

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 06/23/2026
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
sallen@meridiancity.org
SUBJECT: Dayspring Subdivision No. 3
FP-2026-0007
LOCATION: Generally located 1/4 mile south of W. Ustick Rd., midway between N. Black Cat Rd. & N. McDermott Rd., in the north 1/2 of Section 4, T.3N., R.1W.



I. PROJECT DESCRIPTION

Final plat consisting of 57 buildable lots and 8 common lots on 17.36 acres of land in the R-4 and R-8 zoning districts for the third phase of Dayspring Subdivision.

II. APPLICANT INFORMATION

A. Applicant:

Kyle Prewett, Toll Brothers – 3103 W. Sheryl Drive, Meridian ID, 83642

B. Owner:

Alex Dunivan, Magnolia East Dayspring Owner, LLC – 8 Summer House Lane, Newport Beach CA, 92660

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase, and the amount of common area cannot decrease.

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat for Dayspring Subdivision (H-2024-0070) and found there to be one (1) additional buildable lot than shown on the approved preliminary plat, which was moved from preliminary plat Phase #8 (now

Phase 7) – the overall lot count has not changed. There is a slight increase in common open space area for this phase from that shown on the approved preliminary plat, which results in an overall increase of 0.3% for the development. The proposed final plat combines Phases 3 and 6, depicted on the phasing plan approved with the preliminary plat.

The proposed final plat is consistent with the provisions in the development agreement and the conditions of approval associated with the preliminary plat with the conditions included below in Section VI.

The Applicant submitted abandonment reports for the two (2) existing wells on this site.

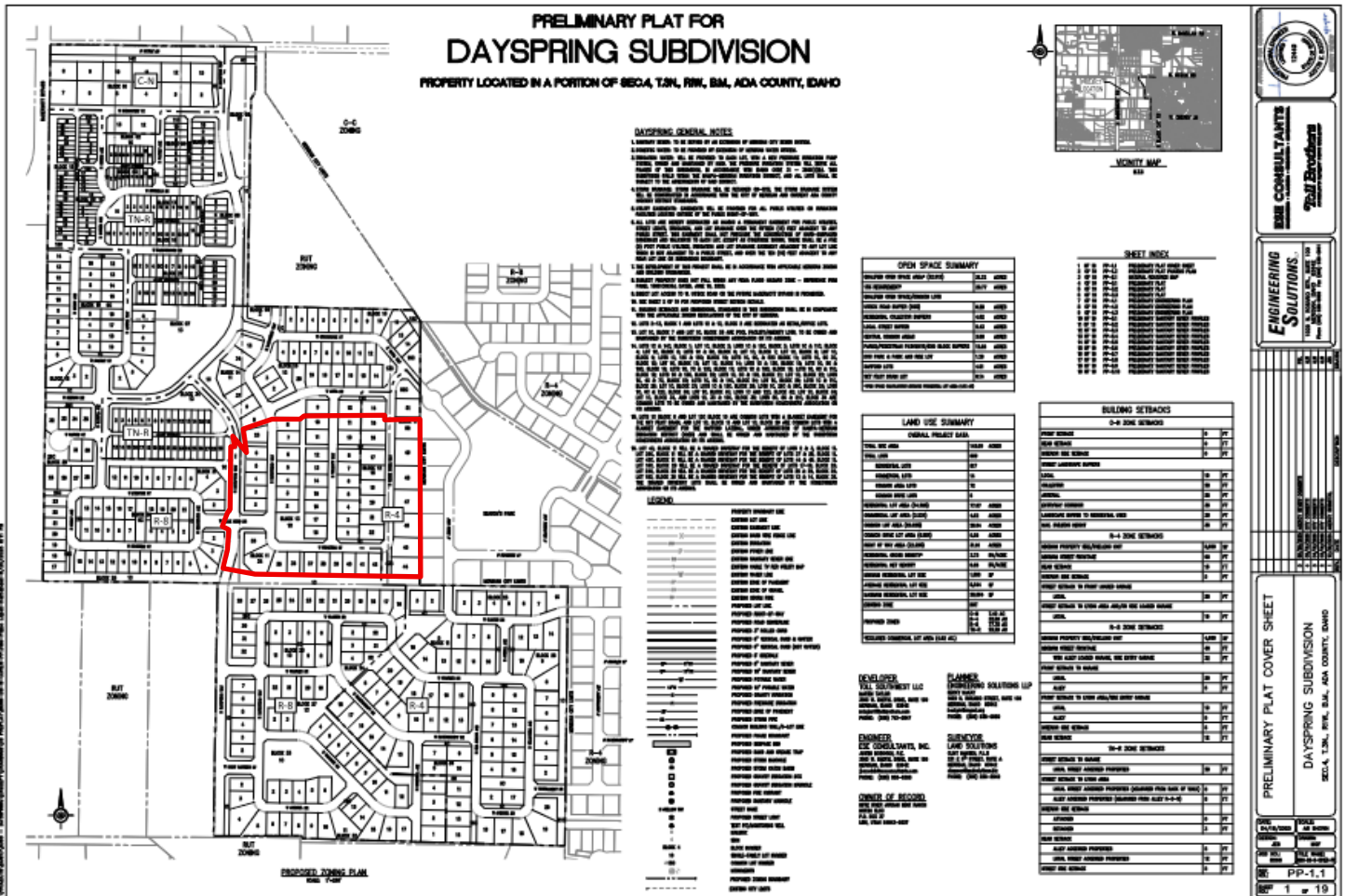
Because the overall number of buildable lots will not increase and the qualified open space has increased from what was approved with the preliminary plat, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

