

UDC UPDATED CHANGES BASED ON DEVELOPER WORKSHOP ITEMS DISCUSSION 6-28-22

PAGES 12-13 (Annexations)

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, 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 mixed-use zone, high density 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 a traffic study is accepted by the appropriate transportation authority, if applicable. A hearing date before the Council shall not be scheduled until the traffic study has been accepted by the transportation authority.
5. An approved development agreement must be executed within ninety one hundred eighty (90180) days of the issuance of a final written decision approving the development agreement 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.
6. Applicant may be responsible to participate in reimbursement costs associated with traffic studies, in proportionate share contributions that may be established with transportation authorities, relative to traffic signals, access, ~~and~~ or construction improvements associated with State Highways 16, 20/26 & 44, and/or with funding of police and fire protection as it relates to residential growth impacts.
7. The approval of an annexation or rezone does not guarantee a building permit will be issued for a specific lot or parcel if the City requires limits on the number of permits issued due to availability of public and/or emergency services.

PAGES 19-21 (Administrative Design Review)

8-1B-7: ADMINISTRATIVE DESIGN REVIEW:

A. Purpose.

1. To produce attractive developments with unique character and quality architectural design.
2. To minimize the impact of the scale, bulk and color of large structures on surrounding properties.

3. To encourage high quality building design that employs the use of good design principles and features quality, durable materials.
4. To protect the safety and convenience of pedestrian access within developments and to build attractive pedestrian amenities.
5. To provide greater attention to the design and location of structures in relationship to the surrounding street.
6. To locate noise generating activities away from any adjacent residential uses.
7. To create attractive and quality designed structures reflecting the unique character of Star along the city's entryway corridors.
8. To promote quality growth patterns that support economic development and the efficient use of resources.
9. To guide the design of structures, not control the type, intensity or density of the use.

B. Applicability.

1. Administrative design review shall only be required for all new commercial, industrial, institutional, public or quasi-public development that is subject to conditional use, certificate of zoning compliance and/or building permit approval, except development meeting one (1) or more of the following standards shall be exempt:

PAGE 22 (Surety Agreements)

C. In the event that an applicant and/or owner cannot complete the nonlife, non-safety and non-health improvements, such as landscaping, pressurized irrigation, street lights, fencing, and other site amenities, within the time specified in the final plat approval or prior to occupancy, a surety agreement may be approved in accord with the procedures set forth in this chapter.

- a. Landscaping and pressurized irrigation must be installed as soon as allowed by weather or other relevant conditions.
- b. Streetlights must be installed prior to the first building permit being issued for the development and shall be energized prior to occupancy of the first structure. before any permit is issued for the development.
- c. For fencing or other site amenities, the applicant shall provide the City with copies of paid receipts indicating purchase and order of said amenities, along with a schedule date for delivery and installation.
- d. For all requests, a detailed schedule of work to be completed shall be provided. All work shall be completed and surety release requested within one (1) year of acceptance by the City. 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.
- e. A private street may be approved for a surety agreement prior to final plat approval provided that the street is constructed and received inspection approval from the City Engineer and Fire District prior to issuance of any building permit.

E. The surety shall be in the form of an irrevocable letter of credit, **performance bond**, or a cash deposit. In all cases the surety shall be drawn solely in favor of, and payable to, the order of the city of Star, in accord with the regulations contained in the surety agreement by and between the guarantor and the city of Star.

PAGE 47 (Usable Open Space Definition)

OPEN SPACE, USABLE AREA: Among other useable open space areas as may be determined by the Council, the following areas shall be included into the calculation for “Usable Area of Open Space”: Active recreational facilities, trails, pathways, park bench style seating, interpretive signage and kiosks for educational purposes, picnic areas, community gardens, courses or courts, children's play areas, dog play areas, **and portions of irrigation ditches when incorporated with a pathway**. Landscape buffer areas, not required pursuant to other sections of **this title, may be considered**, in part, as useable open space provided a pathway or other usable amenity is located within and incorporated into the buffer area.

This shall include detached sidewalk buffers. Up to fifty percent (50%) of the total area of water bodies (i.e., ponds) within a development may be considered usable area provided only if there is a finding that the ponds employ active recreation capabilities such as fishing, rafting, canoeing, and the like and is available to all residents of the subdivision. All ponds shall be aerated.

Irrigation ditches, drainage ditches and the like, shall not be considered water bodies and therefor shall not be a part of the usable open space area calculations, unless left as natural open space, as herein defined, and provided with either open style fencing, pathways, or both.

