities, to be a conditional use in the CBD. Keyes suggested if we are looking at expanding the residential uses in the CBD, we should contemplate adding a timing component, with the same language that was proposed in the mixed used area. Nielsen raised a concern that we should make sure that the businesses are open to public, so we are not giving up our commercial space. Nickel confirmed that through public hearing and conditional use processes, the Council would have the opportunity for review and placing conditions. Nielsen moved to approve with changes as discussed. Keyes seconded the motion. All ayes. Motion carried.

C – Discussion on the “Heart of the City” Sub Area Plan. Keyes went through the scope of the plan. The intent is to come up with a more detailed plan, including a concept plan, and is hoping to get this proposal underway as soon as possible. Yorgason confirmed that this needed to be done with the consent of the Council, an RFP would need to be obtained and it would go back to the Council. Hershey asked if we had an estimated cost, at least a minimal figure, before we put it out for an RFP. Keyes reminded the Council that it was budgeted into our fiscal year. Salmonsens moved to approve. Nielsen seconded the motion. Salmonsens commented she’d like to see some additional verbiage and focus on economic development and preserving the rural character with this scope of work so when it goes out to bid, they would keep that in mind. Salmonsens revised her motion to approve with the revision. Nielsen seconded the motion. All ayes. Motion carried.

D – Discussion & Ratification of Draft Cost Proposal for Traffic Signals Study. The Mayor went through the scope of the plan to reclassify that section of the road to include more signals. ITD said they would consider this motion if the traffic study comes back favorable. The first draft of the traffic study will be done by July and a final draft is scheduled to be presented to ITD in August. Salmonsens questioned if there will be another bid. The Mayor replied there would not. She also noticed page numbers were not in order and asked if the document was complete. The Mayor replied that this study was based off comments from ITD and was complete despite the page numbering. Keyes moved to approve. Nielsen seconded the motion. All ayes. Motion carried.

E – Amended Star Fire Department Agreement. Yorgason went through the scope of the agreement with Star Fire to join forces to buy the building on the West side of Star Road. Star Fire’s attorney prepared this document which will allow Star Fire to pay the City back in the appropriate amount. Yorgason’s recommendation is that the City adopts it as it is drafted and that will allow the City to be repaid the money they’ve put into that building. The Mayor said they are going through approval process and should have it by the end of the month and then the City can have discussions because we have the first right of refusal to have it become part of the City if we choose. Hershey moved to approve with the comments noted by Yorgason. Keyes seconded the motion. All ayes. Motion carried.

6 – REPORTS

Nickel – He would like to start looking at the comprehensive plan map and will work with Yorgason and The Mayor.

Yorgason – Nothing to report.

Hershey – He will give his report at the workshop.

Keyes - He attended a couple of meetings with The Mayor. They met with ITD where they discussed the proposal and talked about the intersection of Highway 16 and Floating Feather and their Portion Share Agreement. He also met with ACHD and discussed the intersection of Highway 16 and Floating Feather. The intent of the meeting was to get them on board to accept that plan. He attended the Board Meeting with the Water and Sewer District and regarding several projects. The expansion project is on schedule. He spoke with Jack Kirtley about the potential of using their right of way along Lawrence Kennedy to extend their walking path into downtown Star. They also spoke of their extension of their sewer and water South of the river, and they are estimating March 2021 to have that online.

Salmonsens – She attended the monthly Air Quality Board meeting. They are sending out emissions testing letters and the stations are open. The Expo Idaho Citizens Advisory Group has not been meeting but plan to restart in mid-June. The Pathways and Beautification Committee has also not been meeting but will be meeting at the end of the month.

Nielsen – He has not met with The Boise Metro Chamber of Commerce so had nothing to report there. He was unable to attend the meeting with the Economic Development Specialist. He met with Keyes at the Pavilion Park area and was hopeful to be able to preserve a water feature in the area, but it doesn't look feasible. He also took walk with The Mayor on 960 S Main along some property that will potentially come to the City.

Mayor Chadwick – He had a meeting with ACHD regarding the integrated 5-year workplan. They hope to have a draft to us by October regarding the timing. City Hall and DMV are now open to the public for business. For the 960 Main Street project, Keller is on board, with an architect as well, so design drawings will be brought to the Council in the near future. The Mayor spoke with Fish and Game and the developer regarding the ponds. They will be stocking the ponds and they are hoping to get this turned over within a year. The Hometown Celebration parade, luncheon and other functions will be moved to August 22nd and will be included in the End of Summer Bash. We will continue with the Fireworks Show on July 4th. We will not have live bands but will have music and a little larger show than last year. The Mayor encouraged everyone to continue to support our local businesses that are now open and to continue to practice safe protocol. The Mayor was not able to attend the Economic Development meeting, due to a schedule conflict but they met with Shawn.

The Mayor hoped that everyone had completed their Ballots and gave a reminder that they won't be counted till June.

Adjournment: The Mayor adjourned the meeting at 9:06 pm.

Approved:

Respectfully submitted:

Trevor A. Chadwick, The Mayor

Meredith Hudson, Deputy City Clerk

FINDINGS OF FACT AND CONCLUSIONS OF LAW
RYKEN MEADOWS SUBDIVISION
FILE NO. AZ-20-08/PP-20-08/FP-20-10/PR-20-02

The above-entitled Annexation & Zoning, Preliminary & Final Plat and Private Street land use application came before the Star City Council for their action on June 2, 2020, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law;

Procedural History:

A. Project Summary:

Bill Lynch, L-2 Development LLC, 25220 W. Deep Canyon Drive, Star, Idaho 83669, the applicant, requested approval of an Annexation with Zoning to Residential (R-1), and Preliminary and Final Plat and a Private for Ryken Meadows Subdivision, a residential subdivision consisting of 5, one-acre residential lots on 5.2 acres. The property is located on Foothill Road (address pending) in Star, Idaho (Canyon County), and is generally located on the south side of Foothill Road, approximately ½ mile west of Can Ada Road in Star, Idaho. Canyon County Parcel No. R33797010.

B. Application Submittal:

A neighborhood meeting was held on December 3, 2019 in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on March 10, 2020.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on March 21, 2020. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on March 20, 2020. Notice was sent to agencies having jurisdiction in the City of Star on March 20, 2020. The property was posted in accordance with the Star Unified Development Code on May 21, 2020.

D. History of Previous Actions:

This property has not received any previous approvals from the City of Star.

E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Canyon County Rural Residential (RR)	Neighborhood Residential	Agricultural
Proposed	Residential (R-1)	Neighborhood Residential	Residential
North of site	Canyon County Rural Residential (RR)	Neighborhood Residential	Residential/Agricultural
South of site	Mixed (MU)	Neighborhood Residential	Agricultural
East of site	Canyon County Rural Residential (RR)	Neighborhood Residential	Residential/Agricultural
West of site	Canyon County Rural Residential (RR)	Neighborhood Residential	Residential/Agricultural

F. *Site Data:*

Total Acreage of Site – 5.2 acres

G. *Development:*

The Applicant is seeking approval of an Annexation and Zoning (to Residential R-1), a Preliminary/Final plat and Private Street for a proposed residential subdivision consisting of 5, one-acre residential lots.

ANNEXATION & REZONE:

The annexation and zoning request from Canyon County Rural Residential (RR) to Residential (R-1) on the applicant's property will allow for the development and subdivision of the subject property into a residential use consistent with land uses on surrounding properties in the area. Municipal sewer and water are not available to this portion of the Star Impact Area. The overall density of the proposed development as submitted is 1 dwelling unit per acre. The Comprehensive Plan Land Use Map designates this property as Neighborhood Residential. Low density residential uses are allowed within this designation *where new residential lots are proposed adjacent to existing residential lots of one acre or larger where those existing larger lots are not likely to be subdivided in the future.* Although the surrounding parcels may redevelop in the future when services are extended, the properties to the north are designated as a Special Transition Overlay Area in the Comprehensive Plan, where *an appropriate transition shall be provided for the two abutting residential types.* Goal 8.3 of the Comprehensive Plan

encourages the development of a diverse community that provides a mix of land uses, housing types.

COMBINED PRELIMINARY/FINAL PLAT:

The Preliminary/Final Plat submitted contains five (5) single family residential lots of 1-acre each, and a private street to access the lots. The private street will be located within an easement and will be constructed to the standards of ACHD and the Star Fire District. Canyon Highway District #4 has reviewed the preliminary plat application and has provided comment. The applicant shall meet all requirements of the District prior to signature of final plat.

The preliminary plat indicates that the development will not contain landscaped open space. Section 8-4E-2 of the UDC allows Council to waive landscaping requirements for subdivisions with densities of 1 acre or less. Given the large lot size and rural nature of this development, staff is supportive of the waiver for open space.

ADDITIONAL DEVELOPMENT FEATURES:

- Private Street
The development is proposing a private street. The private street shall be built to the construction standards of ACHD, to include paving. The applicant is proposing a 20' width for the private street. Street widths shall be determined by the Council and Star Fire District. Star Fire District requires a minimum of 20' width for private streets with no parking and 26' for parking on one-side. As part of 8-4D-3C, *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. A reserve account condition shall be included in the recorded CC&R's*
- Lighting
Given the rural area, streetlights should be minimal to address safety at the intersection of the private street and Foothill Road. Any lighting in the development shall reflect the "Dark Sky" criteria of the City. The applicant shall work with Canyon Highway District #4 to establish the location of any streetlights.
- Landscaping – Although landscaped open space is not proposed within the development, as supported by staff, street trees shall be provided on all building lots, as required by the Unified Development Code, Chapter 8, Section 8-8C-2-M(2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant has submitted a landscape plan meeting this requirement. All new trees within buildable lots shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.

- Setbacks – No special setbacks have been requested by the applicant. The dimensional standards for the R-1 zoning district shall apply to all homes in this development.

Sidewalks – The applicant is not proposing sidewalks within the development. With an adequate street width established and the small number of lots, staff is supportive of no sidewalks in the development. CHD4 is not requiring sidewalks along Foothill Road. H. *On-Site Features:*

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – Yes.
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – No.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ✧ Historical Assets – No historical assets have been observed.

I. *Agencies Responding:*

The following agencies responded, and correspondence was attached to the staff report.

Star Fire District	March 30, 2020
Department of Environmental Quality	April 2, 2020
ITD (email)	April 14, 2020
Keller and Associates	April 21, 2020
Canyon Hwy District #4	May 12, 2020

J. Staff received one anonymous letter from the public in opposition.

K. *Comprehensive Plan and Unified Development Code Provisions:*

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:

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

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Require more open space and trees in subdivisions.
- 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.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

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.

8-3B-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.

DA DEVELOPMENT AGREEMENT: 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.

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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

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

Notes:

1. 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.
2. 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.

8-3B-3: ADDITIONAL RESIDENTIAL DISTRICT STANDARDS - RESIDENTIAL DISTRICTS:

- B. When development is planned with lots that directly abut existing lots within a Rural Residential area, or "Special Transition Overlay Area" as shown on the Comprehensive Plan Land Use map, an appropriate transition shall be provided for the two abutting residential lot types. A transition shall take into consideration site constraints that may exist and may include clustering of the urban lots in order to provide an open space area avoiding urban lots directly abutting rural residential lots, or may include the provision of a buffer strip avoiding urban lots directly abutting rural residential lots, or may include setbacks within the urban lots similar to the rural residential lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the rural

residential lots.

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 and the Fire District.

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. Residential private streets may request a waiver of sidewalks to be approved by Council.
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 Street 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 street 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 street 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 street 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 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.

8-6A-5: COMBINED PRELIMINARY AND FINAL PLAT PROCESS:

A. Applicability: A subdivision application may be processed as both a preliminary and final plat if all of the following exist:

1. The proposed subdivision does not exceed five (5) lots (excluding common and/or landscaping lots); or a previous plat was approved on the subject property; and
2. No new street dedication, excluding widening of an existing street, is required; and
3. No major special development considerations are involved, such as development in a floodplain or hillside development.

B. Preapplication Conference: The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a combined preliminary and final plat. The purpose of this meeting is to discuss early and informally the purpose and effect of this title and the criteria and standards contained herein.

C. Neighborhood Meeting: Applicants are required to hold a neighborhood meeting, in conformance with Section 8-1A-6C, to provide an opportunity for public review of the proposed project prior to the submittal of an application. The applicant shall provide a summary of the meeting, including questions and concerns of the neighbors and how the submitted application addresses those issues.

D. Application Requirements: Applications and fees, in accord with subsection 8-6A-3 of this

article shall be submitted.

E. Contents of Final Plat: The final plat shall include all items required in subsection 8-6A-4B of this article or any additional items required by the Administrator.

F. Decision: A decision on a combined preliminary and final plat is made by the city council.

8-6A-7: REQUIRED FINDINGS:

In consideration of a preliminary plat or combined preliminary and final plat, the decision-making body shall make the following findings:

- A. The plat is in conformance with the comprehensive plan;
- B. Public services are available or can be made available and are adequate to accommodate the proposed development;
- C. There is public financial capability of supporting services for the proposed development;
- D. The development will not be detrimental to the public health, safety or general welfare; and
- E. The development preserves significant natural, scenic or historic features.

Public Hearing of the Council:

- a. A public hearing on the application was held before the City Council on June 2, 2020, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.
- b. Oral testimony in favor of the application was presented to the City Council by:
Bill Lynch, L-2 Development LLC, 25220 W. Deep Canyon Drive, Star, Idaho 83669
- c. Oral testimony to the application was further presented to the Council by:
Jeff Whitlock, 6697 Foothill Road, Star, Idaho 83669
Jim Garrett, 6775 Foothill Road, Star, Idaho 83669
- d. Written testimony in favor of or opposing the application was presented to the City Council by:
None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed annexation and zoning application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in discussions on the annexation and platting of the development. Discussion included future development with a preliminary plat and compliance

with Comp Plan. The Council also requested future contribution to Canyon Highway District #4 for impact fees, and a streetlight at the mailbox/bus stop location on Foothill Road.

Statement of Compliance:

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

The Owner requested the annexation and rezone from Rural Residential (RR-Canyon County) to Residential (R-1) which fits within the neighboring properties.

Conditions of Approval:

1. 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.
2. The approved Preliminary and Final Plat for Ryken Meadows Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
3. The property with the approved Preliminary Plat shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star Unified Development Code.
4. 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 Staff prior to start of construction.
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. The approved Preliminary and Final Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See UBC Landscaping Requirements)
8. Applicant/Owner/Developer shall submit a streetlight plan/design with each subsequent Final Plat application. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision.
9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
10. 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.

11. 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.
12. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator (See the Unified Development Code for a list of eligible items.)
13. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
14. 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.
15. 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.
16. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
17. The property shall be satisfactorily weed abated at all times, including future phases, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
18. The Applicant/Owner shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements.) **A landscape plan shall be submitted to the City prior to signature of the final plat showing one (1) street tree per thirty-five (35) linear feet to be installed near the street in the front yards of each residential lot. – Added by Staff**
19. The Mylar of this final plat shall be signed by the Owner, Surveyor, District Health, Highway District and City Engineer, prior to being delivered to the City of Star for City Clerk's signature. - **Added by Staff**
20. A sign application shall be submitted to the City for any internal or subdivision signs. – **Added by Staff**
21. Applicant shall provide the City with one (1) full size copy, one (1) 11"x17" copy and an electronic pdf copy of the as-built irrigation plans, **prior to any building permits being issued. – Added by Staff**
22. Applicant shall provide the City with two (2) full size copies, one (1) 11"x17" copy and an electronic pdf copy of the **signed recorded final plat** with all signatures, **prior to any building permits being issued. – Added by Staff**
23. Applicant shall provide the City with one (1) copy and an electronic pdf copy of the recorded CC&R's, **prior to any building permits being issued. – Added by Staff**
24. Applicant shall provide the City with one (1) full size copy and an electronic pdf copy of the final, approved construction drawings, **prior to any building permits being issued. – Added by Staff**
25. The applicant shall be required to contribute impact fees to Canyon Highway District #4 for roadway impact in Canyon County. – **Added by Council**
26. The applicant shall provide a light on Foothill Road located at the mailbox cluster/school bus stop. The light shall meet any requirements of Canyon Highway District #4. – **Added by Council**

Council Decision:

The Council voted unanimously to approve the Annexation and Zoning to Residential (R-1), Preliminary and Final Plat and Private Street for Ryken Meadows Subdivision on June 2, 2020.

Dated this _____ day of _____, 2020.

Star, Idaho

By: _____

ATTEST:

Trevor A. Chadwick, Mayor

Cathy Ward, City Clerk



CITY OF STAR

UPDATED LAND USE STAFF REPORT

TO: Mayor & Council
FROM: Shawn L. Nickel, City Planner
MEETING DATE: **June 16, 2020** – PUBLIC HEARING (tabled from 2-4-20)
FILE(S) #: **AZ-20-03 Annexation and Zoning**
PP/PUD-20-02 Preliminary Plat & Planned Unit Development
Rosti Farms Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner:

Samuel J. Rosti; Sam J and Kari Rosti; and Rosti Land, LLC
1460 N. Pollard Lane
Star, Idaho, 83669

Applicant/Representative:

Becky McKay
Engineering Solutions, LLP
1029 N. Rosario Street Suite 100
Meridian, ID 83642

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (Residential R-3-PUD) including a Rezone from Mixed Use (M-U) to R-3-PUD, Preliminary Plat for a proposed residential and commercial subdivision consisting of 469 residential lots, 1 commercial lot and 70 common lots, and a Planned Unit Development. The property is located at 1460 N. Pollard Lane in Star, Idaho, and consists of 171.70 acres with a proposed density of 2.87 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the southeast corner of N. Pollard Lane and W. Floating Feather Road in Star, Idaho. Ada County Parcel No's S040434700, S0409212400, S0409120800, S0409131300, S0409244305 and S0409244575.

