

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
**THE QUARRY AT RIVER PARK SUBDIVISION**  
**FILE NO. PP-24-05/PR-24-04**

The above-entitled Preliminary Plat and Private Street land use application came before the Star City Council for their action on May 6, 2025, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

**Procedural History:**

*A. Project Summary:*

The Applicant is requesting approval of a Preliminary Plat and Private Street for a proposed residential subdivision consisting of 228 residential lots, 19 common and 3 commercial lots. The property is located at 21339 Blessinger Road in Star, Idaho, and consists of 186.15 acres with a proposed density of 1.23 dwelling units per acre. The subject property is generally located on the south side of State Highway 44 between Trigger Ranch Lane and Blessinger Road. Canyon County Parcel No. R3404900000

*B. Application Submittal:*

A neighborhood meeting was held on April 18, 2024, in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on June 21, 2024.

*C. Notice of Public Hearing:*

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on April 19, 2025. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on April 21, 2025. Notice was sent to agencies having jurisdiction in the City of Star on July 24, 2024. The property was posted in accordance with the Star Unified Development Code on April 24, 2025.

*D. History of Previous Actions:*

October 4, 2022	Council approved applications for Annexation and Zoning (AZ-22-12), and Development Agreement (DA-22-13) for Quarry at River Park consisting of 185.93 acres. Property was zoned residential (R-2-DA) and commercial (C-1-DA).
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E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	<b>Zoning Designation</b>	<b>Comp Plan Designation</b>	<b>Land Use</b>
<b>Existing</b>	Residential (R-2-DA) Commercial (C-1-DA)	Estate Urban Residential Commercial/Industrial Corridor	Agricultural/Single Family Residential
<b>Proposed</b>	Residential (R-2-DA) Commercial (C-1-DA)	Estate Urban Residential Commercial/Industrial Corridor	Single Family Residential Commercial
<b>North of site</b>	AG (Canyon County)	Estate Urban Residential	Single Family Residential
<b>South of site</b>	AG (Canyon County)	Estate Urban Residential/Flood Way	Single Family Residential/Boise River
<b>East of site</b>	Residential (R-2-DA)	Estate Urban Residential	Approved River Park Subdivision
<b>West of site</b>	RR (Canyon County)	Rural Residential w/Special Transition Overlay/Commercial/Industrial Corridor	Leighton Lakes Subdivision (Canyon County)

F. *Development Features.*

**PRELIMINARY PLAT:**

The applicant is requesting approval of the Preliminary Plat for The Quarry at River Park Subdivision on 185.92 acres. The plat includes a total of 227 single family detached residential lots, 19 common/open space lots and 3 commercial lots (C-1 zoned lots). The residential lots range in size from 7,659 square feet to 66,804 square feet with an average buildable lot of 13,480 square feet.

Sewer and Water will be provided by the Star Sewer and Water District and is in close proximity to the property. The property has already been annexed into the Star Sewer and Water District.

The preliminary plat will be accessed primarily from State Highway 44 on the north and Blessinger Road on the east. Landruff Lane will provide east and west access as a collector road. A new road into the community from State Highway 44 will also serve as a collector road and run south from Highway 44. This will be a public road with future plans to connect to the east and west.

As per Highway District 4 policy, all sidewalks are located outside of the right of way, which will put ownership and maintenance on the HOA. It is also the policy of HD4 to have all street drainage above ground.

The amenities being provided with this preliminary plat include two large lakes and two smaller ponds. There will be a sandy beach with shade cabanas along the northeastern portion of the largest lake. The northern lake will have a fishing dock, and the southern lake will have a boat ramp. Both canals will have walking paths along them and additional pedestrian pathways will connect the development together. There is room for a future community center at the southern lake. The preliminary plat total open space equates to 88.76 acres or 47%. The preliminary plat qualified open space area is 84 acres or 45%.

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

- 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 plan and design with the application packet. The proposed plan and design satisfy City code.
- Street Names – Applicant will work with City Staff and Canyon County on the approval of the street names. This will be required at final plat.
- Subdivision Name – Applicant has provided approval from Canyon County for the proposed subdivision name.
- 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 appears to satisfy these requirements. If street trees are to be placed by the builder, Certificate of Occupancy may be withheld until trees are verified in place per code.
- Setbacks – The applicant is not requesting any set back waivers, and the proposed preliminary plat will adhere to the R-3 setbacks outlined in this report.
- Block lengths – Not all blocks meet the 750' block length requirement and will require a waiver from the Council.
- Mailbox Cluster – Applicant is working with the appropriate Postmaster to obtain approval on the location of mailbox clusters. This will be required at final plat. Mailbox clusters shall be covered and provided with lighting.
- Phasing – The Applicant is proposing multiple phases until full build out. They are asking for flexibility on the phasing due to market conditions. The initial proposal is fully build out after approximately 23 phases.

- Fencing – Neighbors adjacent to the development to the west have requested specific fencing and buffering from the applicant. This should be discussed at Council, or the applicant should agree to these requests in advance of the public hearing. A condition of approval will be placed on the applicant to provide a fencing plan for boundary and internal fencing types and locations.
- Building Elevations – The applicant has provided residential building elevations that have been included in the Council Packet.

- Sidewalks

Internal sidewalks are proposed at five-foot (5') widths and will be detached throughout the majority of the subdivision, with an eight (8') foot landscape strip. Due to some physical constraints, the Applicant is asking for some attached sidewalks and some streets with sidewalks on one side of the street only. The illustration above shows the proposed sidewalk plan.



