



# CITY OF STAR

## LAND USE STAFF REPORT

**TO:** Mayor & Council

**FROM:** Shawn L. Nickel, Planning Director and Zoning Administrator *Shawn L. Nickel*

**MEETING DATE:** **October 3, 2023 – PUBLIC HEARING**

**FILE(S) #:** AZ-23-03 Annexation/Zoning  
DA-21-09 (MOD) Development Agreement Modification  
PP-23-02 Preliminary Plat for **Starpointe Subdivision Phase Two**  
PR-23-02 Private Street  
PP-21-10 (Amended) Amended Preliminary Plat Starpointe Subdivision

### OWNER/APPLICANT/REPRESENTATIVE

**Property Owner/Applicant**

W. West Development, LLC  
Criterion Land Management, LLC  
7629 E. Pinnacle Peak Road, Ste. 110  
Scottsdale, AZ 85255

**Representative:**

Teller Bard  
Kimley-Horn & Associates  
950 W. Bannock Street, Ste. 1100  
Boise, ID 83702

### REQUEST

**Request:** The Applicant is requesting approval of an Annexation and Zoning (R-4), a Development Agreement Modification, a Preliminary Plat for a proposed residential subdivision consisting of 12 residential lots and 2 common lots, a private street and an amendment to the original Starpointe Subdivision Preliminary Plat. The property is located at 6777 and 6825 N. Star Road in Star, Idaho, and consists of 3.08 acres with a proposed density of 3.89 dwelling units per acre.

### PROPERTY INFORMATION

**Property Location:** The subject property is generally located on the west side of N. Star Road between Hwy 20/26 (Chinden Blvd) and W. Joplin Road. Ada County Parcel No's. S0419449020 & S0419417750.

**Surrounding Land Use/Designations:**

	<b>Zoning Designation</b>	<b>Comp Plan Designation</b>	<b>Land Use</b>
<b>Existing</b>	RUT (County) R-3-DA	South of the River Plan	Vacant
<b>Proposed</b>	R-4-DA	South of the River Plan	Single Family Residential
<b>North of site</b>	Residential R-3-DA	South of the River Plan	Developing Single Family Residential - Starpointe Subdivision
<b>South of site</b>	RUT (County)	South of the River Plan	Vacant
<b>East of site</b>	RUT (County) R-3-PUD-DA	South of the River Plan	Star Road/R.C. Bean Saddlery/Developing Inspirado Subdivision
<b>West of site</b>	RUT (County)	South of the River Plan	Vacant

**Existing Site Characteristics:** The property is currently vacant with existing structures recently removed

**Irrigation/Drainage District(s):** Pioneer Irrigation District

**Flood Zone:** This property is currently located in Flood Zones X. FEMA FIRM Panels 16001C0120J & 16001C0140J. Effective Date: 6/19/2020

**Special On-Site Features:**

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No evidence.
- ✧ Fish Habitat – None.
- ✧ Floodplain – No.
- ✧ Mature Trees – None.
- ✧ Riparian Vegetation – None.
- ✧ Steep Slopes – None.
- ✧ Stream/Creek – No.
- ✧ 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.
- ✧ Historical Assets – No historical assets have been observed.

- ☼ Wildlife Habitat – No known sensitive wildlife habitat observed.

### APPLICATION REQUIREMENTS

Pre-Application Meeting Held	February 23, 2023
Neighborhood Meeting Held	April 17, 2023
Application Submitted & Fees Paid	May 23, 2023
Application Accepted	July 14, 2023
Residents within 300' Notified	September 7, 2023
Agencies Notified	July 19, 2023
Legal Notice Published	September 12, 2023
Property Posted	September 21, 2023

### HISTORY

August 17, 2021	Application was originally scheduled for public hearing and was postponed allowing ACHD and ITD time to provide comments.
January 11, 2022	Council approved applications for Annexation and Zoning (AZ-21-07), Development Agreement (DA-21-09) and Preliminary Plat (PP-21-10) for Starpointe Subdivision. The preliminary plat was approved for a maximum 71 residential lots and 13 common lots on 29.24 acres.
June 7, 2022	Council approved Final Plat (FP-22-01) of Starpointe Subdivision for 69 residential lots and 15 common lots.

### CODE DEFINITIONS / COMPREHENSIVE PLAN

#### UNIFIED DEVELOPMENT CODE:

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

##### B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or

floodway.

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

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

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

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

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

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

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and



septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

**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.

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

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front <sup>(1)</sup>	Rear	Interior Side	Street Side
R-4	35'	15' to living area 20' to garage face	15'	7.5' <sup>(2)</sup>	20'

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.
2. Zero-Lot-Line 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 as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, IL, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone.
4. As approved by the Fire District.

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

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

##### A. Design Standards:

1. Easement: The private street shall be constructed on a perpetual ingress/egress easement or a single platted lot (with access easement) that provides access to all applicable properties.
2. Connection Point: Where the point of connection of the private street is to a public street, the private street shall be approved by the transportation authority.
3. Emergency Vehicle: The private street shall provide sufficient maneuvering area for emergency vehicles as determined and approved by the Star Fire District.
4. Gates: Gates or other obstacles shall not be allowed, unless approved by Council through a Planned Unit Development or Development Agreement.

##### B. Construction Standards:

1. Obtain approval from the county street naming committee for a private street name(s);
  2. Contact the transportation authority to install an approved street name sign that complies with the regulations of the county street naming ordinance;
  3. Roadway and Storm Drainage: The private street shall be constructed in accord with the roadway and storm drainage standards of the transportation authority or as approved by the city of Star based on plans submitted by a certified engineer.
  4. Street Width: The private street shall be constructed within the easement and shall have a travel lane that meets ACHD width standards for the City of Star, or as determined by the Council and Star Fire District.
  5. Sidewalks: A five foot (5') attached or detached sidewalk shall be provided on one side of the street in commercial districts. This requirement may be waived if the applicant can demonstrate that an alternative pedestrian path exists. Residential private streets may request a waiver of sidewalks to be approved by Council.
  6. Fire Lanes: All drive aisles as determined by the Star Fire District to be fire lanes, shall be posted as fire lanes with no parking allowed. In addition, if a curb exists next to the drive aisle, it shall be painted red.
  7. No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved.
- C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:

1. Private Road Reserve Study Requirements.
  - a. At least once every three years, the board shall cause to be conducted a reasonably competent and diligent visual inspection of the private road components that the association is obligated to repair, replace, restore, or maintain as part of a study of the reserve account requirements of the common interest development, if the current replacement value of the major components is equal to or greater than one-half of the gross budget of the association, excluding the association's reserve account for that period. The board shall review this study, or cause it to be reviewed, annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.
  - b. The study required by this section shall at a minimum include:

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

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

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

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

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

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

total required open space and amenities to the Council. Developments with a density of less than 2 dwelling units per acre may request a 50% reduction in total required open space to the Council.

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

1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:

a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;

b. Qualified natural areas;

c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required open space, must be accessible by all residents to qualify.) ponds must be aerated;

d. A plaza.

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

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

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

a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.

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

c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:

1. Must be at least fifty feet by one hundred feet (50' x 100') in area;
2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.
3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

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

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

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

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

#### **COMPREHENSIVE PLAN:**

##### **8.2.3 Land Use Map Designations:**

###### **Neighborhood Residential**

Suitable primarily for single family residential use. Densities in the majority of this land use area are to range from 3.01 units per acre to 5 dwelling units per acre. Densities not

exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside developable areas, and where new residential lots are proposed immediately adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future.

### 8.3 Goal:

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

### 8.4 Objectives:

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

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

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

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

### 8.5.9 Additional Land Use Component Policies:

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

## 18.4 Implementation Policies:

- F. 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.

## 21.1 – South of the River Planning Area

Refer to the South of the River Area Document

### PROJECT OVERVIEW

#### **ANNEXATION & REZONE:**

The applicant is requesting approval of an annexation and rezone application, annexing into the City a parcel containing approximately 2.01 acres, and zoning the property Residential (R-4-DA). This zoning district would allow for a maximum residential density of 5 dwelling units per acre. The property is adjacent to the currently developing Starpointe Subdivision and is located in an area that will be serviceable with central sewer and water provided by Star Sewer and Water District. The property is accessed by the existing public road in Starpointe that currently has frontage on Star Road. The rezone request includes a development agreement that will address future density and development standards.

#### **PRELIMINARY PLAT AND AMENDED STARPOINTE PRELIMINARY PLAT:**

The new preliminary plat submitted contains 12 single-family attached residential lots and 2 common lots on a total of 3.08 acres and a proposed density of 3.89 dwelling units per acre. A portion of the area in the subdivision (1.08 acres) is part of the original Starpointe Subdivision preliminary plat, which requires the applicant to receive approval of an amendment to the original Starpointe Subdivision Preliminary Plat. Council may approve the attached single-family dwellings through the Development Agreement in-lieu-of a Conditional Use Permit. All lots will have access and frontage from private streets. The attached residential lots range in size from 2,500 square feet to 3,452 square feet with the average buildable lot being 2,806 square feet. The applicant is proposing private streets to access all lots within the development . All roads will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat is showing a 28 ft wide easement with paved streets measuring 28 feet from back of curb to back of curb. Sidewalks are proposed to be 5 feet wide attached throughout the development. The UDC requires all streets to have a minimum street width of 36 feet and detached sidewalks with planter strips between the sidewalks and the roadway. The applicant will need to request approval from the City Council for a waiver modification of the roadway and sidewalk standards.



The application has indicated that the proposed overall open space provided is 1.80 acres (58%), including at least (10%) usable open space. Amenities include a shade structure with tables and seating, in addition to access to the amenities within the Starpointe Subdivision.

#### **ADDITIONAL DEVELOPMENT FEATURES:**

- Pathways  
Landscape plan shows some pathways within a portion of the common area. It does not show a pathway along the Phyliss Canal out to Star Road. **Council shall review and consider the need for a pathway along the canal.**
- Lighting  
Streetlights shall reflect the "Dark Sky" criteria with all lighting. The same streetlight design shall continue throughout the entire development. The applicant has submitted a streetlight location plan and but not a street light design. **Applicant shall provide a streetlight design style for City approval. This will be required at submittal of the final plat.**
- Street Names  
**Applicant has not provided documentation from Ada County that the street names are acceptable and have been approved. This will be required at final plat application.**
- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. Section 8-8C-2, J5 states that a minimum of one deciduous shade tree per four thousand (4,000) square feet of common area shall be provided. The submitted landscape plan does not show street trees. **A revised landscape plan shall be submitted at final plat application.**
- **Setbacks – The applicant is requesting zero-lot-lines for the attached single-family dwelling lots within the development.** The applicant is also requesting reductions in the front yard setbacks to 10' for living area and 5' street side setbacks for several internal lots. Per the UDC, this can be requested and approved as part of the Development Agreement process.
- **Fencing – The applicant has not indicated safety fencing of the Phylis Canal. Council should consider any needed fencing of the canal.**

- Mailbox Cluster – **Applicant has not submitted a mailbox review from the Meridian Postmaster. The applicant shall provide this information to the City prior to signing the final plat. The mailbox cluster shall be covered with an architectural structure.**

## 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:

- Approval of the Attached Residential Dwellings as part of the Development Agreement process (in-leu-of a Conditional Use Permit)
- Approval of Zero-Lot-Line Setbacks, Front and Street Side Setbacks for the Attached Dwellings as part of the Development Agreement process
- Consideration of a Pathway and Fencing along the Phylis Canal
- ITD Proportionate Share Fees;
- Reduced Street Widths of 28 feet
- Waiver of Detached Sidewalks

## AGENCY RESPONSES

DEQ	July 19, 2023
ACHD (draft)	September 12, 2023
Ada County Development Services	July 31, 2023

## PUBLIC RESPONSES

No Public Comments Have Been Received.

## STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request and associated applications including the preliminary plat, private streets and amended preliminary plat, as requested, and with proposed conditions of approval, meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed maximum density of 3.89 dwelling unit per acre is within the range of 3-5 dwelling units per acre allowed in the Neighborhood Residential Comprehensive Plan Land Use Map. Staff is supportive of proposed diversity in lot sizes, housing sizes and density that the (R-4) zoning designation will provide.

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

## FINDINGS

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

### ANNEXATION/REZONE FINDINGS:

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

*The purpose of the Star Comprehensive Plan is to promote the health, safety, and general welfare of the people of the City of Star and its Impact Area. Some of the prime objectives of the Comprehensive Plan include:*

- ✓ *Protection of property rights.*
- ✓ *Adequate public facilities and services are provided to the people at reasonable cost.*
- ✓ *Ensure the local economy is protected.*
- ✓ *Encourage urban and urban-type development and overcrowding of land.*
- ✓ *Ensure development is commensurate with the physical characteristics of the land.*

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

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

*The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the Neighborhood Residential District is to provide for development suitable primarily for residential use. Densities in this land use area are to range from 3.01 unit per acre to 5 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside developable areas, and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not*

*likely to be subdivided in the future. Clustering is encouraged to preserve open space.*

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

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

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

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

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

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

#### **PRELIMINARY PLAT FINDINGS:**

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

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

- 1. Designing development projects that minimize impacts on existing adjacent properties, and*
- 2. Managing urban sprawl to protect outlying rural areas.*

2. Public Services are available or can be made available and are adequate to accommodate the proposed development.

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

3. There is public financial capability of supporting services for the proposed development;

*The City must find that they have not been notified of any deficiencies in public financial capabilities to support this development.*

4. The development will not be detrimental to the public health, safety or general welfare;

*The City must find that it has not been presented with any facts stating this Preliminary Plat will be materially detrimental to the public health, safety and welfare. Residential uses are a permitted use.*

5. The development preserves significant natural, scenic or historic features;  
*The City must find that there are no known natural, scenic, or historic features that have been identified within this Preliminary Plat.*

<b>CONDITIONS OF APPROVAL</b>
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1. The approved Preliminary Plat for the Starpointe Subdivision Phase Two shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. ITD has calculated the fees to be \$12,000.00. These fees will be collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.**
3. **All private streets shall have a minimum street width of 36' with detached sidewalks, and shall be constructed to ACHD standards, unless a waiver is granted by Council.**
4. **A revised landscape plan shall be submitted at the time of final plat showing any proposed or required fencing and pathways within the development. Street trees along the private streets shall be shown on the revised plan and installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees.**
5. Streetlights shall comply with the Star City Code and shall be of the same design throughout the entire subdivision. Streetlights shall be continuous throughout the subdivision and shall be maintained by the Homeowners Association. **Streetlights shall be installed and energized prior to issuing of building permits. Applicant shall submit a streetlight design at Final Plat submittal. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.**
6. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
7. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
8. 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.
9. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
10. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.

11. A letter from Ada County shall be provided approving the street names in the development and all names shall be reflected correctly on all pages of the final plat, before the mylar will be signed.
- 12. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service, including mailbox cluster location. The mailbox cluster shall be covered with an architectural structure to be approved by Staff prior to signature of final plat.**
- 13. The Applicant shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC, with the submittal of the final plat application.**
14. Private street shall be maintained by the Homeowners Association.
15. A form signed by the Star Sewer & Water District shall be submitted to the City prior to the signature of the Final Plat stating that all conditions of the District have been met, including annexation into the District.
16. A plat note shall state that development standards for residential development shall comply with the effective building and zoning requirements at time of building permit issuance, unless amended in the Development Agreement or CUP conditions.
17. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
18. All common areas shall be owned and maintained by the Homeowners Association.
19. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
20. A sign application is required for any subdivision signs.
- 21. Owner/Developer will agree to install a 2" (High Density Polyethylene) HDPE SDR-11 roll pipe in the shared utility trench to be used for future fiber optic and/or copper telecommunication cables.**
- 22. Any additional Condition of Approval as required by Staff and City Council.**

<b>COUNCIL DECISION</b>
-------------------------

The Star City Council \_\_\_\_\_ File Number AZ-23-03/DA-21-09 MOD/PP-23-02/PR-23-02/PP-21-10 Amended for Starpointe Subdivision Phase Two on \_\_\_\_\_, 2023.