Existing Site Characteristics: The property is currently in agricultural production and contains a single-family dwelling and associated agricultural and accessory structures. The Foothills Ditch runs along the northern boundary of the property.

Irrigation/Drainage District(s): Middleton Irrigation Assn/Middleton Mill Ditch Co.; Flake Ditch Company; Drainage District No. 2;

Flood Zone: A small portion of the site (6.44 acres) along the northern boundary lies within Zone A (100-year floodplain), with the remainder of the site within Zone X (500-year floodplain).

Special On-Site Features:

- ★ Areas of Critical Environmental Concern – No known areas.
- ★ Evidence of Erosion – No known areas.
- ★ Fish Habitat – No known areas.
- ★ Mature Trees – Yes
- ★ Riparian Vegetation – No known areas.
- ★ Steep Slopes – Slight elevation changes to the north.
- ★ Stream/Creek – None.
- ★ Unique Animal Life – No unique animal life has been identified.
- ★ Unique Plant Life – No unique plant life has been identified.
- ★ Unstable Soils – No known issues.
- ★ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ★ Historical Assets – No historical assets have been observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	October 5, 2019 & December 9, 2019
Neighborhood Meeting Held	August 27, 2019
Application Submitted & Fees Paid	November 18, 2019
Residents within 300' Notified	December 20, 2019; June 2, 2020
Agencies Notified	December 20, 2019
Legal Notice Published	December 27, 2019; Tabled to dates specific
Property Posted	January 10, 2020; June 5, 2020

HISTORY

This property has always been in agricultural production.

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS
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	Zoning Designation	Comp Plan Designation	Land Use
Existing	County Rural Transitional (RUT) Mixed Use (M-U)	Compact Residential, Neighborhood Residential Mixed Use	Agricultural Single Family Dwelling

Proposed	R-3-PUD	No Change	Primarily Residential with Mixed Use Commercial
North of site	County (RUT) Commercial (C-2)	Compact Residential, Neighborhood Residential	Low Density Residential Ag-Vacant
South of site	County Rural Transitional (RUT)	Neighborhood Residential Mixed Use	Low Density Residential Ag-Vacant
East of site	R-2-DA-P (Eagle) County Rural Transitional (RUT)	Eagle Comp Plan Mixed Use-City of Star	Currently Ag-Vacant
West of site	County Rural Transitional (RUT) Residential (R-3)	Neighborhood Residential	Star Cemetery Approved American Star Residential Subdivision

ZONING ORDINANCE STANDARDS / COMPREHENSIVE PLAN

UNIFIED DEVELOPMENT CODE:

8-3B-1: RESIDENTIAL DISTRICT PURPOSE:

The purpose of the residential districts is to provide for a range of housing opportunities consistent with the Star comprehensive plan. Connection to the Star sewer and water district is a requirement for all residential districts. Residential districts are distinguished by the allowable density of dwelling units per acre and corresponding housing types that can be accommodated within the density range.

Certain residential land uses are allowed within the CBD and MU (with a CUP) zoning districts as set forth in this title.

8-3B-6: MEDIUM DENSITY RESIDENTIAL DISTRICTS (R-3 AND R-4):

The maximum gross density allowed is three (3) R-3 and four (4) R-4 dwellings per acre. (Ord. 215, 11-2-2011)

TABLE 8-3B-6(a)
DIMENSIONAL STANDARDS FOR DEVELOPMENT IN THE
R-3 AND R-4 DISTRICT(S)

R-3/R-4 Standard(s)	Requirement
Minimum street frontage	35 feet

Front setback ¹	15 feet to living area and 20 feet to garage
Rear setback	15 feet
Interior side setback	5 feet plus 5 feet for each additional story
Street side setback ¹ :	
Local	20 feet
Arterial and collector	25 feet
Street landscape buffer:	
Arterial and collector	35 feet
Entryway corridor	40 feet
Maximum building height	35 feet

Note:

1. Measured from back of sidewalk or property line where there is no adjacent sidewalk.

(Ord. 215, 11-2-2011; amd. Ord. 236, 7-15-2014)

- A. Rear or side street setback areas may not be used for off street parking or loading areas.
- B. Yards that do not abut a street may be utilized for off street parking; provided that a minimum five foot (5') wide landscape buffer is provided between the subject property and the neighboring property.
- C. In all residential zones garages and carports opening onto a side street must have a minimum distance between the opening of such garage or carport and the side street lot line of not less than twenty feet (20').
- D. Accessory structures, such as decks and patios, which are one foot (1') or less in height, as measured from the property's finished grade, may occupy any yard area, provided that such structures do not encroach within a side or rear yard utility easement. (Ord. 215, 11-2-2011)

8-2B-1: TERMS DEFINED:

MIXED USE DEVELOPMENT: The development of a tract of land or building or structure with two (2) or more different uses such as, but not limited to, residential, office, retail, entertainment, in a compact urban form.

TABLE 8-3E-4(a)
DIMENSIONAL STANDARDS IN THE MU DISTRICT

Dimensional Standards	MU
Front setback	10 feet
Rear setback	20 feet
Interior side setback	0 feet
Street side setback ¹	0 feet
Maximum building height	35 feet
Parking requirements	See chapter 4, article C of this title
Landscape requirements	See chapter 4, article B of this title

Note:

1. Measured from back of sidewalk.

A. Minimum Property Size: Each building site shall be of sufficient size to meet the minimum setbacks as established in this section.

B. Housing Unit Allocation: In the MU district, a minimum of two (2) housing types, including, but not limited to, single-family dwellings, townhouses, and multi-family dwellings, shall be required on any subdivision submittal or planned unit development application.

C. Drainage:

1. In no case shall a development propose less than a five-foot (5') setback adjacent to a property that is not part of the development application.

2. Properties shall provide adequate area to maintain drainage on the site.

D. Mixed-Use Zoning Designation Setbacks: All residential buildings in the Mixed-Use Zoning Designation shall follow the setbacks for residential standards depending on the residential density; all commercial buildings in a Mixed-Use Zoning Designation shall follow the setbacks for the commercial standards. (Ord. 215, 11-2-2011; amd. Ord. 290, 2019)

8-3E-2: USES IN MIXED USE DISTRICT:

Table 8-3E-2(a) of this section lists permitted (P), conditional (C), and prohibited (N) uses within each traditional neighborhood district.

Use	MU
Accessory structure	C
Adult business/adult entertainment ¹	N
Agriculture, forestry, fishing	N
Airport	N
Alley	P
Animal care facility ¹	C
Artist studio ¹	C
Arts, entertainment, recreation facility ¹	P
Asphalt plant ¹	N
Auction facility	C
Automated teller machine ^{1,2}	P
Automotive hobby ¹	C
Automotive mechanical/electrical repair and maintenance	C
Bakery	P
Bar/tavern/lounge/drinking establishment ¹	C
Barbershop/styling salon	P
Bed and breakfast	C
Beverage bottling plant	C
Boarding house	C
Brewery	C
Brewpub	C
Building material, garden equipment and supplies ¹	C
Campground/RV park ¹	C
Cement or clay products manufacturing	C
Cemetery ¹	C
Chemical manufacturing plant	P

Church or place of religious worship ¹	C
Civic, social or fraternal organizations ¹	P
Concrete batch plant	N
Condominium	C
Conference/convention center	C
Contractor's yard ¹	N
Convenience store	C
Dairy farm	N
Daycare center ¹ (more than 12)	C
Daycare, family ¹ (6 or fewer)	P
Daycare, group ¹ (7 - 12)	C
Drive-through establishment/drive-up service window ¹	C
Drugstore	P
Dwelling:	
Multi-family ¹	C
Secondary ¹	N
Single-family attached	C
Single-family detached ¹	C
Townhouse	C
Two-family duplex	C
Educational institution, private ¹	C
Educational institution, public ¹	C
Equipment rental, sales, and services ¹	C
Fabrication shop	C
Farm	N
Farmers' or Saturday market	P
Feedlot	N

Financial institution ¹ without drive-through window	P
Fireworks stand ³	C
Flammable substance storage	N
Food products processing ¹	C
Food stand ³	C
Gasoline station ^{1,2}	C
Gasoline station with convenience store ^{1,2}	C
Golf course ¹	C
Government office	P
Greenhouse	C
Greenhouse, commercial ¹	P
Guesthouse/granny flat ¹	N
Healthcare and social services	P
Heliport	C
Home occupation ¹	N
Hospital ¹	C
Hotel/motel ¹	P
Ice manufacturing plant	C
Industry, information ¹	C
Institution	C
Junkyard ¹	N
Kennel	C
Laboratory	C
Laboratory, medical	C
Lagoon	N
Laundromat ^{1,2}	C
Laundry and dry clean	C

Library	P
Manufactured home ¹	C
Manufactured home park ¹	N
Manufacturing plant	C
Meatpacking plant	N
Medical clinic	P
Mining (except accessory pit ¹)	N
Mortuary	C
Museum	P
Nursery, garden center and farm supply ¹	C
Nursing or residential care facility ¹	C
Office security facility	P
Parking lot/parking garage ²	P
Parks, public and private ²	P
Pawnshop	C
Personal and professional services	P
Photographic studio	P
Portable classroom/modular building	C
Power plant	N
Processing plant	N
Professional offices	P
Public infrastructure	C
Public or quasi-public use	P
Public utility, major ¹	C
Public utility, minor ¹	P
Public utility yard ¹	C
Recycling center ¹	C

Research activities	C
Restaurant	P
Retail store/retail services	P
Retirement home	C
Salvage yard	N
Sand and gravel yard	N
Service building	C
Shooting range ²	C
Shopping center	C
Solid waste transfer station	N
Stable	N
Storage facility, outdoor ¹	C
Storage facility, self-service ^{1,2}	C
Swimming pool, commercial/public	P
Swimming pool, private	N
Television station	C
Temporary living quarters ¹	N
Temporary use ³	P
Terminal, freight or truck ¹	P
Tower	N
Truck stop	N
Turf farm	C
Vehicle emission testing ³	C
Vehicle impound yard ¹	C
Vehicle repair, major ¹	C
Vehicle repair, minor ¹	C
Vehicle sales or rental ¹	C

Vehicle washing facility ^{1,2}	C
Vehicle wrecking yard ¹	N
Veterinarian office	C
Vineyard	C
Warehouse and storage ¹	P
Wholesale sales	C
Winery ¹	C
Wireless communication facility ¹	P
Yard sale	P

Notes:

1. Indicates uses that are subject to [chapter 5](#), "Specific Use Standards", of this title.
2. Indicates uses that are subject to section [8-4A-23](#), "Self-Service Uses", of this title.
3. Indicates uses that are subject to [chapter 4, article D](#), "Temporary Use Requirements", of this title.

(Ord. 215, 11-2-2011; amd. Ord. 223, 2-21-2012; Ord. 236, 7-15-2014; Ord. 252, 11-2-2015)

8-7-1: PURPOSE - PLANNED UNIT DEVELOPMENTS:

A. The purpose of the planned unit development (PUD) requirements is to provide an opportunity for exemplary site development that meets the following objectives:

1. Preserves natural, scenic and historic features of major importance;
2. Allows for innovative design that creates visually pleasing and cohesive patterns of development; and
3. Creates functionally integrated development that allows for a more efficient and cost-effective provision of public services.

B. It is not the intent that the PUD process be used solely for the purposes of deviation from the dimensional standards in the district. (Ord. 215, 11-2-2011)

8-7-4: STANDARDS:

The council may approve planned unit developments, in accord with the following standards:

A. General Use Standards:

1. Deviations From Underlying District Requirements: Deviations from the development standards and/or area requirements of the district in accord with chapter 3, "District Regulations", of this title may be approved. The exception is that along the periphery of the planned development, the applicable setbacks as established by the district shall not be reduced.
 2. Allowed Uses: Applicant may request that specific conditional use(s) be allowed in the district as principal permitted use(s).
 3. Private Streets And Service Drives: The uses within the planned unit development are interconnected through a system of roadways and/or pathways as appropriate. Private streets and service drives may be permitted, if designed and constructed to the transportation authority standards and in accord with chapter 4, article E, "Private Street Requirements", of this title.
 4. Buildings Clustered: Buildings shall be clustered to preserve scenic or environmentally sensitive areas in the natural state, or to consolidate small open spaces into larger, more usable areas for common use and enjoyment.
- B. Private Open Space: In addition to the common open space and site amenity requirements as set forth in chapter 4, "Regulations Applicable To All Districts", of this title, a minimum of eighty (80) square feet of private, usable open space shall be provided for each residential unit. This requirement can be satisfied through porches, patios, decks, and enclosed yards. Landscaping, entryway and other accessways do not count toward this requirement.

8-4F-3: STANDARDS FOR COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS:

A. Open Space And Site Amenity Requirement:

1. Open Space: Open space shall be designated as a total of 15% per application with 10% being useable space. (amd. Ord. 290, 2019)
2. One additional site amenity shall be required for each additional twenty (20) acres of development area.

B. Qualified Open Space: The following may qualify to meet the common open space requirements:

1. Any open space that is active or passive in its intended use, and accessible by all residents of the development, including, but not limited to:
 - a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
 - b. Community garden;
 - c. Ponds or water features; or

d. Plaza.

2. Additions to a public park or other public open space area.

3. The buffer area along collector streets may be included in required common open space for residential subdivisions.

4. A street buffer with a minimum of ten feet (10') in width and street trees planted in accord with section 8-4B-7, "Landscape Buffers Along Streets", of this chapter may count up to fifty percent (50%) of the requirement.

5. Parkway along local residential streets that meet all the following standards may count toward the common open space requirement:

a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk.

b. The parkway is planted with street trees in accord with section 8-4B-7, "Landscape Buffers Along Streets", of this chapter.

c. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.

6. Parkway along collector and arterials that are a minimum of ten feet (10') in width from street curb to sidewalk can be counted toward the open space requirement.

7. Stormwater detention facilities when designed in accord with section 8-4B-11, "Stormwater Integration", of this chapter.

C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:

1. Quality of life amenities;

2. Clubhouse;

3. Fitness facilities;

4. Enclosed bike storage;

5. Public art;

6. Picnic area; or

7. Additional five percent (5%) open space;

8. Recreation amenities:

a. Swimming pool.

b. Children's play structures.

c. Sports courts.

d. Pedestrian or bicycle circulation system amenities meeting the following requirements:

(1) The system is not required for sidewalks adjacent to public right of way;

(2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and

(3) The system is designed and constructed in accord with standards set forth by the city of Star;

9. Provision of transit stops, park and ride facilities or other multimodal facilities to encourage alternative automobile transportation.

D. Location:

1. The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

2. Common open space shall be grouped contiguously with open space from adjacent developments whenever feasible.

E. Required Improvements And Landscaping:

1. Common open space shall be suitably improved for its intended use, except that natural features such as wetlands, rock outcroppings, ponds, creeks, etc., may be left unimproved.

2. Common open space areas shall include (at a minimum) one deciduous shade tree per eight thousand (8,000) square feet and lawn, either seed or sod.

F. Maintenance:

1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon; or

2. Land designated as common open space may be conveyed to the city, where the city council agrees to accept conveyance. (Ord. 215, 11-2-2011)

COMPREHENSIVE PLAN:

8.2.3 Land Use Map Designations:

Mixed Use:

Generally suitable for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific area designated as Mixed Use. See Mixed Use Implementation Policies for specific criteria. Development within this land use designation is to proceed through the PUD and/or development agreement process. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this land use designation will allow the development community to be more innovative in design and placement of structures. Development design guidelines should also be established to guide development within mixed-use areas. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use.

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

8.5.7 Policies Related Mostly to the Mixed-Use Planning Areas

- A. Council, at their sole discretion, shall determine what mix of uses are appropriate for any mixed-use area considering existing property owners rights.
- B. Development within the Mixed-Use Designation is to proceed through the CUP, PUD, and/or Development Agreement process, and a concept plan must be included with any such proposed use.
- C. In general, mixed use areas along state highways should be predominantly commercial with a very minor component of residential unless the residential is placed on upper floors as part of a mixed-use building.
- D. Mixed-use areas along state and U.S. Highways where direct access to the state highway is prohibited, like along State Highway 16 between State Highway 44 and US Highway 20/26, should be predominately residential with a minor component of neighborhood commercial, or light industrial if sufficient roadway access, by means of backage or other roads, to the State Highway is provided.
- E. Mixed-use areas located between commercial and residential land use designations are to provide a compatible transition between the higher intensity use of commercial and the lower intensity use of Neighborhood Residential. Uses for these mixed-use areas could include multi-family housing and or office related uses if determined by the Council through the public hearing process, to be appropriate.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Require more open space and trees in subdivisions.
- 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.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

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 annexation, zoning and rezone request from County Rural Urban Transition (RUT) and Mixed Use (M-U) to Residential (R-3-PUD) on the applicant's property will allow for the development and subdivision of the subject property into a residential subdivision with accompanying commercial uses that will be consistent with the recently adopted Comprehensive Plan. The overall density of the proposed development as submitted is 2.87 dwelling units per acre, excluding the 8.23 acres that is currently designated for commercial. The current Comprehensive Plan Land Use Map designates this property as Neighborhood Residential and Mixed-Use. The requested land uses of residential and commercial within the annexation and zoning and planned unit development applications meet the intent of the zoning designation and Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 469 single family residential lots, 70 common area lots and 1 commercial lot. The commercial lot area proposed is 8.23 acres. The existing single-family dwelling along with the agricultural and accessory structures will remain on the property until future phases are developed. The residential lots range in size from 5,833 square feet to 24,623 square feet, with an average residential lot size of 8,790 square feet. All streets are proposed to be public, ACHD maintained roadways, including the realignment of W. Floating Feather Road from W. Pollard Lane to Highway 16.