- Mitigation fees – All future building permits shall be subject to emergency service mitigation fees, as determined by Council.
- Future Home Elevations/Building Permits – The applicant shall meet all future residential building standards associated with Section 8-3B-3J of the UDC. The Applicant has

provided elevations that appear to comply with the 3 visual elements required on the front of the home.

#### **PRIVATE STREETS:**

- Public Collector – Staff is requesting that the Applicant create a public collector that will come south, off State Highway 44 and then east, through the commercial portion of the development and terminate at the easter property line. When the parcel to the east develops, the public collector will be continued. This will provide public cross-access and circulation east-west and to Blessinger Road. HD#4 will need to accept this request.



- Landruff Lane (Public Collector) – The proposed Landruff Lane collector roadway stubs to the west to provide future connectivity. It is undetermined at this time whether that roadway will ever be extended unless the Kingsbury Road river crossing becomes reality. Because of this, Staff, and some of the neighboring property owners to the west, are concerned that this stub will turn into a parking area that could entice trespassers onto private property and the private lakes. Staff would recommend that the right of way be granted, but the stub not be built and that the applicant should landscape it until the status of the connection is determined. HD#4 will need to accept this request.



- Private Streets – The streets in the development, except for the public collector roadway (Landruff) and the recommended commercial collector, are proposed to be private. Council originally approved private streets as part of the annexation and original Development Agreement. The Applicant is proposing to build all streets, with the exception of one, at 36 feet from back of curb to back of curb with 5-foot detached sidewalks and 8-foot landscape strips.

The exception, that is serving a total of 7 homes along the western edge of the northern pond is requested by the applicant to be built at 27 feet from back of curb to back of curb with a 5-foot attached sidewalk. This is due to the physical constraints of the property with the pond taking up most of the buildable land. The narrower street will allow deeper lots to accommodate single story homes on each of these 7 lots. Parking would be allowed on one side of the street only. Staff is supportive of this proposal.

Since the allowance of private streets in the River Park Subdivision to the east and the Council approval of private streets in the Development Agreement for the annexation of the subject property, concerns have been raised by City Staff regarding private streets in higher density developments. These concerns mostly revolve around police enforcement of traffic laws, including speeding, driving under the influence and illegal parking. With private streets, the police department has no jurisdiction to enforce these laws. The higher the residential density, the greater chance of violation within these subdivisions, and a higher expectation from residents who assume that the police will take care of these violations. This leaves enforcement strictly in the hands of the homeowners associations. If Council approves the private streets in this application, Staff recommends

that these roadways, along with the private streets in the River Park Subdivision, ultimately be dedicated to the public once the subdivisions are built out.

#### COMMERCIAL USES:

Council approved an RV Park as an allowed use for the commercial lots as part of the original Development Agreement. Staff recommends that Council review additional uses as part of this current application. The C-1 zoned commercial lots should be limited to uses compatible with the adjacent residential uses. Staff is recommending that the Council consider the following uses for the future commercial.

- Allowed uses outright\* (principally permitted & conditional use) within the C-1 zoned properties: *Campground/RV Park (Approved Per DA)*; Artist Studio; Barbershop/Styling Salon; Financial Institutions w/out drive-through; Healthcare and Social Services; Library; Medical Clinic; Personal and Professional Services; Pharmacy; Photographic Studio; Professional Offices. Other principally permitted uses in C-1 unless otherwise listed herein.

\* Subject to CZC and Design Review Approval

- Uses Allowed only as Conditional Uses within the C-1 zoned properties: Animal Care Facility; Drive-through establishment /drive-up service window; Building Material, Garden Equipment and Supplies; Civic, Social or Fraternal Organizations; Educational Institution, Flex Space; Government Office; Laundromat; Laundry and Dry Cleaning; Portable Classroom/Modular Building; Nursery, Garden Center and Farm Supply; Nursing or Residential Care Facility; Restaurant; Retirement Home; Warehouse and Storage; Shooting range (indoor/outdoor); Shopping or Commercial center; Storage facility, outdoor (commercial); Storage facility, self-service (commercial)
- Prohibited Uses in this Development other than already approved through PUD (not already listed as prohibited in the Code): Automotive Mechanical/Electrical Repair and Maintenance; Bar/Tavern/Lounge/ Drinking Establishment; Brewpub/Wine Tasting; Convenience Store; Conference/Convention Center; Equipment rental, sales, and services; Events/Entertainment Facility, public or private (indoor/outdoor); Golf Course/Driving Range; Hospital (for profit); Hotel/motel; Mortuary; Pawnshop; Public; Farmers or Saturday Market; Fireworks Stand; Hospital (non-profit); Gasoline, Fueling & Charging Station with or without Convenience Store; Laboratory; Laboratory, Fabrication shop; Food products processing; Greenhouse commercial; Vehicle repair, major; Vehicle repair, minor; Vehicle sales or rental and service; Vehicle washing facility; Medical; Multi-family residential; Multiple Use Building; Office Security Facility; Parking Lot/Parking Garage-Commercial; Public Infrastructure; Public Utility major, minor and yard; Recreational vehicle dump station; Recycling center; Research Activities; Swimming Pool, Commercial/Public; Wireless Communication Facility;

## DEVELOPMENT AGREEMENT:

Council approved a Development Agreement for The Quarry as part of the annexation in 2022. The applicant has not submitted a Development Agreement Modification as part of this application. Given the additional, proposed conditions of approval and potential conditions Council may impose on this development, Staff recommends that the existing Development Agreement be updated. Items that should be considered by the applicant and Council include the following:

- Private Streets
- Approved Commercial Uses
- Fencing and Buffering
- Collector Roads
- Residential Building Elevations
- Compliance With Weed Abatement Code
- Future Emergency Mitigation Fees
- Future Residential Building Elevations
- Maintenance of Residential Sidewalks

### H. *On-Site Features:*

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

### I. *Agencies Responding:*

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

ITD	May 16, 2025
Highway District #4	March 5, 2025
Flood Control District # 10	July 29, 2024



DEQ  
Star City Engineer

August 5, 2024  
April 25, 2025

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

Trace Leighton                      April 29, 2025  
Leighton Lake Estates HOA      April 30, 2025

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

**Comprehensive Plan:**

8.2.3 Land Use Map Designations:

*Estate Urban Residential*

Suitable primarily for single family residential use. Densities in this land use area are a maximum of 3 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 greater than one acre where those existing larger lots are not likely to be subdivided in the future. Clustering is allowed to preserve open space.

*Commercial*

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan.

*Commercial/Industrial Corridor*

This area is located along the Hwy 44 corridor and is approximately 1,000 feet deep on both sides of the highway. Suitable primarily for the development of a wide range of commercial and light industrial activities including offices, retail, service establishments, manufacturing, warehousing, mini-storage and open storage, multi-tenant industrial park, and similar uses. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. All development within this land use shall be free of hazardous or objectionable elements such as excessive noise, odor, dust, smoke, or glare. Uses on the fringes shall transition to and be compatible

with existing and future residential uses.

### 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 Estate and Neighborhood Residential Land Use is to encourage urban style development densities to limit urban sprawl.
- B. Low densities within the Estate and 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.
- C. Site layout adjacent to and within the Special Transition Overlay Area shall provide for a transition in density and lot sizing.
- D. High Density residential uses should be located in close proximity to commercial centers located near highway corridors and on upper floors within the Central Business District land use area. High Density residential uses otherwise should not be dispersed throughout the community and should not be located along the Boise River.
- E. High Density residential may be limited to ensure compatibility and transition between uses adjacent to the site.
- F. High Density residential design specifications may include increased setbacks for multi-story buildings and increased landscape buffers.

#### 8.5.4 Policies Related to the Special Transition Overlay Areas:

- A. Development adjacent to and within the Special Transition Overlay

Area is to provide for an appropriate transition between existing and new home sites where new urban development is being planned adjacent to previously approved and constructed rural county developments of years past.

B. Site layout is to provide for a transition in density and lot sizing with all policies regarding compatibility herein applying.

C. Modified street sections, such as with no curbs gutters or sidewalks, should be encouraged for adjacent compatibility where determined appropriate.

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

E. Larger setbacks should be required for new lots planned to abut existing Special Transition Overlay Area lots.

#### 8.5.6 Policies Related Mostly to the Commercial Planning Areas

A. Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.

B. Encourage commercial facilities to locate on transportation corridors.

C. Locate neighborhood services within walking distance to residential development.

D. Discourage the development of strip commercial areas.

E. Maintain and develop convenient access and opportunities for shopping and employment activities.

F. Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.

G. Allow for some light industrial uses within the Commercial areas at the sole discretion of the City Council.

#### 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.

#### **Unified Development Code:**

##### **8-1E-1: TERMS DEFINED:**

COMMERCIAL USE: An occupancy of a building, structure or other property which involves any retail sale, wholesale distribution, office, entertainment service, recreational area, restaurant, room for rent, manufacturing, hybrid production facility or other nonresidential use. However, this definition shall not include home occupations, churches, public schools, hospitals, public civic centers or public recreation facilities, or other facilities owned by, or operated strictly for the benefit of the public.

##### **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.

(C-1) NEIGHBORHOOD COMMERCIAL DISTRICT: To provide for the establishment of convenience business uses which tend to meet the daily needs of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

### **8-3A-3: USES WITHIN ZONING DISTRICTS**

The following table lists principal permitted (P), accessory uses (A), conditional (C), or prohibited (N) uses.

<b>ZONING DISTRICT USES</b>	<b>R</b>	<b>C-1</b>
Dwelling:		
Multi-Family	C	N
Secondary	A	N
Single Family Attached	P	N
Single Family Detached	P	N
Two-Family Duplex	P	N
Live/Work Multi-Use	N	N

<b><u>ZONING DISTRICT USES</u></b>	<b>C-1</b>		<b>C-1</b>
Accessory structure - Residential or Commercial	A	Concrete batch plant 1	N
Adult business/adult entertainment	N	Conference/convention center	P
Agriculture, forestry, fishing	N	Contractor's yard or shop 1	N
Airport	N	Convenience store	C
Animal care facility 1	P	Dairy farm	N
Artist studio1	P	Drive-through establishment/drive-up service window 1	C
Arts, entertainment, recreation facility1	C	Dwelling:	
Asphalt plant 1	N	Multi-family 1	N
Auction facility	N	Secondary 1	N
Automated Teller Machine (ATM) 1	A	Single-family attached	N
Automotive hobby 1	N	Single-family detached	N
Automotive mechanical/electrical repair and maintenance	C	Two-family duplex <sup>1</sup>	N
Bakery- Retail or Manufacturing	P	Live/Work Multi-Use 1	N
Bar/tavern/lounge/drinking establishment	C	Educational institution, private	C
Barbershop/styling salon	P	Educational institution, public	C
Bed and breakfast	P	Equipment rental, sales, and services	C
Beverage bottling plant	N	Events/Entertainment Facility, public or private (indoor/outdoor) 1	C
Boarding house	N	Fabrication shop	N
Brewery/Distillery	C	Farm	N
Brewpub/Wine Tasting	C	Farmers' or Saturday market	C
Building material, garden equipment and supplies	C	Feedlot	N
Campground/RV park 1	N	Financial institution	P