IV. DECISION

Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

V. EXHIBITS

A. Preliminary Plat (dated: 04/18/25)

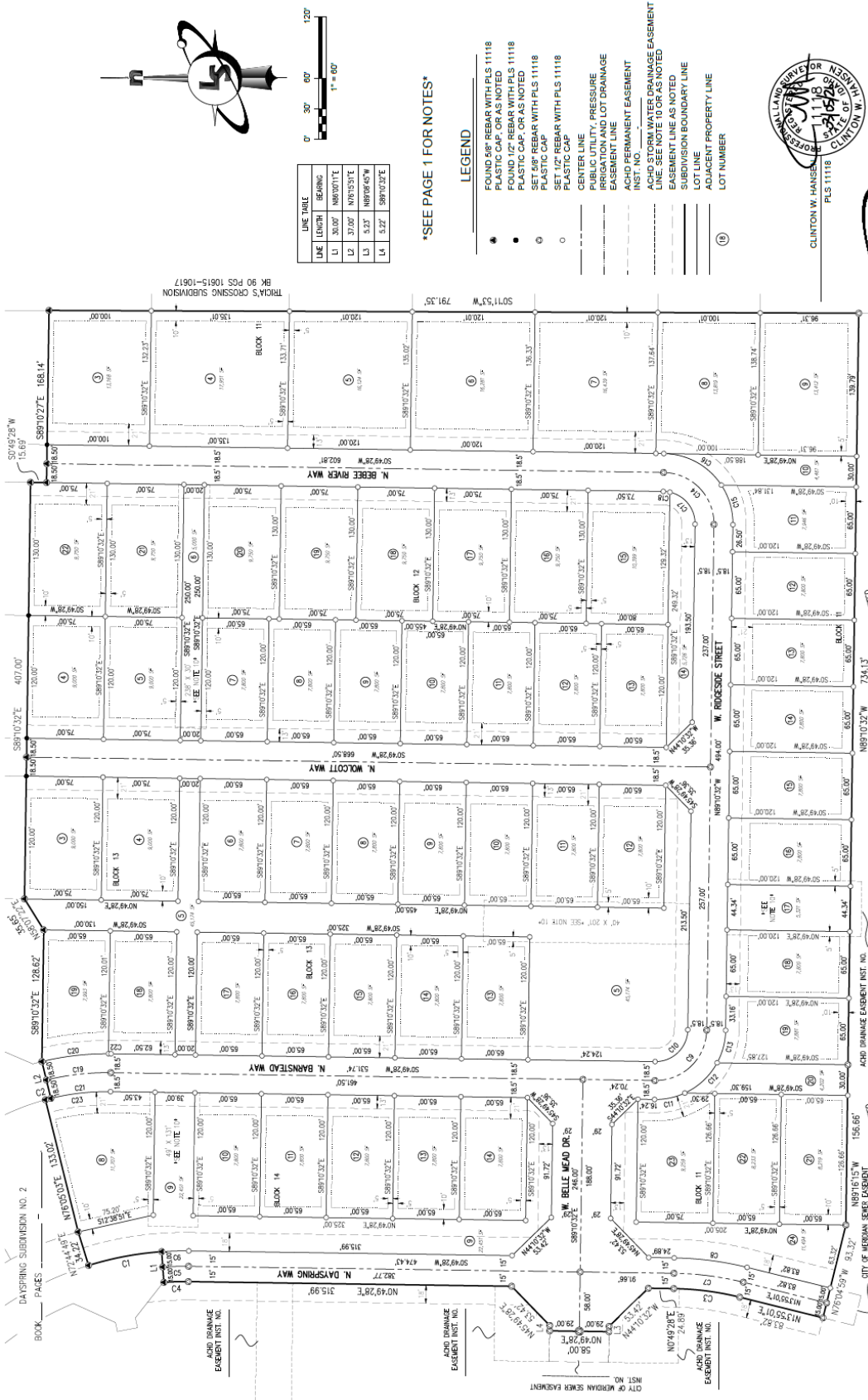


ENGINEERING SOLUTIONS
T3L CONSULTANTS, INC.

PRELIMINARY PLAT COVER SHEET
DAYSPRING SUBDIVISION
SECA, T3N, R1W, S1M, ADA COUNTY, IDAHO

DATE 04/18/25
SCALE AS SHOWN
SHEET 1 OF 19
PP-1.1

DAYSRING SUBDIVISION NO. 3



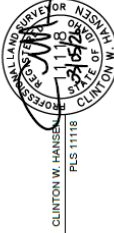
LINE LABEL	BEARING
L1	30.00° N80.00°E
L2	37.00° N75.55°E
L3	5.52° N89.08°E
L4	5.52° S89.00°E



SEE PAGE 1 FOR NOTES

LEGEND

- FOUND 6" REBAR WITH PLS 11118
- PLASTIC CAP OR AS NOTED
- FOUND 1/2" REBAR WITH PLS 11118
- PLASTIC CAP OR AS NOTED
- SET 6" REBAR WITH PLS 11118
- SET 1/2" REBAR WITH PLS 11118
- CENTER LINE
- PUBLIC UTILITY, PRESSURE IRRIGATION AND LOT DRAINAGE EASEMENT LINE
- ACHD PERMANENT EASEMENT INST. NO. _____
- ACHD PERMANENT EASEMENT LINE SEE NOTE TO CURV AS NOTED
- EASEMENT LINE AS NOTED
- SUBDIVISION BOUNDARY LINE
- LOT LINE
- ADJACENT PROPERTY LINE
- LOT NUMBER



LandSolutions
Land Surveying and Consulting
MERIDEN, CT 06462
(203) 289-2040 fax (203) 289-2557
www.landsolutions.biz

CURVE TABLE	CHORD	BEARING	CHORD	BEARING	CHORD
C1	58.85'	203.50'	143.53'	N67.70°W	58.87'
C2	2.50'	268.50'	030.01'	N03.28°E	2.50'
C3	64.30'	20.50'	155.49°	N70.56°W	64.09'

