



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star – Planning & Zoning Department

MEETING DATE: **October 15, 2024**

FILE(S) #: **FP-24-09, Final Plat, Setting Sun Ranch Subdivision**

REQUEST

Applicant is seeking approval of a Final Plat for Setting Sun Ranch Subdivision (originally approved as Haven Ranch Subdivision), consisting of 5 residential lots and 2 common lot on 5.010 acres. The subject property is located at 2645 N Brandon Rd. Star, Idaho, Ada County Parcel Number is R7626730100.

APPLICANT/REPRESENTATIVE:

David Marmillion
Marmillion Development
516 S. Capital Blvd.
Boise, Idaho 83702

OWNER:

CHJL LLC
6267 Joplin Road
Meridian, Idaho 83687

PROPERTY INFORMATION

Land Use Designation - Residential R-1-DA

Acres - 5.010 acres

Residential Lots - **5**

Common Lots - **2**

Commercial Lots - **0**

HISTORY

- October 6, 2020, Council approved applications for Annexation and Zoning (AZ-20-12), Development Agreement (DA-20-13), Preliminary Plat (PP-20-12), and a Private Street (PR-20-04) for Haven Ranch Subdivision. The Preliminary Plat was approved for a maximum of 5 single family residential lots and 2 common lot on 5.010 acres. Zoning Designation approved was residential (R-1-DA).
- November 14, 2022 Administrator approved a 1-year time extension running to October 6, 2023. First time extension is approved by The Administrator. Second extension requires Council Approval.
- October 3, 2023 Council approved a Time Extension (TE-23-05) for Haven Ranch Subdivision. The new expiration date is October 6, 2024. The application was submitted to the Administrator prior to the expiration date and the City Engineer will be signing the plat in the next few weeks. As allowed under Section 8-6A-8 of the UDC, the Administrator has determined that that the intent of the time approval has been met.

GENERAL DISCUSSION

The applicant is requesting approval of the Final Plat for Setting Sun Ranch Subdivision consisting of 5 residential lots and 2 common lot on 5.010 acres.

The Final Plat layout generally complies with the approved Preliminary Plat.

Staff Reviewed Comments from the Preliminary Plat Approval/Findings of Fact:

The Preliminary Plat submitted contains 5 single family residential lots and 1 common area lot (road frontage buffer). The lots will have access and frontage from a private street. The residential lots range in size from 29,194 square feet to 74,117 square feet. The private street will be built to ACHD, City of Star and Star Fire District standards. The submitted preliminary plat is showing a 30 ft width within a 30 ft easement with no sidewalks. The Fire District shall approve this width as it is below the standards in the UDC. Due to the rural nature of the development and because a maximum of 5 lots will be accessing the private street, Staff is supportive of the reduced width and elimination of sidewalks but will recommend that ribbon curb be required at the edges of the street to prevent continued destruction from vehicles. A private street maintenance plan, including proposed funding, shall also be required by Staff prior to final plat signature. Street name must be obtained by the Ada County Street Naming Committee prior to

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

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.



FINDINGS

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

A. The Plat is in conformance with the Comprehensive Plan.

The Council finds that this subdivision upon Preliminary Plat approval was in conformance with the Comprehensive Plan; no changes have been made to change this status.

B. Public services are available or can be made available and are adequate to accommodate the proposed development.

Staff finds that all public services are available and able to accommodate this development.

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

Staff knows of no financial hardship that would prevent services from being provided.

D. The development will not be detrimental to the public health, safety or general welfare; and,
Staff finds no facts to support that this subdivision phase will be detrimental to the public health, safety or general welfare.

E. The development preserves significant natural, scenic or historic features.

Staff finds that existing conditions have not substantially changed from the approved Preliminary Plat of this subdivision.

