

FINDINGS OF FACT AND CONCLUSIONS OF LAW
DAYSPRING CHURCH ANNEXATION & ZONING - CUP
FILE NO. AZ-25-04/DA-25-06/CU-25-04

The above-entitled Annexation & Zoning, Development Agreement and Conditional Use Permit land use application came before the Star City Council for their action on January 20, 2026, 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:

The Applicant is requesting approval of an Annexation and Zoning (RR-DA), a Development Agreement, and Conditional Use Permit for a proposed church facility. The property is located at 9701 W. Beacon Light Road in Star, Ada County, Idaho, and consists of approximately 8.17 acres. The subject property is generally located between south of Hwy 44. Ada County Parcel No's. S0405110060 & S0405110050.

B. Application Submittal:

A neighborhood meeting was held on August 23, 2025, 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 October 27, 2025.

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 January 2, 2026. 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 December 30, 2025. Notice was sent to agencies having jurisdiction in the City of Star on October 27, 2025. The property was posted in accordance with the Star Unified Development Code on January 10, 2026.

D. History of Previous Actions:

The city does not have any previous land use history for this parcel.

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Rural Urban Transition (RUT)	Estate Urban Residential	Single Family Residential/Ag
Proposed	Rural Residential (RR)	Estate Urban Residential	Church
North of site	Residential (R-5-DA) Rural Urban Transition (RUT)	Estate Urban Residential	Cresta Del Sol Subdivision & Barbara Moyle Property
South of site	Rural Urban Transition (RUT)	Estate Urban Residential	Single Family Residential/Ag
East of site	Residential (R-2-DA)	Neighborhood Residential	Rivercreek Landing
West of site	Residential (R-3-DA)	Estate Urban Residential	Sunfield Estates

F. *Development Features.*

ANNEXATION & REZONE:

The annexation and zoning request to Rural Residential (RR) on the applicant's property will allow for the development of the property in a manner that will be consistent with the current Comprehensive Plan. The intent of the applicant is to use the property as a church that will eventually build out to include multiple buildings, a playground and parking. Sewer and Water services will be provided from Star Sewer and Water District. The applicant will need to annex into the Sewer and Water District. The RR zoning is being recommended by staff because of the size of the property and non-residential land use proposed.

CONDITIONAL USE PERMIT:

The applicant is requesting approval of a Conditional Use Permit for the church facility to be built in multiple phases as detailed in their application narrative.

Phase 1 – Immediate Improvements

- Compliance with ACHD roadway centerline setbacks
- Relocation of two to three powerline poles
- Installation of ADA compliant sidewalks
- Construction of covered arena-style facility to serve as worship auditorium
- Installation of recycled asphalt parking area (approximately 100 spaces)
- Basic site improvements including access drives and emergency exits

Phase 2 – Intermediate Development

- Enclosure of covered arena for permanent worship auditorium
- Enhanced parking with asphalt surfaces (approximately 200 spaces)

- Installation of children's playground, community amenities, and retention pond
- Comprehensive landscaping including evergreen screening trees for neighborhood compatibility
- Walking paths and pocket park community common space

Phase 3,4 – Long Term

- Youth and children's wing including recreational area
- Potential daycare facilities
- Possible K-6 educational facilities
- Caretaker residential area
- Additional parking to serve expanded facilities (up to 300 spaces)
- Full site landscaping and beautification

The Unified Development Code (UDC) Section 8-4B-3 provides the parking guidelines for church facilities. The size of the initial building has not been finalized, however the parking requirement is 1 space for every 5 seats in the worship facility. The initial parking lot will have 100 spaces, which will limit seating to 500.

Table 8-4B-2(a) requires parking stalls at a 90-degree angle to be nine feet (9') wide by twenty feet (20') long. The proposed site plan calls out correct dimensions on the parking stalls. UDC Section 8-4B-2(3)A states "when a vehicle bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two (2) feet in length if two (2) fee is added to the width of the sidewalk or landscape area, and the additional area is planted in ground cover. The parking spaces next to the landscape strip are a minimum of twenty feet (20') deep, satisfying code.