The applicant has indicated that the development will contain a total of 31.53 acres (18.26%) total open space within common lots. The development is required to provide a minimum of 15% open space, 10% usable. The open space provided by the applicant currently includes large open space areas and amenities including a community pool and pool house, multiple tot-lots, multiple plazas with picnic shelters with benches and pathways and natural areas throughout the development. It doesn't appear from the plans submitted that drainage will be contained within the useable common area lots.

Staff calculates the usable open space at 10%, assuming that the Drainage District No. 3 drain includes a pathway as proposed, and open style fencing is provided on the rear lot lines of each residential lot backing up to the drain (to provide a visual amenity). It is also assumed in this calculation that the residential lots along the Middleton Mill Canal also provide open style fencing along the rear lot lines backing up to the canal (again, to provide a visual amenity). This would allow staff to count that area towards the useable open space calculations. A condition of

approval will be recommended by staff for the fencing and pathway along the canal and ditch has described above.

Staff would also like to request open style fencing along the north rear lot lines of the residential lots along the Foothills Ditch on the northern boundary of the development. This would push the percentage of useable open space well above the 10% currently proposed.

The current Zoning Ordinance requires one site amenity for each 20-acres of development area (total of 9 amenities is required). Proposed amenities within the development include the following:

1. Swimming Pool & Pool House
2. Tot Lot #1 (Children's Play Structure Amenity)
3. Tot Lot #2 (Children's Play Structure Amenity)
4. Picnic Area
5. Plaza #1 (Quality of Life Amenity)
6. Plaza #2 with Shelter (Quality of Life Amenity)
7. Pocket Park #1 (Quality of Life Amenity)
8. Pocket Park #2 (Quality of Life Amenity)
9. Pocket Park #3 (Quality of Life Amenity)
10. Pathways throughout ((Pedestrian or Bicycle Circulation Amenity)
11. Open Style Fencing Along Drains and Canals ((Quality of Life Amenity)

PLANNED UNIT DEVELOPMENT:

The application has been submitted as a Planned Unit Development (PUD) in order to include the commercial component of the project. And although residential districts prohibit most non-residential uses, "Deviations from the development standards and/or area requirements of the district" may be requested as part of the PUD process. The exception in this instance is the commercial uses that would be in the residential base zone proposed (R-3). In reviewing the development as a whole, the application meets the intent of a PUD in that the purpose of the planned unit development (PUD) requirements is to provide an opportunity for exemplary site development that meets the PUD objectives, including the preservation of natural and scenic features, an innovative design that creates visually pleasing and cohesive pattern of development and the creation of a functionally integrated development that allows for a more efficient and cost-effective provision of public services. Finally, the proposed PUD is not being submitted solely for the purpose of deviation from the dimensional standards in the zoning district.

As proposed by the applicant, the subdivision would include the following dimensional standards:

Proposed Setbacks:

- Minimum Residential Lot Frontage: 35 feet
- Front Setbacks (Measured from the back of sidewalk or property line): 20 feet
- Rear Setbacks: 15 feet
- Interior Setbacks: 5 feet (for one and two-stories) – Deviation from current standards
- Local Street Side Setbacks: 20 feet
- Street Landscape Buffers:
 - Arterial Roadway: 35 feet
 - State Highway 16: 50 feet
 - Residential Collectors: 20 feet
- Maximum Building Height: 35 feet
- Minimum Lot Size: 5, 823 Square Feet
- Average Lot Size: 8,790 Square Feet

ADDITIONAL DEVELOPMENT FEATURES:

The applicant has been working with ITD and ACHD regarding traffic impact studies, realignment of Floating Feather, and public street standards. In addition, the layout recognizes the adopted Economic Corridor Access Management Plan (ECAMP) with a collector roadway running south through the property from Floating Feather Road.

Locations and styles for decorative streetlights are not reflected on the preliminary plat. Locations shall be addressed along with design and description of said lights at final plat. Dark sky lighting shall apply.

No sign locations have been designated for this development. A sign permit application shall be submitted prior to any sign installation.

A portion of the property lies within Flood Hazard Area A. An Application for Permit to Develop in An Area of Special Flood Hazard will be required prior to final plat approval.

Commercial uses anticipated in the proposed area by the applicant include, but is not limited to, professional offices, dry cleaning, barber shop, daycare, sandwich shop and coffee shop.

All internal roads are proposed and shall be 36' from back of curb to back of curb.

Proposed block lengths appear to be greater than the maximum 750' allowed by Code. The applicant will need to request a waiver of block lengths and coordinate with ACHD for compliance with their standards.

The applicant has not indicated where mailbox clusters will be located for the development. The applicant shall work with the Star Postmaster on locations for mail service.

The applicant has indicated ten (10) phases on the preliminary plat and is requesting flexibility to adjust the number of lots, combination of lots and number of phases to reflect changing market conditions. A maximum residential lot amount of 469 lots will apply to the final build-out of the development.

Landscaping proposed meets the standards of the Code, including the required street tree placement.

AGENCY RESPONSES

Central District Health	December 31, 2019
Star Fire District	January 27, 2020
Keller and Associates	January 22, 2010
ITD	December 4, 2019 & January 28, 2020
ACHD	Pending

PUBLIC RESPONSES

Michael Prenn, 1875 N. Mountain Vista Lane, Star, Idaho 83669 - Email

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the design, layout and density of the development, including the proposed open space and amenities, but does have the following concerns that should be considered by Council:

Transportation:

Although this development does not take direct access onto State Highway 16, staff is concerned with the future access to Highway 16 from Floating Feather Road. Initial discussions with ITD have included limited or no access to Highway 16 in the future. Not only is it important for traffic from this development to have access to this transportation corridor, but the entire northern area of the City including traffic coming from Star Road and Floating Feather, Can Ada Road, Pollard, Munger, Plummer, etc. all need to have access in order for the City to function now and as development continues. It is also important for our emergency services to have access to Highway 16 to service not only the residential community but also the existing and proposed schools on Pollard. Staff and the Mayor is continuing to work directly with ITD on possible solutions to this access but may not have a solid direction for months. The applicant has been made aware of this and also has been informed that the portions of the development at the corners of Floating Feather and Highway 16 could change, and additional right of way may be needed. Staff does recognize, however, that these areas are in later phases of the development, and that conditions can be placed on the development by Council to protect these areas.

Commercial:

The applicant has proposed 8.23 acres of commercial area within the development. Of the 38.97 acres of the two parcels along Hwy 16 that is currently designated Mixed Use on the Comprehensive Plan Land Use Map, 8.23 acres represents approximately 22% of the area of the two parcels. Through the PUD process, staff is allowing the applicant to adjust the location of the commercial uses elsewhere in the development in order to provide proper access and visibility for the uses. Future access will play a vital part in the viability of the commercial uses on this property in the future. The applicant has placed the commercial area further from Highway 16 partly because of the access and also because of the proposed Floating Feather overpass over Hwy 16 that will start elevating further east near the proposed Floating Feather entrance to the subdivision. The Council should consider these issues when reviewing the commercial component of the development.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed annexation and zoning, rezone, planned unit development and the preliminary plat meets the requirements, standards and intent for development as they relate to the Zoning Ordinance. The applicant should be prepared to address the Council and explain how the development application, as proposed, meets the intent of the Comprehensive Plan, specifically regarding the Mixed-Use portion of the development. The Council should then 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 conditions of approval and findings of fact and conclusions of law for the Council to consider at a future date.

UPDATED INFORMATION (6-16-20) The following is new information specific to the revised information submitted by the applicant:

The City Council tabled the original application from February 4, 2020 to May 19, 2020. The application was then tabled to June 16, 2020. On May 5, 2020, the applicant and development team had workshop with the City Council (via Zoom) to discuss the application moving forward, discussing commercial uses and right of way/future connection issues for Floating Feather Road and Hwy 16. Council gave direction to the applicant on items to be considered at a future public hearing. On June 10, 2020, staff received revised documents from the applicant for the June 16, 2020 Council hearing.

A summary comparison of the original proposed preliminary plat and the revised plat is as follows:

Original Plat

- 469 Total Residential Lots
- 1 Total Commercial Lot

Revised Plat

- 426 Total Residential Lots
- 7 Total Commercial Lots

- 70 Total Common Lots
- 18.26% Total Open Space/10% Usable however, some confusion on “usable” eligibility as it related to irrigation/ drainage areas

60 Total Common Lots
See applicants statement below for breakdown of revised Open Space

The applicant has modified the preliminary plat and planned unit development drawings and below is a summary of the changes (**as provided by the applicant**).

1. Additional right-of-way has been preserved on the north and south side of Floating Feather Road, east of Rosti Farm Way. The area consists of 3.41 acres accommodating a potential roundabout at Rosti Farm Way/Floating Feather Road and acceleration/deceleration lanes from State Highway 16. The area preserved is based on a conceptual design prepared by the traffic engineers at Kittelson and & Associates. The right-of-way for Floating Feather Road as requested by Ada County Highway District is delineated separately on the preliminary plat and consists of 5.16 acres. This calculation does not include the 3.41 acres.
2. The neighborhood commercial area has been relocated from the southeast corner of Floating Feather and Pollard Lane to the northeast portion of the development. Access to the neighborhood commercial area will be from Rosti Farm Way and consists of 4.23 acres. A concept plan has been provided to demonstrate the feasibility of the complimentary commercial uses in that area.
3. A mixed-use area consisting of 12.74 acres lies adjacent to the neighborhood commercial uses and State Highway 16. The area will take access through the neighborhood commercial area with secondary access from the residential area. The Council and Mayor requested we reduce the residential area and allocate approximately 15 acres for neighborhood commercial and mixed-use next to State Highway 16. The modified plan reflects a total of 16.97 acres for the commercial/mixed-use.
4. The neighborhood commercial and mixed use includes 7 lots.
5. The applicant has eliminated 43 single-family lots to increase the commercial/mixed use component.
6. The pocket park located north of Floating Feather Road has been relocated along the north boundary in alignment with Rosti Farm Way. The pocket park will include playground equipment and a picnic gazebo.
7. Additional linear open space was added north of Floating Feather consisting of 0.59 acres. This area will provide more open space for recreation purposes.
8. The central amenity lot increased in size from 2.72 acres to 2.92 acres. The amenities provided within the common lot include a swimming pool facility, tot lot, picnic shelter and pathways.
9. The easterly common area increased in size from 1.21 acres to 1.82 acres. The amenities within this area include playground equipment, a gazebo and pathways. Additional micro-paths were added within blocks 11 and 12 to provide for more convenient and direct access to the amenities within the 1.82 acres lot.

10. Patmore Street was changed to a cul-de-sac instead of through street. The local street, Garner Avenue has been eliminated and Bauff Avenue was relocated to the west to align with Elmvale Avenue. This change reduced the amount of local street by 600 linear feet.
11. The applicant modified the useable common area list to exclude 8 acres which included the Middleton Mill Canal, the Foothills Ditch, storm drainage lots, end block buffers and the Klondike Drain. The useable open space is 24.45 acres or 15.30 percent of the development. The total acreage of the Rosti property is 171.70 acres. However, the Floating Feather Road right-of-way as requested by ACHD is excluded from the calculation since this is an arterial. The anticipated area of future ITD right-of-way along State Highway 16 was also excluded from the total acreage. The acreage used is 158.85 when determining the percentage of required open space. The required total open space is 23.83 acres 15 percent. The required useable open space is 15.89 acres or 10 percent. The proposed open space exceeds those required by Star Unified Development Code.
12. The area previously occupied by the neighborhood commercial concept, south of Floating Feather Road has been changed to single-family residential lots.
13. The residential density of the project has been reduced from 2.87 dwelling units per acre to 2.75 dwelling unit per acre.
14. The minimum residential lot size increased from 5,833 square feet to 6,000 square feet.
15. The average residential lot size increased from 8,574 square feet to 8,832 square feet.
16. The number of common lots was reduced from 70 to 60.
17. The site plan was further refined and landscape medians were added to the knuckles as required in new UDC updates.
18. The development will include both detached and attached sidewalks along the local streets.
19. The applicant has made significant improvements to the site plan based on the recommendations of staff, the Mayor and Council Members. The new plan demonstrates the willingness of the applicant to create a development that furthers the vision of the City of Star by creating a neighborhood of exceptional quality along with essential commercial services.

The applicant has also provided proposed additional Conditions for a Development Agreement as follows:

**Toll Brothers – Rosti Property
Conditions for Development Agreement**

1. Commercial uses may include those listed in the attached Exhibit A.
2. Any future multi-family use will require Council approval of a conditional use permit.
3. To pay the \$874,625 traffic mitigation fee required by the Idaho Transportation Department, the developer will pay the City \$2,053.11 per buildable lot within each phase prior to signature on the final plat for the applicable phase, capped at a total of \$874,625. The City will allocate the funds to roadway improvements in the vicinity of the project.

4. Developer has set aside extra land to accommodate potential roadway right-of-way needs. If at any point prior to proceeding with the applicable phase, ITD confirms less right-of-way is needed for adjacent roadways (for example, because right-of-way and funding have not been secured for the proposed interchange or because the intersection design has changed), then Developer may proceed with an alternate layout to utilize the available land similar to the concept shown on the attached Exhibit B.

5. Developer has set aside 4.23 acres for neighborhood commercial and 12.73 acres for mixed use development in Phase 10. If market conditions or transportation access conditions do not support the larger mixed-use area, then Developer may request the City to approve an amended plat of the mixed-use area to provide additional residential lots.

Council shall consider the above proposed conditions when rendering their decision.

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 City 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 City must find that the proposal complies with the proposed district and purpose statement. The residential purpose statement states that the purpose of the residential districts is to provide for a range of housing opportunities consistent with the Star

comprehensive plan. Connection to the Star sewer and water district is a requirement for all residential districts. Residential districts are distinguished by the allowable density of dwelling units per acre and corresponding housing types that can be accommodated within the density range.

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

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

8-7-5: PLANNED UNIT DEVELOPMENT FINDINGS:

Upon recommendation from the administrator, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant a planned development request, the council shall make the following findings:

- A. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.
- B. The planned unit development preserves the significant natural, scenic and/or historic features.
- C. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.
- D. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

- E. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.
- F. The proposal complies with the density and use standards requirements in accord with chapter 3, "District Regulations", of this title.
- G. The amenities provided are appropriate in number and scale to the proposed development.
- H. The planned unit development is in conformance with the comprehensive plan. (Ord. 215, 11-2-2011)

8-6B-6: 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.

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.

PROPOSED CONDITIONS OF APPROVAL
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1. 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, **unless as otherwise agreed upon by ITD through a previous agreement.** These fees will be collected by the City of Star, by phase, prior to final plat signature.
2. The applicant shall submit an application for Permit to Develop in An Area of Special Flood Hazard for any areas within a flood hazard area. This approval shall be completed prior to final plat signature.
3. The approved Preliminary Plat for Rosti Farms Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
4. The property with the approved Preliminary Plat 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.
5. 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 zoning administrator prior to start of construction.
6. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
7. 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.
8. 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)
9. **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 and shall be of the same design throughout the entire property.**
10. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
11. 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.
12. 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.
13. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items and terms).
14. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.

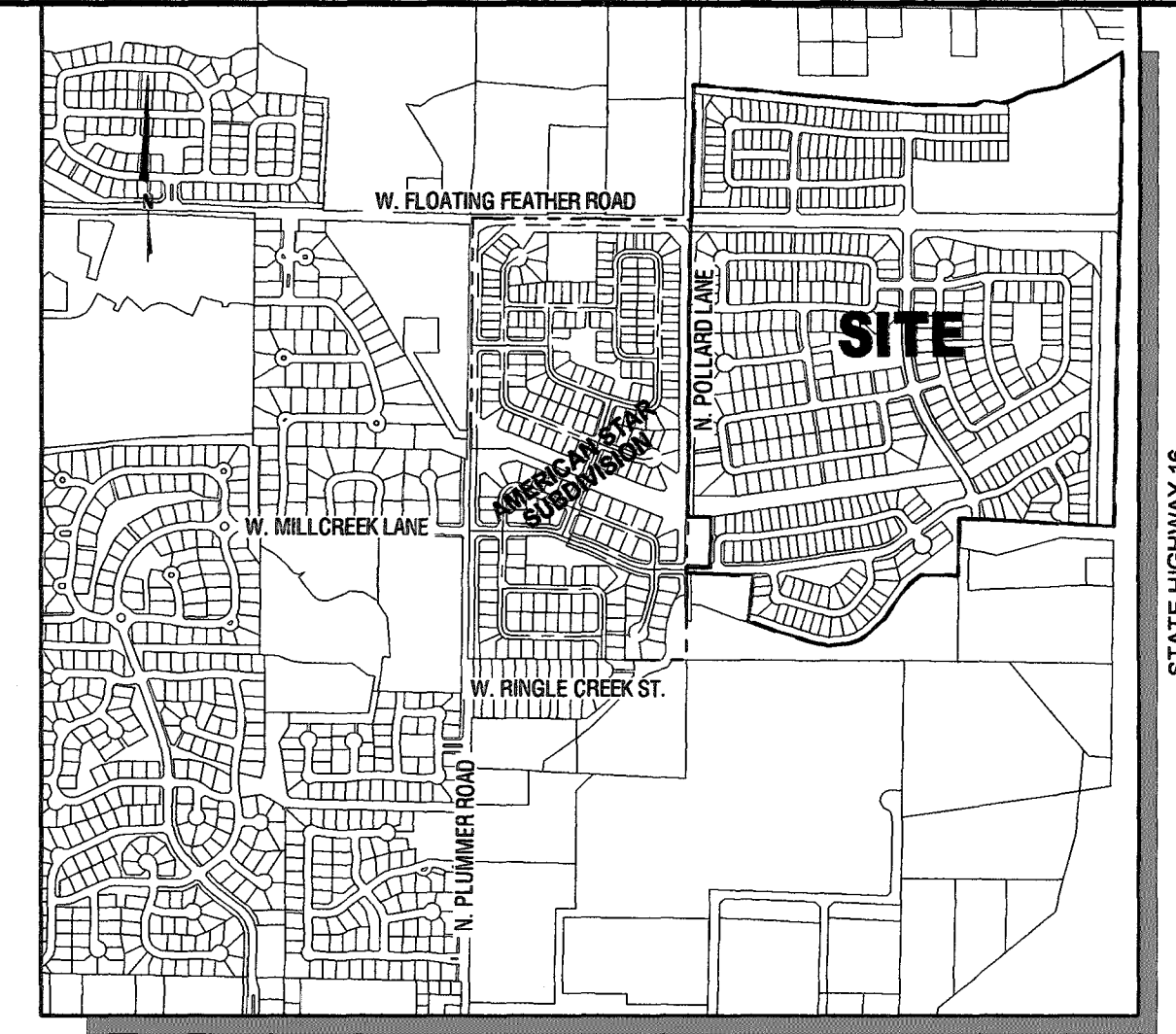
15. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.
16. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met.
17. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
18. All existing irrigation and drainage ditches located along the boundary of the subdivision shall be provided with fire-proof fencing to protect against burning by Irrigation Districts or farmers.
19. The applicant shall include language in the CC&R's that recognize and references surrounding active agricultural activities in the general vicinity and the sights, sounds and smells that are associated with these activities.
20. A sign application is required for any subdivision signs.
21. Any additional conditions required by staff or the Council.