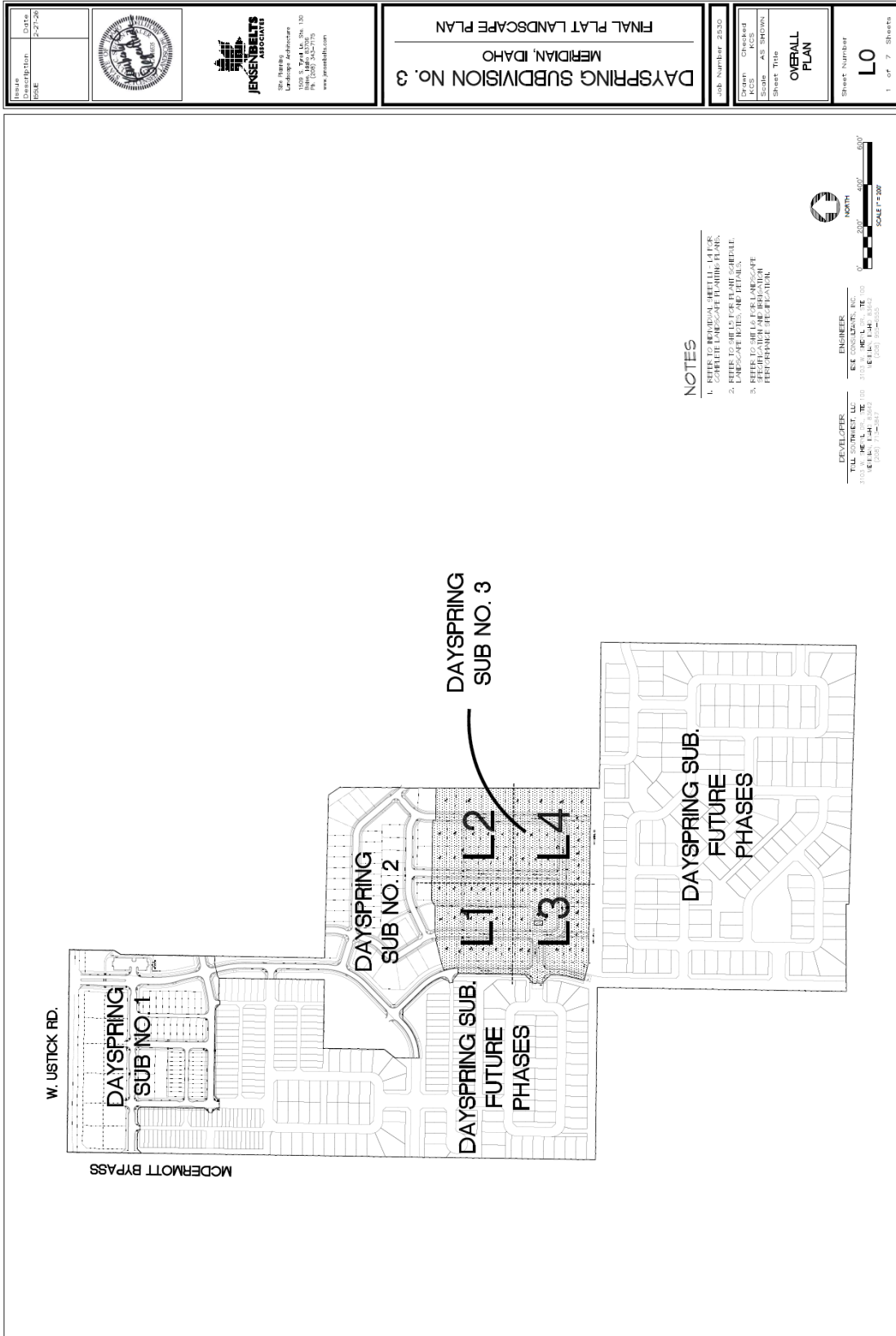
CURVE TABLE	CHORD	BEARING	CHORD	BEARING	CHORD
C4	66.71'	508.07'	102.43°E	84.11'	66.69'
C5	42.83'	31.50'	780.53°	N51.46°E	38.69'
C6	6.58'	31.50'	115.43°	N87.46°E	6.54'
C7	63.33'	250.00'	143.33°	N67.70°W	63.36'
C8	65.71'	268.50'	100.78°	N43.71°W	65.57'

CURVE TABLE	CHORD	BEARING	CHORD	BEARING	CHORD
C9	30.45'	68.50'	229.25'	S75.44°E	30.32'
C10	44.03'	68.50'	38.94°S	S43.04°E	43.27'
C11	33.12'	68.50'	27.91°S	S75.34°E	32.79'
C12	78.54'	50.00'	80.00°	N45.42°E	70.71'
C13	40.86'	68.50'	141.70°	N73.43°E	40.38'

CURVE TABLE	CHORD	BEARING	CHORD	BEARING	CHORD
C14	26.51'	35.00'	4.95°E	N35.50°W	26.50'
C15	68.50'	300.00'	135.03°	N72.74°E	68.40'
C16	71.86'	35.00'	135.03°	N72.74°E	71.82'
C17	78.54'	50.00'	80.00°	S44.02°E	70.71'
C18	40.48'	35.50'	80.00°	S44.02°E	44.95'

CURVE TABLE	CHORD	BEARING	CHORD	BEARING	CHORD
C19	35.00'	135.03°	103.20°W	72.72'	35.00'
C20	20.50'	179.15°	S12.44°E	5.47'	20.50'
C21	285.00'	135.03°	S72.74°E	64.98'	285.00'
C22	285.00'	4.90°E	N15.50°W	23.86'	285.00'
C23	300.00'	4.90°E	N15.50°W	25.24'	300.00'

C. Landscape Plan (dated: 2/27/2026)



Drawn By: JWA	Date: 2-27-20
Checked By: JWA	



JERSENBELTS ASSOCIATES
 Landscape Architects
 1000 S. Myra Ln. Ste. 100
 Boise, ID 83725
 Phone: (208) 342-7775
 www.jersenbelts.com