	<b>C-1</b>		<b>C-1</b>
Caretaker Unit 1	A	Flammable substance storage	N
Cement or clay products manufacturing	N	Flex Space	C
Cemetery 1	N	Food products processing	C
Chemical manufacturing plant 1	N	Fracking	N
Child Care center (more than 12) 1	C	Gasoline, Fueling & Charging station with or without convenience store 1	C
Child Care family (6 or fewer) 1	A	Golf course/Driving Range	C
Child Care group (7-12) 1	C	Government office	P
Child Care-Preschool/Early Learning1	C	Greenhouse, private	N
Church or place of religious worship1	C	Greenhouse, commercial	C
Civic, social or fraternal organizations	P	Guesthouse/granny flat	N
Healthcare and social services	P	Power plant	N
Heliport	N	Processing plant	N
Home occupation 1	N	Professional offices	P
Hospital	C	Public infrastructure; Public utility major, minor and yard 1	C
Hotel/motel	C	Public Utility Yard	C
Ice manufacturing plant	N	Recreational vehicle dump station	C
Institution	C	Recycling center	C
Junkyard	N	Research activities	P
Kennel	N	Restaurant	C
Laboratory	P	Retail store/retail services	C
Laboratory, medical	P	Retirement home	C
Laundromat	P	Riding Arena or Stable, Private/ Commercial	N

	<b>C-1</b>		<b>C-1</b>
Laundry and dry cleaning	P	Salvage yard	N
Library	P	Sand and gravel yard	N
Manufactured home 1	N	Service building	P
Manufactured home park 1	N	Shooting range (Indoor/Outdoor)	C/N
Manufacturing plant	N	Shopping or Commercial center	C
Meatpacking plant	N	Short Term Rentals 1	N
Medical clinic	P	Solid waste transfer station	N
Mining, Pit or Quarry (excluding accessory pit) 1	N	Storage facility, outdoor (commercial)1	C
Mining, Pit or Quarry (for accessory pit) 1	A	Storage facility, self-service (commercial)1	C
Mortuary	C	Swimming pool, commercial/public	P
Multiple Use Building 1	C	Television station	N
Museum	P	Temporary living quarters 1	N
Nursery, garden center and farm supply	P	Terminal, freight or truck 1	N
Nursing or residential care facility 1	P	Truck stop	N
Office security facility	P	Turf farm	N
Parking lot/parking garage (commercial)	C	Vehicle emission testing 1	P
Parks, public and private	P	Vehicle impound yard 1	N
Pawnshop	P	Vehicle repair, major 1	C
Personal and professional services	P	Vehicle repair, minor 1	C
Pharmacy	P	Vehicle sales or rental and service 1	C
Photographic studio	P	Vehicle washing facility 1	C
Portable classroom/modular building (for private & public Educational Institutions) <sup>1</sup>	P		



	<b>C-1</b>		
Vehicle wrecking, junk or salvage yard <sup>1</sup>	N		
Veterinarian office	P		
Vineyard	N		
Warehouse and storage	N		
Wholesale sales	P		
Winery	N		
Wireless communication facility 1	C		
Woodworking shop	N		

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
R-3	35'	15' to living area/side load garage  20' to garage face	15'	<u>7.5'</u> <sup>(2)</sup>	20'
C-1	35'	20'	5'	0' <sup>4</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 overhanging onto the sidewalk.
2. Zero-Lot-Line, reduced street side yard setbacks and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless approved by Council as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, LI, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone. A waiver may be requested if the adjacent property has the

- potential to redevelop as a non-residential use in the future.
4. As approved by the Fire District.
  5. 35' height requirement unless a height exception is approved by Council through the Conditional Use Permit or Planned Unit Development Process.

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

- I. Transitional Lots. For proposed residential developments located adjacent to a Special Transition Area only, as determined on the current Comprehensive Plan Land Use Map, transitional standards listed below shall be required if reasonable evidence is presented that adjacent properties will not be further subdivided in the future. This shall be through a legal encumbrance that prevents the adjacent land from being further subdivided. These encumbrances shall include:
  1. Property with a Future Comprehensive Plan Land Use Map designation that does not allow future redevelopment to densities lower than one dwelling unit per acre.
  2. Subdivision CC&R's preventing further redevelopment;
  3. Easements granted to municipal or other political entities, voluntary development easements granted to conservation land trusts, or other, legal encumbrances conserving the property in perpetuity, such as deed restrictions.

This specifically excludes statements from landowners regarding future intent without proof of legal encumbrance.