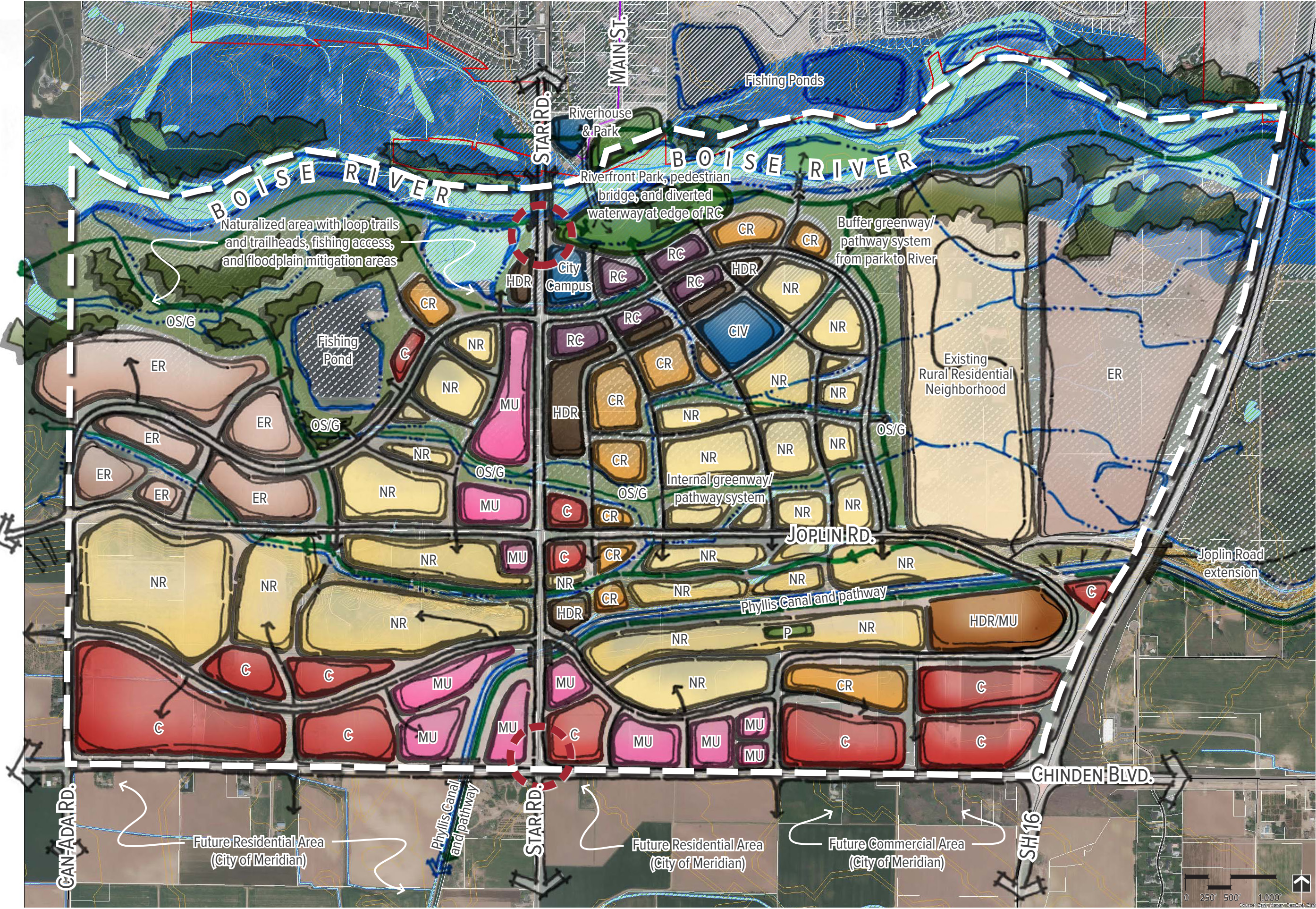
ILLUSTRATIVE  
VISION PLAN

The Illustrative Vision Plan highlights a visionary concept depicting the possible distribution of land uses, connectivity between neighborhoods and to arterials, and the level of amenities expected in regard to natural areas and open space, pathways and parks. The Vision Plan is illustrative in nature, and defines only one possible development option.

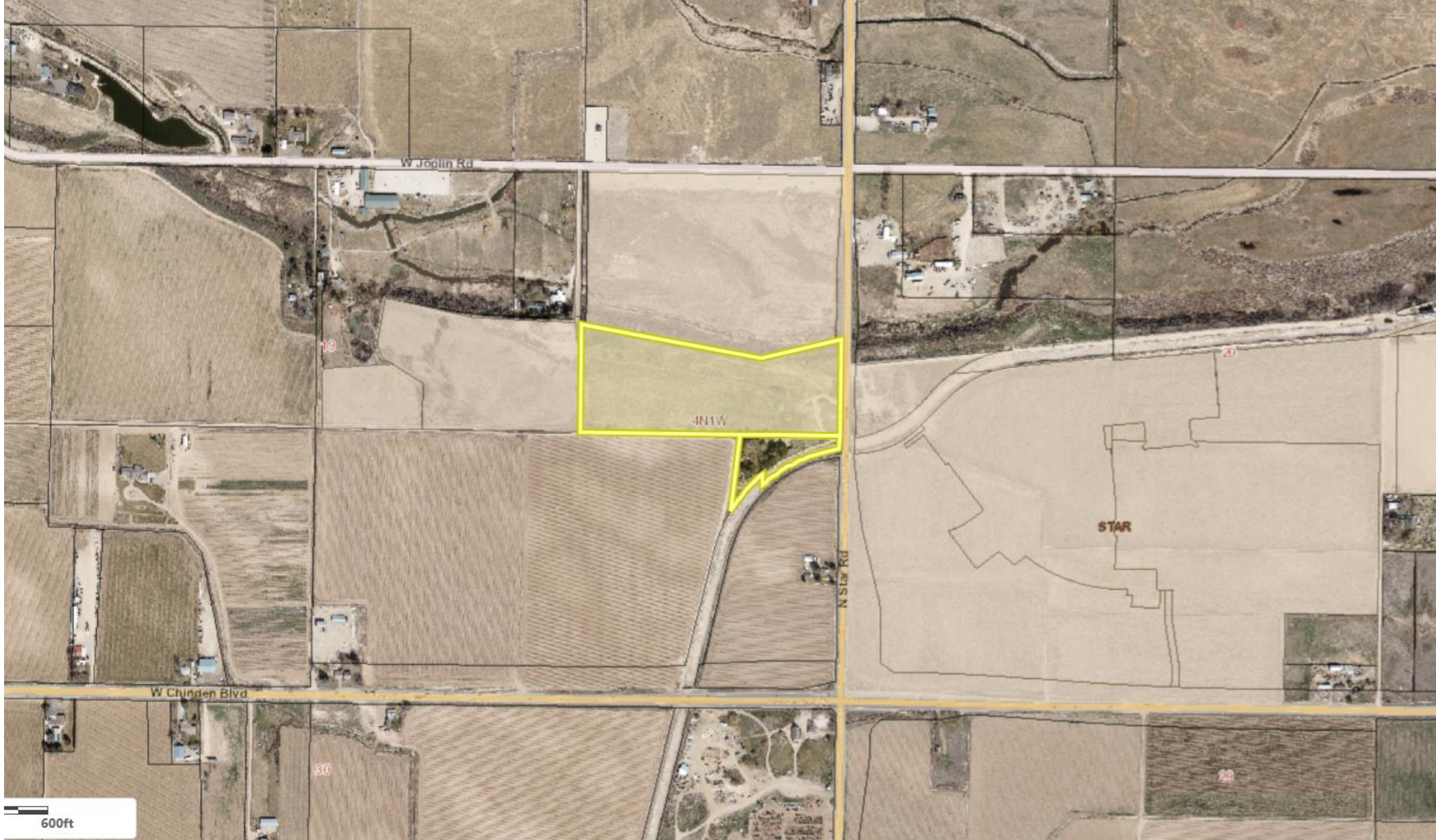
Map Legend:

- RR: Rural Residential
- ER: Estate Residential
- NR: Neighborhood Residential
- CR: Compact Residential
- HDR: High-Density Residential
- RC: Riverfront Center "Main Street"
- MU: Mixed-Use
- HDR/MU: High-Density Residential/ Mixed-Use
- C: Commercial
- P: Parks
- CIV: Civic (School, City Facility)
- OS/G: Open Space/ Greenway
- Gateway

Note: The Illustrative Vision Plan is conceptual in nature and distribution of land uses, road alignments, and park and school locations may change as development occurs.











May 22, 2023

Planning & Zoning  
City of Star  
P.O. Box 130  
Star, Idaho 83669

**RE: *StarPointe Phase 2 Annexation, Rezone, Development Agreement Modification, Private Road & Preliminary Plat Request***

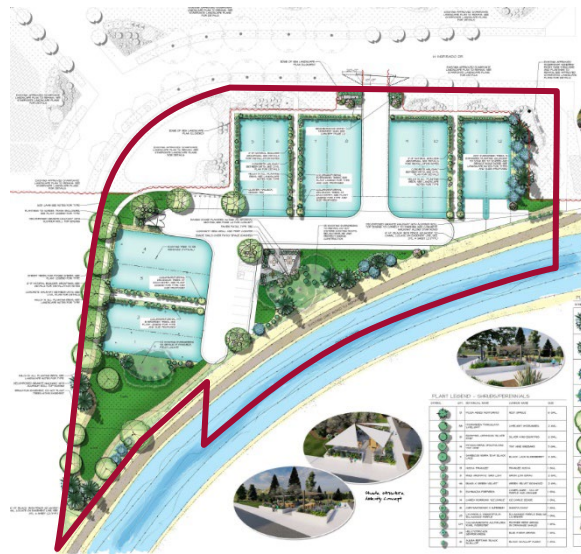
On behalf of GHW Holdings, LLC and Criterion Land Management, we are submitting the StarPointe Phase 2 Annexation, Rezone, Development Agreement Modification, Private Road and Preliminary Plat requests for review and approval.

The subject property (outlined in red) is located at 6777 N Star Road and a portion of 6825 N Star Road and consists of Parcel Nos. S0419449020 and S0419417750. The existing StarPointe Subdivision is outlined in blue. The subject property is 3.08 acres and is generally located northwest of the Chinden Blvd and Star Rd intersection.

The northern 1.06 acres of the project is within the StarPointe Subdivision and originally anticipated for two buildable lots and a drainage area. We are requesting to modify the original StarPointe Subdivision Development Agreement to include the new parcel at 6777 N Star Road.



Existing on site is a single-family home with several outbuildings. The “South of the River Sub-Area Plan” designates the site as Mixed Use and states the most compact housing development should be located at and adjacent to the Star/Chinden Mixed-Use Gateway and are likely to include two- to three-story condominium/townhome projects (page 3-9). The new parcel to be included within StarPointe is currently within Ada County and is requesting annexation into the City of Star with R-4 DA zoning. The project will be buffered by the adjacent high-volume roadways, Star Rd, Inspirado Dr and the Phyllis Canal on the south side. Consistency with the adjacent development will be ensured through consistent streetscaping.





Our client intends to construct 12 single-family attached townhomes with an overall density of 3.9 units per acre within the allowable density of the R-4 zone. Minor setback modifications noted within the table below are requested which are generally consistent with the R-6 standards which are tailored for attached housing products. A Setback Exhibit has also been provided in the submittal package detailing the setbacks applied to each lot. A request to reduce the minimum street frontage to 25' wide is also included. Impacts to the adjacent properties will be minimal as the project is buffered from adjacent properties by the new collector Inspirado Drive and the canal on the south. A Preliminary Plat application is also included to divide the parcels for individual sale.

	<b>R-4</b>	<b>R-6 Attached</b>	<b>Proposed</b>
<b>Front</b>	15' to living area 20' to garage face	15' to living area 20' to garage 10' if alley load	10'
<b>Rear</b>	15'	15' 4' if alley load	20' to garage 10' to living area
<b>Interior Side</b>	7.5'	0' for common walls 7.5' at end of building	0' (Minimum building separation of 15')
<b>Street Side</b>	20'	20'	Lots 5, 9, 11: 5' Lot 14: 20' to Star Rd

Inspirado Drive and Star Road as part of the original StarPointe Subdivision approval included curb, gutter and detached sidewalk improvements. All proposed homes will be oriented to front Inspirado Drive with site access provided via a new private road off of Inspirado Drive to the rear loaded homes. The project will be internally connected via the new 28' wide private street with curb, gutter and sidewalks. The private road is compliant with the required findings for approval as it will not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity. The use



and location of the private street does not conflict with the Comprehensive Plan and/or the Regional Transportation Plan as only local roads were anticipated to service the area near the canal. The HOA dues for the subdivision will be sufficient to fund the on-going maintenance fund through the HOA for future repair and maintenance of the private street in compliance with UDC Section 8-4D-3C.

All proposed homes will include a two-car garage with at least 1 additional guest parking spaces within the driveway apron off the private street to be included as a condition of the Development Agreement. An additional 13 guest parking spaces will be available off the private drive, bringing the total parking spaces to 49 spaces (four spaces per unit).

The project will be completed within one phase. A central common space amenity is provided which consists of a paved patio area with shade sails, picnic tables, trash receptacles, a community BBQ grill, and lawn areas. The existing irrigation canal on the south of the site will remain open with the existing dirt road to remain. The project greatly exceeds the 15% open space requirement by providing 58% open space onsite. In addition, the overall buildable lot area within these parcels of StarPointe No. 1 is reduced, additional open space is provided, and exceeding the originally approved open space.



The project and plat are consistent with the required findings for approval as it complies with several principles of the Comprehensive Plan. This includes Section 5.5.D which calls for providing a variety of housing opportunities for differing population needs. Section 7.4.H and 6.5.6.C call for developing a mixture of commercial, service and residential developments that encourage walking. Lastly, Section 8.5.9.T calls for supporting well-planned, pedestrian-friendly developments. The project will be consistent with the regulations of the proposed zoning and will not be materially detrimental to the public health, safety, and welfare. Public services are available and adequate to serve the project. The project will not adversely impact the delivery of services as agency requirements will be fully met and submitted

for your review and comment as the project continues. Comments will also confirm public financial capability of supporting services for the development. Initial meetings indicate that agencies are in alignment and agreement for the proposed project; however, as additional needs arise, they will be mitigated and incorporated in the project design. The development does not disturb any known significant natural, scenic or historic features. The annexation is in the best interest of the City as it will provide additional variety of housing and utilize previously approved public services in a consolidated fashion. The engineering, architectural, and construction practices will be implemented with the professional standard of care.

We greatly appreciate your time and review of our application submittal. In accordance with the submittal checklists, we are submitting electronically with all required information. Please contact me at (208) 207-8477 or [Nicolette.Womack@kimley-horn.com](mailto:Nicolette.Womack@kimley-horn.com) should you have any questions.