COUNCIL DECISION

The Star City Council _____ File #AZ-20-03/PP/PUD-20-02 for Rosti Farms Subdivision
on _____, 2020.

PRELIMINARY PLAT
REVISED ROSTI FARMS SUBDIVISION
STAR, IDAHO

A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 09
T.4N., R.1W., B.M. STAR, ADA COUNTY, IDAHO



OWNERS OF RECORD
SAM AND KARI ROSTI
SAMUEL J. ROSTI
ROSTI LAND, LLC
1460 N. POLLARD ROAD
STAR, IDAHO 83669
PHONE (208) 860-0364

DEVELOPER
TOLL SOUTHWEST, LLC
3103 W. SHERIDAN DRIVE, SUITE 100
MERIDIAN, IDAHO 83642
PHONE (208) 425-0020

PLANNER
BECKY MCKAY
ENGINEERING SOLUTIONS
1029 N. ROSARIO STREET, STE. 100
MERIDIAN, IDAHO 83642
PHONE (208) 938-0880
FAX (208) 938-0941
EMAIL: bckymckay@engsol.com



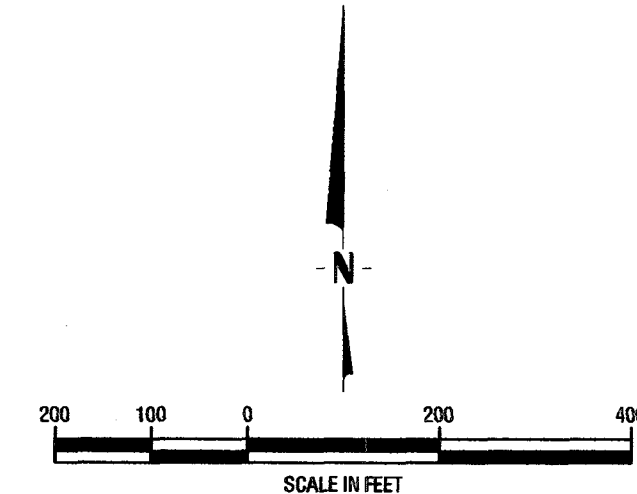
NO.	DESCRIPTION	DATE	BY	REVISIONS
1	PRELIMINARY PLAT	01/06/20	KCH	
2	PRELIMINARY PLAT REV.	06/05/20	RLS	

ENGINEERING SOLUTIONS
1029 N. ROSARIO STREET, SUITE 100
MERIDIAN, IDAHO 83642
PHONE (208) 938-0880 FAX (208) 938-0941

ROSTI FARMS SUBDIVISION
A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 09, T.4N., R.1W., B.M.
PRELIMINARY PLAT

DATE ISSUED 02/03/2020
PROJECT NO. 190515
DWG. FILE 190515-P-PREL.dwg
SCALE AS SHOWN
DRAWN BY KCH
CHECKED BY BZM

PP-01
SHEET 1 OF 3



S0403336110
LEGACY EXPANSION, LLC
1252 STATE HIGHWAY 16
EAGLE, ID 83616

S0403336110
LEGACY EXPANSION, LLC
1252 N HWY 16
EAGLE, ID 83616

S50409110001
CLOUD BERRY, LLC
STATE HIGHWAY 16
EAGLE, ID 83616

RUT
S50409141800
CT PALMER FARM, LLC
STATE HIGHWAY 16
EAGLE, ID 83616

RUT
S0409131605
REVLS FAMILY TRUST
771 STATE HIGHWAY 16
EAGLE, ID 83616

LINE NO.	LENGTH	DIRECTION
L1	32.23'	N74°00'00"E
L2	28.52'	N74°00'00"E
L3	113.30'	N64°19'44"E
L4	202.35'	N78°26'38"E
L5	128.58'	N64°41'47"E
L6	293.31'	N58°28'19"E
L7	88.44'	S50°55'59"W
L8	115.00'	S40°37'03"W
L9	145.83'	S34°22'19"W
L10	145.77'	S47°47'02"W
L11	43.88'	S54°34'01"W
L12	65.71'	S70°03'01"W
L13	131.91'	S83°03'42"W
L14	117.72'	N78°40'28"W
L15	105.68'	N71°11'11"W
L16	115.02'	N74°54'37"W
L17	134.10'	N71°08'39"W
L18	35.22'	N78°17'48"W
L19	36.37'	N00°35'51"E
L20	143.00'	S89°33'59"E
L21	143.00'	N89°33'59"W

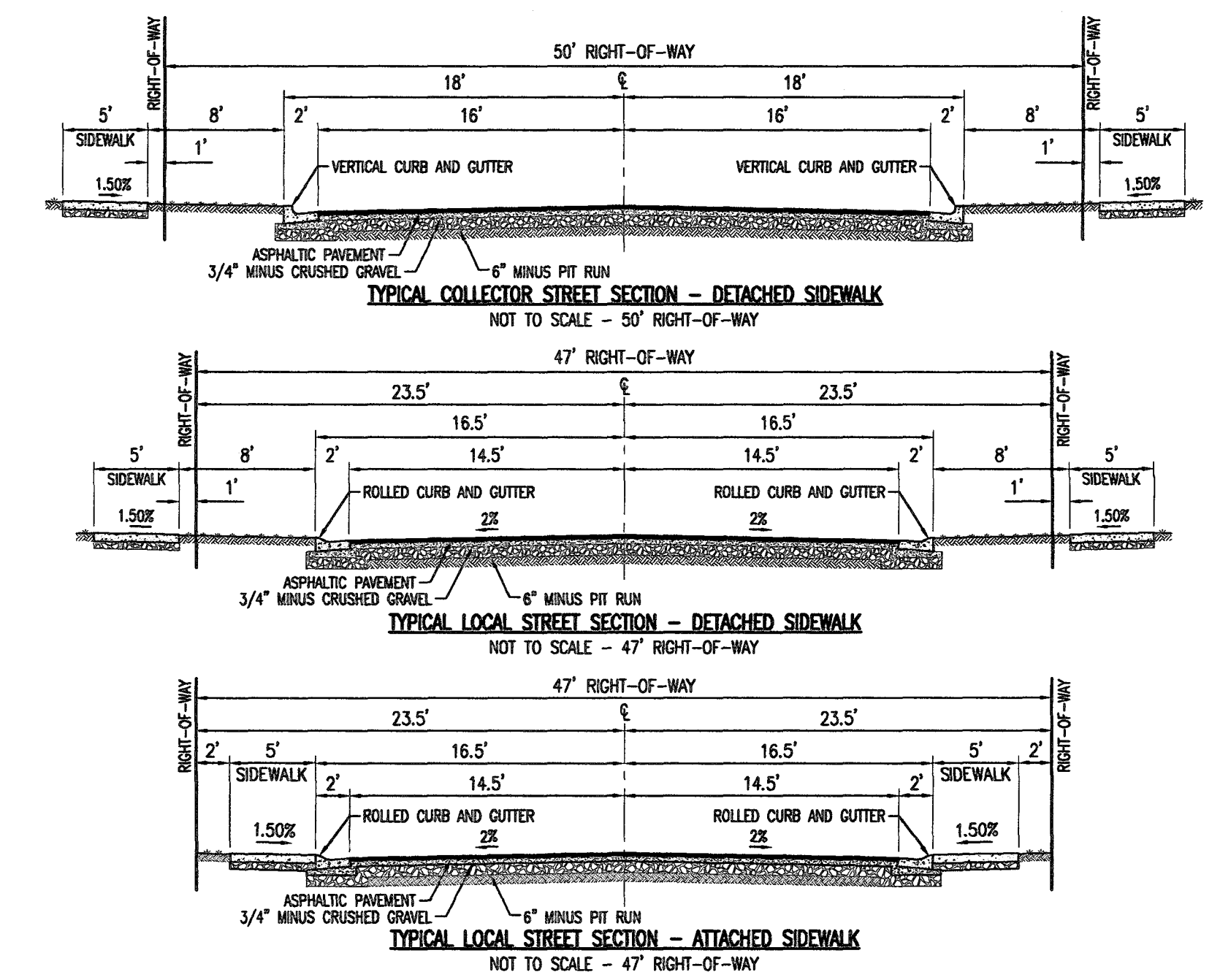
LEGEND
BOUNDARY LINE
SECTION LINE
RIGHT OF WAY LINE
LOT LINE
CENTERLINE
EASEMENT LINE
EXISTING CITY LIMITS
EXISTING ZONING LINE
PROPOSED PHASE LINE

PRELIMINARY PLAT NOTES

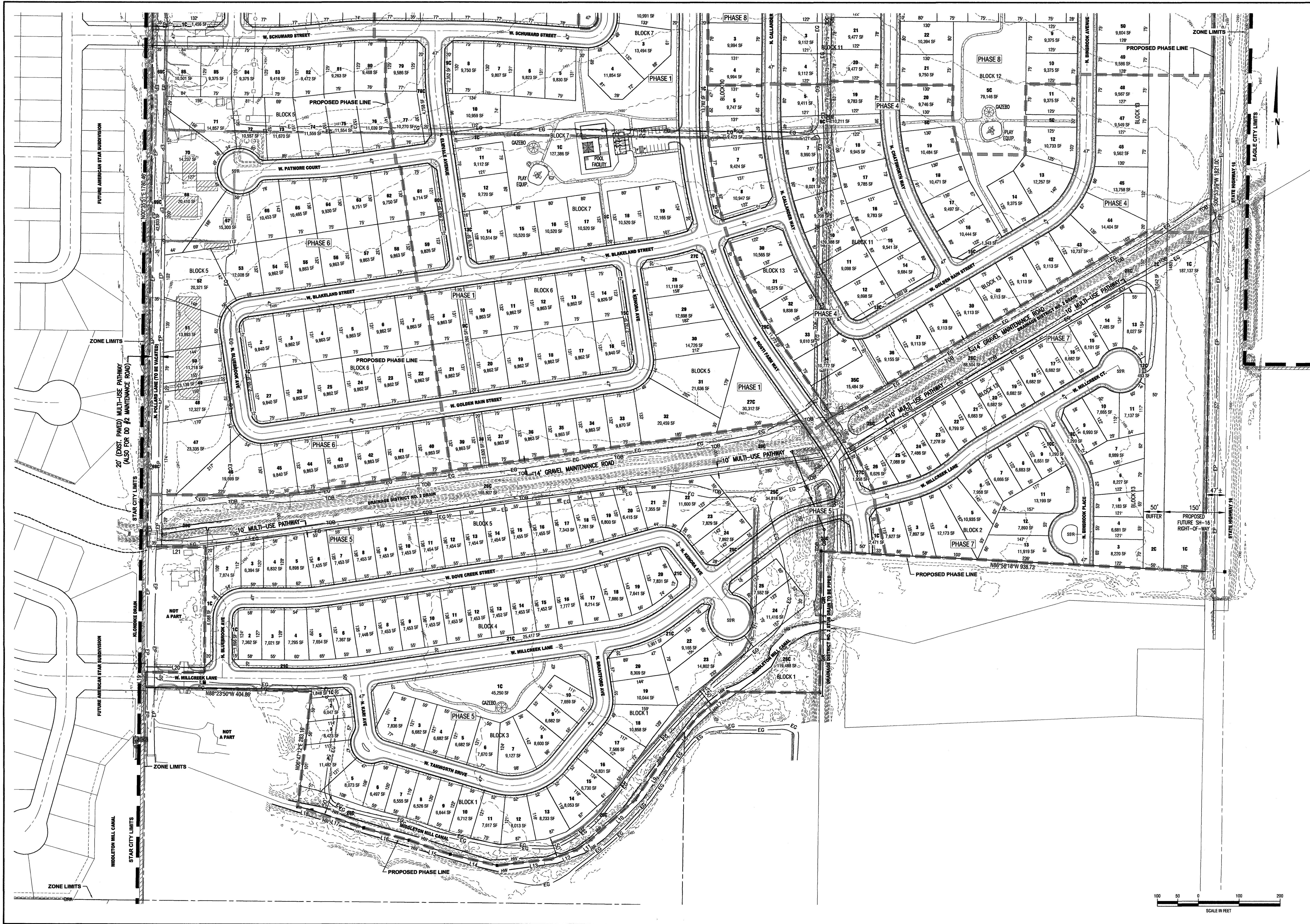
- SANITARY SEWER AND DOMESTIC WATER SERVICE TO BE PROVIDED BY STAR SEWER AND WATER DISTRICT.
- SUBJECT PROPERTY FALLS WITHIN FEMA FLOOD HAZARD ZONES A AND X. SEE FIRM PANEL 160001C0130H, DATED FEBRUARY 19, 2003.
- ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE OVER THE TEN (10) FEET ADJACENT TO ANY PUBLIC STREET. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
- UNLESS OTHERWISE SHOWN AND DIMENSIONED, ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY INTERIOR SIDE LOT LINE, AND OVER THE TWELVE (12) FEET ADJACENT TO ANY REAR LOT LINE OR SUBDIVISION BOUNDARY.
- THIS SUBDIVISION WILL BE SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT WITH THE CITY OF STAR.
- IRRIGATION WATER SHALL BE PROVIDED FROM THE MIDDLETON MILL IRRIGATION DISTRICT AND FLOODHILL DITCH COMPANY IN COMPLIANCE WITH IDAHO CODE 31-3805(B). LOTS WITHIN THE SUBDIVISION SHALL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND THE INDIVIDUAL LOTS SHALL BE SUBJECT TO IRRIGATION WATER ASSESSMENTS.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF THE CITY OF STAR OR AS OTHERWISE APPROVED WITHIN THE PUD.
- LOTS 1, 25, AND 26, BLOCK 1; LOTS 1 AND 10, BLOCK 2; LOT 1, BLOCK 3; LOTS 1 AND 21, BLOCK 4; LOTS 1, 25, 26, 27, 38, 49, 60, 69 AND 78, BLOCK 5; LOTS 1, 9, AND 15, BLOCK 6; LOTS 1, 9, AND 13, BLOCK 7; LOTS 1, 8, 17, AND 30, BLOCK 8; LOT 1, BLOCK 10; LOTS 1, 6 AND 13, BLOCK 11; LOTS 1, 5, 8, AND 15, BLOCK 12; LOTS 1, 2, 8, 12, 27, 28, 29, 35, 61 AND 67, BLOCK 13; LOTS 1 AND 12, BLOCK 14; LOTS 1, 2, 9, 10, 11, 19, 40, 50 AND 61, BLOCK 15; LOT 1, BLOCK 16; LOTS 1 AND 13, BLOCK 17. ARE OPEN SPACE LOTS TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR ITS ASSIGNS. ALL OTHER LOTS IN THIS SUBDIVISION ARE FOR SINGLE-FAMILY DWELLINGS, EXCEPT LOTS 53-59, BLOCK 15 WHICH MAY BE DEVELOPED AS MIXED USE.
- DIRECT LOT ACCESS TO N. POLLARD LANE, W. FLOATING FEATHER ROAD, AND STATE HIGHWAY 16 IS PROHIBITED.