UDC Section 8-4B-2 requires all drive aisles to be a minimum of twenty-five feet (25') wide or as required by the fire code..." The drive aisles in the parking lot meet this requirement. The driveway off W. Beacon Light Road is proposed at 20 feet wide. This will require approval from the Fire District.

The applicant has not provided final exterior elevations and color renderings with this packet. The building(s) associated with the facility will need to go through the Design Review process as part of a Zoning Certificate, separate from this application.

The applicant has not asked for any setback waivers, and the site plan is compliant with the required Rural Residential setbacks.

The Applicant has not provided any specification on site or building lights. The Applicant shall work with Staff on a site lighting plan and obtaining approval on site/building lights.

As landscaping is proposed to be in phases, Staff will require an overall landscaping plan for review during the design review process.

DEVELOPMENT AGREEMENT:

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

- Access to Site
- Landscaping and Fencing
- Land Uses within the Application
- Future Zoning Certificates and Design Review
- Noise
- Parking
- Hours of Operation
- Phasing of the Facility
- ACHD Requirements

G. *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 – None.
- ✧ Steep Slopes – None.
- ✧ 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.

H. *Agencies Responding:*

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

ITD	October 29, 2025
Ada County Development Services	November 18, 2025
ACHD	November 25, 2025
Star Fire District	January 9, 2026
DEQ	November 4, 2025

I. Staff received the following letters & emails for the development:

Greg Clemens	Email	January 4, 2026
Edward & Debra Cashman	Email	January 13, 2026

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

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Rural Residential

Suitable primarily for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Densities typically range from 1 unit per 2 acres to 1 dwelling units per 5 acres.

It is the intent of this land use designation to help to preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing lighting standards) may be offered for a more rural feel. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department.

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:

- Preserve the family friendly feel of Star.

- 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.
- Retain and encourage rural areas where it will not result in increased costs for urban services.
- Encourage land uses that are in harmony with existing resources, scenic areas, natural wildlife areas, and surrounding land uses.

8.5.2 Policies Related Mostly to the Rural and Agricultural Residential Planning Areas:

- A. Create a "Rural Residential" land use zoning designation for rural lots to permanently remain as a part of the city in strategic locations and terminate rezones to the Rural Transitional (RT).

Rural Residential areas help to preserve Star's rural feel and huge manicured "Rural Residential" lots are discouraged in order to preserve land for more rural/agricultural type use. The manicured home site areas on these properties should be minimal and subordinate to open rural ground for pastures, farming, and other rural uses.

Modified street sections with dark sky lighting standards should be encouraged in Rural Residential land use areas.

When an urban density residential development is planned with lots that directly abut lots within a Rural Residential area an appropriate transition is to be provided for the two abutting residential lot types. A transition must take into consideration site constraints that provide transitional lots and/or open space area avoiding urban lots directly abutting rural residential lots.

Larger setbacks should be required for new lots planned to abut existing Rural Residential lots.

Lots within a Rural Residential Land Use designation should be designed such that lots on each side of the street are of similar size.

Rural Residential developments are to be located so that they do not block extension of urban services at reasonable costs and will require utility easements where necessary to assure urban service extensions.

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.

Unified Development Code:

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

B. Standards:

1. The subject property shall meet the minimum dimensional standards and/or density standards of the proper district.
2. The city shall 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, building elevations, including front and rear (when backing up to a collector or arterial street), and concept plan shall be required for any annexation or rezone to a commercial, mixed-use or residential zone or use, or land which includes steep slope (land over 25%) or floodway. An application for annexation or rezone shall not be accepted until any required traffic impact study is submitted and accepted by the appropriate transportation authority, or a letter from the transportation authority waiving said study is received by the administrator. A hearing date before the Council shall not be scheduled

until any required traffic impact study has been approved and the transportation authority has issued a staff report on the development application. The administrator may waive these requirements in certain circumstances.

3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.

4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.