Sincerely,

*Nicolette Womack*

Nicolette Womack, AICP  
Planner



## ANNEXATION & ZONING - REZONE APPLICATION

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

FILE NO.: AZ-23-04  
Date Application Received: 5-24-2023 Fee Paid: \_\_\_\_\_  
Processed by: City: Barbara Norgrove

### Applicant Information:

**PRIMARY CONTACT IS:** Applicant ☒ Owner ☐ Representative ☐

Applicant Name: Kody Daffer - Criterion Land Management, LLC  
Applicant Address: 1861 S Wells Avenue, Suite 200 Meridian, ID Zip: 83642  
Phone: 208-351-1990 Email: kody@criterionland.com

Owner Name: W WEST DEVELOPMENT LLC & GHW HOLDINGS LLC  
Owner Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Representative (e.g., architect, engineer, developer):  
Contact: Teller Bard, PE Firm Name: Kimley-Horn  
Address: 1100 W Idaho Street, Suite 210, Boise, ID Zip: 83702  
Phone: 208.906.3871 Email: Teller.Bard@kimley-horn.com

### Property Information:

Site Address: 6777 & 6825 N Star Rd Parcel Number: S0419449020 & S0419417750  
Total Acreage of Site: 3.08  
Total Acreage of Site in Special Flood Hazard Area: NA  
Proposed Zoning Designation of Site: \_\_\_\_\_

### Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT - County	MU	SFD
Proposed	R-4 DA	No change	SFD
North of site	R-3-DA	NR	Starpointe Subdivision
South of site	RUT - County	MU	SFD w/ Vacant Field
East of site	R-3-PUD-DA	MU	Inspirado Subdivision
West of site	RUT - County	MU	SFD w/ Vacant Field

**Special On-Site Features** (Yes or No – If yes explain):


Areas of Critical Environmental Concern - No  
Evidence of Erosion - No  
Fish Habitat - No  
Floodplain - No  
Mature Trees - No  
Riparian Vegetation - No  
Steep Slopes - No  
Stream/Creek - No  
Unique Animal Life - No  
Unique Plant Life - No  
Unstable Soils - No  
Wildlife Habitat - No  
Historical Assets - No

**Application Requirements:**

(Applications are required to contain one copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

	Applicant (√)	Description	Staff (√)
#1	X	Pre-application meeting with the Planning Department required prior to neighborhood meeting.	
	X	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. <b>(Please contact the City for addresses &amp; labels)</b> (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
	X	Completed and signed Annexation & Zoning/Rezone Application	
#2	X	Fee: (Include Development Agreement Fee). Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
#3	X	Narrative fully describing the proposed project (must be signed by applicant)	
#4	X	Legal description of the property to be annexed and/or rezoned: <ul style="list-style-type: none"><li>• Include a metes &amp; bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet.</li><li>• Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h.</li><li>• If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map.</li><li>• Submit word.doc and pdf version with engineer's seal.</li></ul>	
	X	Recorded warranty deed for the subject property	



#5	X	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
#6	X	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
#7	X	One (1) full-size 24" X 36" copy and one (1) 11" X 17" copy of associated CUP/PUD Site Plan/Preliminary Plat. If this application is not accompanied by a plat or site plan, please submit conceptual development plan for the property.	
#8	X	Electronic copy in pdf. format of submitted plat, site or conceptual plan.	
	X	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
#9	X	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. <b>Please contact the City to request addresses and labels.</b>	
	X	Two (2) copies of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat/site plan, irrigation district information, shall be submitted in original pdf format (no scans for preliminary plat/site plans) on two (2) thumb drives only (no discs) with the files named with project name and plan type.	
	X	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	
	X	*Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature: 	
	X	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval, building permits. Please contact SSWD for details.	

### FEE REQUIREMENT:

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

  
Applicant/Representative Signature

  
Date



## PRELIMINARY PLAT APPLICATION

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

FILE NO.: PP-23-03  
Date Application Received: 5-23-23 Fee Paid: \_\_\_\_\_  
Processed by: City: Barbara Norgrove

### Applicant Information:

**PRIMARY CONTACT IS:** Applicant X Owner \_\_\_\_\_ Representative \_\_\_\_\_

Applicant Name: Kody Daffer - Criterion Land Management, LLC  
Applicant Address: 1861 S Wells Avenue, Suite 200 Meridian, ID Zip: 83642  
Phone: 208-351-1990 Email: kody@criterionland.com

Owner Name: W WEST DEVELOPMENT LLC & GHW HOLDINGS LLC  
Owner Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Representative (e.g., architect, engineer, developer):  
Contact: Teller Bard, PE Firm Name: Kimley-Horn  
Address: 1100 W Idaho Street, Suite 210, Boise, ID Zip: 83702  
Phone: 208.906.3871 Email: Teller.Bard@kimley-horn.com

### Property Information:

Subdivision Name: StarPointe Phase 2  
Site Location: Northwest of the Chinden Blvd and Star Rd intersection  
Approved Zoning Designation of Site: \_\_\_\_\_  
Parcel Number(s): S0419449020 & S0419417750

### Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	<u>See Annexation App</u>		
Proposed			
North of site			
South of site			
East of site			
West of site			



## SITE DATA:

Total Acreage of Site - 3.08  
Breakdown of Acreage of Land in Contiguous Ownership - 3.08  
Total Acreage of Site in Special Flood Hazard Area - 0  
Dwelling Units per Gross Acre - 3.9  
Minimum Lot Size - 2,500 sq ft  
Minimum Lot Width - 25'

Total Number of Lots - 12  
Residential - 12  
Commercial - \_\_\_\_\_  
Industrial - \_\_\_\_\_  
Common - 2

Total Number of Units - 12  
Single-family - 12  
Duplex - \_\_\_\_\_  
Multi-family - \_\_\_\_\_

Percent of Site and Total Acreage of Common Area - 60 % / 1.2 acres  
Percent of Common Space to be used for drainage - 0  
Describe Common Space Areas (amenities, landscaping, structures, etc.) - \_\_\_\_\_  
Paved patio area with shade sails, picnic tables, trash receptacles, a community BBQ grill, and lawn areas  
Proposed Dedicated Lots & Acreage (school, parks, etc): \_\_\_\_\_

Public Streets - External Private Streets - Internal  
Describe Pedestrian Walkways (location, width, material) - \_\_\_\_\_  
Detached sidewalks on Inspirado Drive and Attached sidewalks internal to site  
Describe Bike Paths (location, width, material) - \_\_\_\_\_

## FLOOD ZONE DATA: (This Info Must Be Filled Out Completely Prior to Acceptance):

Total Acreage of Site in Special Flood Hazard Area - N/A

- a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in situations where two or more flood zones intersect over the property or properties being surveyed.
- b. FEMA FIRM panel(s): #160xxxxxxC, 160xxxxxxE, etc.: \_\_\_\_\_  
FIRM effective date(s): mm/dd/year \_\_\_\_\_  
Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: \_\_\_\_\_  
Base Flood Elevation(s): AE\_\_\_\_.0 ft., etc.: \_\_\_\_\_
- c. Flood Zones are subject to change by FEMA and all land within a floodplain is regulated by Chapter 10 of the Star City Code.

- d. Please see link for help with FEMA information <https://msc.fema.gov/portal/search>.
- e. All maps will delineate flood plain lines.

**PUBLIC SERVICES** (Describe what services are available and agency providing service):

Potable Water - Star Sewer and Water District

Irrigation Water- Pioneer Irrigation District

Sanitary Sewer- Star Sewer and Water District

Fire Protection - Star Fire Protection District

Schools - West Ada School District

Roads - Ada County Highway District

**SPECIAL ON-SITE FEATURES** (Yes or No – If yes explain in your narrative):

Areas of Critical Environmental Concern - No Floodplain - No

Evidence of Erosion - No Fish Habitat - No

Historical Assets - No Mature Trees - No

Riparian Vegetation - No Steep Slopes - No

Stream/Creek - No Unstable Soils - No

Unique Animal Life - No Unique Plant Life - No

**Application Requirements:**

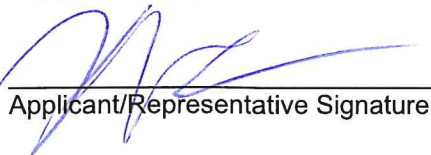
(Applications are required to contain one copy of the following unless otherwise noted. **When combining with other applications (Annexation, CUP, etc.) please include one paper copy for all applications**)

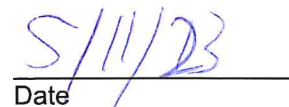
	Applicant (√)	Description	Staff (√)
	X	Pre-application meeting with Planning Department required prior to neighborhood meeting.	
#1	X	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. <b>(Please contact the City for addresses &amp; labels)</b> (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
	X	Completed and signed Preliminary Plat Application	
	X	Fee: Please contact the City for current fee. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	
#2	X	Narrative explaining the project. (must be signed by applicant)	
#3	X	Legal description of the property (word.doc and pdf version with engineer's seal)	
#4	X	Recorded warranty deed for the subject property	
#5	X	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
#10	X	Approval of the proposed subdivision name from Ada County Surveyor's office.	
#6	X	One (1) 8½" X 11" copy and electronic copy in pdf. format of vicinity map showing the location of the subject property	
#7	X	One (1) full-size copy and one (1) 11" X 17" copy of the Preliminary Plat	
	X	Electronic copy in pdf. format of Preliminary Plat	
#11	X	One (1) full-size copy and one (1) 11" X 17" copy of the landscape plan	
	X	Electronic copy in pdf. format of landscape plan	
#7	X	Electronic copy in pdf. format of preliminary site grading & drainage plans <b>See Preliminary Plat</b>	
	N/A	Phasing plan shall be included in the application if the project is to be phased.	

#12	X	Letter of authorization from the local Post Office approving mailbox delivery to subdivision including location(s) of mailbox clusters. Locations shall be indicated on Preliminary Plat.	
#8	X	List of name(s) and addresses of all canal or irrigation ditches within or contiguous to the proposed development.	
#9	X	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. Please contact the City to request addresses and labels.	
#13	X	Site report of the highest seasonal groundwater elevation prepared by a registered soils scientist. (If requested by City Engineer)	
	N/A	Special Flood Information – Must be included on Preliminary Plat and Application form.	
#14	X	One (1) 8½" X 11" copy and electronic copy in pdf format of streetlight <b>design</b> and <b>location</b> information. Streetlights shall meet all City "Dark Sky" requirements.	
#15	X	Written confirmation that a traffic impact study is not required and/or has been submitted for review to Ada County Highway District/Canyon Highway District No. 4/Idaho Transportation Department (if applicable).	
	X	One (1) copy of the Electronic versions of submitted application including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat, landscape plan, preliminary site grading & drainage plans, irrigation district information, streetlight design & location, confirmation of a traffic impact study <u>shall be submitted in original pdf format (no scans for preliminary plat, landscape plans or grading and drainage plans) on a thumb drive only (no discs)</u> with the files named with project name and plan type. We encourage you to also submit a colored version of the preliminary plat and/or landscape plan for presentation purposes prior to City Council.	
	X	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed by application after acceptance of application. Staff will notify applicant of hearing and posting date.	
	X	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval. Please contact SSWD for details.	

## FEE REQUIREMENT:

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

  
Applicant/Representative Signature

  
Date



# PRIVATE STREET APPLICATION

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

FILE NO.: PR-23-02  
Date Application Received: 5-23-23 Fee Paid: \_\_\_\_\_  
Processed by: Barbara Norgrove

## Applicant Information:

**PRIMARY CONTACT IS:** Applicant ☒ Owner \_\_\_\_\_ Representative \_\_\_\_\_

Applicant Name: Kody Daffer - Criterion Land Management, LLC  
Applicant Address: 1861 S Wells Avenue, Suite 200 Meridian, ID Zip: 83642  
Phone: 208-351-1990 Fax: \_\_\_\_\_ Email: kody@criterionland.com

Owner Name: W WEST DEVELOPMENT LLC & GHW HOLDINGS LLC  
Owner Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Representative (e.g., architect, engineer, developer):  
Contact: Teller Bard, PE Firm Name: Kimley-Horn  
Address: 1100 W Idaho Street, Suite 210, Boise, ID Zip: 83702  
Phone: 208.906.3871 Fax: \_\_\_\_\_ Email: Teller.Bard@kimley-horn.com

## Property Information:

Subdivision Name: StarPointe Phase 2  
Site Location: 6777 & 6825 N Star Rd

## Application Requirements:

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

	Applicant (√)	Description	Staff (√)
#1	X	Pre-application meeting with Planning Department required prior to neighborhood meeting	
	X	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.)	
	X	Completed and signed Private Street Application	
#2	X	Fee	
	X	Narrative (Letter of Intent) fully describing the proposed project (must be signed by applicant)	
#4	X	Recorded warranty deed for the subject property	
#3	X	Legal description of the private street easement (with surveyor's seal)	
#5	X	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	




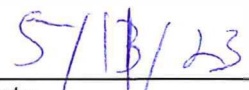
#6	X	One (1) 8 ½" X 11" vicinity map showing the location of the subject property	
#7	X	One (1) Full-sized, drawn to scale and One (1) 8 ½" X 11" copy of the Preliminary Plat or Site Plan showing all existing and proposed private streets, easements, property lines, structures, and existing and proposed connection to a public street.	
#9	X	Names and addresses, printed on one (1) set of address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office.	
		Identify which of the following is being processed:  <input checked="" type="checkbox"/> New Private Street <input type="checkbox"/> Other <input type="checkbox"/> New Private Gate <input type="checkbox"/> Extension of a Private Street <input type="checkbox"/> Existing Private Street to be Widened & Paved (Access to more than four properties)	
	X	Identify users of the private street. <b>Subdivision Owners and Guests</b>	
	X	Identify if the private street currently has an easement, and if any restrictions are placed on said easement. <b>Not existing, new street</b>	
	12	Number of Properties that will use the Private Street	
	12	Number of properties that the Private Street will provide frontage and Access to.	
		Private Street is/will be in:      Easement <input checked="" type="checkbox"/> Separate Lot	
#16	X	<b>Private Street Cross Section</b> , including the following information: <input checked="" type="checkbox"/> Show the intersection of the proposed private street with a public street. <input checked="" type="checkbox"/> Turnaround configuration at terminus of private street. <input checked="" type="checkbox"/> Grade of proposed private street <input checked="" type="checkbox"/> Length of proposed private street <input checked="" type="checkbox"/> Width of private street <input checked="" type="checkbox"/> Easement width (Inside City Limits or Area of Impact: 50') <input checked="" type="checkbox"/> Detailed description of proposed paving materials.	
	N/A	<b>Gate</b> (only for exceptional circumstances – to be approved by Council only). Submit evidence for an exceptional circumstance necessary to improve safety or to halt environmental degradation in the area. Including the following information: <input type="checkbox"/> Dimensions of proposed gate and opening <input type="checkbox"/> Include traffic direction and proposed locking device(s) <input type="checkbox"/> Include letter of approval from Fire District	
#17	X	Draft Maintenance Agreement (must be submitted at time of application submittal)	
#2	X	Draft Maintenance Fund ( <b>See UDC Section 8-4D-3C</b> ) – Include in Letter of Intent	
	X	Proposed Street Name <b>Sequoia Grove, Forest View, Big Timber submitted name reservation at County</b>	
	X	One (1) Electronic version of submitted application including signed Private Street application, legal description of property, recorded warranty deed, affidavit of legal interest, vicinity map, preliminary plat map or site plan, names and addresses of property owners within three hundred feet (300') in word document format, copy of letter of intent in word document format.	
	X	Signed Certification of Posting with pictures. (see attached posting requirements and certification form) – To be completed and submitted prior to public hearing	