PAGES 67-70 (Setbacks)

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

| Zoning District | Maximum Height Note Conditions | Minimum Yard Setbacks | | | |
|-----------------|--------------------------------|---|------|--|-------------|
| | | Front ⁽¹⁾ | Rear | Interior Side | Street Side |
| A | 50' | 30' | 30' | 30' | 20' |
| R-R | 35' | 30' | 30' | 20' | 20' |
| R-1 | 35' | 30' | 30' | 10' | 20' |
| R-2 | 35' | 20' | 20' | 10' | 20' |
| R-3 | 35' | 15' to living area/side load garage 20' to garage face | 15' | 5' per story (2) 7.5' (2) | 20' |
| R-4 | 35' | 15' to living area 20' to garage face | 15' | 5' per story (2) 7.5' (2) | 20' |

| | | | | | |
|------------------------------|------------|---|-------------------------|---|------------|
| R-5 | 35' | 15' to living area/side load garage 20' to garage face | 15' | 5' 7.5' (2) | 20' |
| R-6 to R-11 detached housing | 35' | 15' to living area 20' to garage 10' if alley load | 15' 4' if alley load | 3' 7.5' (2) | 20' |
| R-6 to R-11 attached housing | 35' | 15' to living area 20' to garage 10' if alley load | 15' 4' if alley load | 0' for common walls 5' 7.5' at end of building | 20' |
| R-12 and higher | 35' | 15' to living area 20' to garage | 15' 4' if alley load | 5' 7.5' for single story 10' feet for multi-story | 20' |
| CBD | 35' | 0' | 0' | 0' ⁴ | 0' |
| C-1 | 35' | 20' | 5' | 0' ⁴ | 20' |
| C-2 | 35' | 20' | 5' | 0' ⁴ | 20' |
| LO | 35' | 20' | 10' | 0' ⁴ | 20' |
| <u>IL</u> | <u>35'</u> | <u>20'</u> | <u>5'</u> | <u>0' ⁴</u> | <u>20'</u> |
| PS | 35' | 20' | 10' | 0' ⁴ | 20' |
| <u>RC</u> | <u>35'</u> | <u>0'</u> | <u>0'</u> | <u>0' ⁴</u> | <u>0'</u> |
| MU | 35' | For MU and CBD - Unless otherwise approved by the Council as a part of a PUD or development agreement, all residential buildings shall follow the residential setbacks shown in this table based upon the project density and all other buildings shall follow setbacks for the C-2 zone (3). | | | |

C. Additional Setback Criteria:

1. Building eaves, and C Chimneys, pop out windows, direct vent gas fireplaces, entertainment centers, window seats and other projections which do not increase the usable floor area and do not exceed eight feet (8') in width may project up to two feet (2') into any required setback,

provided that projections that are at finished grade, including, but not limited to, chimneys and fireplaces, do not encroach within a side yard utility easement.

2. One detached accessory building that is less than two hundred (200) square feet in area and nine feet (9') or less in height shall be allowed in the required rear yard. In no case shall an accessory building be allowed in the street yard or the required side yard.
3. 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.
4. 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').
5. Front yard setback from arterial and collector streets (as identified on the highway district functional classification map) is 30 feet in all residential zoning districts.
6. Street side setback on arterial and collector streets (as identified on the highway district functional classification map) is 20 feet in all residential zoning districts.
7. Setback areas are subject to drainage compliance or otherwise specified within this title.
8. If a conditional use, PUD or development agreement in lieu of a PUD is utilized, waivers to setbacks shall be permitted if determined by the council to be appropriate for the said development and that such waivers will be compatible with the area and that the overall density allowed by the said zoning district is not exceeded.

9. Building eaves may project up to two feet (2') into any required setback.

PAGE 84 (Fences)

7. Side Yard Fences on Corner Lots: Side yard fences on corner lots less than or equal to ten (10) feet from the street shall not exceed three feet (3') height for closed vision and four feet (4') for open vision, as indicated in Figure 2. At no point shall a fence be any closer than 5' from a sidewalk. Fences greater than 4' in height must be minimum of 4' 5' from a sidewalk.

PAGES 109-110 (Sales Trailers/Offices/Construction Sites)

8-4C-4: STANDARDS FOR CONSTRUCTION SITES:

A. New development shall contain construction debris on site and prevent windblown debris from entering neighboring properties.

B. Temporary buildings, construction trailers, equipment and materials may be permitted in any district during the period construction work is in progress. Such temporary facilities or equipment shall be removed within sixty (60) thirty (30) days of completion of the construction work. Construction trailers, model homes and sale centers shall be reviewed as a temporary use and shall be processed as a certificate of zoning compliance, and shall be valid for one (1) year with an additional 6-month extension available.

PAGE 113 (Private Streets)

78. Permits shall not be issued for any structure using a private street for access to a public street until the private street has been approved and inspected by the City Engineer and Fire District, and the transportation authority has signed off on all permits associated with access to a public street.