CONDITIONS OF APPROVAL

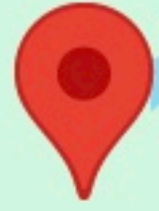
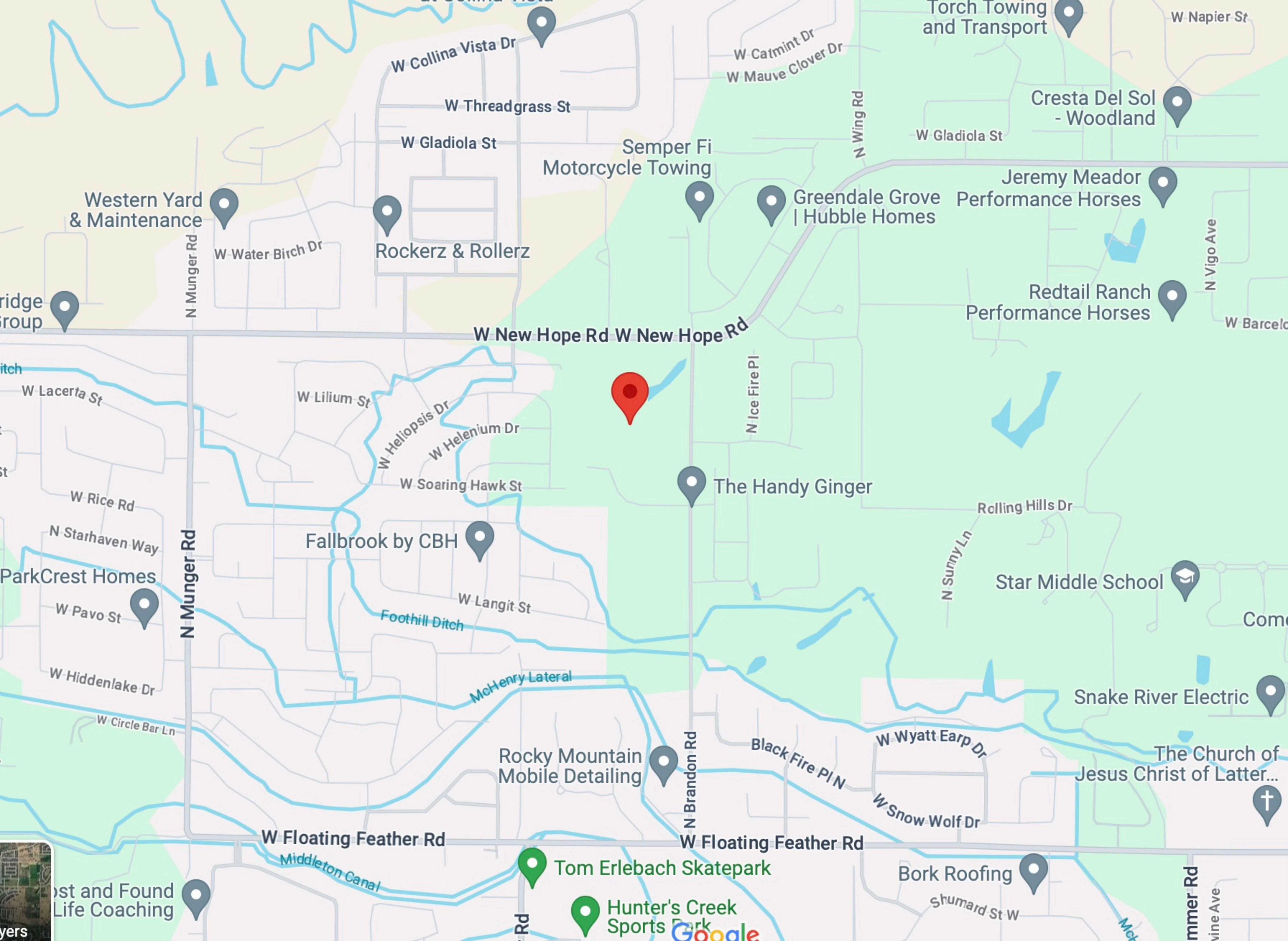
1. The approved Final Plat for Setting Sun Ranch Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **Per the Development Agreement and prior to signing the final plat, developer is to pay the traffic mitigation fee required by the Idaho Transportation Department. The developer will pay the city \$554 per buildable lot, within each phase prior to signature on the final plat for the applicable phase, capped at \$2,770. There is only 1 Phase, so the full \$2,770 is to be paid before signing the final plat.**
3. **Applicant will plant trees along Brandon Road every 35 feet per the Unified Development Code.**
4. **Applicant will install one (1) streetlight at the intersection of Brandon Road and the private street.**
5. **Applicant will install lighting in the development so as to light the private street for safety issues and shall comply will all Dark Sky provisions. Applicant/Owner shall submit a streetlight plan/design prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative and shall be of the same design throughout the entire property.**
6. **The private street shall have a minimum street width of 30' and shall otherwise be constructed to ACHD standards. The private street shall meet all requirements of the Star Fire District.**
7. **The Applicant/Owner shall submit a private street maintenance plan, including future funding, in compliance with Section 8-4D-3C of the UDC.**
8. **The Private Street name shall be approved by the Ada County Street Naming Committee and reflected accurately on the final plat prior to signing the mylar.**
9. **The applicant shall comply with the Residential Standards for all new houses, as required in Section 8-3B-3 of the UDC.**
10. **The mailbox cluster must be covered and reasonably lit, as required in Section 8-4A-21 of the UDC.**
11. The property associated with this approved Final 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.
12. The property associated with this approved Final 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.