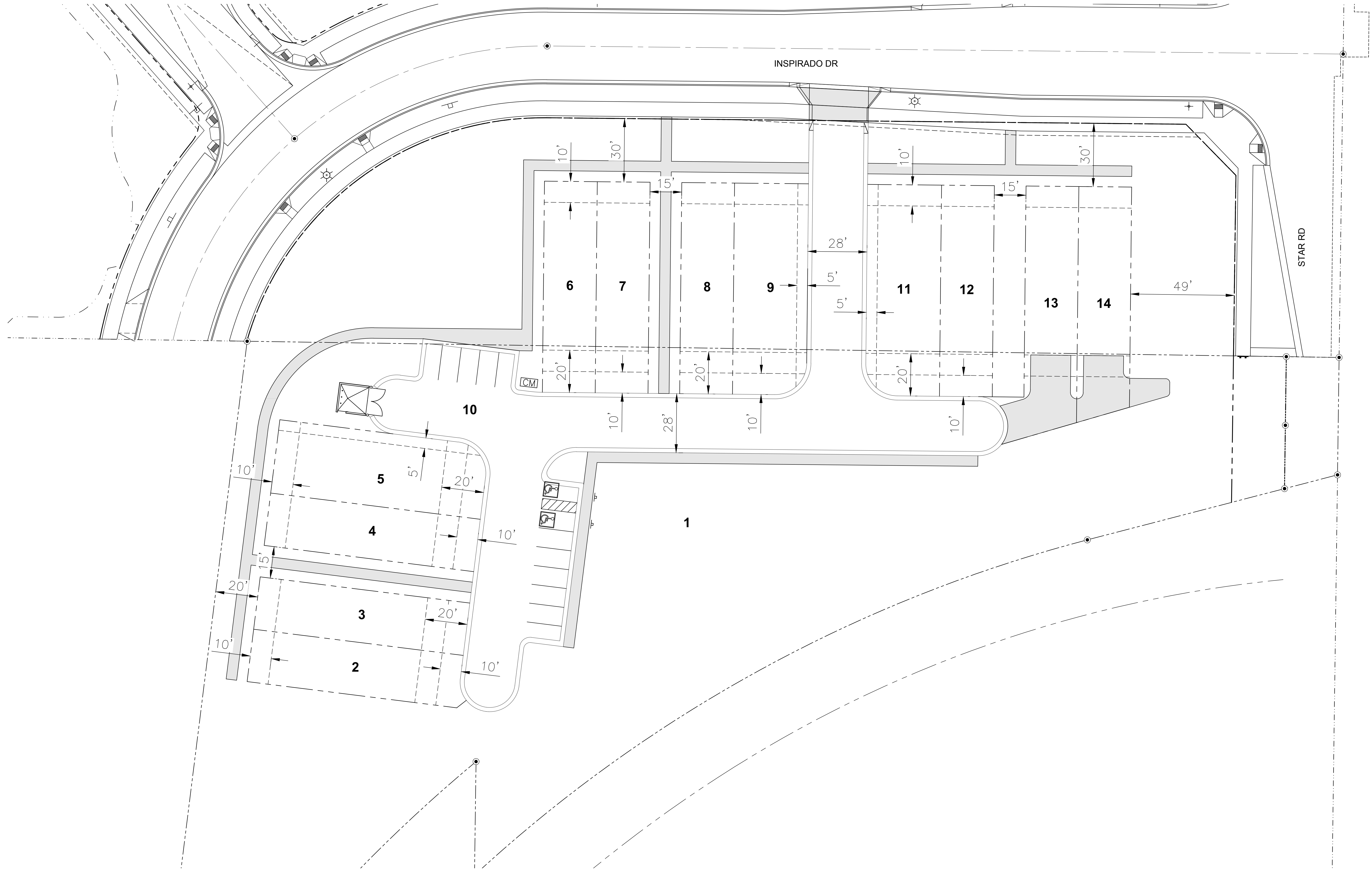
## FEE REQUIREMENT:

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

**I further agree that if this request is granted the Star Fire and Police Department shall be given access codes for this gate and under no circumstances shall the access codes be changed without first granting them to the Star Fire & Police Department.**

  
 Applicant/Representative Signature

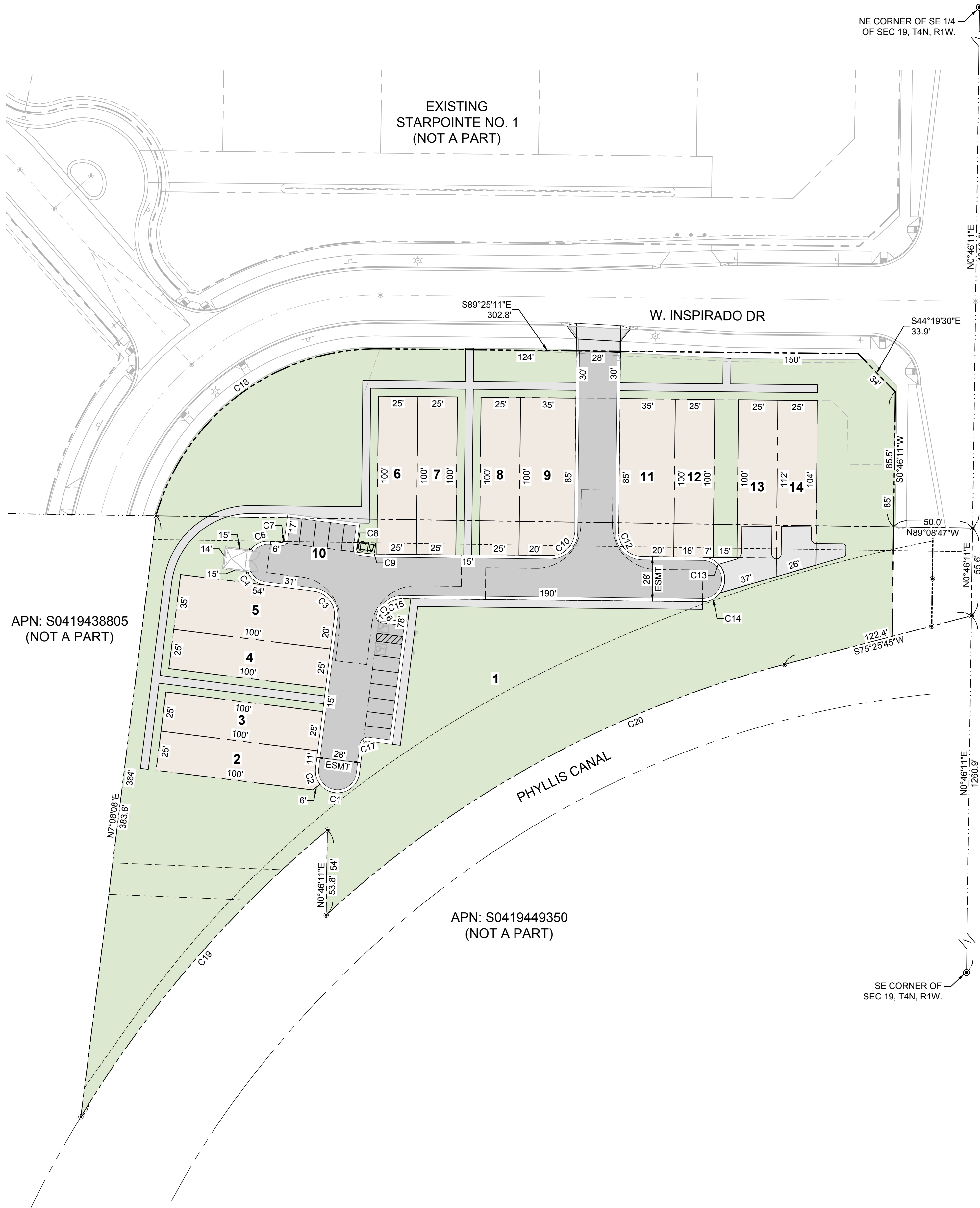
  
 Date





CAUTION: NOTICE TO CONTRACTOR

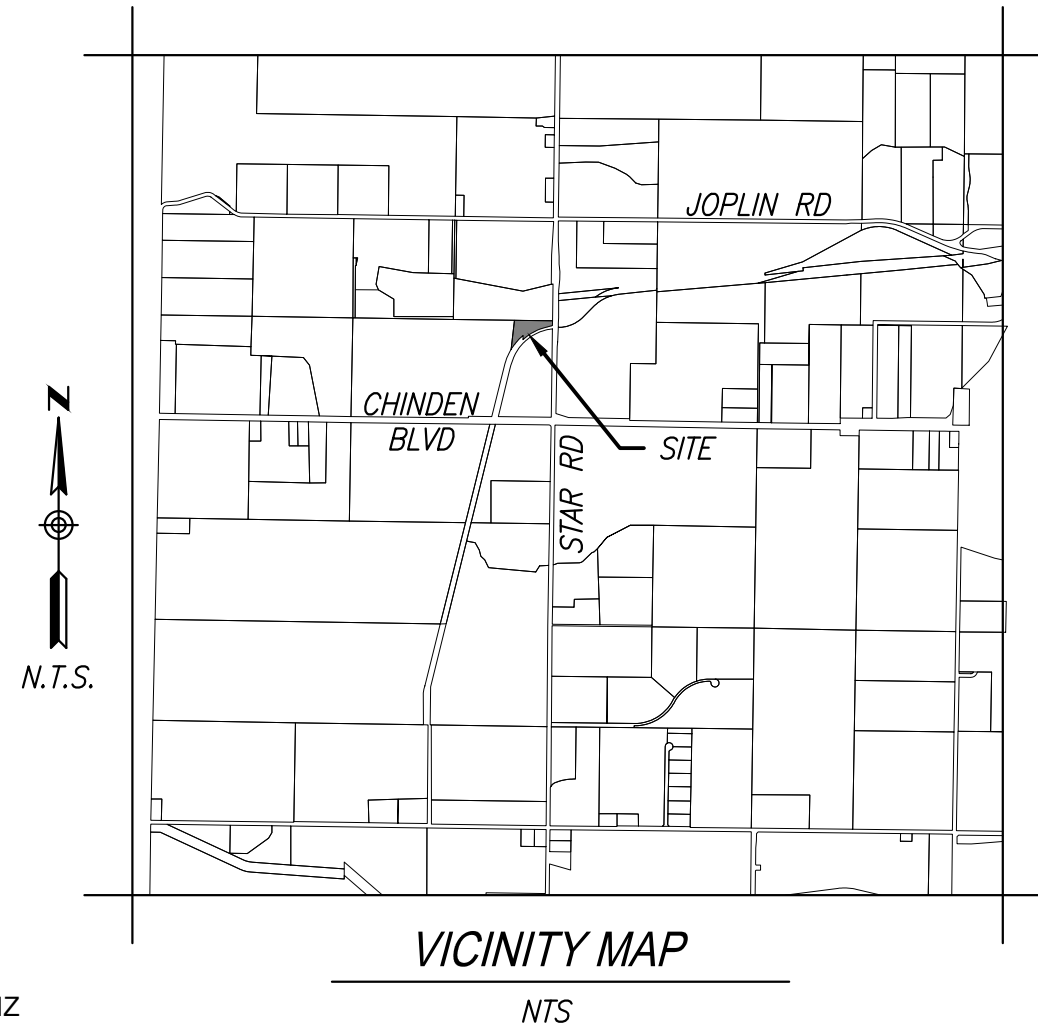
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.



# STARPOINTE NO. 2 PRELIMINARY PLAT

A PORTION OF THE SE  $\frac{1}{4}$  OF SECTION 19,  
TOWNSHIP 4 NORTH, RANGE 1 WEST  
ADA COUNTY, IDAHO

DEVELOPER	CIVIL ENGINEER/LAND PLANNER	LAND SURVEYOR
GHW HOLDINGS, LLC 1861 S. WELLS AVENUE #200 MERIDIAN, IDAHO 83642 PHONE: (208) 229-2021 CONTACT: RANDAL CLARNO EMAIL: RANDY@CRITERIONLAND.COM	KIMLEY-HORN AND ASSOCIATES, INC. 1100 W. IDAHO STREET SUITE 210 BOISE, IDAHO 83702 PHONE: (208) 906-3871 CONTACT: TELLER BARD, PE EMAIL: TELLER.BARD@KIMLEY-HORN.COM	LAND SOLUTIONS 231 E 5TH ST. SUITE A MERIDIAN, ID 83642 PHONE: (208) 288-2040 CONTACT: CLINT HANSEN EMAIL: CHANSEN@LANDSOLUTIONS.BIZ



## PRELIMINARY PLAT DATA

EXISTING ZONING: RUT  
PROPOSED ZONING: R-4 (DA)  
GROSS ACREAGE: 3.08 AC  
NET ACREAGE: 3.01 AC  
NUMBER OF BUILDING LOTS: 12  
NUMBER OF COMMON LOTS: 2  
TOTAL NUMBER OF LOTS: 14  
MINIMUM LOT SIZE (SF): 2500 SF  
AVERAGE LOT SIZE: 2806 SF  
RESIDENTIAL GROSS DENSITY (DU/AC): 3.90 DU/AC

## OPEN SPACE DATA

COMMON LOT AREA  
STARPOINTE NO. 1: 26,015 SF | 0.60 AC (57%)  
HUTTON: 52,178 SF | 1.20 AC (60%)  
TOTAL COMMON LOT AREA: 1.80 AC (58%)  
15% OPEN SPACE REQUIRED  
USABLE OPEN SPACE: 30,210 SF | 0.69 AC (23%)  
10% USABLE OPEN SPACE REQUIRED

## LEGEND

	PROPOSED CENTERLINE
	SECTION LINE
	PROPOSED BOUNDARY
	ROAD RIGHT OF WAY
	LOT LINE
	EASEMENT
	PROPOSED SWALE
	PROPOSED 8" SEWER
	PROPOSED 8" WATER
	STORM WATER INFRASTRUCTURE EASEMENT
	PROPOSED CURB
	PROPOSED STORM DRAIN MANHOLE
	PROPOSED CATCH BASIN
	PROPOSED SEWER MANHOLE
	PROPOSED FIRE HYDRANT
	PROPOSED GATE VALVE
	SIDEWALK RAMP
	PROPOSED STORM DRAIN
	EXISTING SEWER MAIN
	EXISTING WATER MAIN
	EXISTING EDGE OF PAVEMENT
	EXISTING EDGE OF GRAVEL ROAD
	EXISTING FENCE
	EXISTING OVERHEAD POWER
	EXISTING GAS LINE
	PROPOSED PAVEMENT
	PROPOSED OPEN SPACE
	PROPOSED SIDEWALK

## SHEET INDEX

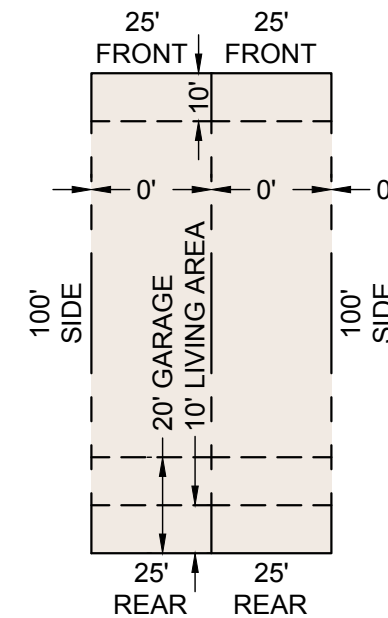
SHEET INDEX	
SHEET NUMBER	SHEET TITLE
01	PRELIMINARY PLAT
02	ENGINEERING PLAN

## BUILDING SETBACK DATA

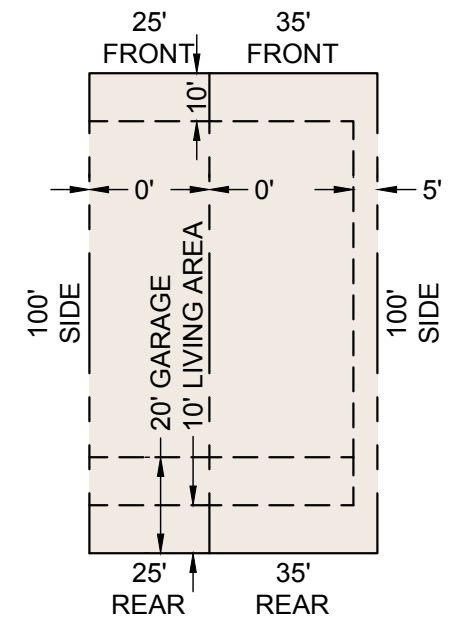
R-4 (DA)  
FRONT: 10'  
REAR: 20' TO GARAGE | 10' TO LIVING AREA  
SIDE: 0' (MINIMUM BUILDING SEPARATION 15')  
STREET SIDE: 5' (LOT 5, 9 & 11)  
20' (LOT 14 TO STAR ROAD)