FINAL PLAT LANDSCAPE PLAN

DAYSRING SUBDIVISION NO. 3 MERIDIAN, IDAHO

Job Number: 23330
 Drawn: JWA
 Checked: JWA
 Scale: AS SHOWN
 Sheet Title: LANDSCAPE PLAN

Sheet Number: L1
 2 of 7 Sheets

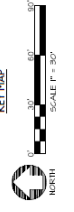
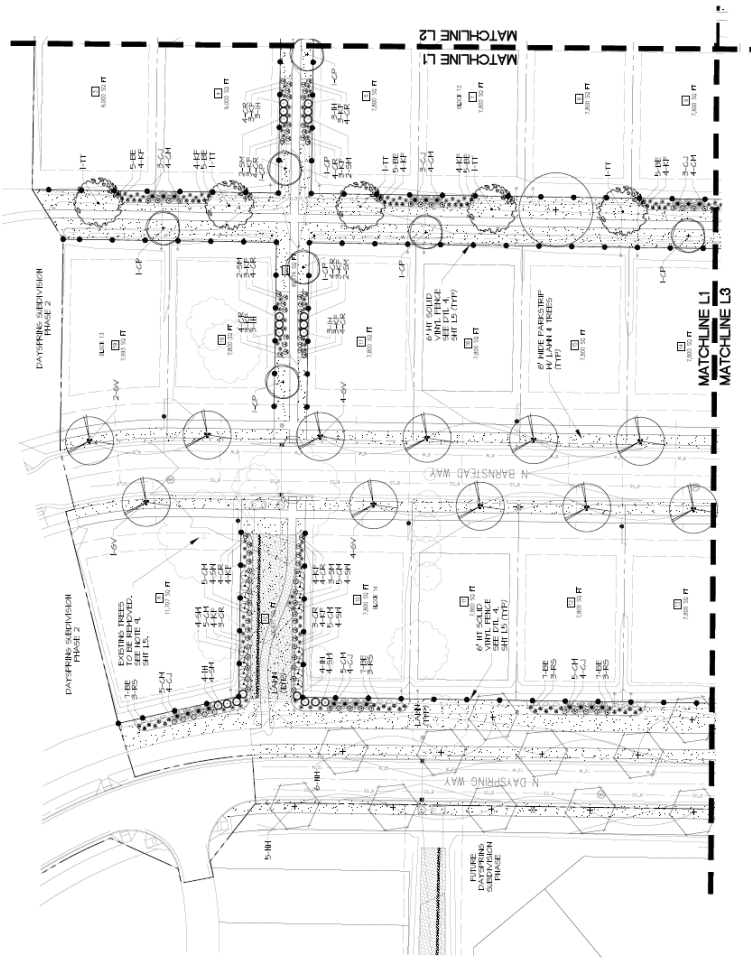
PLANT SCHEDULE

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NOTES

1. REFER TO ALL OTHER PLANS FOR DETAILS.
2. REFER TO ALL ELECTRICAL, MECHANICAL, AND PLUMBING PLANS FOR DETAILS.
3. REFER TO ALL EXISTING AND PROPOSED UTILITIES FOR DETAILS.
4. REFER TO ALL EXISTING AND PROPOSED SURVEY DATA FOR DETAILS.
5. REFER TO ALL EXISTING AND PROPOSED SITE DATA FOR DETAILS.
6. REFER TO ALL EXISTING AND PROPOSED SURVEY DATA FOR DETAILS.
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10. REFER TO ALL EXISTING AND PROPOSED SURVEY DATA FOR DETAILS.



DESIGNER: ELC CONSULTING INC.
 3103 W. HEILON, STE. 100
 MERIDIAN, IDAHO 83721
 (208) 342-7775

PROJECT: DAYSRING SUBDIVISION
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Drawn by: DATE: 2-27-26
 KCS
 KCS



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FINAL PLAT LANDSCAPE PLAN
MERIDIAN, IDAHO
DAYSPRING SUBDIVISION No. 3

Job Number: 2330

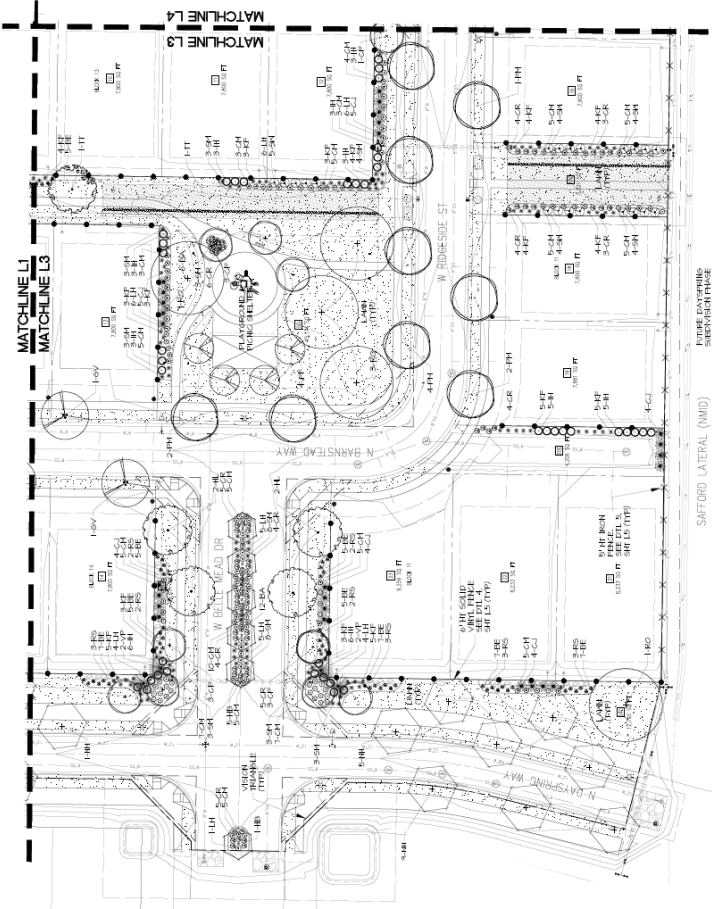
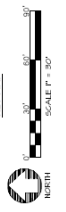
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LANDSCAPE PLAN

Sheet Number
L3
 4 of 7 Sheets

PLANT SCHEDULE



SYM	CORNER NAME
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- 1. REFER TO SHEETS FOR PLANT SCHEDULE, LANDSCAPE NOTES, AND DETAILS.
- 2. REFER TO SHEETS FOR LANDSCAPE PERFORMANCE REPORT.