C. Required Findings: The council shall review the application at the public hearing. In order to grant an annexation and zoning or rezone, the council shall make the following findings:

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

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

The following zoning districts are hereby established for the interpretation of this title, the zoning districts have been formulated to realize the general purposes as set forth in this title. In addition, the specific purpose of each zoning district shall be as follows:

(RR) RURAL-RESIDENTIAL DISTRICT: To provide for rural single-family residential use adjacent to agricultural uses, adjacent to other Rural Residential type uses, and adjacent to BLM land areas. Parcels are to be two acres minimum. It is the intent of this land use designation to help to

preserve Star's rural feel. Huge manicured "Rural Residential" lots are discouraged and therefore manicured home site areas on these properties should not exceed 1/2 acre. Uses may include active agriculture, viticulture, equestrian, and residential. Uses include native open space and small-scale active farmland. The Rural Residential land use is not amenity based (sewer, water, schools) and will usually be located away from goods and services. These areas encourage the keeping and raising of small-scale crops and/or animals and do not necessarily include manicured yards, sidewalks, bike paths, streetlights or planned park and recreation facilities. Density may be further limited due to the limited availability of infrastructure. Modified street sections and a reduction in light pollution (by reducing or eliminating lighting standards) may be offered for a more rural feel. Private streets may be permitted in this district for access to newly subdivided or split property. This land use designation is to be located such that it does not block extension of urban services at reasonable costs. Wells and septic systems should be permitted for lots in this land use designation if approved by the applicable Health Department. Easements of at least 20-feet in width shall be provided where determined necessary for the future extension of water and sewer mains. This district does allow for some commercial uses as specified in 8-3A-3.

(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.

ZONING DISTRICT USES	RR
Church or place of religious worship	C

Notes:

1. Indicates uses that are subject to specific use standards in accord with chapter 5 of this title.

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
RR	35'	30'	30'	20'	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 overhanging onto the sidewalk.
2. Zero-Lot-Line, reduced street side yard setbacks and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless approved by Council as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, LI, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone. A waiver may be requested if the adjacent property has the potential to redevelop as a non-residential use in the future.
4. As approved by the Fire District.
5. 35' height requirement unless a height exception is approved by Council through the Conditional Use Permit or Planned Unit Development Process.

8-4B-3: REQUIRED NUMBER OF OFF-STREET PARKING SPACES:

B. Standards: The following standards shall apply for off street vehicle parking for nonresidential uses:

Churches and other places of religious assembly	1 for each 5 seats
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8-1B-4: CONDITIONAL USES:

A. Purpose: The purpose of this section is to establish procedures that allow for a particular use on a specific property subject to specific terms and conditions of approval.

B. Applicability: The provisions of this section apply to all uses identified as conditional use within this title. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through issuance of a conditional use permit, development agreement or PUD, upon approval by Council.

C. Process:

1. The applicant shall complete a pre-application conference with the administrator prior to submittal of an application for a conditional use.

2. A neighborhood meeting shall be held by the applicant pursuant to Section 8-1A-6C of this title.

3. An application and appropriate application fees shall be submitted to the City on forms provided by the city.

4. Prior to issuing the conditional use permit, the administrator may require additional information, including studies, concerning the social, economic, fiscal or environmental effects of the proposed conditional use. Traffic studies may be required by the transportation authority prior to acceptance of an application.

D. Standards: In approving any conditional use, the city council may prescribe appropriate conditions, bonds and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.

2. Control the sequence and timing of the use.

3. Control the duration of the use.

4. Assure that the use and the property in which the use is located is maintained properly.

5. Designate the location and nature of the use and the property development.

6. Require the provision for on-site or off-site public facilities or services.

7. Require more restrictive standards than those generally required in this title.

8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, that provides services within the city.

E. Findings: The council shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
2. That the proposed use shall meet the intent of the Star comprehensive plan and be in compliance with the requirements of this title.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance as determined by the City.

8-5-11: CHURCH OR PLACE OF RELIGIOUS WORSHIP:

Uses that are accessory to churches or other places of religious worship, such as schools, child daycare services, meeting facilities for clubs and organizations, and other similar uses not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation may be permitted to the extent the activity is otherwise permitted in the district.