## PRELIMINARY PLAT NOTES

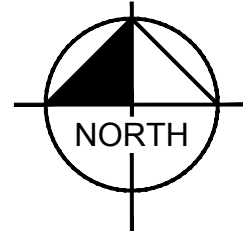
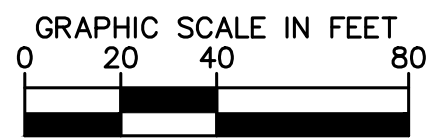
- CONTOUR AND SPOT ELEVATION DATA IS REFERENCE TO NAVD '88 DATUM.
- ALL STREETS PROPOSED IN THIS DEVELOPMENT ARE PRIVATE STREETS.
- BLOCK 1 LOT 1 AND LOT 10 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE STARPOINTE SUBDIVISION HOMEOWNERS ASSOCIATION. THESE LOTS SHALL BE USED FOR HOMEOWNER PEDESTRIAN ACCESS AND LANDSCAPING AND ARE SUBJECT TO A BLANKET EASEMENT ACCROSS SAID LOTS FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE.
- STORMWATER RUNOFF GENERATED ON THIS SITE SHALL HAVE QUALITY CONTROL TREATMENT PRIOR TO BEING CONVEYED TO ONSITE STORAGE FACILITIES.
- PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRICAL POWER, NATURAL GAS, TELEPHONE, AND CABLE TELEVISION.
- THIS SUBDIVISION WILL RECEIVE PRESSURE IRRIGATION FROM A PRESSURE IRRIGATION SYSTEM OWNED AND MAINTAINED BY THE HOA.
- DOMESTIC WATER SERVICE AND FIRE PROTECTION SHALL BE PROVIDED BY THE STAR SEWER AND WATER DISTRICT.
- SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE STAR WATER AND SEWER DISTRICT.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES: "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- THE OWNER SHALL COMPLY WITH IDAHO CODE, SECTION 31-3805 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.
- BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH CITY OF STAR CODE UNLESS OTHERWISE MODIFIED BY CONDITIONAL USE PERMIT.
- THE BOTTOM ELEVATION OF BUILDING FOOTINGS SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST ESTABLISHED NORMAL GROUNDWATER ELEVATIONS.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE MOST RECENTLY APPROVED SUBDIVISION STANDARDS OF THE CITY OF STAR AT THE TIME OF THE RE-SUBDIVISION.
- ALL LOT LINES COMMON TO PRIVATE STREETS ARE HEREBY DESIGNATED TO HAVE A TEN (10) FOOT PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION, AND LOT DRAINAGE, UNLESS OTHERWISE DIMENSIONED.
- UNLESS OTHERWISE SHOWN AND DIMENSIONED, EACH LOT WILL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY EXTERIOR SIDE LOT LINE, AND OVER THE TEN (10) FEET ADJACENT TO ANY REAR LOT LINE OR SUBDIVISION BOUNDARY. MAINTENANCE OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY.
- MAINTENANCE OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY.
- RESTRICTIVE COVENANTS WILL BE IN EFFECT FOR THE SUBDIVISION.
- SEE SHEET 02 FOR PARCEL AND CURVE DATA.



TYPICAL LOT SETBACKS



TYPICAL LOT SETBACKS  
STREET SIDE



STARPOINTE SUBDIVISION NO. 2

PRELIMINARY PLAT

STAR, IDAHO

DRAWING NAME: 5013-PP-HDR.dwg

PROJECT No.: 291015013

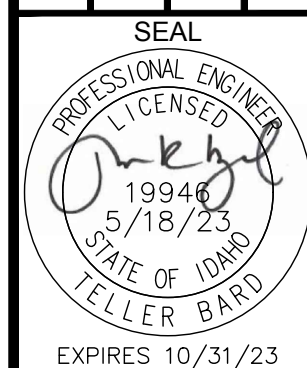
SCALE (H): 1"=40'

SCALE (V): N/A

DRAWN BY: T/C

CHECKED BY: SRK

DESIGNED BY: TRB

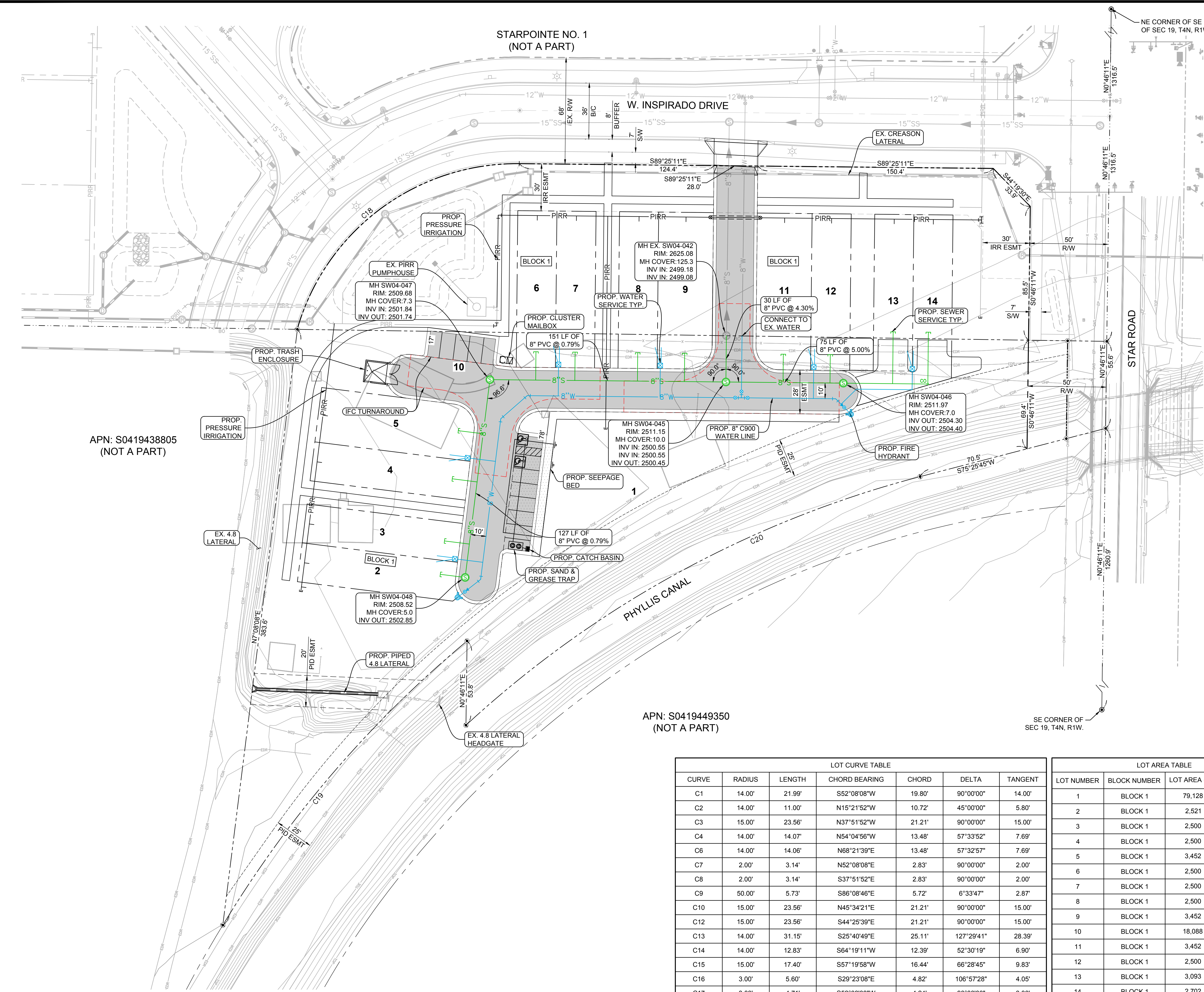


SHEET NO.

01

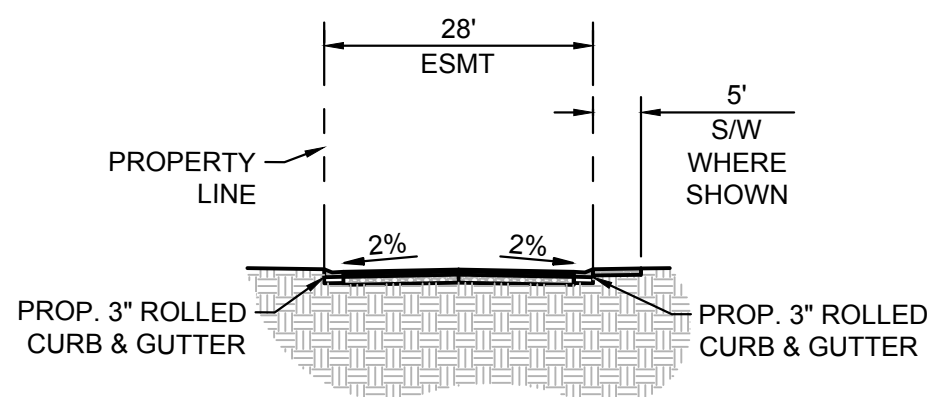
01 OF 02



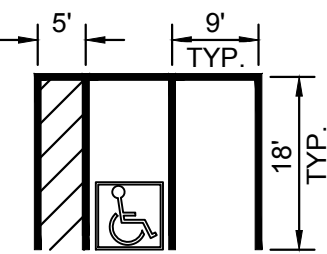


### DEMOLITION, REMOVAL, AND ABANDONMENT NOTES

1. ALL BUILDINGS, OUTBUILDINGS, FENCES, CONCRETE, AND OTHER SITE IMPROVEMENTS TO BE REMOVED AND DISPOSED OF BY DEVELOPER.
2. TREES TO BE REMOVED PER LANDSCAPE PLAN.
3. EXISTING SEPTIC AND DRAINFIELD TO BE REMOVED PER CENTRAL DISTRICT HEALTH REQUIREMENTS.
4. EXISTING WELL(S) TO BE ABANDONED PER IDAHO DEPT. OF WATER RESOURCES REQUIREMENTS WITH CITY OF EAGLE VERIFICATION OF DISCONNECT.



PRIVATE DRIVE SECTION  
N.T.S.



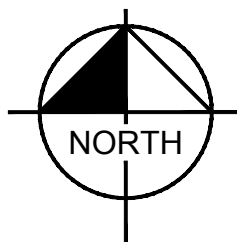
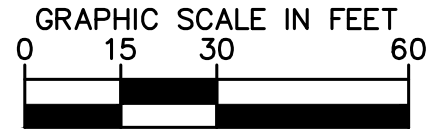
PARKING STALL DETAIL  
N.T.S.

APN: S0419438805  
(NOT A PART)

APN: S0419449350  
(NOT A PART)

LOT CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	14.00'	21.99'	S52°08'08"W	19.80'	90°00'00"	14.00'
C2	14.00'	11.00'	N15°21'52"W	10.72'	45°00'00"	5.80'
C3	15.00'	23.56'	N37°51'52"W	21.21'	90°00'00"	15.00'
C4	14.00'	14.07'	N54°04'56"W	13.48'	57°33'52"	7.69'
C6	14.00'	14.06'	N68°21'39"E	13.48'	57°32'57"	7.69'
C7	2.00'	3.14'	N52°08'08"E	2.83'	90°00'00"	2.00'
C8	2.00'	3.14'	S37°51'52"E	2.83'	90°00'00"	2.00'
C9	50.00'	5.73'	S86°08'46"E	5.72'	6°33'47"	2.87'
C10	15.00'	23.56'	N45°34'21"E	21.21'	90°00'00"	15.00'
C12	15.00'	23.56'	S44°25'39"E	21.21'	90°00'00"	15.00'
C13	14.00'	31.15'	S25°40'49"E	25.11'	127°29'41"	28.39'
C14	14.00'	12.83'	S64°19'11"W	12.39'	52°30'19"	6.90'
C15	15.00'	17.40'	S57°19'58"W	16.44'	66°28'45"	9.83'
C16	3.00'	5.60'	S29°23'08"E	4.82'	106°57'28"	4.05'
C17	3.00'	4.71'	S52°08'08"W	4.24'	90°00'00"	3.00'
C18	146.00'	190.16'	N53°16'02"E	177.00'	74°37'33"	111.27'
C19	721.97'	240.49'	S40°40'29"W	239.38'	19°05'07"	121.37'
C20	681.97'	334.10'	S61°18'07"W	330.77'	28°04'11"	170.47'

LOT AREA TABLE			
LOT NUMBER	BLOCK NUMBER	LOT AREA (SF)	LOT AREA (AC)
1	BLOCK 1	79,128	1.82
2	BLOCK 1	2,521	0.06
3	BLOCK 1	2,500	0.06
4	BLOCK 1	2,500	0.06
5	BLOCK 1	3,452	0.08
6	BLOCK 1	2,500	0.06
7	BLOCK 1	2,500	0.06
8	BLOCK 1	2,500	0.06
9	BLOCK 1	3,452	0.08
10	BLOCK 1	18,088	0.42
11	BLOCK 1	3,452	0.08
12	BLOCK 1	2,500	0.06
13	BLOCK 1	3,093	0.07
14	BLOCK 1	2,702	0.06



CAUTION: NOTICE TO CONTRACTOR

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DATE DESCRIPTION

**Kimley»Horn**

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
1100 W. Idaho Street, Suite 210  
Boise, Idaho 83702 (208) 297-2885