DEVELOPER
 TULLY CORP
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ENGINEER
 JENSENBELTS ASSOCIATES
 376 Haring
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TITLE Description: FINAL PLAT LANDSCAPE PLAN	DATE 2-27-20			5th Floor Landscape Architecture 1200 S. Park Dr., Ste. 100 Boise, ID 83725 www.jensenbelts.com	FINAL PLAT LANDSCAPE PLAN DAYSPRING SUBDIVISION NO. 3 MERIDIAN, IDAHO	Job Number 2530 Drawn: [Blank] Checked: [Blank] KCS: [Blank] Scale: AS SHOWN Sheet Title LANDSCAPE PLAN	Sheet Number L4 5 of 7 Sheets
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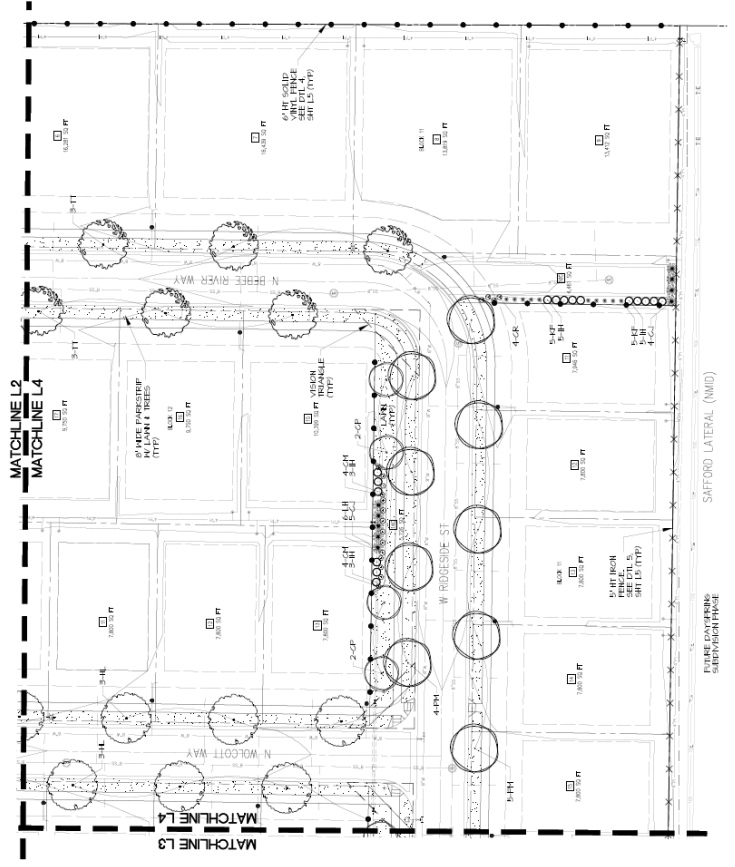
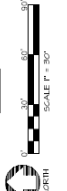
PLANT SCHEDULE

- REFERENCE SHI L3)
- SYN - COMMON NAME
- ADORNMENTS
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 - 11 12' SPREADER
 - 12 14' SPREADER
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 - 14 18' SPREADER
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 - 55 100' SPREADER



NOTES

1. REFER TO SHI L3 FOR DETAILS.
2. REFER TO SHI L3 FOR LANDSCAPE SPECIFICATION AND MATERIAL PERFORMANCE SPECIFICATION.



DEVELOPER: [Blank]

ENGINEER: [Blank]

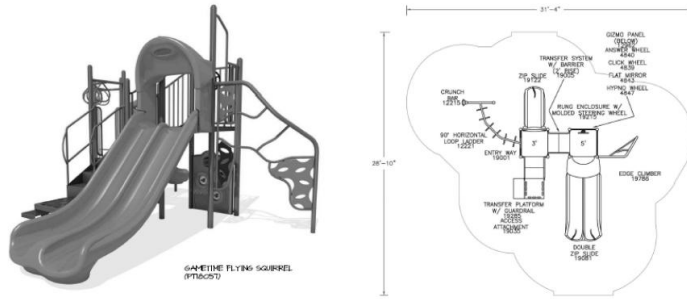
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PROJECT: [Blank]

D. Amenity Exhibit for Lot 1, Block 9

Playground – Example Only



PLAYGROUND COLOR SCHEME TO BE NATURAL COLORS (GREEN, TAN, BROWN, BLACK)
 PLAYGROUND SURFACING TO BE ENGINEERED WOOD FIBERS PER THE PLAYGROUND EQUIPMENT FALL DEPTH REQUIREMENT.