13. 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.
14. The approved Preliminary Plat shall comply with the City of Star Unified Development Code regarding landscaping, both internal buffers and frontages. (See Section 8-4 B Landscaping Requirements)
15. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
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.
17. Requested surety shall be required at 150% of the total estimated installed cost, as approved by the City Engineer or Administrator. The term of approval shall not exceed 180 days. (See Section 8-1 C-1 of the Unified Development Code for a list of eligible items.)
18. 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.
19. A separate sign application is required for any subdivision sign.
20. As built plans for pressurized irrigation systems shall be submitted to the City of Star **prior to signature of the final plat.**
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. The mylar/final plat shall be signed by the owner, Surveyor, Central District Health, ACHD and City Engineer, prior to being delivered to the City of Star for City Clerk's signature.
23. All common areas shall be maintained by the Homeowners Association.
24. 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.**
25. A copy of the recorded CC&R's shall be submitted to the City of Star prior to any building permits being issued.
26. **Prior to signature of the final plat**, a signed Irrigation District Agreement with the Irrigation Districts shall be provided to the City of Star. This requirement shall be with each subsequent Final Plat application.
27. Any additional Condition of Approval as required by Staff and City Council.

COUNCIL DECISION

The Star City Council _____ File # FP-24-09 Setting Sun Ranch Subdivision Final Plat,
on _____, 2024.



W New Hope Rd

The Handy Ginger

Fallbrook by CBH

Rocky Mountain Mobile Detailing

Tom Erlebach Skatepark

Hunter's Creek Sports Park

Google

N Munger Rd

N Brandon Rd

W Floating Feather Rd

W Floating Feather Rd

Star Middle School

Snake River Electric

The Church of Jesus Christ of Latter...

Bork Roofing

Cresta Del Sol - Woodland

Jeremy Meador Performance Horses

Redtail Ranch Performance Horses

Greendale Grove | Hubble Homes

Semper Fi Motorcycle Towing

Rockerz & Rollerz

Western Yard & Maintenance

W Gladiola St

W Threadgrass St

W Gladiola St

W Water Birch Dr

W Collina Vista Dr

W Catmint Dr
W Mauve Clover Dr

Torch Towing and Transport

W Napier St

W Lacerta St

W Liliium St

W Heliopsis Dr

W Helenium Dr

W Soaring Hawk St

W Rice Rd

N Starhaven Way

ParkCrest Homes

W Pavo St

W Hiddenlake Dr

W Circle Bar Ln

McHenry Lateral

W Langit St

Foothill Ditch

Black Fire Pl N

W Wyatt Earp Dr

W Snow Wolf Dr

Rolling Hills Dr

N Sunny Ln

Com...

Lost and Found Life Coaching

Shumard St W

mmmer Rd
vine Ave



FINAL PLAT APPLICATION

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

FILE NO.: <u>FP-24-09</u>
Date Application Received: <u>09/06/2024</u> Fee Paid: <u>\$2350.00</u>
Processed by: City: _____

Applicant Information:

PRIMARY CONTACT IS: Applicant Owner Representative

Applicant Name: Marmillion Development
Applicant Address: 516 S Capitol Blvd Zip: 83702
Phone: (208) 703-0758 Email: Davidm@liveinboise.com

Owner Name: CHJL LLC
Owner Address: 6267 Joplin Rd Zip: 83687
Phone: (208) 891-1212 Email: Landon@pestshare.com

Representative (e.g., architect, engineer, developer):
Contact: David Marmillion Firm Name: Marmillion Development
Address: 516 S Capitol Blvd Zip: 83702
Phone: (208) 703-0758 Email: Davidm@liveinboise.com

Property Information:

2645 N Brandon Rd

Subdivision Name: Setting Sun Phase: 1

Parcel Number(s): R7626730100

Approved Zoning: R-1 Units per acre: 1

Total acreage of phase: 5 Total number of lots: 5

Residential: 5 Commercial: 0 Industrial: 0

Common lots: 1 Total acreage of common lots: >.03 Percentage: 10

Percent of common space to be used for drainage: >.02 Acres: N/A

Special Flood Hazard Area: total acreage <.02 number of homes 5

Changes from approved preliminary plat pertaining to this phase:

	Preliminary Plat	Final Plat
Number of Residential Lots:	<u>5</u>	<u>5</u>
Number of Common Lots:	<u>1</u>	<u>1</u>
Number of Commercial Lots:	<u>0</u>	<u>0</u>
Roads:	<u>1</u>	<u>1</u>

Amenities: N/A

Flood Zone Data: (This Info Must Be Filled Out Completely Prior to Acceptance):

Subdivision Name: Setting Sun Phase: 1

Special Flood Hazard Area: total acreage 0 number of homes 5

- 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): #160xxxxxC, 160xxxxxE, etc.: 16001C0130J
 FIRM effective date(s): mm/dd/year 06/19/202
 Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: Zone AE
 Base Flood Elevation(s): AE0.0 ft., etc.: 1%
- 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.