STARPOINTE SUBDIVISION NO. 2

ENGINEERING PLAN

STAR, IDAHO

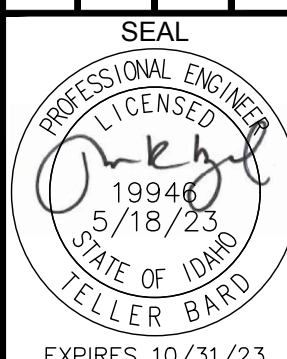
DRAWING NAME: 5013-EP-HDR.dwg

PROJECT No.: 291015013

DRAWN BY: JTC

CHECKED BY: SRK

DESIGNED BY: TRB

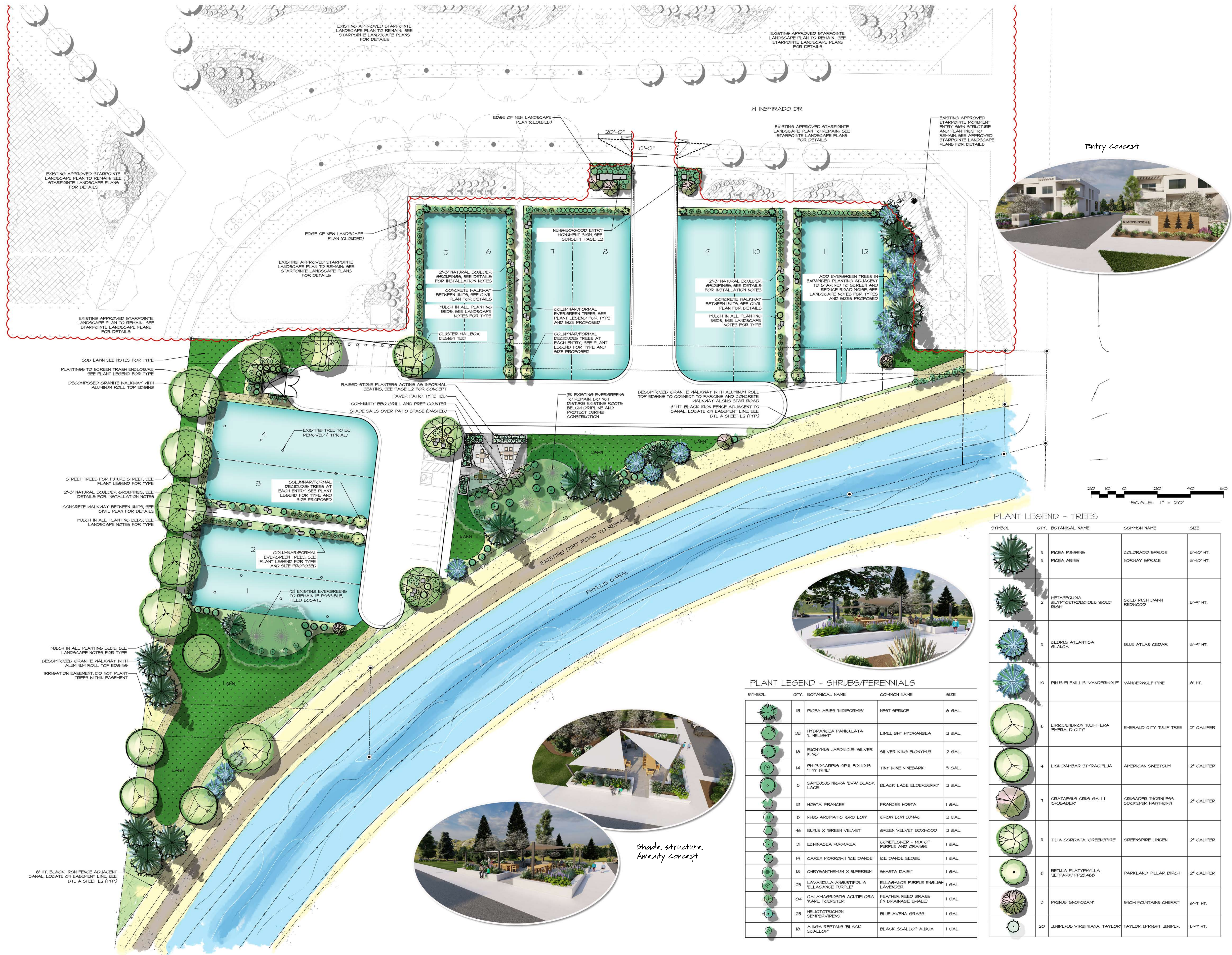


SHEET NO.

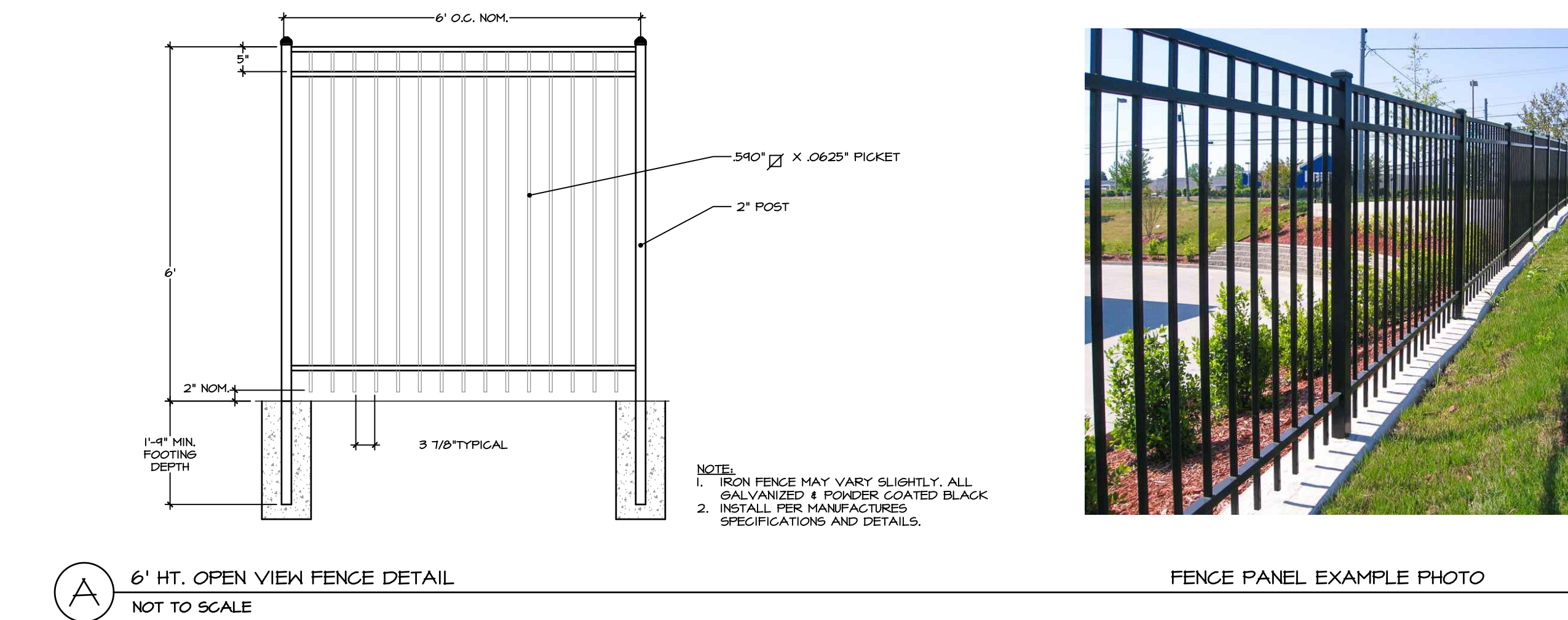
02

02 OF 02









A 6' HT. OPEN VIEW FENCE DETAIL  
NOT TO SCALE

FENCE PANEL EXAMPLE PHOTO



B ENTRY MONUMENT AT LEFT SIDE OF ENTRY ROAD  
NOT TO SCALE



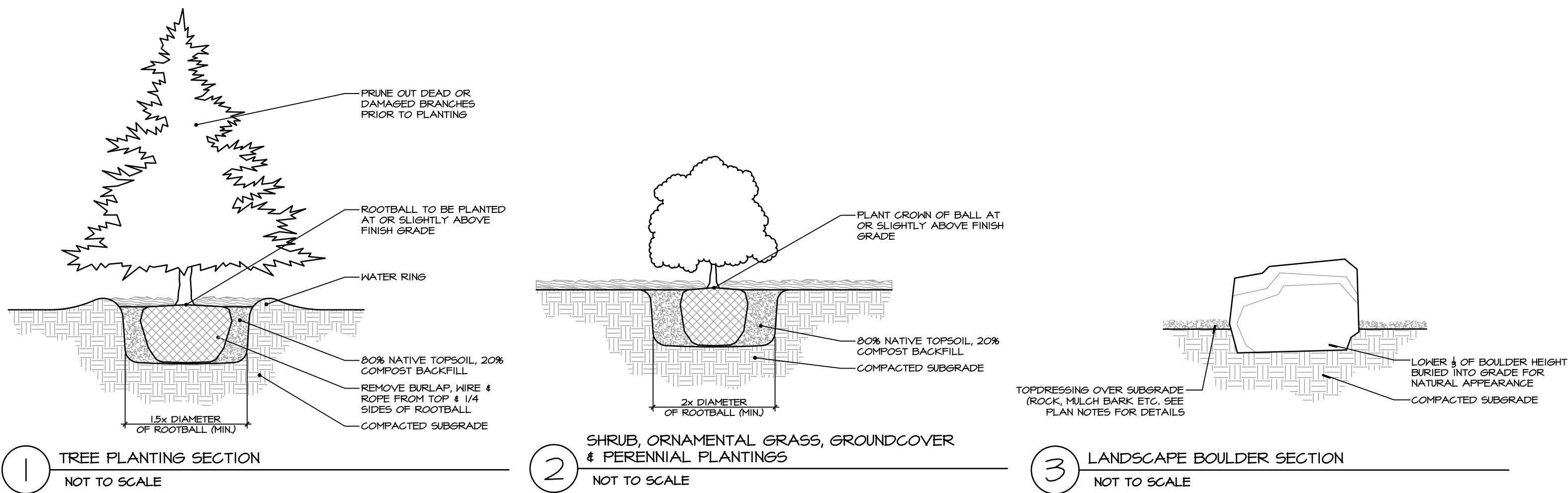
ENTRY ROAD WITH MONUMENT ON EACH SIDE



ENTRY MONUMENT AT RIGHT SIDE OF ENTRY



C AMENITY CONCEPT WITH SHADE SAILS, RAISED PLANTER SEATING WALL AND POTENTIAL NEIGHBORHOOD BBQ SPACE  
NOT TO SCALE



1 TREE PLANTING SECTION  
NOT TO SCALE

2 SHRUB, ORNAMENTAL GRASS, GROUNDCOVER  
& PERENNIAL PLANTINGS  
NOT TO SCALE

3 LANDSCAPE BOULDER SECTION  
NOT TO SCALE

## IRRIGATION NOTES & SPECIFICATIONS:

1. AUTOMATIC DRIP IRRIGATION SHALL BE PROVIDED AT ALL NEW TREES AND SHRUBS IN PLANTING BEDS. AUTOMATIC 6" POP-UP SPRAY HEADS OR ROTORS SHALL BE PROVIDED FOR LAWN AREAS. ALL OVERHEAD IRRIGATION HEADS SHALL BE SPACED ON CENTER PER THEIR COVERAGE RADIUS TO PROVIDE EVEN AND EFFICIENT WATERING.
2. FLUSH DIRT AND DEBRIS FROM PIPING BEFORE INSTALLING SPRINKLERS AND OTHER DEVICES.
3. A LOW VOLTAGE SYSTEM MANUFACTURED EXPRESSLY FOR CONTROL OF AUTOMATIC CIRCUIT VALVES OF AN IRRIGATION SYSTEM SHALL BE INSTALLED. SYSTEM SHALL INCLUDE AN ADJUSTABLE 24 HOUR TIME CLOCK WHICH WILL ALLOW FOR AUTOMATIC, SEMI-AUTOMATIC, OR MANUAL OPERATION CIRCUIT CONTROL, WHICH ALLOWS FOR MANUAL OR AUTOMATIC OPERATION, PROGRAMMABLE CAPABILITIES THAT ALLOW FOR INDEPENDENT WATERING SCHEDULES PER ZONE, AND RAIN SENSOR. THE SYSTEM SHALL INCLUDE A PRESSURE REGULATOR AND BACKFLOW PREVENTOR DEVICE.
4. PROVIDE 4" PVC SLEEVING BELOW ALL HARDSCAPE TO ADJACENT PLANTING AREAS.
5. MAINLINE IS TO BE BURIED 12"-16" BELOW FINISHED GRADE. LATERAL PIPES SHALL BE BURIED 8"-12" BELOW FINISHED GRADE IN LANDSCAPED AREAS AND A MINIMUM OF 2" BELOW FINISHED GRADE IN NATIVE/UNDISTURBED AREAS. ALL PIPE TRENCHES SHALL BE FREE OF ROCKS AND DEBRIS PRIOR TO PIPE INSTALLATION. BACKFILL TRENCHES WITH SOIL THAT IS FREE OF ROCKS AND DEBRIS.
6. INSTALL ALL DRIP IRRIGATION LINES PER MANUFACTURER SPECIFICATIONS.
7. CONTRACTOR IS TO PROVIDE OWNER WITH AS-BUILT IRRIGATION PLANS THAT INCLUDE APPROXIMATE MAINLINE ROUTING AND VALVE BOX LOCATIONS.
8. THE FOLLOWING IRRIGATION TESTS AND INSPECTIONS SHALL BE COMPLETED BY THE CONTRACTOR:
  - a.1. LEAK TEST: AFTER INSTALLATION, CHARGE SYSTEM AND TEST FOR LEAKS. REPAIR LEAKS AND RETEST UNTIL NO LEAKS EXIST.
  - a.2. OPERATIONAL TEST: AFTER ELECTRICAL CIRCUITRY HAS BEEN ENERGIZED, OPERATE CONTROLLERS AND AUTOMATIC CONTROL VALVES TO CONFIRM PROPER SYSTEM OPERATION.
  - a.3. TEST AND ADJUST CONTROLS AND SAFETIES. REPLACE DAMAGED AND MALFUNCTIONING CONTROLS AND EQUIPMENT.
9. CONTRACTOR IS TO PROVIDE START UP AND BLOW-OUT SERVICES FOR IRRIGATION SYSTEM FOR THE FIRST SEASON IT IS INSTALLED.

## GENERAL NOTES:

1. CONTRACTOR TO VERIFY EXISTING SITE INFORMATION, INCLUDING STRUCTURES, UTILITIES, PROPERTY LINES, LIMITS OF ROADWAYS, AND CURBS AND GUTTER, THAT MAY EFFECT THE SCOPE OF WORK PRIOR TO BEGINNING SITE CONSTRUCTION.
2. EXISTING UTILITIES ARE INDICATED FOR INFORMATION ONLY AND NOT INTENDED TO SHOW EXACT LOCATION. THE LANDSCAPE DESIGNER IS NOT RESPONSIBLE FOR THE LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES NOT SHOWN OR DETAILED AND INSTALLED BY ANY OTHER CONTRACTOR. THE CONTRACTOR SHALL LOCATE ALL UTILITIES AND MAINTAIN THE LOCATION DURING ALL PHASES OF THE WORK. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES OR STRUCTURES AND ANY INJURIES THEREFROM. RESTORATION OF ANY UTILITIES DAMAGED BY THE CONTRACTOR SHALL BE AT THE CONTRACTORS EXPENSE TO THE SATISFACTION OF THE OWNER. ANY ADJUSTMENTS OF PROPOSED WORK WILL BE APPROVED BY LANDSCAPE DESIGNER. ADJUSTMENTS OF PLANT MATERIAL DUE TO CONFLICTS WITH UTILITIES SHALL BE APPROVED BY OWNER OR LANDSCAPE DESIGNER. CALL UNDERGROUND LOCATES 1 WEEK PRIOR TO PLANTING.
3. PROVIDE OWNER OR LANDSCAPE ARCHITECT WITH NOTIFICATION OF ALL DISCREPANCIES BETWEEN EXISTING AND PROPOSED SITE IMPROVEMENTS.
4. LANDSCAPE CONTRACTOR SHALL TAKE ALL NECESSARY STEPS AS REQUIRED TO PROPERLY PROTECT AND MAINTAIN HIS WORK FOR THE DURATION OF THE CONTRACT.
5. ALL WORK SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.
6. NOTES AND DETAILS ON SPECIFIC DRAWINGS TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS.
7. NO SUBSTITUTIONS FOR ANY MATERIALS SPECIFIED SHALL BE MADE WITHOUT LANDSCAPE DESIGNER'S OR OWNER'S APPROVAL.
8. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO CONFIRM ALL DESIGN CRITERIA AS NOTED BY THE DRAWINGS OR TECHNICAL SPECIFICATIONS. ANY DISCREPANCIES, DELETIONS, ADDITIONS OR ALTERATIONS TO THE DRAWINGS OR SPECIFICATIONS SHALL BE PRESENTED IN WRITING TO THE PROJECT LANDSCAPE DESIGNER PRIOR TO INSTALLATION.
9. CIVIL ENGINEERING IS THE RESPONSIBILITY OF THE CLIENT OR GENERAL CONTRACTOR.
10. GENERAL CONTRACTOR TO BRING ROUGH GRADE WITHIN +/- 0.25' OF FINISHED GRADE & LANDSCAPE CONTRACTOR TO FINISH GRADE.
11. ALL WORK AND PARTS SHALL BE WARRANTED FOR A MINIMUM OF ONE YEAR FROM DATE OF COMPLETION.
12. A MINIMUM OF 48 HOURS NOTICE IS REQUIRED FOR ALL MODIFICATIONS, REVIEW & APPROVAL REQUESTS TO LANDSCAPE DESIGNER.
13. AT COMPLETION OF ALL WORK OUTLINED IN THESE PLANS THE LANDSCAPE CONTRACTOR SHALL CONTACT THE OWNER AND ARRANGE A WALK THROUGH TO DETERMINE THAT ALL ASPECTS OF WORK ARE COMPLETED. WORK MUST BE FULLY COMPLETED ACCORDING TO ALL PLANS AND SPECIFICATIONS AND MUST BE COMPLETE IN GOOD WORKMANSHIP MANNER AND MUST BE ACCEPTED BY THE OWNER IN WRITING PRIOR TO THE BEGINNING OF THE MAINTENANCE PERIOD.