① SMALL PLAYGROUND
 NOT TO SCALE



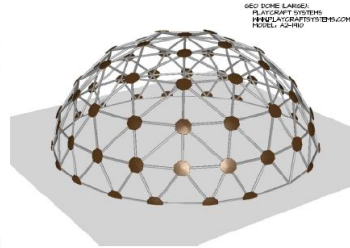
PLAY KIDZ
 PLAYSAFETY SYSTEMS
 WWW.PLAYSAFETYSYSTEMS.COM
 MODEL - BIRCHBARK, BIRCH/TAN COLOR SCHEME



SWINGS
 PLAYSAFETY SYSTEMS
 WWW.PLAYSAFETYSYSTEMS.COM
 MODEL - AD-2006-3

PLAYGROUND COLOR SCHEME TO BE NATURAL COLORS (GREEN, TAN, BROWN, BLACK)
 PLAYGROUND SURFACING TO BE ENGINEERED WOOD FIBERS PER THE PLAYGROUND EQUIPMENT FALL DEPTH REQUIREMENT.

② LARGE PLAYGROUND
 NOT TO SCALE

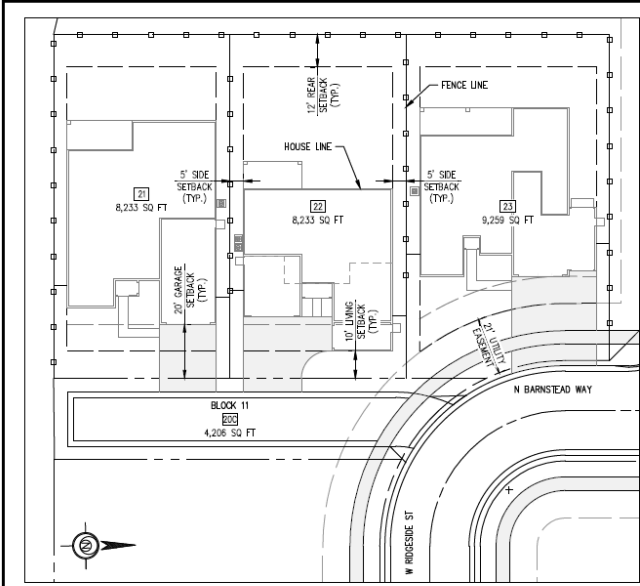


GEO DOME LARGE
 PLAYSAFETY SYSTEMS
 WWW.PLAYSAFETYSYSTEMS.COM
 MODEL - AD-180

Picnic Shelter – Example Only

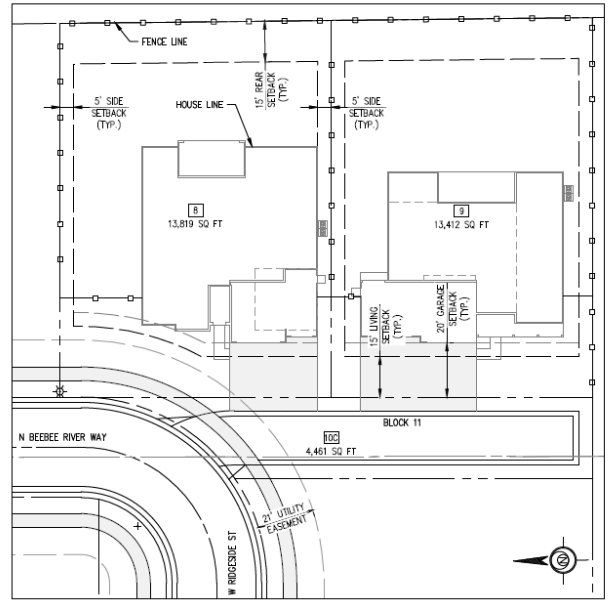
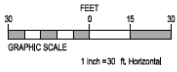


E. Common Driveway Exhibit



LOT 20C BLOCK 11 COMMON DRIVE

SCALE: 1" = 30'



LOT 10C BLOCK 11 COMMON DRIVE

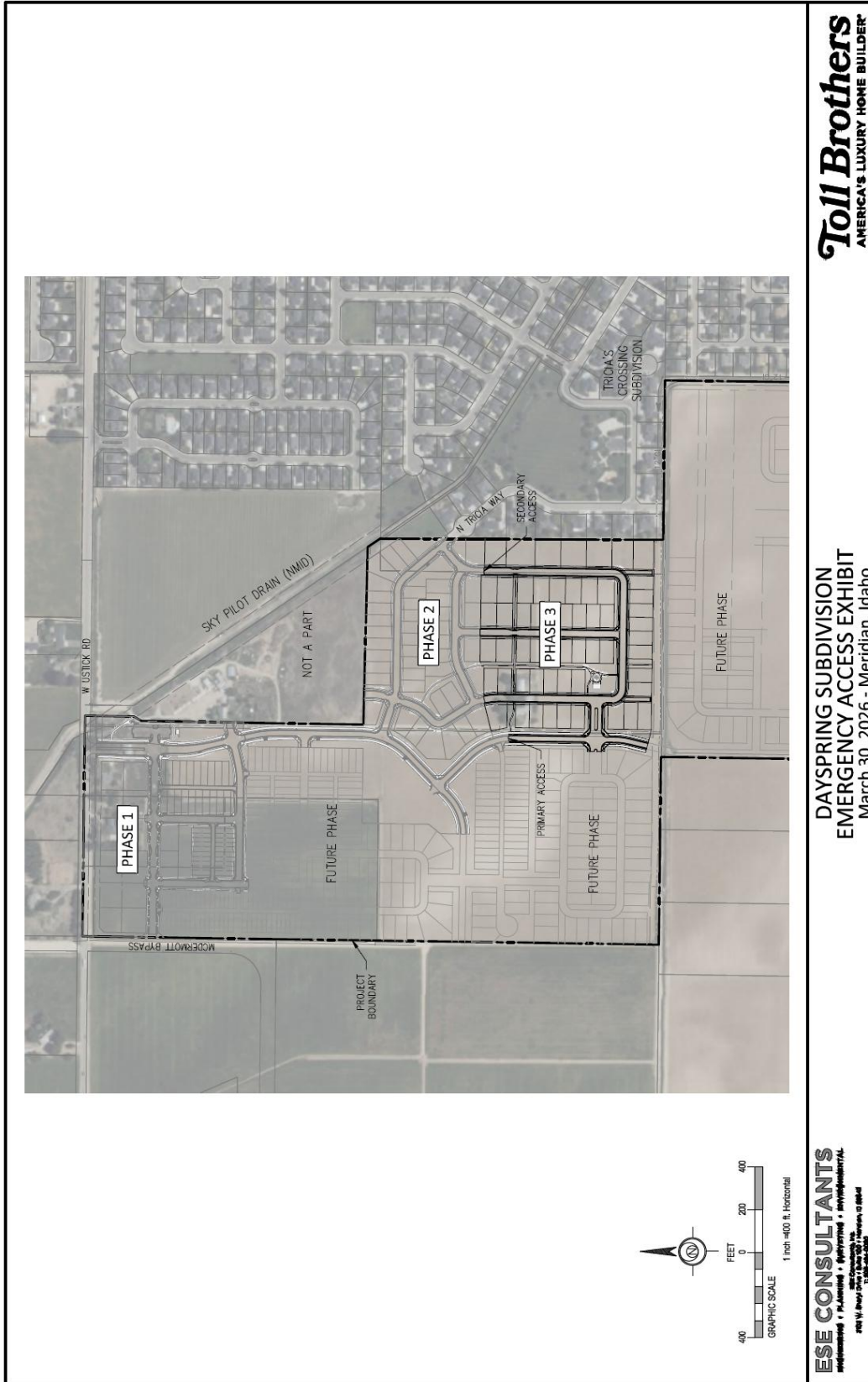
SCALE: 1" = 30'