The allowed Transitional Density for new development adjacent to Special Transition Areas, shall be as follows:

Existing Transitional Lot Sizes	Allowed Immediately Adjacent Minimum Lot Size	Allowed Immediately Across the Road from Transitional Lot
Lots larger than 1.1-acre	1 acre lots	½ acre lots
Lots of 1 to 1.1-acre	½ acre lots	1/3 acre lots
Lots smaller than 1-acre	1/3 acre lots	R-3 density Maximum

- J. Additional residential standards applying to all new residential subdivisions:

1. Residential Elevations:
  - i. Building elevations for all residential uses shall be submitted with any development application and will be included as part of any preliminary plat, development agreement and/or any other condition of approval.
  - ii. Single-Family Residential Building Front and Side Elevation Minimum

Standards. These standards shall be reviewed for compliance with all submitted residential building permits under the Building Zoning Certificate process. Council may adopt these standards as part of a development agreement or preliminary plat approval. The following minimum standards shall be applied to all new residential structure elements in all zones:

1. Exterior finishes shall be primarily horizontal/vertical wood or wood product siding, brick, stucco, stone, or other decorative masonry product. A minimum of three (3) architectural elements shall be provided for all single-family residential structures. These elements shall include, but are not limited to, shingled, horizontal or vertical siding, stone or brick highlights, garage door windows or hardware, colored window frames, or other architectural treatments deemed appropriate by the administrator.

**8-3B-3 - FIGURE EXTERIOR ARCHITECTURAL ELEMENTS:**



2. Two-story detached structures should provide a minimum of one, second story side window per side elevation, when appropriate.
3. A minimum one (1) foot overhang shall be provided on all roof overhangs. Administrator may approve deviation from this standard.
4. Dwellings backing up to collector or arterial streets shall have rear elevations and/or architectural designs that provide depth and

dimension, avoiding the flat-wall appearance. These elements must be functional and may not be minimized or created solely for the purpose of compliance with this provision.

5. Additional landscaping buffers may also be required.
2. Dwelling Unit Design. Building styles shall be spread throughout the entire development (including all contiguously owned and phased properties). Nowhere within the development shall any fewer than 5 different exterior elevation styles and/or floorplans be located adjacent to each other. The number of different dwelling styles within a development shall be as follows:
  - a. 1 to 50 units = minimum of 5 architectural styles and/or floorplans
  - b. 51 to 100 units = minimum of 7 architectural styles and/or floorplans
  - c. 101 and over units = minimum of 10 architectural styles and/or floorplans
3. Homeowners Associations. All subdivisions shall be maintained by a Homeowners association with appropriate Conditions, Covenants and Restrictions (CC&R's). CC&R's are not enforceable by the City and are private contracts between the developer and the property owner.
4. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new residential development unless specifically approved by Council and the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

#### **8-4A-21: MAILBOXES:**

All mailbox clusters shall be approved by the postmaster prior to installation. All clusters shall be covered with an architecturally designed cover, to be approved by the Administrator prior to final plat signature. All covers shall be provided with lighting and shall be stained/painted and kept in good condition at all times. The administrator may issue a letter of violation to the HOA when any mailbox cluster or cover falls into disrepair. Maintenance shall be included in the CC&R's. A turnout shall be installed adjacent to the mailbox cluster to provide community access, if approved by the transportation authority and postmaster. The design shall be included as part of the preliminary plat submittal.



### **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: Private gates or other obstacles shall not be allowed, unless approved by Council and the Fire District.

#### **B. Construction Standards:**

1. Obtain approval from the county street naming committee and/or City 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 and Construction: The private street may be constructed within an easement for low density developments of R-1 or less with a Fire District approved base and width of no less than 28'. All other residential developments shall be constructed within a common lot and shall have a 36' street width, and shall meet ACHD/CHD4 construction standards, unless otherwise determined by the Council and Star Fire District.
5. Sidewalks: A minimum five foot (5') detached sidewalk shall be provided on at least

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 in some lower density developments may request a modification or waiver of sidewalks to be approved by Council. All other residential developments shall have a minimum 5' detached sidewalks on both sides of the street and shall further meet the requirements of 8-4A-17 of this title.

6. All private streets shall be paved unless a waiver is obtained by Council. Waivers for paving shall only be considered in low density developments of R-1 or less. Any unpaved streets shall be required to meet all Highway District standards for paving the approaches onto public streets.

7. 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.

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

C. The applicant or owner shall establish an on-going maintenance fund through the Owner's association with annual maintenance dues to ensure that funds are available for future repair and maintenance of all private streets. This shall be a requirement in a development agreement and/or as part of a planned unit development. A reserve account condition shall be included in the recorded CC&R's and shall be provided to the City for review. The condition of approval shall include the following:

1. Private Street Reserve Study Requirements.

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

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

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

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

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

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

A. Open Space and Site Amenity Requirement (see also Chapter 8 "Architectural Review"):

- 1. The total land area of all common open space shall equal or exceed fifteen percent (15%) of the total gross acreage of land area of the development. A minimum of 10% of the total gross acreage of the development shall be for useable area open space. Open space shall be designated as a total of 15% minimum for residential developments in all zones with densities of R-2 or greater.
- 2. Each development is required to have at least one site amenity.
- 3. One additional site amenity shall be required for each additional twenty (20) acres of development area, plus one additional amenity per 75 residential units.
- 4. Developments with a density of 1 dwelling unit per acre or less may request a waiver of open space and amenities to the Council. Developments with a density of 2 dwelling units per acre or less may request a 50% reduction in total required open space and amenities to the Council.
- 5. For multi-family developments, see Section 8-5-20 for additional standards.