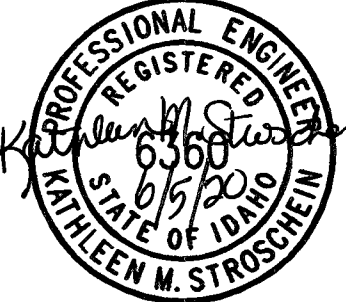
PRELIMINARY PLAT DATA

TOTAL ACRES	171.70 AC	USEABLE COMMON OPEN SPACE (15.30%) 24.45 AC	ZONING
SINGLE-FAMILY RESIDENTIAL	96.38 AC	DRAINAGE DISTRICT #2 DRAIN (MULTI-USE PATHWAY)	5.84 AC
FUTURE MIXED USE COMMERCIAL AREA	16.97 AC	CENTRAL AMENITY AREA (POOL FACILITY/PLAY EQUIP.)	2.92 AC
PUBLIC RIGHT-OF-WAY	26.44 AC	POCKET PARK (PUBLIC SHELTER/PLAZA)	1.04 AC
W. FLOATING FEATHER ROAD RIGHT-OF-WAY	5.16 AC	PEDESTRIAN PATHWAY LOTS	0.94 AC
FUTURE STATE HWY 16 RIGHT-OF-WAY (SOUTH OF FLOATING FEATHER)	4.30 AC	COMMON LOT WITH PATHWAY	0.65 AC
OPEN SPACE (USABLE & ADDITIONAL OPEN SPACE)	32.45 AC	EASTERLY CENTRAL COMMON LOT (PLAY EQUIP.)	1.82 AC
TOTAL LOTS	493	POLLARD LANE (TO BE VACATED) MULTI-USE PATHWAY	1.38 AC
SINGLE-FAMILY RESIDENTIAL LOTS	428	NORTH AMENITY COMMON LOT (PLAY EQUIP.)	0.44 AC
MIXED-USE LOTS (COMMERCIAL AREA)	7	LINEAR OPEN SPACE (NORTH)	0.59 AC
OPEN SPACE LOTS	60	PEDESTRIAN PATHWAYS/OPEN AREA	0.50 AC
SINGLE-FAMILY RESIDENTIAL PERCENTAGE	50.31%	MILLCREEK LANE COLLECTOR BUFFERS	1.06 AC
MIXED-USE AREA PERCENTAGE	9.88%	ROSTI FARM WAY COLLECTOR BUFFERS	1.37 AC
PUBLIC RIGHT-OF-WAY PERCENTAGE	20.91%	STATE HIGHWAY 16 LANDSCAPE BUFFERS (RESIDENTIAL AREA)	3.90 AC
OPEN SPACE/COMMON PERCENTAGE	18.90%	POLLARD LANE SIDEWALK/LANDSCAPE BUFFER	1.75 AC
SINGLE FAMILY LOT DISTRIBUTION	428	ADDITIONAL COMMON OPEN SPACE 8.00 AC	0.25 AC
55' WIDE LOTS	(57.04%) 243	MIDDLETON MILL CANAL/STUB DRAIN	2.59 AC
75' WIDE LOTS	(42.96%) 183	END BLOCK BUFFERS	1.27 AC
		CU-DE-SAC BUFFER	0.01 AC
		STORM DRAIN LOTS	0.61 AC
		KLONDIKE DRAIN LOT	0.89 AC
		FOOTHILLS DITCH LOT	2.63 AC
		TOTAL COMMON OPEN SPACE 32.45 AC	
		TOTAL COMMON OPEN SPACE PERCENTAGE 20.43%	
		ACREAGE USED TO CALCULATE OPEN SPACE REQUIREMENT: 158.85 AC	
		(EXCLUDES SH-16 R-O-W = 6.69 AC. & FLOATING FEATHER R-O-W = 5.16 AC.)	



OVERALL SITE PLAN
SCALE: 1" = 200'



OWNERS OF RECORD SAM AND KARI ROSTI SAMUEL J. ROSTI ROSTI LAND, LLC 1460 N. POLAR ROAD STAR, IDAHO 83409 PHONE (208) 885-0884																	
DEVELOPER TOLL SOUTHWEST, LLC 3103 W. SHERRY DRIVE, SUITE 100 MERIDIAN, IDAHO 83642 PHONE (208) 464-0020																	
PLANNER BECKY MCKAY ENGINEERING SOLUTIONS 1028 N. ROSARIO STREET, STE. 100 MERIDIAN, IDAHO 83642 PHONE (208) 934-9880 FAX (208) 934-0841 EMAIL: becky@engsol.com																	
																	
<table border="1"><thead><tr><th colspan="4">REVISIONS</th></tr><tr><th>NO.</th><th>DESCRIPTION</th><th>DATE</th><th>BY</th></tr></thead><tbody><tr><td>1</td><td>PRELIMINARY PLAN REV.</td><td>01/08/20</td><td>KDH</td></tr><tr><td>2</td><td>PRELIMINARY PLAN REV.</td><td>06/05/20</td><td>RLS</td></tr></tbody></table>		REVISIONS				NO.	DESCRIPTION	DATE	BY	1	PRELIMINARY PLAN REV.	01/08/20	KDH	2	PRELIMINARY PLAN REV.	06/05/20	RLS
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ENGINEERING SOLUTIONS, LP 1028 N. ROSARIO STREET, SUITE 100 MERIDIAN, IDAHO 83642 PHONE (208) 934-9880 FAX (208) 934-0841																	
ROSTI FARMS SUBDIVISION A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 08, T.4N., R.1W., B.M.																	
PRELIMINARY PLAN																	
DATE ISSUED: 02/02/2020 PROJECT NO.: 190515 DWG. FILE: 190515-P-PREL.dwg SCALE: AS SHOWN DRAWN BY: KDH CHECKED BY: BZM																	
PP-02 SHEET 2 OF 3																	

S0404336500
STAR CEMETERY
9350 W FLOATING ROAD
STAR, ID 83669

W1/16 CORNER SECTION 9
3-1/4" ALUMINUM CAP
CORNER RECORD NO. 2018-034915

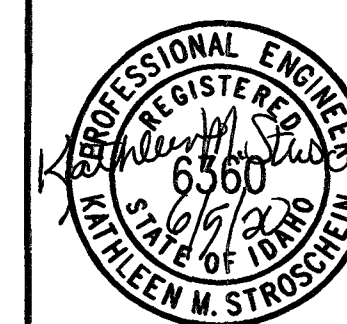
R-3
AMH DEVELOPMENT, LLC
— 1078 N PLUMMER ROAD
STAR. ID 83669

S0409223003
— AMH DEVELOPMENT, LLC
1078 N PLUMMER ROAD
STAR, ID 83669

DEVELOPER

BILL SOUTHWEST, LLC
W. SHERYL DRIVE, SUITE 100
MERIDIAN, IDAHO 83642
PHONE: (208) 424-0020

PLANNER	<p>BECKY McKay ENGINEERING SOLUTIONS 1029 W. ROSARIO STREET, STE. 100 MERIDIAN, ID 83642 PHONE: (208) 938-0980 FAX: (208) 938-0941 EMAIL: beckym@engsol.org</p>
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REVISIONS				
O.	DESCRIPTION	DATE	BY	
1	PRELIMINARY PLAT REV.	01/08/20	KOH	
2	PRELIMINARY PLAT REV.	06/05/20	RLS	

**ENGINEERING
SOLUTIONS^{LLP}**

1029 N. ROSARIO STREET, SUITE 100
ANN ARBOR, MI 48106

PROSTI FARMS SUBDIVISION
A PORTION OF THE NE 1/4 OF THE NW 1/4 SECTION 09, T.4N., R.1W., B.M.

DATE ISSUED	02/03/
PROJECT NO.	19
DWG. FILE	190515-P-PREL
SCALE	AS SH
DRAWN BY	
CHECKED BY	

PP-03
SHEET 3 OF 3

Allowed Uses with the Rosti Farms Subdivision Mixed-Use/Neighborhood Commercial Area: (Compliance with City of Star Unified Development Code is required; therefore, some uses which may be allowed only with a conditional use permit)

Artist Studio
Arts, entertainment, or recreation facility
Automated Teller Machine (ATM)
Bakery
Bar/tavern/lounge/drinking establishment
Barbershop/styling salon
Brewery/Distillery
Brewpub/Wine Tasting
Building material, garden equipment and supplies
Child Care center (more than 12)
Child Care family (6 or fewer)
Child Care group (7-12)
Child Care-Preschool/Early learning
Church or place of religious worship
Civic, social or fraternal organizations
Convenience Store
Drive-through establishment/drive-up service window
Dwelling:
 Multi-family apartments
 Townhomes
 Single-family attached
 Single-family detached
 Two-family duplex
Education institutions, private
Farm
Farmer's or Saturday market
Financial institution
Flex Space
Gasoline, fueling, and charging station with or without convenience store
Government office
Greenhouse, commercial
Healthcare and social services
Hotel/motel
Laboratory, medical
Laundry and dry cleaning
Library
Medical Clinic
Museum
Nursery, garden center and farm supply
Nursing or residential care facility
Office security facility
Personal and professional services
Pharmacy
Photographic studio

Professional offices
Public infrastructure; public utility major and minor
Research activities
Restaurant
Retail store/retail services
Retirement home
Service building
Shopping Center
Storage facility, outdoor (commercial)
Storage facility, self-service (commercial)
Swimming pool, commercial/public
Vehicle emission testing
Vehicle repair, major
Vehicle sales or rental service
Vehicle washing facility
Veterinarian office
Warehouse and storage
Wholesale sales
Winery
Wireless communication facility



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Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

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

January 28, 2020

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

VIA EMAIL

Development Application	AZ-20-03, PP-20-02, PUD-20-02
Project Name	ROSTI FARMS SUBDIVISION
Project Location	Southeast corner of North Pollard Lane and West Floating Feather Road, east of SH-16 milepost 101.0
Project Description	Annexation and zoning (Residential R-3-PUD), Preliminary Plat for proposed residential and commercial subdivision consisting of 469 residential lots, 1 commercial lot and 70 common lots, and a planned unit development
Applicant	Becky McKay
Representing	Samuel and Kari Rosti and Rosti Land LLC

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

1. This project abuts the State Highway system.
 2. ITD is considering options for local access at the intersection of SH-16 and the future realigned Floating Feather Road. Our intent is to provide options for the City of Star to considering with future local improvements. One of our major concerns is allowing changes that will have a negative impact on the safe operations of the future interchange at SH-16/SH-44. ITD anticipates having options to discuss in April 2020. Any potential intersection alternatives will not be funded by ITD. The City is encouraged to consider the effect of potential alternatives and the requirement of additional local right-of-way needs. ITD recommends the applicant phase/plan their development in a way that does not preclude the City from implementing future intersection alternatives.
 3. ITD has received, reviewed, and accepted a Traffic Impact Study (TIS) for Rosti Farms Subdivision. As stated in ITD's TIS acceptance letter dated December 4, 2019, the TIS has shown the need for
-



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mitigation for traffic produced by the development. The following mitigation is required for the State Highway's current configuration and does not account for other access alternatives:

Intersection of SH-16/ Rosti Farm Road

- Intersection shall be limited to right in, right out, left in movements.
 - Applicant shall construct a dedicated northbound left turn lane to ITD's design standards for a 55 MPH speed zone. See ITD Traffic Manual Figure 3B-2.
 - Applicant shall construct a dedicated southbound right turn lane to ITD's design standards for a 55 MPH speed zone. See ITD Traffic Manual Figure 3B-4.
 - Construct a concrete median barrier using ITD Traffic Separator Type 1 to limit Rosti Farm Road to right-in, right out, left in. See ITD Standard drawing 615-1. Median barrier shall extend a minimum of 100 feet in either direction from center of Rosti Farm Road.
4. The Traffic Impact Study identified two intersections that are anticipated to exceed ITD's minimum operational thresholds. Trips generated by this development will further increase congestion. ITD requests the City of Star require the developer to contribute a proportionate share of \$874, 625 toward future SH-16 improvements. ITD reviewed the proportional share contributions determined in the TIS and agree with the calculations. See attached ITD TIS Acceptance Letter for more detail.
 5. Idaho Code 40-1910 does not allow advertising within the right-of-way of any State Highway.
 6. The Idaho Administrative Procedures 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. Provided the development contributes their proportionate share and constructs the required mitigation as described in ITD's TIS Acceptance Letter, ITD will not object to the proposed application.

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

Shawn Nickel

From: Becky McKay <Beckym@engsol.org>
Sent: Thursday, December 5, 2019 2:25 PM
To: Shawn Nickel
Subject: Rosti Farms Subdivision - ITD Letter dated 12/4/19

Shawn:

My clients, Toll Southwest LLC have reviewed the ITD letter and the recommended conditions. Toll is in agreement with the proportionate share contribution of \$874,625 and the recommended improvements. However, they are **not** in agreement with the responsibility of acquisition of right-of-way from unrelated parcels being placed upon the developer. If the requested improvements within State Highway 16 require additional right-of-way on the east side of the roadway, then it should be the responsibility of ITD to acquire the right-of-way.

Let me know if you have any questions,

Thanks,

Becky McKay
Chief Planner/Partner
Engineering Solutions, LLP
1029 N. Rosario Street, Suite 100
Meridian, ID 83642
Phone: (208) 938-0980
Fax: (208) 938-0941
E-mail: beckym@engsol.org

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CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: Shawn L. Nickel, City Planner *Shawn L. Nickel*

MEETING DATE: June 16, 2020 – PUBLIC HEARING

FILE(S) #: **AZ-20-07 Annexation and Zoning**
DA-20-06 Development Agreement
PP-20-06 Preliminary Plat for Canopi Estates Subdivision

OWNER/APPLICANT/REPRESENTATIVE

Property Owner/Applicant:

Mary Jane Marlow
485 S. Winslow Bay Way
Star, Idaho 83669

REQUEST

Request: The Applicant is seeking approval of an Annexation and Zoning (to Residential R-3-DA), a Development Agreement and a Preliminary Plat for a proposed residential subdivision consisting of 15 residential lots and 3 common lots. The property is located at 10609 W. New Hope Road and consists of 5 acres with a proposed density of 3 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the south side of New Hope Road, east of Brandon Road in Star, Idaho. Ada County Parcel No. S0405244460.

Existing Site Characteristics: The property is currently vacant, agricultural property.

Irrigation/Drainage District(s): - Farmers Union Ditch Company, P.O. Box 1474, Eagle, ID 83616

Flood Zone: The development is located outside a special flood hazard zone per FEMA FIRM Panel #160001C130H dated 2/19/03.

Special On-Site Features:

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – None.
- ✧ Riparian Vegetation – No known areas.
- ✧ Steep Slopes – No.
- ✧ Stream/Creek – None.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ✧ Historical Assets – No historical assets have been observed.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	October 15, 2019
Neighborhood Meeting Held	October 29, 2019
Application Submitted & Fees Paid	February 26, 2020
Application Acceptance	May 11, 2020
Residents within 300' Notified	May 11, 2020
Agencies Notified	May 11, 2020
Legal Notice Published	May 12, 2020
Property Posted	June 2, 2020

SURROUNDING ZONING/COMPREHENSIVE PLAN MAP/LAND USE DESIGNATIONS
--

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
Proposed	Residential (R-3-DA)	Neighborhood Residential	Residential Subdivision
North of site	Residential (R-3)	Neighborhood Residential	Approved Greendale Subdivision
South of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
East of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Agricultural
West of site	Rural Urban Transitional (RUT)	Neighborhood Residential	Residential

HISTORY

This property has not received any previous approvals from the City of Star.

ZONING ORDINANCE STANDARDS / 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.

8-3B-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.

DA DEVELOPMENT AGREEMENT: 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.

<u>ZONING DISTRICT USES</u>	A	R-R	R
Accessory structure	A	A	A
Dwelling:			
Multi-family 1	N	N	C
Secondary 1	A	A	A
Single-family attached	N	N	C
Single-family detached	P	P	P
Two-family duplex	N	N	P

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

Zoning District	Maximum Height	Minimum Yard Setbacks Note Conditions			
	Note Conditions	Front (1)	Rear	Interior Side	Street Side
R-3	35'	15' to living area/side load garage 20' to garage face	15'	5' per story (2)	20'

Notes:

1. 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.
2. 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.

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.
 5. For multi-family developments, see Section 8-5-20 for additional standards.
- B. Qualified Open Space: The following may qualify to meet the common open space requirements:
1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:
 - a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
 - b. Qualified natural areas;
 - c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;
 - d. A plaza.
 2. Additions to a public park or other public open space area.
 3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.
 4. Parkway along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
 - a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
 - b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
 - c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
 1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
 2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of

storm event.

3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

5. Visual natural space, including open ditches, wetlands, slopes or other areas that may not be readily accessible to residents, and is provided with open style fencing, may qualify for up to 20% of the required open space total.

C. Qualified Site Amenities: Qualified site amenities shall include, but not be limited to, the following:

1. Clubhouse;
 2. Fitness facilities, indoors or outdoors;
 3. Public art;
 4. Picnic area; or
 5. Recreation amenities:
 - a. Swimming pool.
 - b. Children's play structures.
 - c. Sports courts.
 - d. Additional open space in excess of 5% usable space.
 - e. RV parking for the use of the residents within the development.
 - f. School and/or Fire station sites if accepted by the district.
 - g. Pedestrian or bicycle circulation system amenities meeting the following requirements:
 - (1) The system is not required for sidewalks adjacent to public right of way;
 - (2) The system connects to existing or planned pedestrian or bicycle routes outside the development; and
 - (3) The system is designed and constructed in accord with standards set forth by the city of Star;
- D. Location: The common open space and site amenities shall be located on a common lot or an area with a common maintenance agreement.

E. Maintenance:

1. All common open space and site amenities shall be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

8-6A-7: REQUIRED FINDINGS:

In consideration of a preliminary plat or combined preliminary and final plat, the decision-making body shall make the following findings:

- A. The plat is in conformance with the comprehensive plan;
- B. Public services are available or can be made available and are adequate to accommodate the proposed development;
- C. There is public financial capability of supporting services for the proposed development;
- D. The development will not be detrimental to the public health, safety or general welfare; and
- E. The development preserves significant natural, scenic or historic features.

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

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.

PROJECT OVERVIEW

ANNEXATION & REZONE:

The annexation and zoning from County Rural Urban Transition (RUT) to Residential (R-3-DA) on the applicant's property will allow for the development and subdivision of the subject property into a residential subdivision that will be consistent with the Comprehensive Plan. The overall density of the proposed development as submitted is 3 dwelling units per acre. The current Comprehensive Plan Land Use Map designates this property as Neighborhood Residential. The requested land use of residential within the annexation and zoning application meets the intent of the zoning designation and Comprehensive Plan.