ESE CONSULTANTS
 ARCHITECTURE • PLANNING • ENGINEERING • SURVEYING
 200 N. Broadway, Suite 200, Boise, ID 83725
 208.333.8888

COMMON DRIVE EXHIBIT
DAYSPRING SUBDIVISION NO. 3
 June 13, 2026 - Meridian, Idaho

Toll Brothers
 AMERICA'S LUXURY HOME BUILDER

F. Emergency Access Exhibit



G. Qualified Open Space Exhibits

Phase 3:

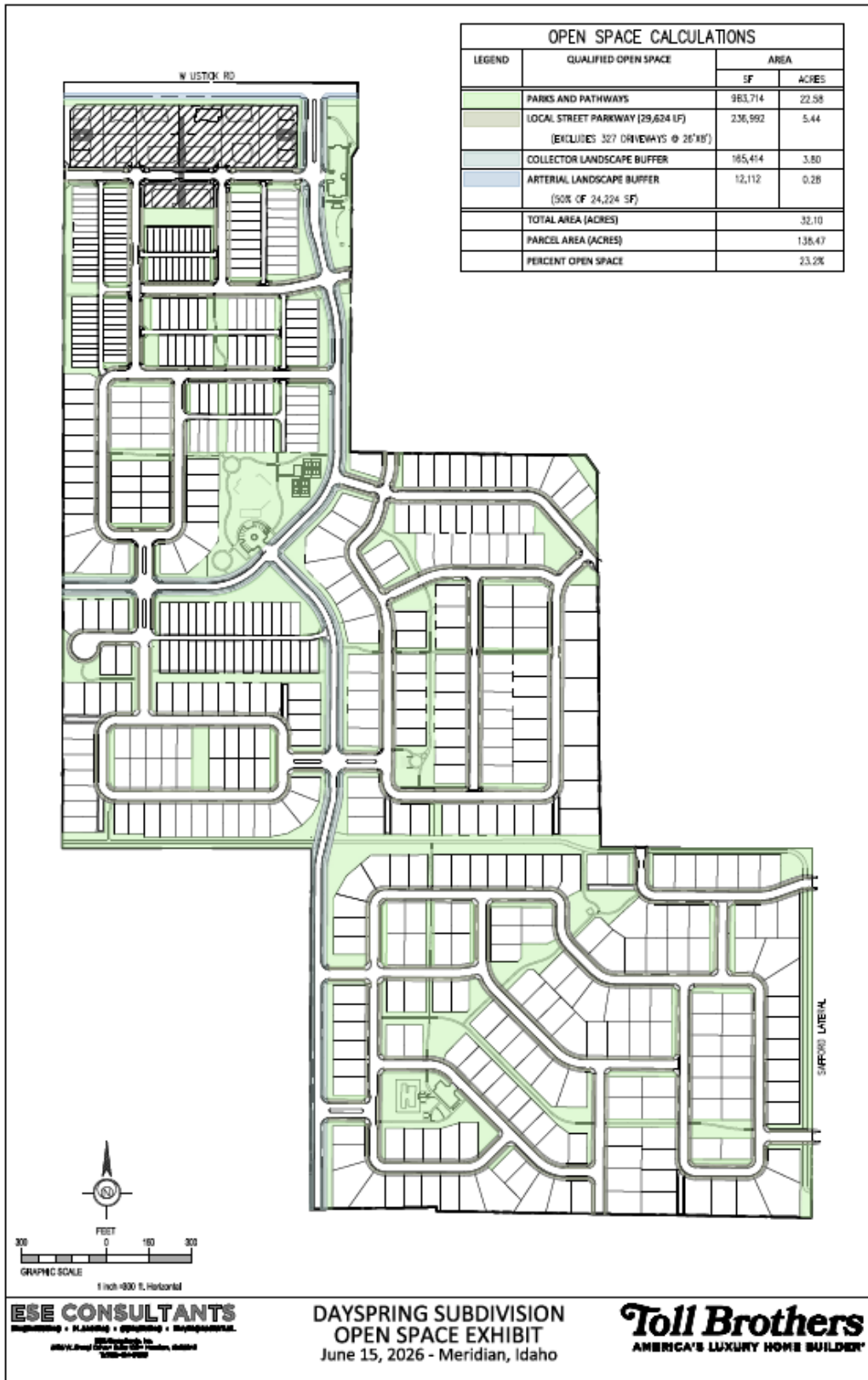


DAYSPRING SUBDIVISION NO. 3
OPEN SPACE EXHIBIT
 February 25, 2026 - Meridian, Idaho