PAGE 115 (Open Space/Pathways)

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 total gross acreage of land area of the development. A minimum of 10% of the total gross acreage of the development shall be for useable area open space. Ten percent (10%) of that area shall be usable open space. Open space shall be designated as a total of 15% minimum for residential developments in all zones with densities of R-2 or greater.
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 waiver in total required of 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 and amenities to the Council.
5. For multi-family developments, see Section 8-5-20 for additional standards.

B. Qualified Usable Area Open Space: The following may qualify qualifies to meet the useable area 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, as determined by the Administrator;
- c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required usable area open space, must be accessible by all residents to qualify.) ponds must be aerated;
- d. A plaza.

e. Common lots that include a pathway providing local or regional connectivity that is a minimum of 20' in width.

f. Irrigation easements/ditches when a pathway is included (to be measured from the center of the ditch to the property line of the common lot).

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, as determined by the Administrator.

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 with an enlarged deck and changing and restroom facility (pools shall count towards 3 required site amenities).
 - b. Children's play structures.
 - c. Sports courts.
 - d. Additional open space in excess of ~~5%~~ 10% 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 owned by and be the responsibility of an owners' association for the purpose of maintaining the common area and improvements thereon.

PAGE 117 (Swimming Pools – Single Family Developments)

D. A swimming pool, with a changing and restroom facility, and an enlarged deck, shall be required for any single family residential development of 200 or more dwellings. The minimum pool size shall be equal to 80'x 40' the following:

- (1) Developments between 200 and 299 dwelling units = 1,600 square feet
- (2) Developments between 300 and 399 dwelling units = 2,400 square feet
- (3) Developments over 400 dwelling units = minimum of 3,600 square feet

PAGES 120-122 (Build to Rent Developments)

8-5-7: BUILD-TO-RENT, SINGLE-FAMILY DWELLING DEVELOPMENTS:

BUILD-TO-RENT DEVELOPMENT (BTR): A community of single-family residences offered for rental in a professionally managed community, including single-family attached and/or detached homes, patio or townhouses, and held in single ownership. The dwellings may be located on individually platted lots. The intent of this type of development is to mirror that of a typical single-family subdivision in all manners.

The intent of this type of development is to mirror that of a typical, single-family detached subdivision neighborhood in all manners. Therefore, The following criteria shall be required for all Build-to-Rent developments: *(This was removed and placed in the definition for BTR.)*

- 1) Before any Build-to-Rent development is initiated, either through the submission of construction plans or annexation, rezoning, preliminary or final plat applications, the development entity shall:
 - a) Provide a Declaration to the City of Star Zoning Administrator that provides the following project information:
 - (1) Statement regarding the intent to operate a Build-to-Rent development.
 - (2) The number of units (and percentage) of the development that will be permanently managed by a management company.
 - (3) What infrastructure will be privately maintained.
 - (4) Name of the local Registered Agent individual or company to which legal notices would be directed. *(changed)*
 - (5) Description of the property management process to be used, including the management company and local property manager. *(changed)*
 - (6) Declaration that the development shall consist of individual residential lots each with its own street address, water meter and sewer tap.
 - (7) Description of Covenants to be enforced by the management entity.
 - ~~(8) The overarching applicant development organization shall be identified, describing the unity of control and management of the development. *(Not added)*~~
- 2) This Section is applicable to the Residential District (R), the Mixed-Use District (MU), or any proposed Planned Unit Developments, and shall be reviewed and approved through the Conditional Use Permit process. *(Not removed)*
- 3) This section shall apply to the development of Build-to-Rent residences within the same development, and may include one parcel or individually platted lots.
- 4) Any application that ~~does not comply with this Section or~~ *(Changed)* converts to a Build-to-

Rent development at any time during the preliminary plat, final plat or upon completion of a development shall ~~comply with the provisions in this section~~ (Not added) have a Condition of Approval added that requires Council approval of a Conditional Use Permit prior to final plat approval and/or certificate of occupancy. (Not Removed)

5) Dwelling unit design styles shall be spread throughout the entire development (including all contiguously owned and phased properties). Nowhere within the development shall any fewer than 5 different housing styles be located adjacent to each other. The number of different dwelling styles shall be as follows:

(a) 1 to 50 units = minimum of 5 architectural types

(b) 51 to 100 units = minimum of 7 architectural types

(c) 101 to 200 units = minimum of 10 architectural types

(d) Over 200 units = minimum of 15 architectural types (Not Removed)

6) Design standards. Single-Family Build to Rent dwellings developments shall comply with the following standards:

a) All other standards found elsewhere in this Title relating to single-family dwelling developments and subdivisions shall apply to any build-to-rent development, including minimum open space, amenity and subdivision requirements. (Not Removed)

b) Building elevations for all residential uses shall be submitted with the application and will be included as part of any development agreement and/or condition of approval.