Application Requirements:

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

Applicant (√)	Description	Staff (√)
	Completed and signed copy of Final Plat Application	BN
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.	BN
X	Electronic copy of letter of intent and statement of compliance (or substantial compliance) with the approved Preliminary Plat and Conditions of Approval. The letter of intent shall include the following: <ul style="list-style-type: none"> • Gross density of the phase of the Final Plat submitted • Lot range and average lot size of phase • Description of approved open space being provided in the submitted phase including percentage of overall open space, number and type of approved amenities • List any specific approved building setbacks previously approved by Council. 	BN
X	Electronic copy of legal description of the property (word.doc and pdf version with engineer's seal and closure sheet)	BN
x	Electronic copy of current recorded warranty deed for the subject property	BN
X	If the signature on this application is not the owner of the property, an original notarized statement (affidavit of legal interest) from the owner stating the applicant and/or representative is authorized to submit this application.	BN
x	Electronic copy of subdivision name approval from Ada County Surveyor's office.	BN
X	Copy of the "final" street name evaluation/approval or proof of submittal request from Ada County Street Naming	BN
x	Electronic copy of vicinity map showing the location of the subject property	BN
	One (1) 24" X 36" paper copy of the Final Plat & Electronic Copy**	BN
	One (1) 11" X 17" paper copy of the Final Plat	BN
x	Electronic copy of the Final landscape plan**	BN

x	One (1) 11" X 17" copy of the Final landscape plan	BN
x	Electronic copy of site grading & drainage plans**	BN
x	Electronic copy of originally approved Preliminary Plat**	BN
x	Electronic copy of a Plat with all phases marked with changes, if applicable**	
X	Electronic copy of final engineering construction drawings, stamped and signed by a registered engineer**	BN
X	Storm drainage calculations must be submitted for <u>private</u> streets/drives and parking areas within subdivisions**	
x	Electronic copy of streetlight design and location information	
x	Special Flood Information – Must be included on Preliminary/Final Plat and Application form.	BN
x	Electronic copy of all easement agreements submitted to the irrigation companies	
x	Electronic copy of the proposed Covenants, Conditions, & Restrictions (CC&R's)	BN
X	One (1) copy of Electronic versions of submitted applications, including signed Final Plat Application, legal description, recorded warranty deed, vicinity map, final plat, landscape plan, site grading & drainage plans, copy of original Preliminary Plat, plat with phases marked, engineering construction drawings, storm drainage calculations, streetlight design and location, and signed irrigation agreements, CC&R's <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) with the files named with project name and plan type.</u>	BN
	Upon Recording of Final Plat, the applicant shall submit the following to the Planning Department prior to building permit issuance: <ul style="list-style-type: none"> • One (1) 11" X 17" and (1) 18" X 24" recorded copy of Final Plat • Electronic copy of final, approved construction drawings • Electronic copy of as-built irrigation plans • Electronic copy of recorded CC&R's • Proof of required Construction Sign installation at entrance to development (as conditioned in Preliminary Plat approval) – Picture of installed sign • Electronic copies shall be submitted in pdf format on a thumb drive with the files named with project name and plan type. **Original pdf's are required for all plans – No Scanned PDF's please. 	
	**NOTE: No building permits will be issued until property is annexed into the Star Sewer & Water District and all sewer hookup fees are paid.	

FEE REQUIREMENT:

*** I have read and understand the above requirements. I further understand fees are due at the time of filing. 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.*

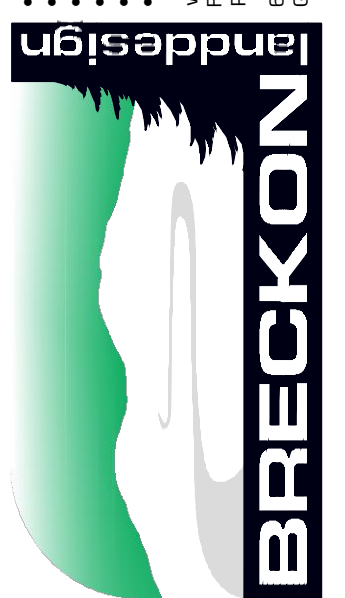
Applicant/Representative Signature

08/22/2024

Date



Civil Engineering
Landscape Architecture
Graphic Communication
Interior Design
Lighting Design
www.breckonlanddesign.com
Phone: 808-376-9183
888 North Government Street
Coeur d'Alene, Idaho 83814



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Breckon Land Design, Inc. is unlawful and subject to
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HAVEN RANCH SUBDIVISION
2645 N. BRANDON ROAD
STAR, IDAHO 83669
LANDSCAPE PLAN

