



# CITY OF STAR

## LAND USE STAFF REPORT

**TO:** Mayor & Council

**FROM:** City of Star – Planning & Zoning Department *Shawn T. Smith*

**MEETING DATE:** **February 15, 2022 – PUBLIC HEARING** (Tabled from 1-18-22)

**FILE(S) #:** AZ-21-16 Annexation and Zoning  
DA-21-24 Development Agreement  
PP-21-19 Preliminary Plat for Springtree Estates Subdivision

### OWNER/APPLICANT/REPRESENTATIVE

**Representative:**

John Price  
The Architects Office, PLLC  
499 W. Main Street  
Boise, Idaho 83702

**Applicant/Property Owner:**

Marianne Payne  
P.O. Box 6964  
Boise, Idaho 83707

### REQUEST

**Request:** The Applicant is seeking approval of Annexation and Zoning (RUT to R-3-DA), a Development Agreement, and Preliminary Plat for a proposed residential subdivision consisting of 14 residential lots and 2 common lots. The property is located at 9220 W. Beacon Light Road in Star, Idaho, and consists of 5 acres with a proposed density of 2.8 dwelling units per acre.

### PROPERTY INFORMATION

**Property Location:** The subject property is generally located on the northwest corner of N. Pollard Lane and W. Beacon Light Road. Ada County Parcel No. S0333334020.

**Surrounding Land Use/Designations:**

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT (County)	Estate Residential	Agricultural/Residential
Proposed	R-3-DA	Estate Residential	Single Family Residential

<b>North of site</b>	RUT (County)	Estate Residential	Agricultural/Residential
<b>South of site</b>	Residential (R-2)	Neighborhood Residential	Single Family Residential/Proposed Rivercreek Landing Subdivision
<b>East of site</b>	Residential (R-2)	Estate Residential	River Birch Golf Course
<b>West of site</b>	Residential (R-3)	Estate Residential	Single Family Residential/Proposed Cresta Del Sol Subdivision

**Existing Site Characteristics:** The property currently has a single-family residential home with outbuildings and vacant ground.

**Irrigation/Drainage District(s):** Farmer's Union Ditch Company  
P.O. Box 1474  
Eagle, Idaho 83616

**Flood Zone:** This property is currently located in a Special Flood Hazard Area.  
Flood Zone: Zone A  
FEMA FIRM Panel Number: 16001C0130J  
Effective Date: 6/19/2020

**Special On-Site Features:**

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No evidence.
- ✧ Fish Habitat – No.
- ✧ Floodplain – Yes.
- ✧ 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.

**APPLICATION REQUIREMENTS**

Pre-Application Meeting Held	October 1, 2021
Neighborhood Meeting Held	September 15, 2021
Application Submitted & Fees Paid	September 21, 2021

Application Accepted	December 20, 2021
Residents within 300' Notified	December 21, 2021
Agencies Notified	December 21, 2021
Legal Notice Published	December 24, 2022
Property Posted	February 4, 2022

## HISTORY

This property does not have any history of land use applications within the City of Star.

## CODE DEFINITIONS / COMPREHENSIVE PLAN

### UNIFIED DEVELOPMENT CODE:

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

##### B. Standards:

1. The subject property shall meet the minimum dimensional standards of the proper district.
2. The city may require a development agreement in conjunction with the annexation and zoning, or rezone, pursuant to Idaho Code section 67-6511A, which may include a concept plan. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through execution of a development agreement. A development agreement and concept plan shall be required for any rezone to a mixed-use zone, high density zone or land which includes steep slope (land over 25%) or floodway.
3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.
4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.
5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the

denial of all related applications.

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

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

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

R RESIDENTIAL DISTRICT: To provide regulations and districts for various residential neighborhoods. Gross density in a Residential (R) district shall be determined according to the numeral following the R. The numeral designates the maximum number of dwelling units per acre. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached unless approved with a PUD or development agreement. Connection to municipal water and sewer facilities are required for all subdivision and lot split applications submitted after the effective date hereof in all districts exceeding one dwelling unit per acre. Wells and septic systems may be permitted for larger lots in this land use designation that are not adjacent to municipal services, as determined by the Sewer District, and if approved by the applicable Health Department. Private streets may be approved in this district for access to newly subdivided or split property. This district does allow for some non-residential uses as specified in 8-3A-3.