B. Qualified Usable Area Open Space: The following qualifies to meet the usable area open space requirements:

1. Any open space that is active or passive in its intended use, and accessible or visible by all residents of the development, including, but not limited to:
  - a. Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
  - b. Qualified natural areas, as determined by the Administrator;
  - c. Ponds or water features where active fishing, paddle boarding, or other activities are provided (50% qualifies towards total required usable area open space, must be accessible by all residents to qualify. Ponds must be aerated. All ponds shall be provided with safety floatation devices (rings) located at reasonable distances, as determined by the administrator;
  - d. A plaza.
  - e. Common lots that include a pathway providing local or regional connectivity that is a minimum of 20' in width.
  - f. Irrigation easements/ditches when a pathway is included (to be measured from the center of the ditch to the property line of the common lot).
2. Additions to a public park or other public open space area.
3. The buffer area along collector and arterial streets may be included in required overall common open space for residential subdivisions.
4. Parkways along local residential streets with detached sidewalks that meet all the following standards may count toward the common open space requirement:
  - a. The parkway is a minimum of eight feet (8') in width from street curb to edge of sidewalk and includes street trees as specified otherwise herein.
  - b. Except for alley accessed dwelling units, the area for curb cuts to each residential lot or common driveway shall be excluded from the open space calculation. For purposes of this calculation, the curb cut area shall be a minimum area of twenty-six feet (26') by the width of the parkway.
  - c. Stormwater detention facilities do not qualify to meet the common area open space requirements, unless all of the following is met:
    1. Must be at least fifty feet by one hundred feet (50' x 100') in area;



2. Specifically designed as a dual use facility, as determined by the administrator, to include minimal slopes, grass throughout, and guarantee of water percolation within 24 hours of storm event.
3. Is located in a development that has a second usable open space area that contains a qualified site amenity as herein defined.

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

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

1. Clubhouse;
2. Fitness facilities, indoors or outdoors;
3. Public art;
4. Picnic area; or
5. Recreation amenities:
  - a. Swimming pool with an enlarged deck and changing and restroom facility (pools shall count towards 3 required site amenities).
  - b. Children's play structures.
  - c. Sports courts.
  - d. Additional open space in excess of 10% qualified 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;

h. Pond and/or waterway amenities including, but not limited to docks, shade structures, ADA access, and fish stocking.

6. Community Gardens.

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

E. Maintenance:

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

### **8-6A-3: PRELIMINARY PLAT PROCESS**

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

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

C. Application Requirements: A complete subdivision application form and preliminary plat data as required in this title, together with fees shall be submitted to the administrator. At the discretion of the administrator or city engineer, appropriate supplementary information may also be required to sufficiently detail the proposed development within any special development area, including, but not limited to, hillside, planned unit development, floodplain, cemetery, manufactured home parks, and/or hazardous or unique areas of development. Any unresolved access or traffic generation issues related to ACHD or ITD regulated roadways shall be resolved by the applicant prior to acceptance of any application. A letter from the appropriate transportation agency or servient property owner shall be submitted with the application.

D. Required Information and Data: The contents of the preliminary plat and related information shall be in such a form as stipulated by the City Council, however, additional maps or data deemed necessary by the administrator may also be required. The applicant shall submit to the administrator the following:

1. Two (2) copies of the preliminary plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated. Each copy of the preliminary plat shall be submitted on good quality paper, be professionally drafted, shall have the dimensions of not less than twenty-four inches by thirty-six inches (24" x 36"), and shall be drawn to a scale of not less than one inch to one hundred feet (1"=100') and contain a drafting date and north arrow.
2. For hillside developments, one (1) bound copy of the preliminary engineering plans (not meant to be cross sections or detailed designs) showing streets, water, sewers, sidewalks, and other required public improvements, together with preliminary site grading, drainage and irrigation plans of the proposed subdivision. Such engineering plans shall contain sufficient information and detail to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances and standards.
3. Two (2) copies of a landscape plan showing all open space, common areas, amenities, street trees and development signage;
4. Additional information on the preliminary plat and separately submitted information to include the following:
  - a. The name of the proposed subdivision, as approved in advance by the Ada County Engineering office;
  - b. The name, address, telephone and email of the applicant, developer, engineer and surveyor or drafter who prepared the preliminary plat;
  - c. The names and addresses of all adjoining property owners and recorded plats within three hundred feet (300') of the external boundaries of the land being considered for subdivision.
  - d. The land use and existing and proposed zoning of the proposed subdivision and the adjacent land;
  - e. Streets, street names, rights of ways and roadway widths, including adjoining streets or roadways;
  - f. Lot lines and blocks showing the dimensions and numbers of each, together with area of each lot in acres and square feet;
  - g. Contour lines, shown at five-foot (5') intervals where the land slope is greater than ten percent (10%) and at two-foot (2') intervals where land slope is ten percent (10%) or less, referenced to an established benchmark, including location and elevation;
  - h. Any proposed or existing utilities, including, but not limited to, power poles, storm and sanitary sewers, irrigation laterals, ditches, bridges, culverts, water mains and fire hydrants;
  - i. Any flood zone information including FEMA FIRM panels;
  - j. The legal description of the boundary of the property being subdivided with the seal of the surveyor of record;