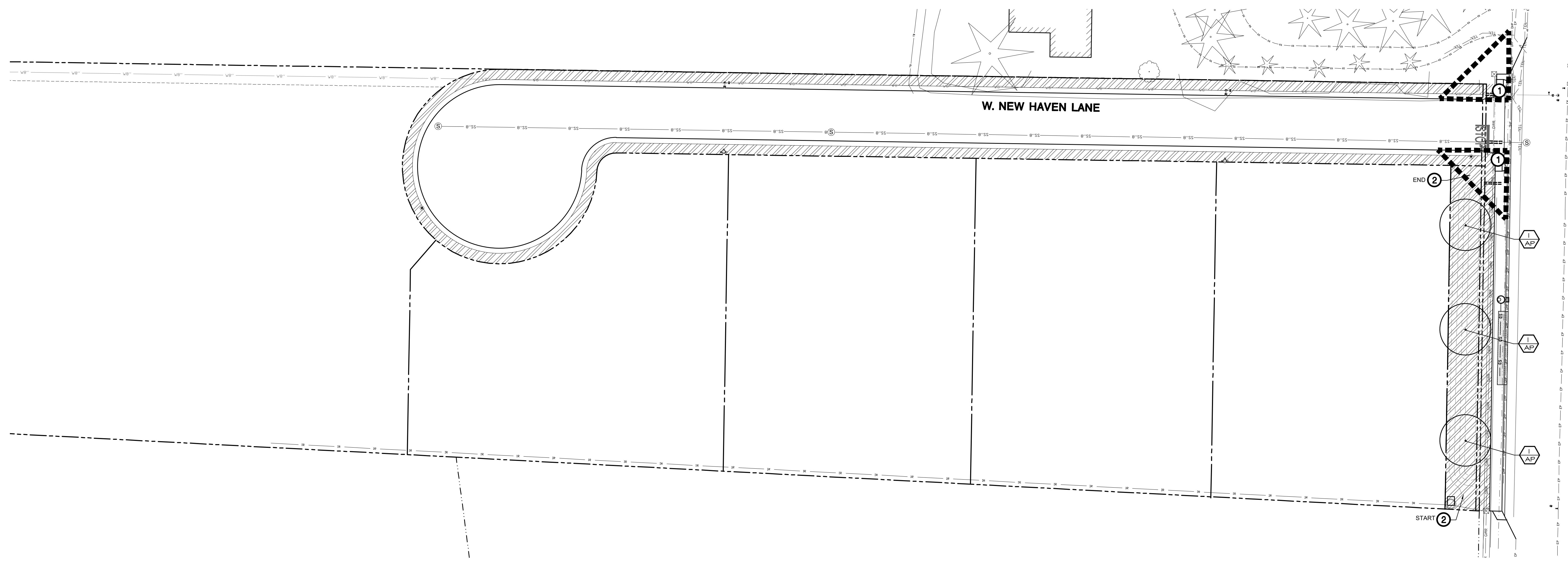


No.	Date	Description
6	02/18/22	AGENCY COMMENTS
7	07/11/22	GRAVITY IRRIG REV
8	09/01/22	GRAVITY IRRIG REV
9	10/21/22	AGENCY COMMENTS