DA DEVELOPMENT AGREEMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., C-2-DA), indicates that the zoning was approved by the city with a development agreement, with specific conditions of zoning.

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

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



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

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

<b>Zoning District</b>	<b>Maximum Height Note Conditions</b>	<b>Minimum Yard Setbacks Note Conditions</b>			
		<b>Front (1)</b>	<b>Rear</b>	<b>Interior Side</b>	<b>Street Side</b>
R-3	35'	15' to living area/side load garage 20' to garage face	15'	5' per story (2)	20'

Notes:

1. Interior side yard setbacks for lots with 50' or less of lot width shall be allowed 5' interior side yard setbacks for one and two-story structures.
2. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhang onto the sidewalk.

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

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

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

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

5. For multi-family developments, see Section 8-5-20 for additional standards.

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

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

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

b. Qualified natural areas;

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

d. A plaza.

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

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

4. 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.

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

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

#### **COMPREHENSIVE PLAN:**

##### 8.2.3 Land Use Map Designations:

###### Estate Residential

Suitable primarily for single family residential use. Densities in this land use area are to range from 1 unit per acre to 3 units per acre. Densities not exceeding 1 to 2 units per acre are to be encouraged in areas of the floodplain, ridgeline developable areas, hillside

developable areas, and where new residential lots are proposed adjacent to existing residential lots of one acre and larger where those existing larger lots are not likely to be subdivided in the future. Clustering is encouraged to preserve open space. A density bonus may be considered if open space is preserved, and land of at least 40% of additional preserved open space is developable.

### 8.3 Goal:

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

### 8.4 Objectives:

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

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

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

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

### 8.5.9 Additional Land Use Component Policies:

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

## 18.4 Implementation Policies:

- F. Development Agreements allow the city to enter into a contract with a developer upon rezoning. The Development Agreement may provide the city and the developer with certain assurances regarding the proposed development upon rezoning.

### PROJECT OVERVIEW

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

The applicant is requesting approval of an annexation and zoning application with a zoning designation of Residential (R-3-DA) on 5 acres . This zoning district would allow for a maximum residential density of 3 dwelling unit per acre. The property is located in an area that will be serviceable with central sewer and water provided by Star Sewer and Water District in the near future. The property will be accessed by a public road and all roads in the development will be public. The rezone request includes a development agreement that will address future density and development standards.

#### **PRELIMINARY PLAT:**

The Preliminary Plat submitted contains 14 single family residential lots and 2 common area lots on 5.0 acres with a proposed density of 2.8 dwelling units per acre. The lots will have access and frontage from a public street. Lots will range in size from 8,363 square feet to 8,903 square feet with the average buildable lot being 8,535 square feet. The submitted preliminary plat is showing all local roads as public with paved streets measuring 36 feet from back of curb to back of curb. Primary access for the development will be from N. Pollard Road. Applicant is providing an emergency access on the southwest corner of the property to W. Beacon Light Road, with Fire District approval, this will provide two access point for the development. Sidewalks are proposed to be detached with a 5-foot, concrete sidewalk. Street names must be obtained by the Ada County Street Naming Committee prior to signature of the final plat. The applicant is proposing 2.47 acres (15%) of usable open space which satisfies the Unified Development Code.

The Unified Development Code, Section 8-4E-2 requires a development of this size to have a minimum of 1 site amenity. The applicant is proposing a pocket park with a walking path that will connect to a sidewalk along W. Beacon Light Road.

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

- Sidewalks  
Internal sidewalks are proposed at five-foot (5') widths and will be detached throughout the development.