PRELIMINARY PLAT:

The Preliminary Plat submitted contains 15 single family residential lots and 3 common area lots. The commercial lot area proposed is 8.23 acres. The residential lots range in size from 9,500 square feet to 10,600 square feet. All streets are proposed to be public, ACHD maintained roadways.

The applicant has indicated that the development will contain a total of 33,323 square feet (15.3%) total open space within the common lots, including a 21, 939 square foot (10.1%) park, 1,316 square feet (.6%) street landscaping buffer along New Hope Road, and 11,449 square feet (5.5%) of planting strips along the roadway. The development is required to provide a minimum of 15% open space, 10% usable. The open space provided by the applicant currently includes a

large open space park with amenities including a pathway, benches and a proposed Osprey nesting pole on the west side of the park (subject to approval by Idaho Power). The open space and amenities provided exceeds the minimum requirements of the UDC. It doesn't appear from the plans submitted that drainage will be contained within the useable common area lots.

ADDITIONAL DEVELOPMENT FEATURES:

- Streetlights – Locations for decorative streetlights are not reflected within the application. Locations shall be addressed along with design and description of said lights in the final plat application. Dark sky lighting shall apply.
- Landscaping –The applicant has submitted a landscape plan meeting the requirements for residential subdivisions. All new trees within open space areas and buildable lots shall use the "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code.
- Setbacks – No special setbacks have been requested by the applicant. The dimensional standards for the R-3 zoning district shall apply to all homes in this development.
- Streets & Sidewalks – The applicant is proposing detached sidewalks with 8' planting strips and a 36' street section from back of curb to back of curb.
- Additional Items:
 - A subdivision sign location has not been designated for this development. A sign permit application shall be submitted prior to any sign installation.
 - The ingress/egress will be taken from W. New Hope Road. The frontage is part of the realignment of Beacon Light Road as part of the Greendale Subdivision located north of the subject site. ACHD has reclassified New Hope Road as a local street in front of the development.
 - Fencing is not shown on the submitted plat or landscape plan. A fencing plan shall be submitted with the final plat application. The applicant should be prepared to discuss fencing with the Council during the public hearing.
 - Irrigation to the property will be provided by the Middleton Mill Irrigation District.
 - If a pump house is proposed, a location needs to be called out on the site plans and identified in the "Notes".
 - All block lengths are less than the maximum requirement of 750 feet.
 - The applicant has not indicated if the subdivision will be built in multiple phase. If phasing is requested, the applicant must submit a phasing plan prior to the public hearing to be approved by Council.
 - The application does not indicate location of mailbox clusters in the subdivision. The applicant should contact the postmaster in Star to coordinate location.

AGENCY RESPONSES

Star Fire District	June 9, 2020
Central District Health	May 14, 2020
ITD	No Response
Keller and Associates	May 19, 2020
ACHD	June 10, 2020
HRM Pipeline (Jerry Kiser)	May 13, 2020

PUBLIC RESPONSES

Staff has received one anonymous letter from the public.

STAFF ANALYSIS & RECOMMENDATIONS

Staff is supportive of the design, layout and density of the development application as submitted, with the proposed conditions of approval.

Based upon the information provided to staff in the applications and agency comments received to date, staff finds that the proposed annexation and zoning and preliminary plat 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.

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 City 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 City must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. 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 in all districts exceeding one dwelling unit per acre.

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

The City 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 City 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 City 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.

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.

PROPOSED CONDITIONS OF APPROVAL
--

1. The applicant shall enter into a Development Agreement with the City, agreeing to proportionate shares assessed by ITD regarding impacts on construction or improvements to the State Highway system. These fees will be collected by the City of Star prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning.
2. The approved Preliminary Plat for Canopi Estates Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
3. The property with the approved Preliminary Plat 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. **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 shall be of the same design throughout the entire property.**
5. 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 Staff prior to start of construction.
6. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
7. 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.
8. 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)
9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
10. 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.
11. 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.
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 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.
15. All State, Federal and Local rules and regulations regarding development in the Special Hazard Areas (Floodplain/Floodway) shall be adhered to, if applicable.
16. Any additional conditions required by staff or the Council.

COUNCIL DECISION

The Star City Council _____ File #AZ-20-07/DA-20-06/PP-20-06 for Canopi Estates Subdivision on _____, 2020.



Canopi Design

Arboricultural Services

PO Box 456 • Star, ID 83669

www.canopidesign.net

maryjmarlow@gmail.com

805.720.7337

CANOPI ESTATES SUBDIVISION

NARRATIVE

This small 15 lot subdivision is nestled between large subdivisions of well over two hundred lots. The lots in Canopi Estates are quite large from 9,500'+ to over 10,600'+; a nice change from the smaller lots nearby.

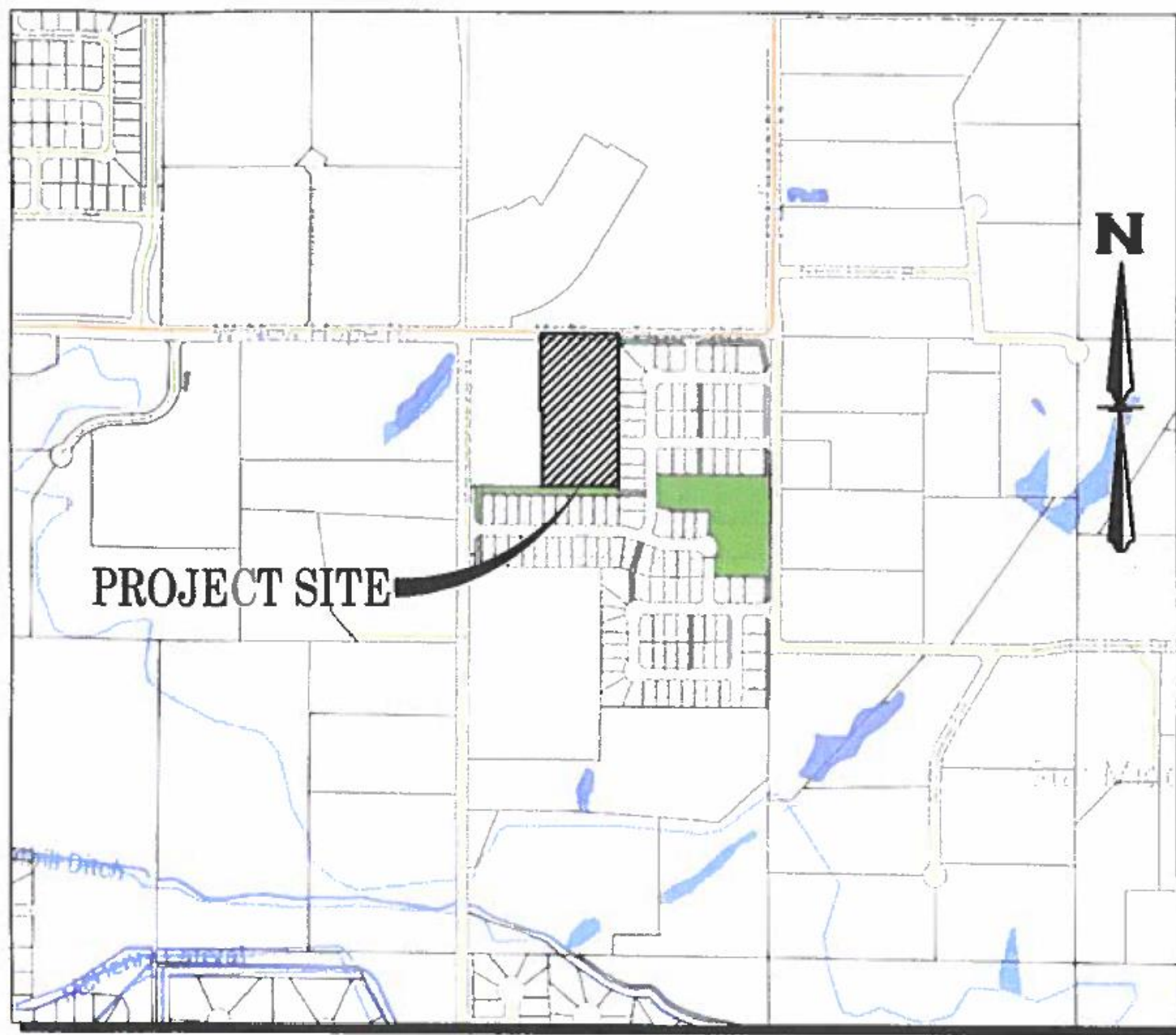
Wide parkways of eight feet are not required in the City of Star Landscape Code. However, tree lined streets with parkways are sorely missing in the City of Star. This street will have a canopy of beautiful trees to admire into the future; perhaps other developers will follow this example.

The park area is also very large for a subdivision of this size. Providing a Community Veggie Garden will bring people together strengthening their neighborly bonds. When people know each other, they tend to look out for one another.

The park has more trees than the code requires and more tree diversity as well. Two benches to sit and enjoy the morning sun and notice how the snow falls on the rock features nearby.

An Osprey nest pole is planned on the West side of the park on the property line. This will need permission from Idaho Power.

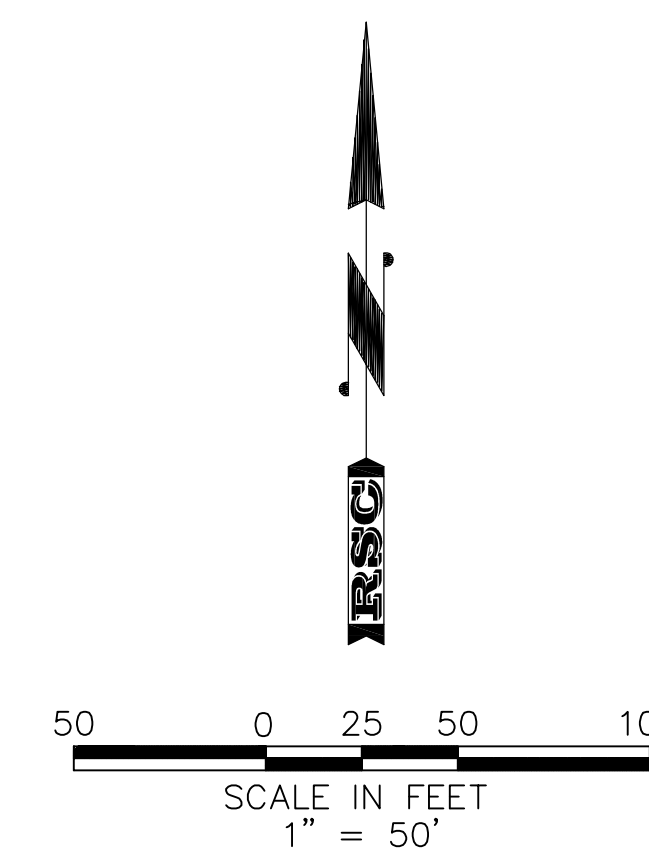
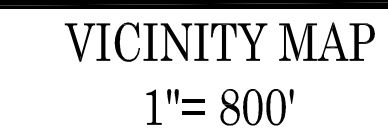
Thank you!



VICINITY MAP

1"= 800'

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF TH NW 1/4 OF SECTION 5,
T.4N., R.1W., B.M., ADA COUNTY, IDAHO
2020



<p><u>LAND SURVEYOR</u></p> <p>CARL PORTER, P.L.S. SAWTOOTH LAND SURVEYING LLC. 2030 S. WASHINGTON AVE. EMMETT, ID 83617 (208) 398-8104</p>	<p><u>CIVIL ENGINEER</u></p> <p>JIM E. COSLETT, P.E. ROCK SOLID CIVIL LLC. 270 N. 27TH STREET SUITE 100 BOISE, ID 83702 (208) 342-3277</p>	<p><u>DEVELOPER</u></p> <p>CANOPI DESIGN MARY JANE MARLOW 485 S. WINSLOW BAY WAY STAR, ID 83669 (805) 720-7337</p>
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<u>UTILITY REPRESENTATIVES</u>		
UTILITY	REPRESENTATIVE	PHONE
GAS	INTERMOUNTAIN GAS	(208) 377-6833
ELECTRICITY	HYDRO POWER	(208) 388-4111
TELEPHONE	CENTURY LINK	(208) 385-2141
CABLE	SPARKLIGHT	(208) 375-8228
SEWER	STAR SEWER & WATER DISTRICT	(208) 286-7338
WATER	STAR SEWER & WATER DISTRICT	(208) 286-7338
ROADS	ADA COUNTY HIGHWAY DISTRICT	(204) 454-8131
IRRIGATION	HIGH PIPELINE	(208) 286-7666
FIRE	STAR FIRE DISTRICT	(208) 286-7721

811
Know what's below.
Call before you dig.

Revisions		Description
△	Date	
1		
2		
3		
4		



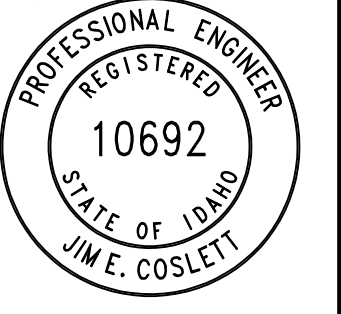
REUSE OF DRAWINGS

CANOPIESTATES SUBDIVISION
10609 W. NEW HOPE RD.

PRELIMINARY PLAT

Clinical Nutrition

amp



Project No. RSC 20-24

Drawn By: RLC

te: 3 April 2020

Sheet No. _____

DD1

DP1

of 1



NOTES

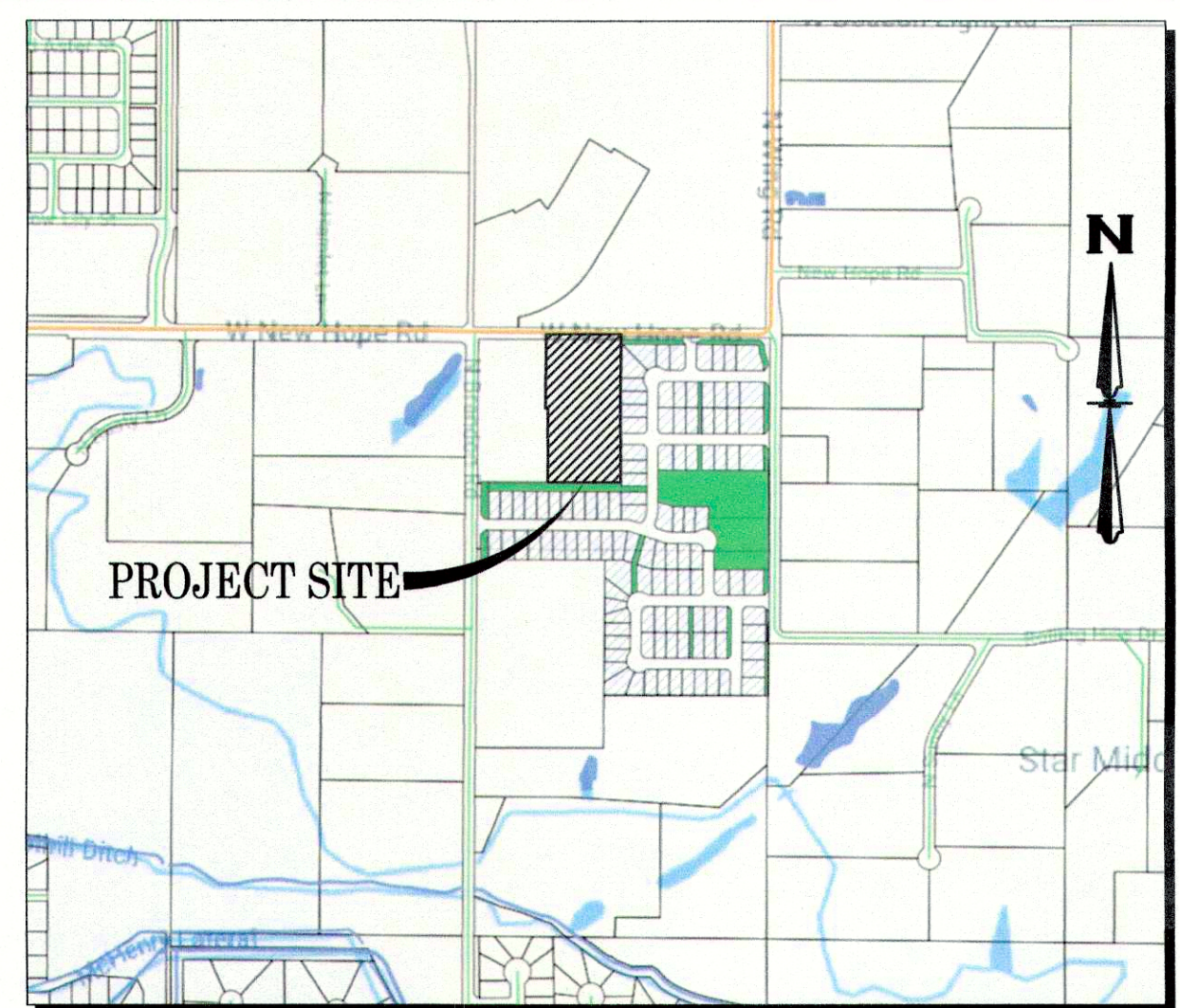
1. ALL LANDSCAPE SHALL BE INSTALLED IN ACCORDANCE WITH STAR CITY ORDINANCE.
2. ALL PLANTING AREAS TO BE WATERED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM.
3. TREES SHALL NOT BE PLANTED WITHIN THE 10' CLEAR ZONE OF ALL STORM DRAIN PIPE, STRUCTURES OR FACILITIES. SEEPAGE BEDS MUST BE PROTECTED FROM 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 NO EXCEED 18" IN DIAMETER. NO LAWN/SOD TO BE PLACED OVER DRAINAGE SHALE SAND WINDOWS (IF PRESENT).
4. NO VISION TRIANGLES ARE PRESENT IN THIS SUBDIVISION.
5. TREE LOCATIONS MAY BE ALTERED TO ACCOMMODATE DRIVEWAYS AND UTILITIES. TREES SHALL NOT BE PLANTED WITHIN 5' OF WATER METERS OR UTILITY LINES.
6. PLANT LIST IS REPRESENTATIVE AND SUBJECT TO SUBSTITUTIONS OF SIMILAR SPECIES BY OWNER SUBJECT TO PLANNING AND ZONING PRE-APPROVAL. BURLAP AND WIRE BASKETS TO BE REMOVED FROM ROOT BALL AS COMPLETELY REMOVED FROM TREES.
7. THERE ARE NO EXISTING TREES ON SITE.