PROJECT NO.:
20086
DRAWN BY:
CS
CHECKED BY:
JB/MW
DATE:
07/11/21

SHEET NUMBER
L11

100% CONSTRUCTION DRAWINGS



LANDSCAPE PLAN

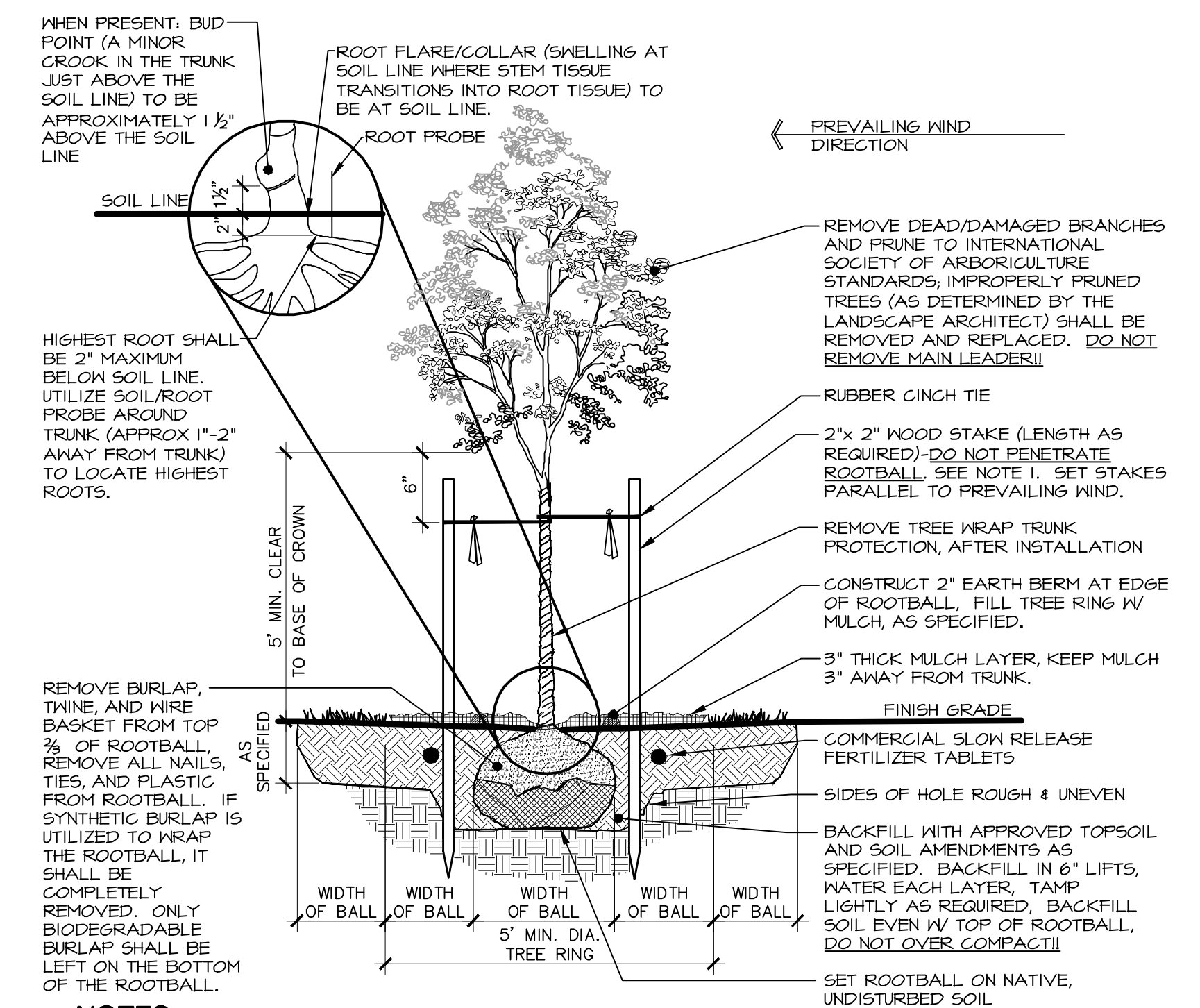
SCALE: 1" = 30'-0"

PLANT SCHEDULE

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES	CLASS
DECIDUOUS SHADE TREES						
3	AP	<i>Acer platanoides</i> 'Deborah'	Deborah Norway Maple	2" CAL.	50' X 50' W	II

LANDSCAPE NOTES:

- CONTRACTOR SHALL REPORT TO LANDSCAPE ARCHITECT ALL CONDITIONS WHICH IMPAIR AND/OR PREVENT THE PROPER EXECUTION OF THIS WORK, PRIOR TO BEGINNING WORK.
- NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE LANDSCAPE ARCHITECT'S PRIOR WRITTEN APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CAN NOT BE OBTAINED.
- COORDINATE ALL WORK WITH ALL OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- COORDINATE WORK SCHEDULE AND OBSERVATIONS WITH LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION START-UP.
- ALL PLANT MATERIAL SHALL BE INSTALLED AS PER DETAILS.
- ALL PLANT MATERIAL SHALL CONFORM TO THE AMERICAN NURSERYMAN STANDARDS FOR TYPE AND SIZE SHOWN. PLANTS WILL BE REJECTED IF NOT IN A SOUND AND HEALTHY CONDITION.
- IN THE EVENT OF A PLANT COUNT DISCREPANCY, PLANT SYMBOLS SHALL OVERRIDE SCHEDULE QUANTITIES AND CALL OUT SYMBOL NUMBERS.
- ALL PLANT MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE BY THE OWNER. REPLACE ALL PLANT MATERIAL FOUND DEAD OR NOT IN A HEALTHY CONDITION IMMEDIATELY WITH THE SAME SIZE AND SPECIES AT NO COST TO THE OWNER.
- FINISH GRADES SHALL PROVIDE A SMOOTH TRANSITION WITH ADJACENT SURFACES AND ENSURE POSITIVE DRAINAGE IN ACCORDANCE WITH THE SITE GRADING PLAN.
- AMEND EXISTING APPROVED TOPSOIL AT A RATIO OF THREE CUBIC YARDS OF APPROVED COMPOST PER 1000 SQUARE FEET. ROTO-TILL ORGANIC MATTER A MINIMUM OF 6 INCHES INTO TOPSOIL.
- FERTILIZE ALL TREES AND SHRUBS WITH 'AGRIFORM' PLANTING TABLETS. QUANTITY PER MANUFACTURER'S RECOMMENDATIONS.
- ALL PLANTING BEDS SHALL HAVE A MINIMUM 18" DEPTH OF TOPSOIL. SPREAD, COMPACT, AND FINE GRADE TOPSOIL TO A SMOOTH AND UNIFORM GRADE 1" BELOW ADJACENT SURFACES OF SEED AREAS.
- REUSE EXISTING TOPSOIL STOCKPILED ON THE SITE. SUPPLEMENT WITH IMPORTED TOPSOIL WHEN QUANTITIES ARE INSUFFICIENT. VERIFY SUITABILITY AND CONDITION OF TOPSOIL AS A GROWING MEDIUM. PERFORM SOIL TEST/ ANALYSIS AND PROVIDE ADDITIONAL AMENDMENT AS DETERMINED BY SOIL TESTS. TOPSOIL SHALL BE A LOOSE, FRIABLE, SANDY LOAM, CLEAN AND FREE OF TOXIC MATERIALS, NOXIOUS WEEDS, WEED SEEDS, ROCKS, GRASS OR OTHER FOREIGN MATERIAL AND A HAVE A PH OF 5.5 TO 7.0. IF ONSITE TOPSOIL DOES NOT MEET THESE MINIMUM STANDARDS, CONTRACTOR IS RESPONSIBLE TO EITHER:
A) PROVIDE APPROVED IMPORTED TOPSOIL, OR
B) IMPROVE ON-SITE TOPSOIL WITH METHODS APPROVED BY THE LANDSCAPE ARCHITECT.
- IF IMPORTED TOPSOIL FROM OFF-SITE SOURCES IS REQUIRED, ENSURE IT IS FERTILE, FRIABLE, NATURAL LOAM, SURFACE SOIL, REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH, WEEDS AND OTHER LITTER, AND FREE OF ROOTS, STUMPS, STONES LARGER THAN 2 INCHES IN ANY DIMENSION, AND OTHER EXTRANEOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH.
A) OBTAIN TOPSOIL FROM LOCAL SOURCES OR FROM AREAS HAVING SIMILAR SOIL CHARACTERISTICS TO THOSE FOUND ON THE PROJECT SITE. OBTAIN TOPSOIL ONLY FROM NATURALLY, WELL-DRAINED SITES WHERE TOPSOIL OCCURS AT A DEPTH OF NOT LESS THAN 4 INCHES.
B) REPRESENTATIVE SAMPLES SHALL BE TESTED FOR ACIDITY, FERTILITY, TOXICITY, AND GENERAL TEXTURE BY A RECOGNIZED COMMERCIAL OR GOVERNMENT AGENCY AND COPIES OF THE TESTING AGENCY'S FINDINGS AND RECOMMENDATIONS SHALL BE FURNISHED TO THE OWNER'S REPRESENTATIVE BY THE CONTRACTOR. NO TOPSOIL SHALL BE DELIVERED IN A FROZEN OR MUDDY CONDITION. ACIDITY/ALKALINITY RANGE = PH 5.5 TO 7.6.
- IMMEDIATELY CLEAN UP ANY TOPSOIL OR OTHER DEBRIS ON THE SITE CREATED FROM LANDSCAPE OPERATIONS AND DISPOSE OF PROPERLY OFF SITE.
- TREES SHALL NOT BE PLANTED WITHIN THE 10'-0" CLEAR ZONE OF ALL A.C.H.D. STORM DRAIN PIPE, STRUCTURES, OR FACILITIES. TREES SHALL NOT BE PLANTED WITHIN 5'-0" OF AN A.C.H.D. SIDEWALK.
- SEEPAGE BEDS AND OTHER STORM DRAINAGE FACILITIES MUST BE PROTECTED FROM ANY AND ALL CONTAMINATION DURING THE CONSTRUCTION AND INSTALLATION OF THE LANDSCAPE IRRIGATION SYSTEM.
- IN THE EVENT OF A DISCREPANCY, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.



- #### NOTES:
- THE STAKING OF TREES IS TO BE THE CONTRACTOR'S OPTION; HOWEVER, THE CONTRACTOR IS RESPONSIBLE TO INSURE THAT ALL TREES ARE PLANTED STRAIGHT AND THAT THEY REMAIN STRAIGHT FOR ONE YEAR AFTER SUBSTANTIAL COMPLETION. ALL STAKING SHALL BE REMOVED AT THE END OF THE WARRANTY PERIOD.
 - IN THE EVENT OF A QUESTION OR LACK OF CLARITY ON THE DRAWINGS, THE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT BEFORE PROCEEDING.
 - LANDSCAPE CONTRACTOR IS TO NOTIFY THE LANDSCAPE ARCHITECT AND OWNER PRIOR TO INSTALLATION OF PLANT MATERIAL.
 - WATER TREE TWICE WITHIN THE FIRST 24 HOURS.
 - FOR TREES LOCATED WITHIN ROADSIDE PLANTERS LESS THAN 8'-0" IN WIDTH, PROVIDE TREE ROOT BARRIER (DEEPROOF #24-2 OR APPROVED EQUAL). LOCATE ROOT BARRIER AT BACK OF CURB AND EDGE OF SIDEWALK. ALL TREE INSTALLATIONS SHALL CONFORM TO ALL AGENCY APPROVAL REQUIREMENTS, CONTRACTOR SHALL VERIFY PRIOR TO ANY INSTALLATIONS.