- k. Phasing plan showing all proposed phases of the development;
  - l. Preliminary irrigation analysis showing availability of water rights and distribution of irrigation to the lots within the proposed subdivision, or waiver request;
  - m. One (1) copy of a site report of the highest seasonal groundwater elevation prepared by a licensed engineer;
  - n. narrative, signed by the applicant, fully describing the proposed subdivision, including such information as number and type of uses on the lots (residential single, two or multi-family, commercial, etc.), common lots and the proposed uses of those lots (open space, parks, playgrounds, landscaping, or other uses) and any other information deemed necessary to explain the intent of the development including how it relates to other concurrently submitted applications (annexations, rezones, PUD's, CUP's, etc.).
  - o. Neighborhood meeting information including sign-in sheet, copy of meeting letter, copy of mailing labels, and detailed summary of neighbor questions and concerns and how the development has been designed to address those concerns;
  - p. A vicinity map showing the relationship of the proposed plat to the surrounding area (1/2-mile radius);
  - q. Deeds, affidavit of legal interest, address labels, postal service location approval, ACHD traffic study review status, electronic copies, or any other required information deemed necessary by the administrator to allow for proper review of the application;
  - r. A conceptual site plan shall be submitted for any non-residential developments showing building locations, parking and loading areas, traffic access drives and traffic circulation and trash enclosure locations;
  - s. Any additional required information for special area of developments including, but not limited to hillsides, wetlands or as further specified in this Title.
5. Additional information in the application as determined by the administrator may include the following:
- a. Building elevations, including multi-family uses, non-residential uses, clubhouses, well houses, or other elevations deemed necessary to assist the Council in their decision regarding a development;
  - b. Colored site plan and renderings of a subdivision detailing residential lot locations, open space and common areas, buffers, roadways, waterways and irrigation ditches, fencing, signs and landscaping.

E. Acceptance: Upon receipt of the preliminary plat, and compliance with all other requirements as provided for herein, the administrator shall certify the application as complete and shall affix the date of acceptance.

- c. F. Decision: A decision on a preliminary plat for a parcel of land is made by the City Council after receiving a recommendation from the administrator and a public hearing is held.

#### **8-6A-7: PRELIMINARY PLAT FINDINGS:**

1. The plat is in conformance with the Comprehensive Plan;  
*The Council finds that the Preliminary Plat, as originally submitted and accepted meets all requirements associated with Section 8-6A-3 of the UDC and is consistent with the Comprehensive Plan and will meet the intent of the Land Use designation. Further, the property is required to develop under the guidelines of the Comprehensive Plan and requirements of the Unified Development Code.*
2. Public Services are available or can be made available and are adequate to accommodate the proposed development;  
*The Council finds that Agencies having jurisdiction on this parcel were notified of this action. The City has not received notice that public services are not available or cannot be made available for this development. Emergency services were reviewed, and mitigation fees will be required to serve the Police Department and Star Fire District.*
3. There is public financial capability of supporting services for the proposed development;  
*The Council finds that the City has not received notice from any jurisdictional agency that there are any problems with public financial capability for this development.*
4. The development will not be detrimental to the public health, safety or general welfare;  
*The Council finds that the City has not been made aware of any known detriment that will be caused by this development. Residential and commercial uses are a permitted use through the original annexation and development agreement, and are compatible with other residential and commercial uses in the immediate area.*
5. The development preserves significant natural, scenic or historic features;  
*The Council finds that there are no known natural, scenic, or historic features that have been identified with this Preliminary Plat. The property has been in previous agricultural production.*

#### **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;

*Council finds that the private street meet the requirements of the Code as submitted.*

- 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

*Council finds that the construction of the private streets would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity.*

C. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

*Council finds that approval of the private streets will not immediately be in conflict with the comprehensive plan or the regional transportation plan. Council has conditioned the development to dedicate the private streets into public in the future, once all phases are completed.*

### **Public Hearing of the Council:**

a. A public hearing on the application was heard by the City Council on March 18, 2025, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.

b. Oral testimony (In-favor, Against or Neutral) regarding the application was presented to the City Council by:

- Shawn L Nickel, City Planning Director gave Staff Presentation
- Travis Hunter, Applicant
- Todd Tucker, Applicant
- Gerald Buypas
- Mary Dauvan
- Amanda Waller
- Al Dauvan
- Trace Leighton
- Amanda Nichols, Leighton Lakes HOA
- Jeff Herrera
- Josh Leonard

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

- Jim Hunter
- Kirk Harwood
- Ryan Talyor Teets
- Ron Brutsman

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

- None

### **Deliberations and Conclusions of Law:**

The Council reviewed the particular facts and circumstances of this proposed preliminary plat and private street application in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in review of the record, including the staff report, and discussions on the platting of the development. Review and discussion included development layout, access and street configuration, setbacks, open space, commercial uses, pathways, fencing, sewer and water extensions and irrigation/drainage. The Council accepted staff's recommended conditions of approval on the application for the preliminary plat. Council added additional conditions of approval. Council concluded that the Applicant's request, as conditioned, meets the requirements and findings for the preliminary plat and private street. Council hereby incorporates the staff report dated May 6, 2025 into the official decision as part of these Findings of Fact, Conclusions of Law.