## LANDSCAPE CALCULATIONS

- LANDSCAPE REQUIREMENTS:
- (1) REQUIRED AMENITIES
  - (5) PROPOSED AMENITIES BELOW
    - PATHWAY
    - PICNIC TABLES
    - TRASH RECEPTACLE
    - SEATING BENCH
    - SHADE STRUCTURE
- PLANTING REQUIREMENTS PER STAR CODE:
- (1) DECIDUOUS SHADE TREE PER EVERY 4000 SF OF COMMON SPACE
  - (4) SHRUBS PER TREE
- SITE SPECIFIC PLANTING REQUIREMENTS:
- TOTAL OPEN SPACE = 10,221 SF (1.00 AC)
- TREES REQUIRED:
- TOTAL OPEN SPACE = 10,221 SF (1.00 AC)
  - 10,221 SF / 4000 = 2.55 TREES REQUIRED
  - 21 EVERGREEN X 0.5 HEIGHT OF SHADE TREE = 10.5 COUNT
  - DECIDUOUS = 31
  - TOTAL QUALIFIED TREES PROPOSED: 44.5/45.5 REQUIRED





**Project/File:** Starpointe 2 / SPP23-0001 / AZ-23-03/ DA-21-09/ PR-23-02/ PP-23-02/ PP-21-10

This is an annexation with rezone, a development agreement modification, private street, an amendment to the preliminary plat for Starpointe subdivision and a preliminary plat to allow for the development of a 14 lot subdivision on 3-acres.

**Lead Agency:** City of Star

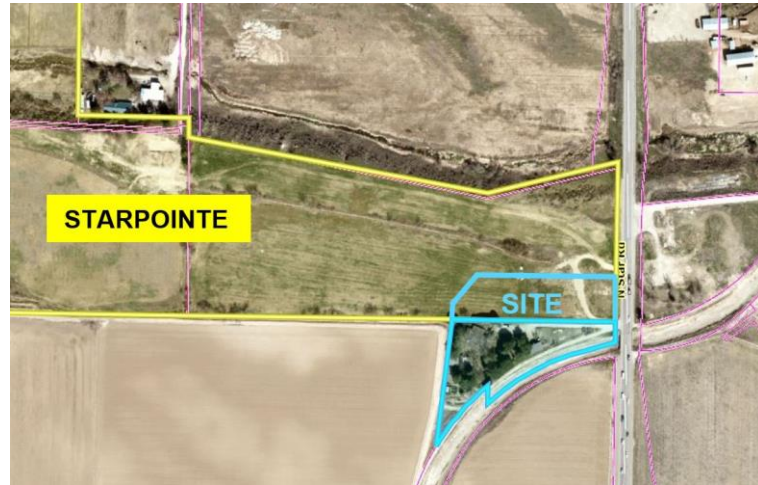
**Site address:** 6777 & 6825 N. Star Road

**Staff Approval:** XXXX, 202X

**Applicant:** Kody Daffer  
Criterion Land Management, LLC  
1861 S. Wells Avenue, Ste. 200  
Meridian, ID 83642

**Representative:** Teller Bard, PE  
Kimley-Horn  
1100 W. Idaho Street, Ste. 210  
Boise, ID 83702

**Staff Contact:** Dawn Battles, Senior Planner  
Phone: 387-6218  
E-mail: [dbattles@achdidaho.org](mailto:dbattles@achdidaho.org)



## A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation with a rezone of 2-acres from RUT (Rural-Urban Transition) to R-4 (Residential), a development agreement modification, private street, an amendment to the preliminary plat for Starpointe subdivision and a preliminary plat to allow for the development of a 14 lot subdivision consisting of 12 residential buildable lots and 2 common lots on 3-acres. A portion of the site is zoned R-3-DA and the applicant's rezone proposal is consistent with the City of Star's comprehensive plan which designates this site as mixed-use and neighborhood residential.

### 2. Description of Adjacent Surrounding Area:

Direction	Land Use	Zoning
North	Residential & Rural-Urban Transition (Ada County)	R-4-DA & RUT
South	Rural-Urban Transition (Ada County)	RUT
East	Residential & Rural-Urban Transition (Ada County)	R-3PUD-DA & RUT
West	Residential & Rural-Urban Transition (Ada County)	R-3-DA & RUT

- Site History:** ACHD has staff previously reviewed a portion of this site as Starpointe Subdivision/ SPP21-0013/ AZ-21-07/ DA-21-09/PP-21-10 in January 2022. The requirements of this staff report are generally consistent with those of the prior action.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:

- Inspirado, a 227 lot subdivision consisting of 195 single family lots, 2 high density residential lots, 1 commercial lot, 5 mixed-use lots and 24 common lots on 124-acres located on the east side of Star Road across from the site was approved by ACHD in January 2022.
- Starpointe, an 84 lot subdivision consisting of 71 residential lots and 13 common lots located north of the site was approved by ACHD in January 2022.
- Oaklawn Crossing, a 71 lot subdivision consisting of 65 residential lots, 1 commercial lot and 5 common lots on 26-acres located north of the site was approved by ACHD in August 2021.

**5. Transit:** Transit services are not available to serve this site.

**6. Pathway Crossings:** United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. . . . Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side. The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

**7. New Center Lane Miles:** The proposed development includes 0 centerline miles of new public road.

**8. Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.

**9. Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**

- The intersection of US 20/26 and Star Road is scheduled in the IFYWP for an intersection improvement project which includes the addition of a right-turn lane on Star Road as part of the ITD project on US 20/26 (Chinden Boulevard) in 2023.
- The intersection of Star Road/ Main Street/ SH-44 (State Street) is scheduled in the IFYWP for a community improvement consisting of the construction of enhanced pedestrian facilities on the west side of the roadway and an enhanced crossing across Star Road at Main Street with the design year in 2024 and the construction date has not been determined.
- Star Road is listed in the CIP to be widened to 5-lanes from US 20/26 (Chinden Boulevard) to SH-44 (State Street) between 2031 and 2035.
- The intersection of Star Road and US 20/26 (Chinden Boulevard) is listed in the CIP to be widened to 5- lanes on the north leg, 5-lanes on the south, 7-lanes on the east, and 7-lanes on the west, and signalized between 2031 and 2035.
- The intersection of Star Road and SH-44 (State Street) is listed in the CIP to be widened to 4-lanes on the north leg, 5-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2026 and 2030.

- 10. Roadways to Bikeways Master Plan:** ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies Star Road as Level 3 facilities that will be constructed as part of a future ACHD project. The BMP also identifies level 1 facilities on the new collector roadway within the Inspirado subdivision located on the east side of Star Road across from the site. The new collector will be constructed consistent with the MSM and the Roadways to Bikeways Master plan.

## **B. Traffic Findings for Consideration**

- 1. Trip Generation:** This development is estimated to generate 77 additional vehicle trips per day (9 existing); 6 additional vehicle trips per hour in the PM peak hour (1 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 11<sup>th</sup> edition.

**2. Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
**US 20/26 Chinden Boulevard	None	Principal Arterial	1,016	N/A
Star Road	155-feet	Minor Arterial	483	Better than "E"

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

\*\* ACHD does not set level of service thresholds for State Highways.

**3. Average Daily Traffic Count (VDT)**

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- The average daily traffic count for US 20/26 west of SH-16 was 23,866 on December 31, 2022.
- The average daily traffic count for Star Road south of SH-44 was 12,022 on October 26, 2022.

## **C. Findings for Consideration**

### **1. Star Road**

- a. Existing Conditions:** Star Road is improved with 2-travel lanes, 24 to 30-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 75 to 77-feet of right-of-way for Star Road (30 to 33-feet from centerline).

**b. Policy:**

**Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master

Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**Street Section and Right-of-Way Width Policy:** District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

**Right-of-Way Dedication:** District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

**Sidewalk Policy:** District Policy 7205.5.7 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

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

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

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

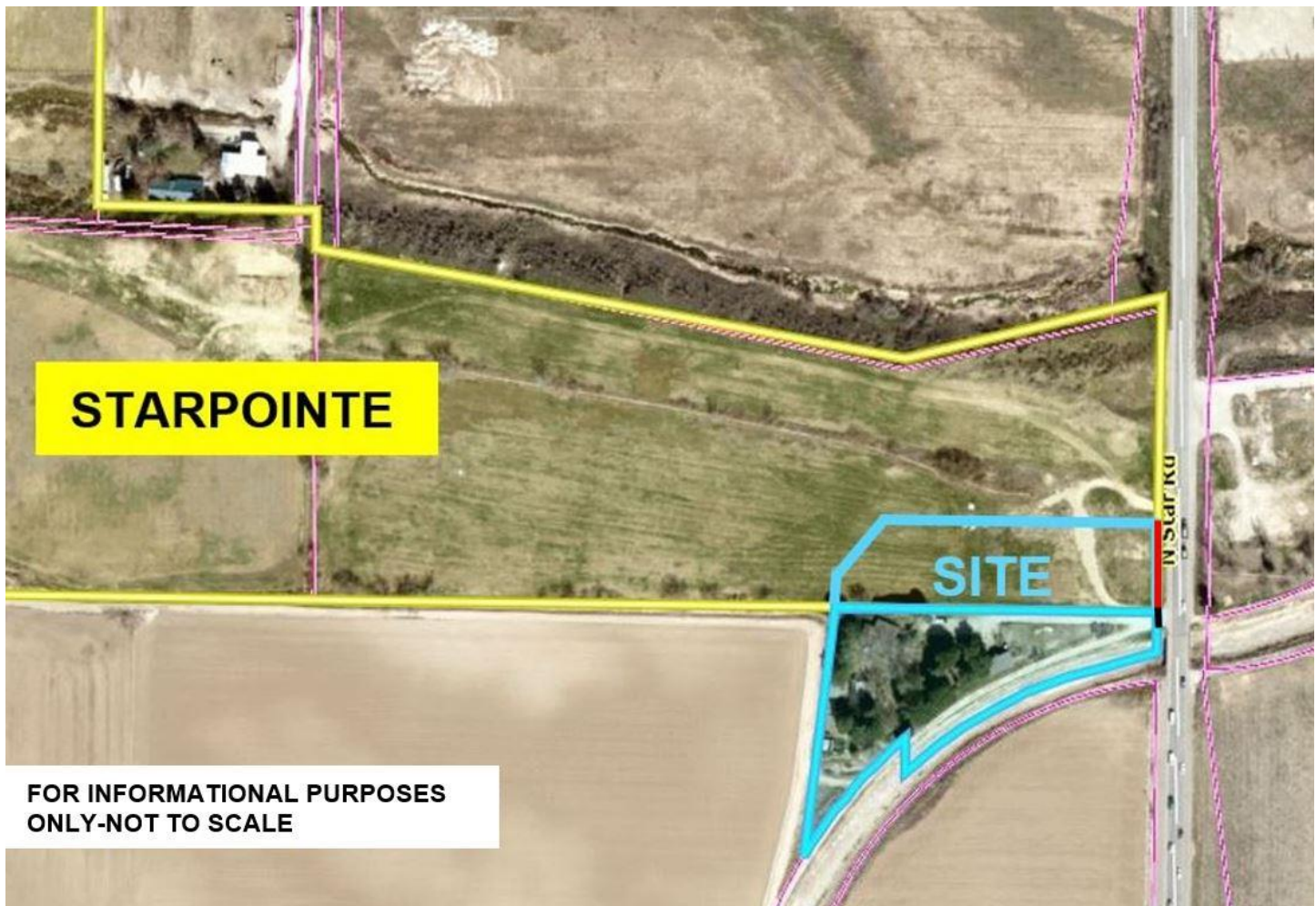
**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Star Road is designated in the MSM as a Residential Arterial with 5-lanes and on-street bike lanes, a 72-foot street section within 100-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to dedicate additional right-of-way to total 50-feet from section line of Star Road abutting the southern portion of the site (shown in black).
- d. **Staff Comments/Recommendations:** The applicant's proposal to dedicate additional right-of-way to total 50-feet from section line of Star Road abutting the southern portion of the site

meets District policy and is consistent with the requirements of Southpointe located north and northwest of the site and should be approved, as proposed. The applicant should be provided compensation for the additional dedicated right-of-way as this segment of Star Road is listed in the CIP.

Plans for Phase 1 of the Southpointe Subdivision were recently approved by ACHD and a portion of Star Road is being improved with pavement widening plus a 3-foot wide gravel shoulder and the construction of 5-foot wide detached concrete sidewalk located 43-feet from section line of Star Road (shown in red). The applicant should be required to improve Star Road abutting the southern portion of the site (shown in black) with 17-feet of pavement from section line plus a 3-foot wide gravel shoulder and the construction of 5-foot wide detached concrete sidewalk located 43-feet from section line of Star Road and tie into the sidewalk as part of the Southpointe subdivision located north of the site.

To accommodate the future widening of the bridge on Star Road over the Phyllis Canal, the applicant should be required to provide a road trust deposit to ACHD in the amount of \$1,216,200.00 for  $\frac{1}{4}$  of the cost of the bridge widening, as the parcel extends to the middle of the canal, prior to ACHD's signature on the first final plat.



## 2. Inspirado Drive

- a. **Existing Conditions:** Inspirado Drive, the entrance roadway, is currently under construction abutting the site's north property line as a 46-foot wide collector street section at the intersection with Star Road which includes an eastbound left-turn lane and transitions to a 36-foot wide collector street section with vertical curb, gutter, a 10-foot wide landscape strip and 5-foot wide



detached concrete sidewalk. This roadway was approved as part of ACHD's action on the Starpointe Subdivision located north and northwest of the site.

Additionally, this intersection is anticipated to be a signalized intersection as part of ACHD's action on Inspirado Subdivision located on the east side of Star Road across from the site.

**b. Policy:**

**Collector Street Policy:** District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70-feet, depending on the location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2-feet behind the back-of-curb on each side.

The standard street section shall be 46-feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

**Residential Collector Policy:** District policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36-feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

**Sidewalk Policy:** District policy 7206.5.6 requires a concrete sidewalk at least 5-feet wide to be constructed on both sides of all collector streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District's planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

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

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

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

**c. Applicant Proposal:** The applicant is not proposing to construct Inspirado Drive abutting the site.

**d. Staff Comments/Recommendations:** Inspirado Drive is currently under construction as part of the plan approval for phase 1 of Starpointe Subdivision. No additional improvements are required.



### 3. Driveways

#### 3.1 Star Road

- a. **Existing Conditions:** There is an existing unimproved 25-foot wide driveway from the site onto Star Road located 1,302-feet north of Chinden Boulevard.

b. **Policy:**

**Access Points Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

**Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.

**Driveway Location Policy:** District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a single left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 660-feet from the intersection for a full-movement driveway.