1 DECIDUOUS TREE PLANTING (TYPICAL FOR TREES 3" CALIPER OR LESS) NOT TO SCALE

SA:\projects\2020\20086_brendon_road\CAD\Sheets\20086_L1_Landscape.dwg plotted by Claire Smarda on Wed, November 16, 2022 at 10:06 AM

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



Brad Little, Governor
Jess Byrne, Director

October 3, 2024

Shawn L. Nickel
Planning Director and Zoning Administrator
Star City Hall
P.O. Box 130
Star, Idaho 83669
snickel@staridaho.org

Subject: Setting Sun Ranch Subdivision
Files No. FP-24-09

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), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractor(s) must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

Haven Ranch Subdivision

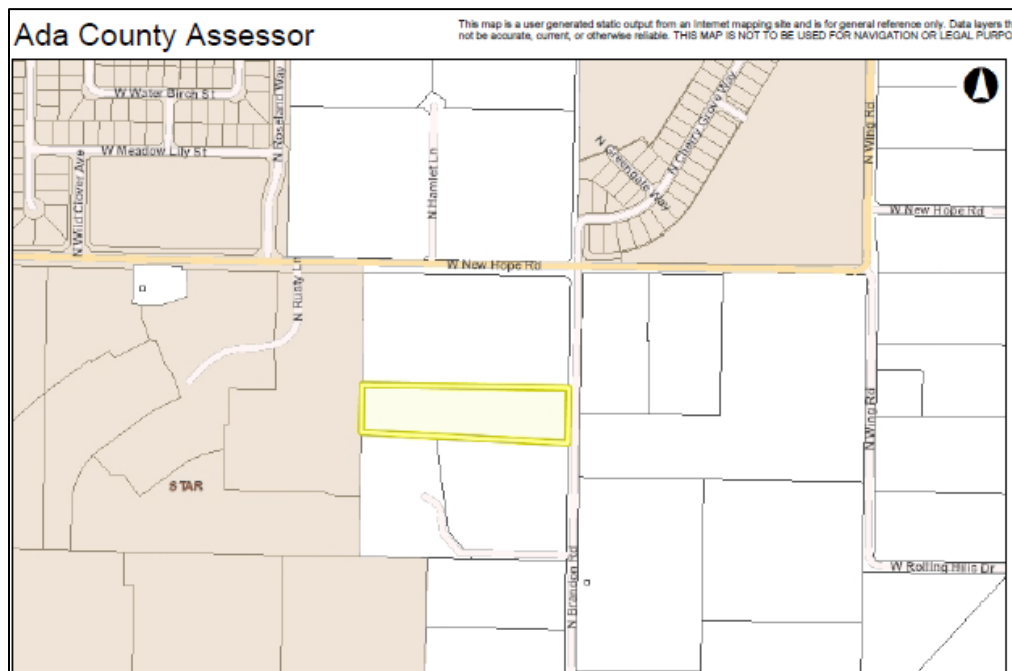
Proportionate Share Contribution

9/1/2020

5 Units
Single Family Homes
ITE Code (210) Single Family

AM Trip Rate = 0.74

PM Trip Rate = 0.99



A trip distribution diagram was not provided to the department. ITD must assume a worst case scenario that all 5 residential units will head east on Beacon Light Road to the SH-16 / Beacon Light Road Intersection. Analysis from the Hormachea Development shows the southbound thru movement on SH-16 fails during the AM Peak starting in 2028. The recommended mitigation is adding a southbound auxiliary lane thru the signalized intersection.

Proportionate share is based on the total AM site trips through the intersection of Beacon Light Road / SH-16 compared to total number of AM trips in 2028.

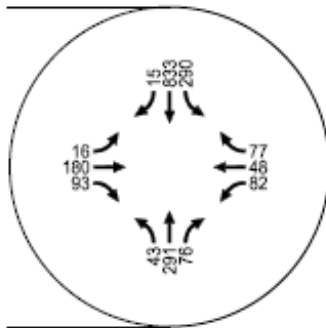
Site Traffic

AM Peak

$$5 \text{ units} \times 0.74 \times 45\% = 4 \text{ trips}$$

Total Traffic 2028 @ SH-16 / Beacon Light Road

AM 2028 Total Trips



Total 2028 intersection trips = 2044

4 site trips / 2044 Total Trips = 0.20%

ITD estimates the cost of design, construction and R/W for the southbound auxiliary lane on SH-16 through the Beacon Light intersection to be approximately \$1,385,000.

Proportionate share contribution of 0.20% is \$2,770.

- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractor(s) are responsible for ensuring no prohibited open burning occurs during construction.

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 Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of stormwater or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.

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 Matthew Pabich, 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