LANDSCAPE CALCULATIONS

Number of trees provided on residential lots	30
Number of trees provided on common lots	15
Number of trees provided adjacent to common lots	6
Total number of trees provided	51

DEVELOPMENT DATA

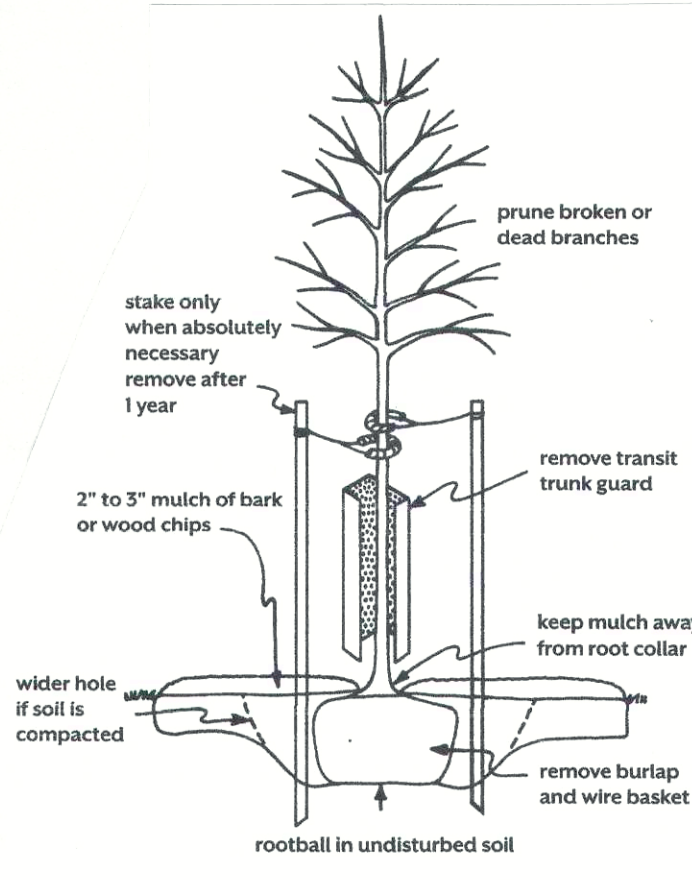
Total acres	5.0	Total lots	18	Buildable lots	15
Common lots	3.0	Usable open space	11,449 (5.2%)		
Proposed Zoning	R-4	Lands.strips	10,133	Total open space	15.3%



VICINITY MAP
1"= 800'

LANDSCAPE PALETTE - CANOPI ESTATES
10609 NEW HOPE ROAD, STAR IDAHO 83669

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
<u>Evergreen Trees</u>			
6	Concolor Fir	<i>Abies, concolor</i>	8'
<u>Shade Trees Class III</u>			
# 1	Bloodgood London Planetree	<i>Platanus x acerifolia</i> 'Bloodgood'	2"
# 2	Kentucky Coffeetree		2"
<u>Shade Trees Class II</u>			
3	Tulip Tree	<i>Liriodendron tulipifera</i>	2"
<u>Shade/Street Trees</u>			
3	Elm 'Frontier'	<i>Ulmus, frontier</i>	2"
<u>Ornamental Trees - Class I</u>			
3	Service Berry 'Autumn Brilliance'	<i>Amelanchier x grandiflora</i>	2"
<u>Lawn/Sod</u> <u>Vinyl Fencing</u> <u>Rock Feature</u>			
1			
<u>Community Garden</u>			
1			
<u>Bench(s) w/Concrete Pad</u>			
3			
<u>Osprey Tower Nest (Idaho Power Permission)</u>			



Canopi Design
Arboreal Services
Mary Jane Marlow
Certified Arborist & Landscape Designer
805.720.7337
maryjane@canopidesign.com
www.canopidesign.com
PO Box 456 • Star, ID 83669

CANOPI ESTATES SUBDIVISION
10609 W. NEW HOPE RD.
PRELIMINARY PLAT

Project Name _____
Sheet Name _____
Project No. _____
Drawn By: _____
Date: 9 April 2020
Sheet No. _____
PP1
1 of 1



Project/File: Canopi Estates/ SPP20-0005/ PP-20-06/ AZ-20-07
This is an annexation with rezone to R-4 and a preliminary plat application consisting of 18 lots on 5-acres.

Lead Agency: City of Star

Site address: 10609 W New Hope Road

Staff Approval: June 10, 2020

Applicant: Mary Jane Marlow
485 S Winslow Bay Way
Star, ID 83669

Representative: Rock Solid Civil, LLC
Jim Coslett
270 N 27th Street
Boise, ID 83702

Staff Contact: Stacey Yarrington, Planner III
Phone: 387-6171
E-mail: syarrington@achdidaho.org

A. Findings of Fact

1. **Description of Application:** The applicant is requesting approval of an annexation with rezone from RUT (Rural Urban Transition) to R-4 (Medium density Residential) and a preliminary plat application consisting of 15 buildable lots and 3 common lots on 5-acres. The applicant's proposal is consistent with the City of Star's Future Land Use map.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Medium-low density Residential	R-3
South	Rural Urban Transition (Ada County)	RUT
East	Rural Urban Transition	RUT
West	Rural Urban Transition	RUT

3. **Site History:** ACHD has not previously reviewed this site for a development application.
4. **Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
 - Canvasback, a large residential subdivision located east and south of the site has submitted a Traffic Impact Study (TIS) for review and acceptance prior to application submittal.
 - Greiner Hope Springs, a 270-lot residential development located west of the site was approved by ACHD in August 2019.

- Greendale Grove, a 106-lot residential development located northeast of the site was approved by ACHD in April 2019.
- Greendale, a 131-lot residential development located north of the site was approved by ACHD in April 2019.

5. **Transit:** Transit services are not available to serve this site.
6. **New Center Lane Miles:** The proposed development includes 0.12 centerline miles of new public road.
7. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are no roadways, bridges or intersections in the general vicinity of the project that are in the Integrated Five Year Work Plan (IFYWP) or the District's Capital Improvement Plan (CIP).

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 142 vehicle trips per day; 15 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 10th edition.
2. **Condition of Area Roadways**
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
New Hope Road	325-feet	Minor Arterial	78	Better than "E"
Brandon Road	0-feet	Collector	21	Better than "D"

* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

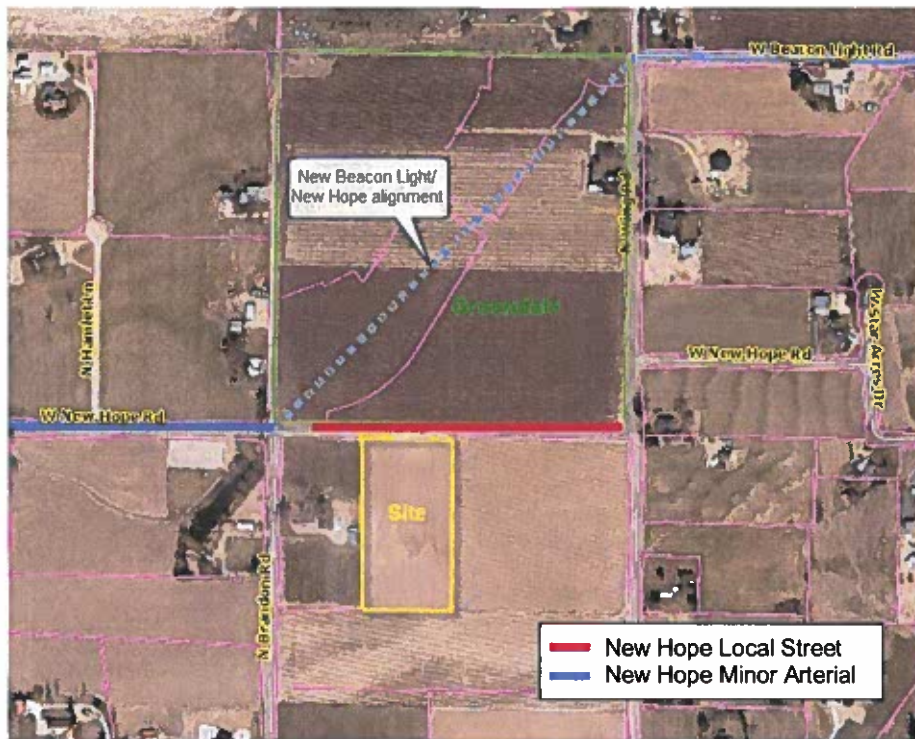
* Acceptable level of service for a two-lane collector is "D" (425 VPH).

3. **Average Daily Traffic Count (VDT)**
Average daily traffic counts are based on ACHD's most current traffic counts.
 - The average daily traffic count for New Hope Road east of Can Ada Road was 1,172 on 05/18/2016.
 - The average daily traffic count for Brandon Road south of New Hope Road was 506 on 09/13/2016.

C. Findings for Consideration

1. **Purple Sage/Beacon Light Alignment Study**
On June 28, 2008 the ACHD Commission approved the Purple Sage/Beacon Light Alignment Study which included a preferred alignment for the roadway and determined that Beacon Light Road would be extended as a 3-lane minor arterial roadway. The study notes that right-of-way dedication and construction of the roadway will occur incrementally as development occurs.

The alignment of Beacon Light Road has been designated on ACHD's Master Street Map and the realignment of Beacon Light to connect to New Hope Road was approved as part of the Greendale Subdivision directly north of the site. The realignment of Beacon Light Road also changed the designation of New Hope Road between Brandon Road and Wing Road from a Minor Arterial to a Local Street.



2. New Hope Road

- a. **Existing Conditions:** New Hope Road is improved with 2-travel lanes, 24-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for New Hope Road (30-feet from centerline).
- b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Half Street Policy: District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

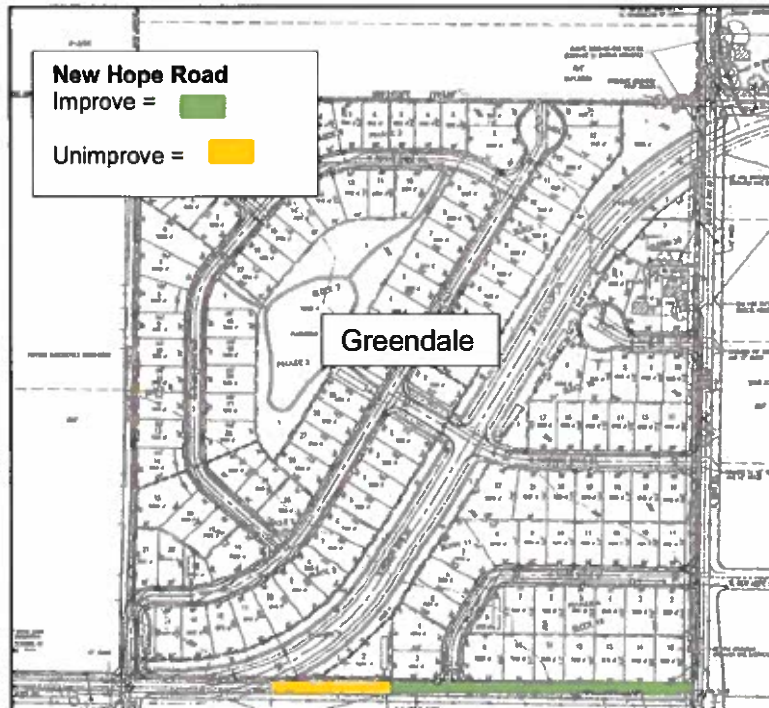
Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

Minor Improvements Policy: District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

- c. **Applicant's Proposal:** The applicant is not proposing any improvements to New Hope Road abutting the site.
- d. **Staff Comments/Recommendations:** As noted above, this section of New Hope Road between Brandon Road and Wing Road is now classified as a local street due to the realignment of Beacon Light Road and New Hope Road.

Typically, the applicant would be required to improve New Hope Road with pavement widening, curb, gutter, and 5-foot wide concrete sidewalk. However, as part of ACHD's approval of the Greendale Subdivision, a waiver of frontage improvements on the section of New Hope Road (shown in Gold below) between the proposed Galen Way and Brandon Road was approved in anticipation of that segment of roadway being vacated or exchanged in the future as part of the future Beacon Light Road realignment. Therefore, staff recommends a waiver of ACHD's frontage improvement policies to not require the construction of curb, gutter, and sidewalk on New Hope Road abutting the site.

The applicant should be required to improve New Hope Road abutting the site with pavement widening to a minimum 17-feet from centerline.



3. Internal Street

a. **Existing Conditions:** There are no existing streets internal to the site.

b. **Policy:**

Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Street Section and Right-of-Way Policy: District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

Standard Urban Local Street—33-foot Street Section and Right-of-way Policy: District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

Sidewalk Policy: District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

Cul-de-sac Streets Policy: District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

- c. **Applicant Proposal:** The applicant is proposing to construct the internal street, Canopi Street, as a 36-foot street section with curb, gutter, 8-foot wide parkway strips within 50-feet of right-of-way and 5-foot wide detached concrete sidewalks within an easement.

The applicant is proposing to terminate Canopi Street in a cul-de-sac at the site's south property line.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

The applicant should be required to construct the cul-de-sac with a minimum 45-foot turning radius.

The applicant should provide a permanent right-of-way easement to 2-feet behind back of sidewalk.

4. Roadway Offsets

- a. **Existing Conditions:** There are no roadways within the site.

- b. **Policy:**

Local Offset Policy: District policy 7206.4.5, requires local roadways to align or offset a minimum of 330-feet from a collector roadway (measured centerline to centerline).

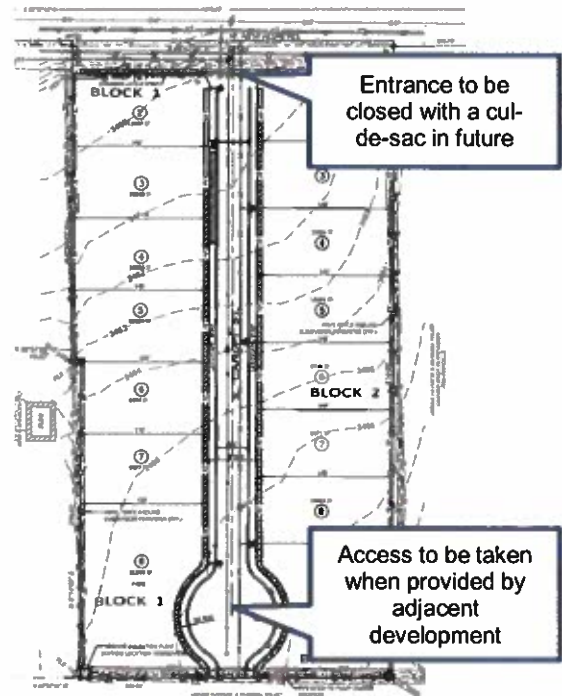
District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

- c. **Applicant's Proposal:** The applicant is proposing to construct a new local street to intersect New Hope Road located approximately 480-feet east of Brandon Road (measured centerline to centerline).

d. Staff Comments/Recommendations:

The applicant's proposal meets District policy and should be approved, as proposed.

However, as stated above in C.1, because New Hope Road between Gaylen Way and Brandon Road, is proposed to be vacated or exchanged in the future with the realignment of Beacon Light Road; the entrance road to this site, Canopi Street, will be required to be closed, consistent with ACHD policy, with an approved turnaround (cul-de-sac) at the Canopi/ New Hope intersection when access is provided via the adjacent proposed development, Canvasback Subdivision, located east and south of this site. The future access for this site is proposed to be via the stub street at the site's south property line. Therefore, the applicant should be required to provide a surety for the future closure of Canopi Street and construction of the cul-de-sac in the amount of \$30,400.00.



5. Stub Streets

a. Existing Conditions: There are no stub streets to or from the site.

b. Policy:

Stub Street Policy: District policy 7207.2.4 (local) states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4 (local), except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

In addition, stub streets must meet the following conditions:

- A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
- The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

Temporary Dead End Streets Policy: District policy 7207.2.4 (local) requires that the design and construction for cul-de-sac streets shall apply to temporary dead-end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac. The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. Applicant Proposal: The applicant is proposing to construct a stub street to the south, Canopi Street, approximately 636-feet south of New Hope Road at the site's south property line.

The applicant is proposing to construct a turnaround (cul-de-sac) at the terminus of the stub street.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The applicant should be required to install a sign at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."