Churches conducting activities outside the normal church events are required to complete a temporary use permit stating when and where the activity will take place and who will be in charge of the activity.

8-1B-1C ANNEXATION/REZONE FINDINGS:

1. The map amendment complies with the applicable provisions of the Comprehensive Plan.
The Council finds that 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 is to 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. The Council finds that this annexation and zoning is in compliance with these goals within the Comprehensive Plan.

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

The Council finds that the Rural Residential District is intended to help to preserve Star's rural feel. Council finds that this request is consistent with this purpose statement.

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

The Council finds that there is no indication from the material and testimony submitted that the annexation and zoning of this property will be materially detrimental to the public health, safety or welfare. Council has included conditions of approval on the development.

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

The Council finds that the City 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. Emergency services were reviewed and mitigation recommended by the Star Fire District.

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

The Council finds that the annexation and zoning of the subject property is reasonably necessary for the continued, orderly development of the City.

8-1B-4E CONDITIONAL USE FINDINGS:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The Council finds nothing in the record indicating that the site of the proposed use would not be large enough to accommodate the proposed use or meet all of the dimensional and development regulations in the district in which the use would be located.

2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.

The Council finds that the proposed use request is harmonious with the Star Comprehensive Plan and is in accord with the requirements of this Title. The proposed development meets the intent or purpose. The Future Land Use Map designates this property as General Commercial.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The Council finds that operation of the proposed use would be compatible with the other uses in the general area. Council placed specific conditions of approval to address parking, noise, access and fencing along adjacent properties.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The Council finds that the proposed use, with imposed conditions of approval, would not adversely affect other property in the vicinity. Council placed specific conditions of approval to address parking, noise, access and fencing along adjacent properties.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The Council finds that the proposed use can be adequately served by essential public facilities and services. Sewer and water services are available to the site.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Council finds that the proposed use would not create excessive additional costs for public facilities and would not be detrimental to the economic welfare of the community. The City has not received notice from any agency having jurisdiction stating that this application will create excessive additional costs for the public facilities and services as the development will pay for all changes in services.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Council finds that the proposed use would involve activities that, if designed and constructed with imposed conditions of approval, would not be detrimental to any person, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. Council placed specific conditions of approval to address parking, noise, access and fencing along adjacent properties.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

The Council finds that the proposed use would not result in the destruction, loss or damage of natural, scenic or historic feature of major importance since none are apparent on this site.

Public Hearing of the Council:

a. A public hearing on the application was heard by the City Council on January 20, 2026, 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, Against or Neutral) regarding the application was presented to the City Council by:

- Shawn L Nickel, City Planning Director gave Staff Presentation
- Rob Nyhof, Applicant
- Rick Brown
- Gregory Clemens
- Peter Goodwin
- Barbara Moyle

c. Public sign-ins that did not testify (In-favor, Against or Neutral):

- Ron Spencer
- Bob & Sheri Dickson
- Chris & Karin Quinn
- Christian Sragie
- Geoff Dirvis
- Joelle Mancuso

d. Written testimony in favor of or opposing the application was presented to the City Council at the hearing by:

- None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed annexation, zoning and conditional use permit application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in review of the record, including the staff report, and discussions on the annexation and zoning of the property. Review and discussion included development layout, access and circulation, parking, setbacks, neighboring property owners, fencing, phasing and proposed additional uses. The Council accepted staff's recommended conditions of approval on the application and for the development agreement

and conditional use permit. Council added additional conditions of approval. Council concluded that the Applicant's request, as conditioned, meets the requirements and findings for annexation and zoning and conditional use. Council hereby incorporates the staff report dated January 20, 2026 into the official decision as part of these Findings of Fact, Conclusions of Law.

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.