c) Exterior finishes shall be primarily horizontal/vertical wood or wood product siding, brick, stucco, stone or other decorative masonry product.

d) Facades ~~and floorplans~~ (Revised) of each unit shall not replicate the ~~façade or rooflines or floorplan~~ (Revised) of the adjacent ~~3 5~~ units. (Not Changed) Facades abutting a collector or arterial (either front or rear) shall provide additional relief including but not limited to additional architectural features, colors and landscaping to prevent aesthetically unpleasant areas. Units shall utilize at least two of the following design features on the front and rear facades:

1. Gables;

2. Recessed entries;

3. Covered front porches and/or balconies;

4. Pillars posts, or columns;

5. Bay window with a minimum of 24-inch projection, Clerestory windows; or Dormers;

6. Walls which face a street other than an alley shall contain at least 20

percent of the wall space in windows and/or doors.

- e) There shall be a mixture of two (2) story and one (1) story structures.
- f) No façade ~~and floorplan~~ (Removed) shall be used for more than 15% 25% of the project. (Not Changed)
- g) Roofing style is not included in the facade.
- h) All proposed build-to-rent developments are required to have a local management company at all times. An on-site property manager is encouraged shall be required in any development with twenty (20) or more dwelling units. A local management company may be utilized if approved by Council. Rentals shall be managed specifically through the management company, with no rental signs allowed anywhere within the development along any collector or arterial roadway. ; including in front of individual dwellings.-(Removed and Revised)
- i) Maintenance and Ownership Responsibilities: All build-to-rent developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, yard landscaping, amenities and other development features. This also includes painting of dwellings and other common structures, a minimum of at least every 10 years and updated roofing a minimum of every 20 years as needed. All common landscaping shall be maintained weekly at all times. This shall include but not be limited to mowing, weeding, watering, drainage facilities and replacement of dead trees and shrubs. (Removed and Revised)
- j) Architectural renderings shall be submitted showing all dwelling proposal styles, as required in Section 8-5-16-5. A development plan showing the placement of each dwelling proposal style on each lot shall be submitted for approval with the application.
- k) Storage of Recreational Vehicles: No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored, or parked for longer than 48 hours on any dwelling lot or within the public or private right of way, but may be provided for in a separate, designated and screened area, and approved as part of the development.
- l) To prevent a platted subdivision that is developed as a build-to-rent development from being sold on the open market to individual owners at one time, a condition of approval shall be included allowing no greater than one-quarter of the development from being sold to individual owners within a two-year period. This shall not apply to an

entire development, or phases of the development from being sold to another build-to-rent company at one time. (Not Removed. Revised)

PAGE 128 (Duplex)

8-5-14: DWELLING, TWO-FAMILY DUPLEX:

A. General Standards:

1. Duplexes shall require approval of a Certificate of Zoning Compliance.
2. Required parking shall be located on-site and not within the public right-of-way.
3. Approval from an active Home-Owners Association shall be required if located within a neighborhood with current CC&R's.

PAGE 135 (Swimming Pools - Multi-Family Developments)

e. All multi-family developments greater than 75 units shall be required to provide a swimming pool with a changing and restroom facilities, and an enlarged deck. The minimum pool size shall be equal to ~~80'x 40'~~ the following:

- (1) Developments between 75 and 149 units = 1,600 square feet
- (2) Developments between 150 and 299 units = 2,400 square feet
- (3) Developments over 300 units = minimum of 3,600 square feet

PAGE 150 (Preliminary Plat Pad Elevations)

D. Required Information and Data: The contents of the preliminary plat and related information shall be in such a form as stipulated by the City Council, however, additional plans, maps or data deemed necessary by the administrator may also be required. This includes but is not limited to a preliminary grading plan and/or statement referencing future pad elevations, when areas of floodplain or steeper slopes are impacted, or excessive grade differences are proposed. The applicant shall submit to the administrator at least the following:

PAGE 151 (TIS)

Any required traffic study from the appropriate transportation authority shall be submitted to, and accepted, by the authority prior to the submittal acceptance of a preliminary plat application. A hearing date before the Council shall not be scheduled until the traffic study has been accepted by the transportation authority. Verification from the transportation authority that a study is not required shall be included in the application submittal.

PAGE 154 (Preliminary Plat Decision)

F. Decision: A decision on a preliminary plat for a parcel of land is made by the City Council after receiving a recommendation from the administrator and a public hearing is held. The approval of a preliminary plat does not guarantee that future building permits will be issued for a specific lot if the Council requires limits on the number of permits issued yearly due to availability of public and/or emergency services.

PAGE 155 (Final Plat Decision)

D. Decision on Final Plat: Decision on the final plat is made by the City Council. The approval of a final plat does not guarantee future building permits will be issued for a specific lot if the

Council requires limits on the number of permits issued yearly due to availability of public and/or emergency services.