### **Statement of Compliance:**

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements. Staff recommended a modification to the existing Development Agreement and Council supported a future modification to incorporate the following conditions of approval to their decision to approve the applications to include the following:

- **The applicant shall provide a public easement and pathway along the Lawrence/Kennedy Canal, location to be determined. All pathways shall be in compliance with the City of Star Pathway Master Plan. Pathways shall be either constructed or bonded for, prior to the signature of the City Engineer on the final plat for the phase that contains the pathway.**
- **The applicant shall provide public access and emergency access easements on all private streets at final plat.**
- **A community center shall be constructed as an amenity within the subdivision. The community center shall not be located along the western boundary of the subdivision.**
- **The applicant shall install a 6' high fence along the western boundary of the subdivision adjacent to the Leighton Lakes Subdivision at the time of development of each phase of the subdivision. The type of fencing shall be consistent with the fencing provided within the first phases of River Park Subdivision and shall be included in the modified development agreement. A revised landscape plan showing the type and location of the fencing shall be submitted at final plat. Fencing shall be either installed or bonded for prior to signature of the final plat by the City Engineer.**
- **The applicant shall convert the north/south and east/west roadways in the northern portion of the subdivision (commercial area) into a public collector roadway.**
- **The applicant shall provide a cross-access easement on the west side of the north/south public collector roadway (Eagle Roost Lane) south of Hwy 44 to 22444 Trigger Ranch Lane. This access is contingent on approval by HD4.**

- The applicant shall be allowed to phase the subdivision in conjunction with the phasing of the River Park Subdivision without the requirement for time extensions, provided that the first phase of The Quarry be submitted within the 18-month time period following the last phase of River Park Subdivision. At the owner's discretion, the applicant may also submit a final plat for The Quarry at any time prior to the final phase of River Park Subdivision.
- The applicant shall not construct the portion of Landruff Lane west of Saddle Bred Way until such time as the portion of Landruff Lane is constructed through the Leighton Estates Subdivision. Future right of way/easement dedicated with the recording of the final plat phase containing that portion of the subdivision. This area shall be landscaped and maintained by the HOA until a time if/when the roadway is extended. This condition is contingent upon approval by HD4. The applicant shall update the landscape plan prior to final plat.
- The applicant shall dedicate all private streets into public streets within one (1) year of recordation of the final plat for the final phase of the development, if accepted by HD4. The applicant shall work with City Staff and HD4 on this condition.
- The applicant shall meet all conditions of approval from the Star Fire District as noted on the letter dated 5-5-25.
- Council does not approve the request for a reduction of side yard setbacks. The development shall maintain the 7.5' side yard setbacks throughout the residential portions of the development.
- The applicant shall submit a request for a Development Agreement Modification within 3 months of approval of the Findings of Fact.
- Incorporate the applicant submitted residential building elevations into the Development Agreement Modification.
- The applicant shall follow the allowed commercial uses as listed in Section 8-3A-3 of the Unified Development Code that are allowed at the time of development of the commercial uses.
- The following uses are prohibited on the commercial lots:
  - Pawn Shop
  - Vehicle Sales or Rental and Service
  - Parking Lot/Commercial Parking Garage
  - Recycling Center
  - Commercial/Public Swimming Pool
  - Mortuary
- The Council approves all requested block length waivers.



## CONDITIONS OF APPROVAL

1. The approved Preliminary Plat for The Quarry at River Park Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **The applicant shall meet all requirements listed in the signed development agreement(s).**
3. **The applicant shall receive approval of all Floodplain applications and meet all FEMA requirements, if applicable, prior to approval of the final plat. The applicant shall also submit a Permit to Develop in an Area of Special Flood Hazard to the Floodplain Manager for review and approval prior to any development work on the property.**
4. **The applicant has entered into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. These fees are currently being calculated at \$1,000.00 per residential lot. These fees will be collected by the City of Star, by phase, prior to final plat signature.**
5. **The development shall be subject to additional Fire and Police emergency mitigation fees collected at the time of building permit for each residential dwelling. The fee shall be determined by City Council.**
6. **All sidewalks and planter strips shall be built to UDC standards, unless otherwise approved by Council.**
7. **The applicant shall comply with the Residential Standards for all new houses, as required in Section 8-3B-3 of the UDC.**
8. **The Applicant shall confirm the location of the mail clusters prior to installation. The mailbox cluster must be covered and reasonably lit.**
9. **The private streets shall have a minimum street width of 36' and shall otherwise be constructed to ACHD/HD4 standards, unless otherwise approved by Council. The private street shall meet all requirements of the Star Fire District.**
10. **The Applicant/Owner 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.**
11. 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.** Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall submit a streetlight plan prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.**
12. Street trees along all streets shall be installed per Chapter 8, including Section 8-8C-2-M(2) Street Trees. If the trees will be installed by the builder, Certificate of Occupancy may be withheld until trees have been verified they are installed per code.
13. The property associated with this approved Preliminary Plat, in addition to the property of all future phases shall be satisfactorily weed abated at all times, preventing a public nuisance, per Star City Code Chapter 3, Section 3-1-1 through 3-1-7.

14. The property associated with this approved Preliminary Plat, in addition to the property of all future phases shall be properly maintained at all times, including throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily. This shall also include, but is not limited to any trash, junk or disabled vehicles during any portion of the development process. The site shall be properly mitigated from fugitive dust at all times, including during construction, as determined by the Zoning Administrator. Failure to comply with any of the above may result in a stop work order being issued until the violations are remedied, and/or revocation of preliminary plat/final plat approvals.
15. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
16. 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.
17. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
18. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
19. 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.
20. 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.
21. 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.
22. All common areas shall be owned and maintained by the Homeowners Association.
23. 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.**
24. A sign application is required for any subdivision signs.
25. **Any additional Condition of Approval as required by Staff and City Council.**

**Council Decision:**

The Council voted 4-0 to approve the Preliminary Plat for The Quarry at River Park Subdivision on May 6, 2025.

Dated this 3<sup>rd</sup> day of June 2025.

Star, Idaho

By: \_\_\_\_\_  
Trevor A. Chadwick, Mayor

ATTEST:

\_\_\_\_\_  
Shelly Tilton, City Clerk