Council added to the Development Agreement and applications the following conditions of approval to their decision to approve the applications to include the following:

- **Trees located on the western boundary adjacent to existing residential uses shall be planted as part of phase one of the development.**
- **Future accessory uses, including but not limited to coffee sales and daycare shall be reviewed for code compliance through the Certificate of Zoning Compliance process.**
- **Any daycare uses shall be allowed in phase four of the application with appropriate play area.**
- **Bollards shall be placed at the ends of the stub street to provide emergency access to the site. The applicant shall work with City staff and ACHD to provide appropriate design of the stub streets and emergency access. The applicant shall work with the Star Fire District.**
- **The proposed height of the structure, as illustrated in the approved site plan, is approved through a waiver by Council.**
- **Exterior lighting include can lighting and avoid carriage or other lighting that does not meet the intent of the dark sky initiative.**
- **The following phases are hereby approved by Council:**
 - Phase 1 – Immediate Improvements**
 - Compliance with ACHD roadway centerline setbacks
 - Relocation of two to three powerline poles
 - Installation of ADA compliant sidewalks
 - Construction of covered arena-style facility to serve as worship auditorium
 - Installation of recycled asphalt parking area (approximately 100 spaces)
 - Basic site improvements including access drives and emergency exits
 - Phase 2 – Intermediate Development**
 - Enclosure of covered arena for permanent worship auditorium
 - Enhanced parking with asphalt surfaces (approximately 200 spaces)
 - Installation of children's playground, community amenities, and retention pond

- Comprehensive landscaping including evergreen screening trees for neighborhood compatibility
- Walking paths and pocket park community common space

Phase 3,4 – Long Term

- Youth and children's wing including recreational area
- Potential daycare facilities
- Possible K-6 educational facilities
- Caretaker residential area
- Additional parking to serve expanded facilities (up to 300 spaces)
- Full site landscaping and beautification

CONDITIONS OF APPROVAL

1. The approved Conditional Use shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The following conditions shall apply to the approved facility and be included as part of the Council approvals:
 - a) Phasing of the entire project
 - b) Hours of Operation for Events
 - c) Compliance with Noise Ordinance
 - d) Requirement for future Zoning Certificates and Design Review for all buildings and future uses
 - e) Revised Landscape Plan showing lighting, parking, landscaping, fencing.
 - f) Additional conditions as required by Staff and/or Council
 - g) Compliance with specific requirements of ACHD.
 - h) Compliance with specific requirements of Star Fire District
 - i) Compliance with all requirements of the Star Building Department.
3. Streetlights/Parking Lot lights shall comply with the Star City Code. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall work with staff and submit a streetlight, site and building light design that meets city standards prior to Building Permit.**
4. **Applicant shall submit an application for Certificate of Zoning Compliance for each phase of the development, and go through the design review process separate from this application/review, prior to starting construction.**
5. **The applicant shall provide a final landscape and parking plan to Staff for review and approval as part of the Zoning Certificate process that complies with all code requirements.**
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 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 occupancy that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**

8. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy or the unit.
9. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
10. The applicant shall obtain a sign permit prior to any signage being placed on the site or building.
11. Any additional Condition of Approval as required by Staff and City Council.
12. Any Conditions of Approval as required by Star Fire Protection District.
13. The property associated with this approval, including all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.
14. The property associated with this approved annexation and conditional use permit shall be properly maintained at all times, including throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily. This shall also include, but is not limited to any trash, junk or disabled vehicles during any portion of the development process. The site shall be properly mitigated from fugitive dust at all times, including during construction, as determined by the Zoning Administrator. Failure to comply with any of the above may result in a stop work order being issued until the violations are remedied, and/or revocation of the conditional use permit or building permit.
15. In the event that issues arise during operation of the event center regarding noise, lighting, parking or other items brought up by neighboring property owners or observed by Staff, the applicant shall work with Staff on reasonable remedies to these issues. This may include additional requirements for mitigation of issues.

Council Decision:

The Council voted 4-0 to approve the Annexation and Zoning and Conditional Use Permit for Dayspring Church on January 20, 2026.

Dated this 16th day of February, 2026.

Star, Idaho

By: _____

Trevor A. Chadwick, Mayor

ATTEST:

Shelly Tilton, City Clerk