District policy 7205.4.5 requires driveways located on minor arterial roadways from a signalized intersection with a dual left turn lane shall be located a minimum of 330-feet from the nearest intersection for a right-in/right-out only driveway and a minimum of 710-feet from the intersection for a full-movement driveway.

**Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 50 MPH to align or offset a minimum of 425-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7205.4.8 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7205.4.8.

**Cross Access Easements/Shared Access Policy:** District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.

- c. **Applicant's Proposal:** The applicant is not proposing to close the existing 25-foot wide unimproved driveway onto Star Road located 1,302-feet north of Chinden Boulevard.
- d. **Staff Comments/Recommendations:** The applicant should be required to close the existing 25-foot wide unimproved driveway onto Star Road located 1,302-feet north of Chinden Boulevard with sidewalk and landscaping as the residence is proposed to be removed and the site has access to Inspirado Drive, a lesser classified street.

## 4. Private Roads

### 4.1 Inspirado Drive

a. **Existing Conditions:** There is an existing 28-foot wide driveway from the site onto Inspirado Drive which is currently under construction abutting the site. The driveway was approved as part of the plan approval for phase 1 of Starpointe Subdivision.

b. **Policy:**

**Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:

- Designed to discourage through traffic between two public streets,
- Graded to drain away from the public street intersection, and
- If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

**Access Policy:** District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

**Driveway Location Policy (Signalized Intersection):** District policy 7206.4.3 requires driveways located on collector roadways near a signalized intersection to be located outside the area of influence; OR a minimum of 440-feet from the signalized intersection for a full-access driveway and a minimum of 220-feet from the signalized intersection for a right-in/right-out only driveway. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

**Successive Driveways:** District policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 25 MPH and daily traffic volumes less than 100 VTD to align or offset a minimum of 150-feet from any existing or proposed driveway.

**Driveway Width Policy:** District policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

c. **Applicant's Proposal:** The applicant is proposing to use the existing 28-foot wide curb cut type driveway onto Inspirado Drive located 240-feet west of Star Road as a driveway/private road.

- d. **Staff Comments/Recommendations:** The applicant's proposal to use the existing 28-foot wide curb cut type driveway onto Inspirado Drive located 240-feet west of Star Road as a driveway/private road meets District policy as it was previously approved as part of the plan approval for phase 1 of Starpointe Subdivision.

If the City of Star approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of all public streets and install pavement tapers with 15-foot curb radii abutting the existing roadway edge. If private roads are not approved by the City of Star, the applicant will be required to revise and resubmit the preliminary plat to provide public standard local streets in these locations.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

## 5. Tree Planters

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

## 6. Landscaping

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

## 7. Other Access

Star Road is classified as a minor arterial roadway and Inspirado Drive is classified as collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways and should be noted on the final plat.

## D. Site Specific Conditions of Approval

1. Dedicate additional right-of-way to total 50-feet from section line of Star Road abutting the southern portion of the site (shown in black on image on page 5).
2. Improve Star Road abutting the southern portion of the site (shown in black-image on page 5) with 17-feet of pavement from section line plus a 3-foot wide gravel shoulder and the construction of 5-foot wide detached concrete sidewalk located 43-feet from section line of Star Road and tie into the sidewalk as part of the Southpointe subdivision located north of the site.

3. Provide a road trust deposit to ACHD in the amount of \$1,216,200.00 for ¼ of the cost of the bridge widening on Star Road over the Phyllis Canal, as the parcel extends to the middle of the canal, prior to ACHD's signature on the first final plat.
4. Close the existing 25-foot wide unimproved driveway onto Star Road located 1,302-feet north of Chinden Boulevard with sidewalk and landscaping.
5. Use the existing 28-foot wide curb cut type driveway onto Inspirado Drive located 240-feet west of Star Road. Install street name and stop signs for the private road/drive aisle. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
6. Other than the access specifically approved with this application, direct lot access is prohibited to Star Road and Inspirado Drive and should be noted on the final plat.
7. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
8. Payment of impact fees is due prior to issuance of a building permit.
9. Comply with all Standard Conditions of Approval.

## **E. Standard Conditions of Approval**

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISWPC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.

11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

## **F. Conclusions of Law**

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

## **G. Attachments**

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

## VICINITY MAP

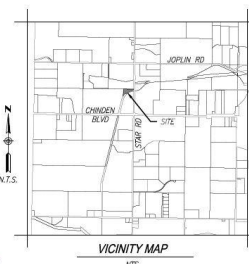




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A PORTION OF THE SE  $\frac{1}{4}$  OF SECTION 19,  
TOWNSHIP 4 NORTH, RANGE 1 WEST  
ADA COUNTY, IDAHO

DEVELOPER	CIVIL ENGINEER/LAND PLANNER	LAND SURVEYOR
<p>GHW HOLDINGS, LLC 1801 S. WELLS AVE #200 MARIETTA, GA 30064 PHONE: (770) 226-2021 CONTACT: RANDAL CLARNO EMAIL: RANDY@CRITERIONLAND.COM</p>	<p>KIMLEY-HORN AND ASSOCIATES, INC. 1100 W. IDAHO STREET SUITE 210 BOISE, IDAHO 83702 PHONE: (208) 366-3871 CONTACT: TELLER BARDE, PE EMAIL: TELLER.BARDE@KIMLEY-HORN.COM</p>	<p>LAND SOLUTIONS 231 E 5TH ST, SUITE A AMERICAN, ID 83404 PHONE: (208) 288-2040 CONTACT: CLINT HANSEN EMAIL: CHANSEN@LANDSOLUTIONS.BIZ</p>



EXISTING ZONING: RUT  
PROPOSED ZONING: R-4 (DA)  
GROSS ACREAGE: 3.08 AC  
NET ACREAGE: 3.01 AC  
NUMBER OF BUILDING LOTS: 12  
NUMBER OF COMMON LOTS: 2  
TOTAL NUMBER OF LOTS: 14  
MINIMUM LOT SIZE (SF): 2500 SF  
AVERAGE LOT SIZE: 2806 SF  
RESIDENTIAL GROSS DENSITY (DU/AC): 3.90 DU/AC

COMMON LOT AREA  
STARPOINTE NO. 1: 20,015 SF | 0.60 AC (57%)  
HUTTON: 52,176 SF | 1.20 AC (60%)  
TOTAL COMMON LOT AREA: 1.80 AC (58%)  
15% OPEN SPACE REQUIRED  
  
USABLE OPEN SPACE: 30,210 SF | 0.69 AC (23%)  
10% USABLE OPEN SPACE REQUIRED

	PROPOSED CENTERLINE
	SECTION LINE
	PROPOSED BOUNDARY
	ROAD RIGHT OF WAY
	LOT LINE
	EASEMENT
← SS ←	PROPOSED SWALE
← S' W ←	PROPOSED P SEWER
	PROPOSED P WATER
	STORM WATER INFRASTRUCTURE EASEMENT
	PROPOSED CURB
⊙	PROPOSED STORM DRAIN MANHOLE
■	PROPOSED CATCH BASIN
●	PROPOSED SEWER MANHOLE
●	PROPOSED FIRE HYDRANT
⌒	PROPOSED GATE VALVE
	SIDEWALK RAMP
SS SS	PROPOSED STORM DRAIN
W	EXISTING SEWER MAIN
EW	EXISTING WATER MAIN
EW	EXISTING EDGE OF PAVEMENT
X X	EXISTING EDGE OF GRAVEL ROAD
ORP	EXISTING FENCE
O	EXISTING OVERHEAD POWER
	EXISTING GAS LINE
	PROPOSED PAVEMENT
	PROPOSED OPEN SPACE
	PROPOSED SIDEWALK

GRAPHIC SCALE IN FEET

0      20      40      80

NORTH

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
01	PRELIMINARY PLAT
02	ENGINEERING PLAN

2. **CONTOUR AND SPOT ELEVATION DATA IS REFERENCE TO NAVD 83 DATUM.**

3. **ALL SITES PROPOSED IN THIS DEVELOPMENT ARE PRIVATE STRIPS.**

4. **EXISTING LOT AND LOTS ARE NOT TO BE DIVIDED OR SUBDIVIDED BY THE STAPORTONE SUBDIVISION HOMEOWNERS ASSOCIATION. THESE LOTS SHALL BE USED FOR HOMEOWNER PEDESTRIAN TRAVEL AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES.**

5. **STAPORTONE SUBDIVISION HOMEOWNERS ASSOCIATION SHALL MAINTAIN ACCESS TO AND FROM THE STAPORTONE WATER TREATMENT PLANT GENERATED ON THIS SITE SHALL HAVE QUALITY CONTROL TREATMENT FOR ALL WASTEWATER.**

6. **PUBLIC UTILITIES SHALL INCLUDE WATER, SEWER, ELECTRICAL, POWER, NATURAL GAS, TELEPHONE, AND CABLE.**

7. **THIS SUBDIVISION WILL RECEIVE PRESSURE IRRIGATION FROM A PRESSURE IRRIGATION SYSTEM OWNED BY THE STAPORTONE SUBDIVISION HOMEOWNERS ASSOCIATION.**

8. **DOMESTIC WATER SERVICE AND FIRE PROTECTION SHALL BE PROVIDED BY THE STAPORTONE SEWER AND WATER DEPARTMENT.**

9. **SANITARY SEWER COLLECTION SHALL BE PROVIDED BY THE STAPORTONE WATER AND SEWER DISTRICT.**

10. **THIS DEVELOPMENT SHALL BE USED FOR RESIDENTIAL PURPOSES AND NOT FOR UNRELATED AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A PART OF THIS DEVELOPMENT. THIS DEVELOPMENT SHALL NOT BE USED FOR ANY OTHER PURPOSES, AGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR. WHEN A PERSON OR PERSONS ARE ENGAGED IN ANY OTHER TYPE OF BUSINESS OR OPERATION OTHER THAN RESIDENTIAL, THIS DEVELOPMENT OF THIS SECTION SHALL NOT APPLY WHILE A NUISANCE RESULTS FROM THE IMPROPER OR UNLAWFUL USE OF THE DEVELOPMENT. THIS DEVELOPMENT SHALL NOT BE USED FOR ANY OTHER PURPOSES OTHER THAN RESIDENTIAL PURPOSES.**

11. **THIS DEVELOPMENT SHALL COMPLY WITH DNRH CODE SECTION 3-3005 OR ITS PROVISIONS THAT MAY APPLY TO IRRIGATION RIGHTS.**

12. **THIS DEVELOPMENT AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH CITY OF STAPORTONE CODES UNLESS OTHERWISE MODIFIED BY CONDITIONAL USE PERMIT.**

13. **THIS DEVELOPMENT SHALL BE IN COMPLIANCE WITH THE CITY OF STAPORTONE ORDINANCES ABOVE THE CITY OF STAPORTONE.**

14. **ANY RE-DEVELOPMENT OF THIS PLAT SHALL COMPLY WITH THE MOST RECENTLY ADOPTED SUBDIVISION MAP ACT.**

15. **ALL LOT LINES COMING TO PRIVATE STRIPS ARE HEREBY DESIGNATED TO HAVE A TEN (10) FOOT BUFFER ZONE TO THE ADJACENT LOT LINES.**

16. **THIS DEVELOPMENT SHALL BE CONSIDERED UNIMPROVED. EACH LOT WILL HAVE A PERMANENT EASEMENT FOR UTILITIES, IRRIGATION AND LOT DRAINAGE OVER THE FIVE (5) FEET ADJACENT TO ANY EXTERIOR LOT LINE OR OVER THE FIVE (5) FEET ADJACENT TO ANY EXTERIOR LOT LINE.**

17. **THE BOUNDARY MAPMENT OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN INSTRUMENT.**

18. **THE IRRIGATION OF ANY IRRIGATION AND DRAINAGE PIPES OR DITCHES CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSIGNED BY AN INSTRUMENT.**

19. **RESTRICTIVE COVENANTS WILL BE IN EFFECT FOR THE SUBDIVISION.**

20. **THIS SHEET SHALL BE THE ONLY COPY OF THE SUBDIVISION MAP.**



# Ada County Utility Coordinating Council

## Developer/Local Improvement District Right of Way Improvements Guideline Request

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

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

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

# Development Process Checklist

## Items Completed to Date:

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

## Items to be completed by Applicant:

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

### DID YOU REMEMBER:

#### *Construction (Non-Subdivisions)*

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

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

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

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

#### *Construction (Subdivisions)*

##### ☐ **Sediment & Erosion Submittal**

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

##### ☐ **Idaho Power Company**

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

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

## Request for Appeal of Staff Decision

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



1445 N. Orchard St.  
Boise ID 83706 • (208) 373-0550



Brad Little, Governor  
Jess Byrne, Director

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July 19, 2023

Shawn L. Nickel  
Planning Director and Zoning Administrator  
Star City Hall  
P.O. Box 130  
Star, Idaho 83669  
[snickel@staridaho.org](mailto:snickel@staridaho.org)

Subject: Starpointe Subdivision Phase Two Annexation & Preliminary Plat

Dear Mr. Nickel:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review projects on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at:

<https://www.deq.idaho.gov/public-information/assistance-and-resources/outreach-and-education/>.

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

**1. AIR QUALITY**

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

**2. WASTEWATER AND RECYCLED WATER**

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.

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

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

### **3. DRINKING WATER**

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of ground water resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

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

#### 4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Construction General Permit from DEQ may be required if this project will disturb one or more acres of land, or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land.
- For questions, contact James Craft, IPDES Compliance Supervisor, at (208) 373-0144.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:  
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

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

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

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

## 6. ADDITIONAL NOTES

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

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

Sincerely,



Aaron Scheff  
Regional Administrator

c:

2021AEK





# ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300  
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900  
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

July 31, 2023

Shawn Nickel  
City of Star Planning & Zoning  
10769 W State St  
Star, ID 83669

RE: AZ-23-03 / 6777 and 6825 N Star Road / Starpointe Subdivision Phase 2

Shawn,

The City of Star has requested feedback regarding the proposed annexation for 2.01 acres that will be included in the Starpointe Subdivision Phase 2, which is proposed to contain 12 residential lots on 3.08 acres, generally located north of Chinden Boulevard and west of Star Road. Ada County supports the application due to the proximity of the site to existing public services. *Goal 2.2: Direct urban development to incorporated cities, ACIs, and Planned Communities where investments in urban services have already been made or are planned and programmed in a CIP or work program.*

Regarding land use, the Comprehensive Plan currently adopted by Ada County for the Star Area of City Impact designates the site as *Multiple Use 1*, which is intended for residential, limited office and commercial uses. However, the City of Star has since adopted an updated Comprehensive Plan, more specifically the South of the River Sub-Area Plan, which designates the site as *Mixed-Use (limited office, commercial, light industrial, and/or residential)*, which is supported by *Implementation Policy 15.5.H: Support the development of mixed-use and high-density housing within and adjacent to the Riverfront Center and in support of commercial development in the Center.*

The proposed future development of 12 residential lots is further supported by the following City of Star Comprehensive Plan Objective and Implementation Policy:

- *Objective 7.4.H: Develop a mixture of commercial, service, and residential developments that encourage walking.*
- *Goal 15.3: Encourage diverse developments that provide a mix of housing types and products and, where possible, an assortment of amenities within walking distance of residential development.*

Thank you for this opportunity to provide feedback. Ada County looks forward to working with the City of Star in the renegotiation and adoption of the city's updated Comprehensive Plan.

Please feel free to contact me with any questions.

Sincerely,

*Stacey Yarrington*

Stacey Yarrington  
Community & Regional Planner  
Ada County Development Services