6. Tree Planters

Tree Planter Policy: Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

7. Landscaping

Landscaping Policy: A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

D. Site Specific Conditions of Approval

1. Improve New Hope Road abutting the site with pavement widening to a minimum 17-feet from centerline.
2. Construct the internal street, Canopi Street, as a 36-foot street section with curb, gutter, 8-foot wide parkway strips within 50-feet of right-of-way and 5-foot wide detached concrete sidewalks within a permanent easement to 2-feet behind back of sidewalk.
3. Construct the cul-de-sac at the terminus of Canopi Street with a minimum 45-foot turning radius.
4. Construct the stub street, Canopi Street, to the site's south property line and install a sign at the terminus of the stub street stating that, "THIS ROAD WILL BE EXTENDED IN THE FUTURE."
5. Provide a surety for the future closure of Canopi Street and the cul-de-sac at the Canopi/New Hope intersection in the amount of \$30,400.00.
6. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
7. Payment of impact fees is due prior to issuance of a building permit.
8. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

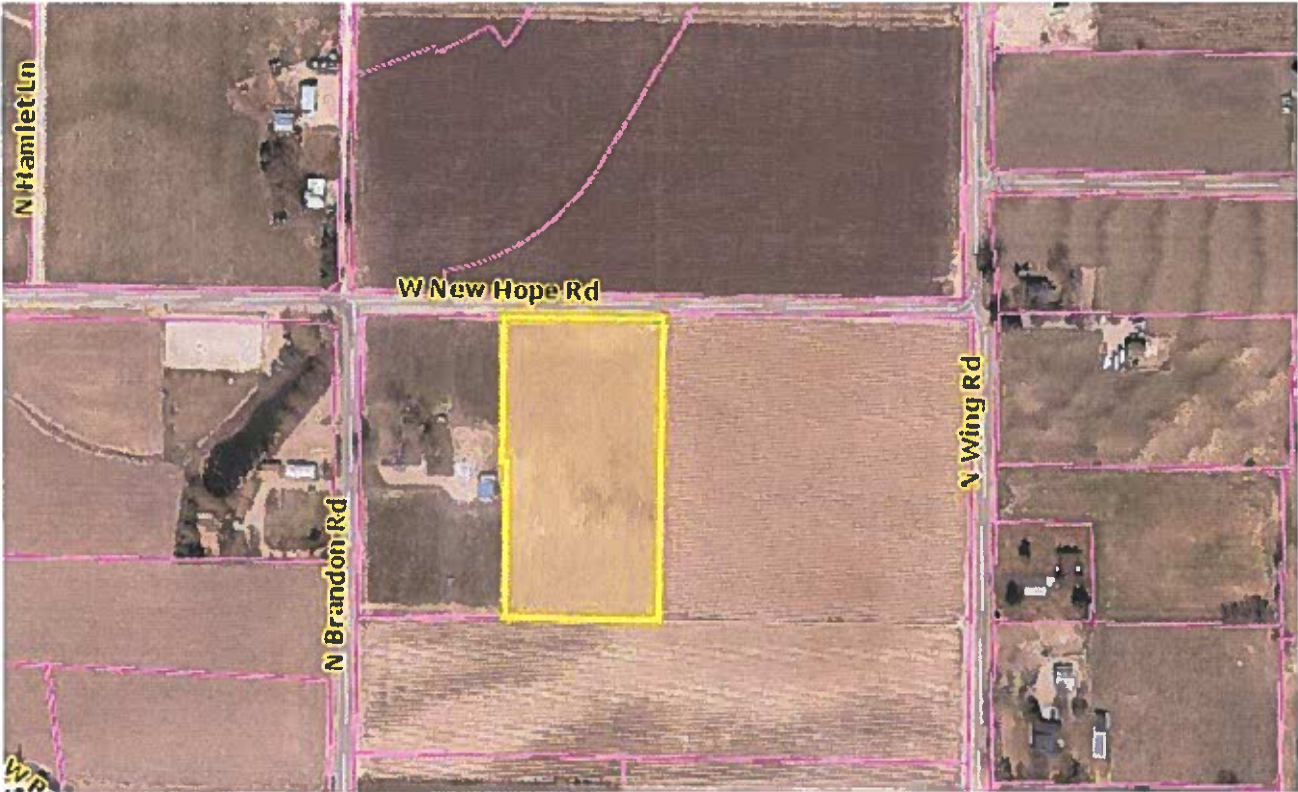
F. Conclusions of Law

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.
2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

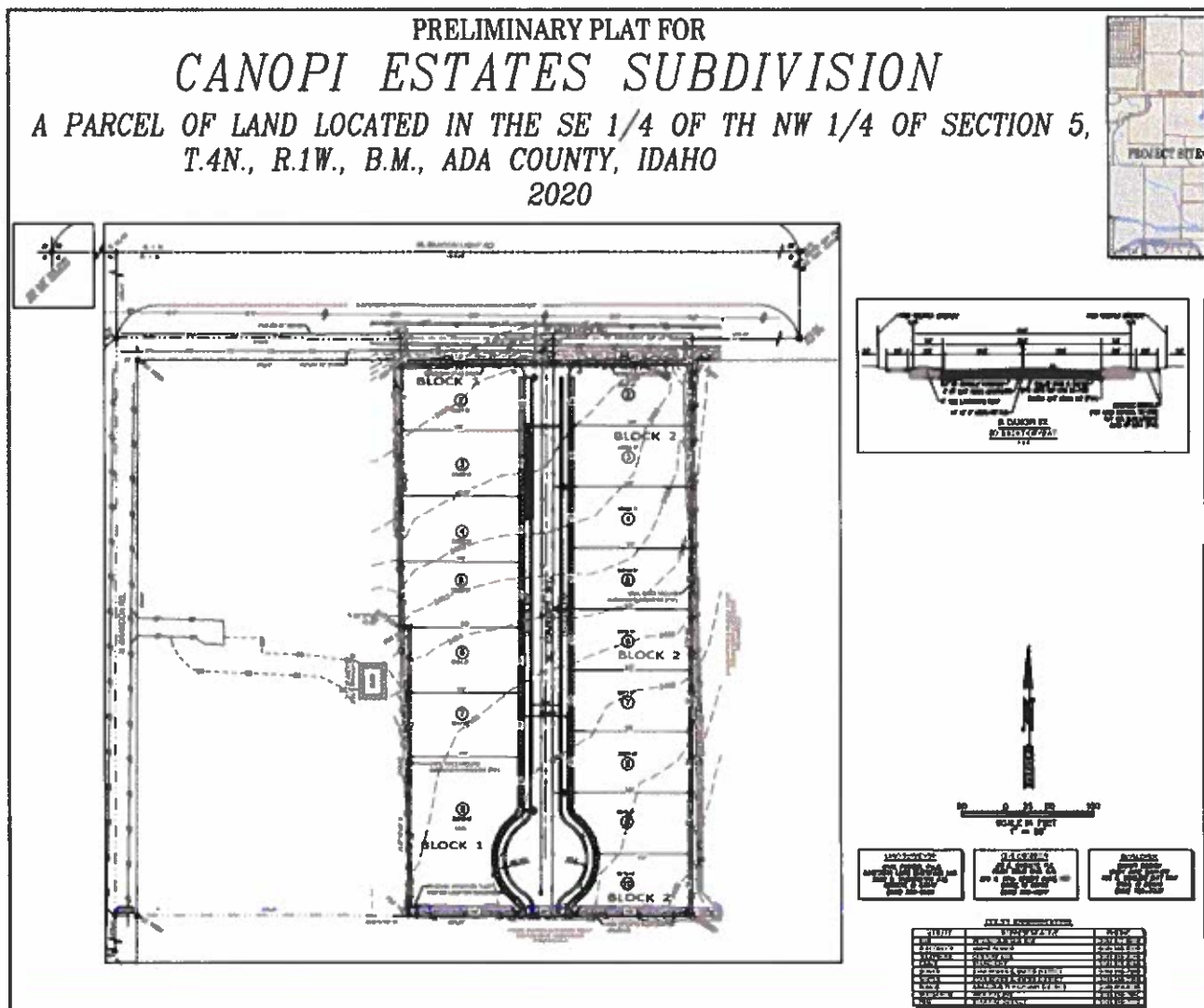
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal Guidelines

VICINITY MAP



SITE PLAN



Ada County Utility Coordinating Council

Developer/Local Improvement District Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

- 1) **Notification:** Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.
- 2) **Plan Review:** The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.
- 3) **Revisions:** The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.
- 4) **Final Notification:** The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iducc.com for e-mail notification information.

Development Process Checklist

Items Completed to Date:

- ☒ Submit a development application to a City or to Ada County
- ☒ The City or the County will transmit the development application to ACHD
- ☒ The ACHD **Planning Review Section** will receive the development application to review
- ☒ The **Planning Review Section** will do one of the following:
 - ☐ Send a "**No Review**" letter to the applicant stating that there are no site specific conditions of approval at this time.
 - ☒ Write a **Staff Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.
 - ☒ Write a **Commission Level** report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

Items to be completed by Applicant:

- ☐ For **ALL** development applications, including those receiving a "**No Review**" letter:
 - The applicant should submit one set of engineered plans directly to ACHD for review by the **Development Review Section** for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee assessment.)
 - The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.
- ☐ Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Non-Subdivisions)

☐ **Driveway or Property Approach(s)**

- Submit a "Driveway Approach Request" form to ACHD Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ **Working in the ACHD Right-of-Way**

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
 - a) Traffic Control Plan
 - b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50' or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

☐ **Sediment & Erosion Submittal**

- At least one week prior to setting up a Pre-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ **Idaho Power Company**

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ **Final Approval from Development Services is required** prior to scheduling a Pre-Con.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary and Clerk of the District, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



STAR FIRE PROTECTION DISTRICT

Office of the Fire Chief

Greg Timinsky

11665 West State Suite B

Star, ID 83669

June 9, 2020

To: City of Star

Application: Canopi Estates Subdivision

File #'s AZ-20-07 Annexation & Zoning PP-20-06

From: Chief Greg Timinsky

The Star Fire Protection District has reviewed and approved with conditions listed below on the above referenced Subdivision.

The min. fire flow and flow duration for one- and two-family dwellings and any Commercial shall be as specified in Appendix B of the 2015 IFC.

The Min. inside turning radius for our fire apparatus is 28' with the outside radius of 48'. Insure that all radiuses for the street curves and intersections meet this requirement

The fire hydrant spacing shall be no less than 400' and shall be approved and witnessed by Star Fire Protection District prior to any building permits being issued.

All street signage shall be installed and approved prior to the issuance of any building permit.

NOTE: All fire department access roadways in the development shall remain clear and unobstructed during construction of homes in the development. Additional parking restrictions may be required as to maintain access for emergency vehicles at all times.

Any questions please feel free to contact me, 208-229-9447

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Timinsky', with a stylized flourish at the end.

Greg Timinsky,
Fire District Chief

Original to Requester/ Copy retained by Chief



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

- ☐ ACZ
☐ Boise
☐ Eagle
☐ Garden City
☐ Meridian
☐ Kuna
☒ Star

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat PP-20-06

Canopi Estates

- ☐ 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
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
- ☒ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☒ central water
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
- ☒ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☒ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:
- ☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.
- ☐ 14. _____

Reviewed By: Rowan Baskin

Date: 5/14/2020

Jerry A. Kiser
Attorney at Law
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Boise, Idaho 83707

(208) 861-4657

May 13, 2020

Star City Hall
Attn. Shawn L. Nickel
P.O. Box 130
Star, ID 83669

Re: Canopi Estates Subdivision/ File #'s AZ-20-07 Annexation and Zoning; PP-20-06

Dear Mr. Nickel:

I write as attorney for the HRM pipeline, (HRM) an Idaho lateral water user association regarding the above referenced proposed subdivision. The HRM delivers irrigation water from the Farmers Union canal to the property proposed to be developed as Canopi Estates subdivision as well as a number of other water users in the area. Regarding the proposed development and subdivision, the HRM has certain requirements which include, but may not be limited to, the following:

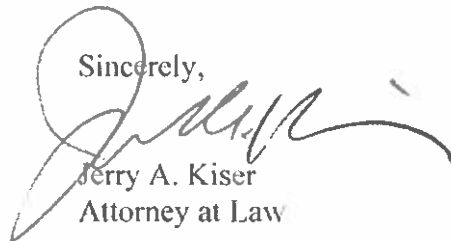
1. The developer/property owner must recognize irrigation rights-of-way for cleaning, maintenance and repair of the HRM delivery ditches and pipeline. The HRM has rights-of-way granted by State law. The sizes of those rights-of-way vary depending on the location, size and type of delivery structure or method of conveyance of water delivered to its water users. The HRM maintains a right-of-way of at least 10 feet on each side of its buried pipelines. Open ditch rights-of-way differ depending on a number of factors such as the width of the ditch and geographic features on or near the ditch. Idaho law provides no improvements including but not limited to, fences, structures, roads, pipelines or other construction is to be placed in the HRM rights-of-way without written permission from the HRM. The HRM strongly recommends rights-of-way be platted as common area lots to prevent encroachment or unauthorized improvements in the right-of-way by lot owners. The HRM should be contacted to determine specific rights-of-way the HRM has for its ditches and pipelines.
2. No change in the point of diversion or place of use of the water is allowed unless approved by the HRM.
3. Any construction activities, including road or other construction must be completed at times and in a manner so as not to interfere in any way with the

HRM's delivery of water or cleaning, maintenance, and repairs to its pipes and ditches.

4. In most circumstances, the HRM requires subdivisions install a pressurized irrigation system. Any such system should be pre-approved by the HRM. It should be noted that the HRM Lateral cannot assure water delivery 24 hours a day, seven days a week as this property may be part of a water rotation with others water users.
5. Pursuant to Idaho law, the written permission of the HRM must be obtained before any ditch or canal is buried in irrigation pipe by any land owner. Written permission must also be obtained from the HRM to relocate or change the location of any existing ditch, canal or pipeline.

Please note the HRM may have further and additional input regarding impacts to the lateral by the proposed subdivision. The President of the HRM is Mike Sessions and he can be reached at 208-949-3837. If you have any questions regarding the foregoing, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry A. Kiser", is written over the typed name and title.

Jerry A. Kiser
Attorney at Law

cc: HRM Pipeline
Ms. Mary Jane Marlow



131.5M 5th Ave, Suite A
Meridian, ID 83642
(208) 288-1992

May 19, 2020

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

Re: Canopi Estates Subdivision Preliminary Plat Application

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Canopi Estates Subdivision dated April 9, 2020. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Cathy Ward. We have the following comments and question based on our review:

1. Provide legal description.
2. Provide boundary line in line legend.
3. Provide 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. The Elm 'Frontier' tree is not allowed per acceptable species guidelines, please update to an acceptable variety. Provide tree species meet the City of Boise acceptable species guidelines, for location within or adjacent to right-of-way, as adopted by Star City Code.
5. Applicant needs to explain proposed stormwater disposal plan for local roads as well as New Hope Road.
6. 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.
7. Construction plans for a subdivision-wide pressure irrigation system will be required for each final plat. Plan approvals and license agreements from the affected irrigation and/or canal companies will be required.
8. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
9. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required.
10. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.

11. Landscape plans including fencing, buffer areas, and street trees will have to conform to the City subdivision ordinance.


We recommend that the **conditions 1 and 5 listed above be addressed prior to approval of the Preliminary 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.

DocuSigned by:

A handwritten signature in blue ink, appearing to read "Ryan Z. Morgan", is written over a horizontal line.

Ryan Z. Morgan, P.E.
City Engineer

cc: File

LEGAL NOTICE PUBLIC HEARING

Notice is hereby given that the Star City council will hold a Public Hearing on June 16, 2020 at Star City Hall, 10769 W. State Street, at 7:00 pm, or as soon thereafter as the matter may be heard. COVID-19 UPDATE: Please see City Website www.staridaho.org for all new updates.

Application: New Recreation Fees both Indoor & Outdoor

Applicant: City of Star

Action: The following Recreation fees will be reviewed by Council:

OLD FEES

Recreation – Indoor

Tumbling Class (6 week)	\$35.00
Tumble Tots (3-6 y/o) (6 week)	\$35.00
Needlepoint	\$ 5.00
Pilates Class	\$25.00
Tone & Titan Class	\$25.00
Yoga – month	\$25.00
Early AM Boot Camp – month	\$25.00
CPR Class	\$30.00
Art Class – per class	\$12.00
Fly Fishing Class – per session	\$10.00
Non-resident – per session	\$15.00
Various Summer Camps	\$40.00
Non-resident	\$50.00
Outdoor Educ. Series – resident	\$10.00
Non-resident	\$15.00
Registration Fee – resident	\$10.00
Non-resident	\$10.00
Pay to Instructor 80/20 split	80/20 split

Recreation - Outdoor

Youth & Adult Sports – resident	\$25.00
Non-resident	\$40.00
Late Fee	\$10.00

NEW FEES – BOTH INDOOR & OUTDOOR

Adult Classes & Activities (ages 16 & older):	Not to exceed \$250 per class or activity
Adult Sports (ages 16 & older):	Not to exceed \$60 per player
Youth Classes, Activities & Camps (ages 6 – 15):	Not to exceed \$100 per class, activity or camp
Youth Sports (ages 6 – 15):	Not to exceed \$60 per player
Preschool Classes, Activities & Camps (ages 1 – 5):	Not to exceed \$100 per class, activity or camp
**Non-Residents will be charged a higher fee for each of the above activities.	
Material Kits for Classes & Activities:	Price not to exceed cost of materials
Sports Uniform Fee:	Price not to exceed cost of uniform
Camp/Class Instructor/Lead Fees:	Not to exceed 70% of the total fee of the class
Umpire/Referee Fees:	Not to exceed \$35 per game
Refund Fees:	\$5.00 per request – 2 requests per year only

Information/Comments: A complete copy of the Ordinance is available at City Hall for public review. The City invites all interested parties to attend the meeting and provide public testimony. Written comments will be accepted by the City until noon on the day before the public hearing.

Services for persons with disabilities may be made available if notice is received in advance of the meeting by calling Star City hall at (208) 286-7247.

Cathy Ward, City Clerk