ESE CONSULTANTS
 ENGINEERING • PLANNING • ARCHITECTURE • PHOTOGRAPHY
 400 W. BROADWAY, SUITE 200, MERIDIAN, IDAHO 83454
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 AMERICA'S LUXURY HOME BUILDER

Overall Updated Open Space Exhibit:



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

1. Applicant shall meet all terms of the approved annexation and preliminary plat H-2024-0070 (Dayspring Subdivision); Development Agreement Inst. #2026-007562; Toll Brothers, Inc. Sewer Trunk Line Cooperative Agreement applications approved for this site.
2. The applicant shall obtain the City Engineer's signature on the final plat within two (2) years of the City Engineer's signature on the previous phase final plat as set forth in UDC 11-6B-7, in order for the preliminary plat to remain valid; or, a time extension may be requested.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat prepared by Clinton W. Hansen, Land Solutions Land Surveying and Consulting, dated: 3/5/2026, included in Section V.B shall be revised as follows:
 - i. Include the Book and Page numbers for Dayspring Subdivision No. 2.
 - ii. Legend: Include the recorded instrument number of the ACHD permanent easement.
 - iii. Include the recorded instrument number of the ACHD drainage easement.
 - iv. Include the recorded instrument number of the City of Meridian sewer easement.
 - v. Note #9: Include the recorded instrument number for the development agreement (i.e. #2026-007562).
 - vi. Note #11: Include the recorded instrument number of the ACHD temporary license agreement.

A copy of the revised plat shall be submitted with the final plat mylar signature application.

5. The landscape plan prepared by Jensen Belts Associates, dated 2/27/2026, included in Section V.C, shall be revised as follows:
 - i. Depict minimum 5-foot wide landscape strips along each side of all pathways with landscaping per the standards in UDC 11-3B-12C, which require a *mix* of trees, shrubs, lawn and/or other vegetative groundcover.
 - ii. Include the required vs. proposed number of trees in common open space areas in the Landscape Calculations table that demonstrate compliance with the standards listed in UDC 11-3G-5B.3.
 - iii. Include the required vs. proposed number of street trees, tree classification, percentage of lawn, and width of required (i.e. 20') vs. provided street buffer in the Landscape Calculations table for the street buffer along N. Dayspring Way that demonstrates compliance with the standards listed in UDC 11-3B-7C.3.
 - iv. Include the required vs. proposed number of trees along pathways, including linear feet of pathways, in the Landscape Calculations table that demonstrates compliance with the standards listed in UDC 11-3B-12C.

A copy of the revised landscape plan shall be submitted with the final plat mylar signature application.

6. Future development should comply with the dimensional standards for the R-4 district in UDC Table 11-2A-5 and the R-8 zoning district in UDC Table 11-2A-6, as applicable.
7. Comply with all ACHD's staff report conditions of approval.

8. Stormwater integration shall comply with the standards listed in UDC 11-3B-11C.
9. Submit a 14-foot wide public use easement for all multi-use pathways that are not located within ACHD right-of-way prior to signature on the final plat by the City Engineer for this phase.
10. Prior to submittal of the final plat mylar signature application, the sewer shall be extended to Dayspring Subdivision per the Cooperative Development Agreement for construction of the sewer trunk line.
11. The sides of homes on lots that face N. Dayspring Way (i.e. Lots 8, 10-14, Block 14 and Lots 21-23, Block 11), a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.
12. The existing septic systems shall be removed with redevelopment of the property.
13. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
14. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
15. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. Public Works

Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services • Sewer Shed • Estimated Project Sewer ERU's • WRRF Declining Balance • Project Consistent with WW Master Plan/Facility Plan 	<p>See application</p> <p>Yes</p>
<ul style="list-style-type: none"> • Impacts/concerns 	<ul style="list-style-type: none"> • See Public Works Site Specific Conditions
Water	
<ul style="list-style-type: none"> • Distance to Water Services • Pressure Zone • Estimated Project Water ERU's • Water Quality • Project Consistent with Water Master Plan • Impacts/Concerns 	<p>Water Available at Site</p> <p>See application</p> <p>None</p> <p>Yes</p> <p>None -</p>

SITE SPECIFIC CONDITIONS:

1. The applicant shall be required to pay the Oaks Lift Station and Pressure Sewer Reimbursement Fees in the amount of \$265.25 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid prior to city signatures on the first final plat.
2. The applicant shall be required to pay required to pay the Oaks Lift Station Pump Upgrades Reimbursement fees in the amount of \$185.43 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid prior to city signatures on the first final plat.
3. IDAPA 58.01.08 Section 542.07.c rules were updated in 2024 and now state: Requirements for potable water pipelines crossing non-potable pipelines. Crossings must be perpendicular, unless otherwise approved by the Department. 58.01.08. Although 90 degrees should be the goal when reasonable, after discussing it with DEQ the City is comfortable with an angle of no less than 67.5 degrees. Provide angle and show condition is met upon Civil plans submittal.
4. Do not put Sewer mains in common driveways. Run Sewer services directly to main for common driveways with 4 or less lots

GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources (IDWR). The Developer, Owner, or project Engineer, shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment. If wells are to be abandoned, the project owner or their representative must contact the IDWR Groundwater Protection Section (Aaron Skinner, Hydrogeologist 208-287-4972) BEFORE any work is done to decommission an existing well (even if it is believed that the well is less than 18 ft deep). Proof of communication with IDWR must be submitted to the City prior to any work being done to decommission the well. Failure to communicate with IDWR may result in additional work and expense to decommission the well.
22. Any existing septic systems within this project shall be removed from service per City Ordinance

Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.

23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6.). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
24. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.