- 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 proposed streetlight plan. All proposed light locations satisfy City code. **Applicant has provided a streetlight design/cut sheet for City approval. The proposed fixture is not approved by the city. Applicant will be required to work with Staff and submit an updated cut sheet and design before signature of the final plat.**
- Street Names  
**Applicant has not provided documentation from Ada County that the street names are acceptable and have been approved. This will be required at final plat before the mylar can be signed.**
- Landscaping - As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. Section 8-8C-2, J5 states that a minimum of one deciduous shade tree per four thousand (4,000) square feet of common area shall be provided. **The submitted landscape plan does not appear to satisfy these requirements for the southwest common lot. Streets in the development do not show any street trees. These will need to be added once driveways are designed to receive occupancy permits.**
- Setbacks – The applicant is complying with the required setbacks of the R-3 zone, 5 feet per story on interior sides.
- Block lengths – All blocks meet the 750' block length requirement.
- Mailbox Cluster – Applicant has provided documentation from the Star Postmaster depicting the approved location for the mailbox cluster. Postmaster is authorizing a hitching post style mailbox on the west side of N. Pollard Road for the development.
- Phasing – The development is proposing to be built out in a single phase.
- Floodplain – The property is located in a Zone A SFHA. Base Flood Elevations will need to be established by the applicant and approved by the City Engineer/Flood Administrator prior to Final Plat approval.

## DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the development will be built as presented and/or modified

by the Council through the review process. Items that should be considered by the applicant and Council include the following:

- Density;
- ITD Proportionate Share Fees;
- Emergency Access
- Future Development
- Private Street Option

#### AGENCY RESPONSES

DEQ	December 30, 2021
ACHD	January 13, 2022
Keller Associates as Floodplain Mgr.	February 8, 2022
Central District Health	December 21, 2021
Ada County Development Services	December 30, 2021
West Ada School District	January 14, 2022

#### PUBLIC RESPONSES

Geoffrey and Jessica Bauchman

#### STAFF ANALYSIS AND RECOMMENDATION

**ACHD has responded to the application stating that a public street is not recommended due to the size of the subdivision with one roadway. Staff is also aware that the neighboring property owner to the north would not be in favor of the required ACHD stub street should the road be public. For these reasons, Staff is supportive of Council approving this development with a private street. If approved, Staff will place specific conditions of approval requiring a maintenance and funding agreement with the applicant.**

Based upon the information provided to staff in the application and agency comments received to date, the proposed annexation and zoning request and associated applications including the preliminary plat meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code. The proposed density of 2.8 dwelling unit per acre is within the range of 1-3 dwelling units per acre allowed in the Estate Residential Comprehensive Plan Future Land Use Map. Staff is supportive of proposed diversity in lot sizes, housing sizes and density that the (R-3) zoning designation will provide.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the

applications, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

## FINDINGS

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

### ANNEXATION/REZONE FINDINGS:

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

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

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

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

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

*The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. 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 in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property.*

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. The development preserves significant natural, scenic or historic features;

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

*Upon granting approval or denial of the application, the Council shall specify:*

1. The Ordinance and standards used in evaluating the application;
2. The reasons for recommending approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

<b>CONDITIONS OF APPROVAL</b>
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1. The approved Preliminary Plat for the Springtree Estates Subdivision shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **The applicant shall enter into a Development Agreement with the City, agreeing to proportionate share assessment by ITD regarding impacts to the State Highway System. ITD will calculate the fees and provide to the applicant and City. These fees will be collected by the City of Star, by phase, prior to final plat signature. The development agreement shall be signed and recorded as part of the ordinance for annexation and zoning and shall contain the details of the fees to be collected.**
3. **A Base Flood Elevation shall be completed and approved by the City Engineer/Floodplain Administrator prior to approval of the Final Plat.**
4. 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 work with staff and submit a streetlight design that meets city standards prior to Final Plat approval. Streetlights shall comply with the Star City Code regarding light trespass and "Dark Sky" initiative.**
5. The property with the approved Preliminary Plat shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
6. The property associated with this approved Final Plat, in addition to the property of all future phases shall be properly maintained 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.
7. All signed Irrigation District Agreements with the Irrigation Districts shall be provided to the City of Star with each subsequent Final Plat application.
8. **Street trees shall be installed per Chapter 8, Section 8-8C-2-M(2) Street Trees. Applicant shall provide locations for the local street trees at the time of final plat. If driveway locations will not be determined until sale of the lot, Applicant agrees to not receive the Certificate of Occupancy until street trees are confirmed in place.**
9. **Applicant shall provide an updated landscape plan showing the correct number of trees in the Lot 8, a common lot and the street trees.**

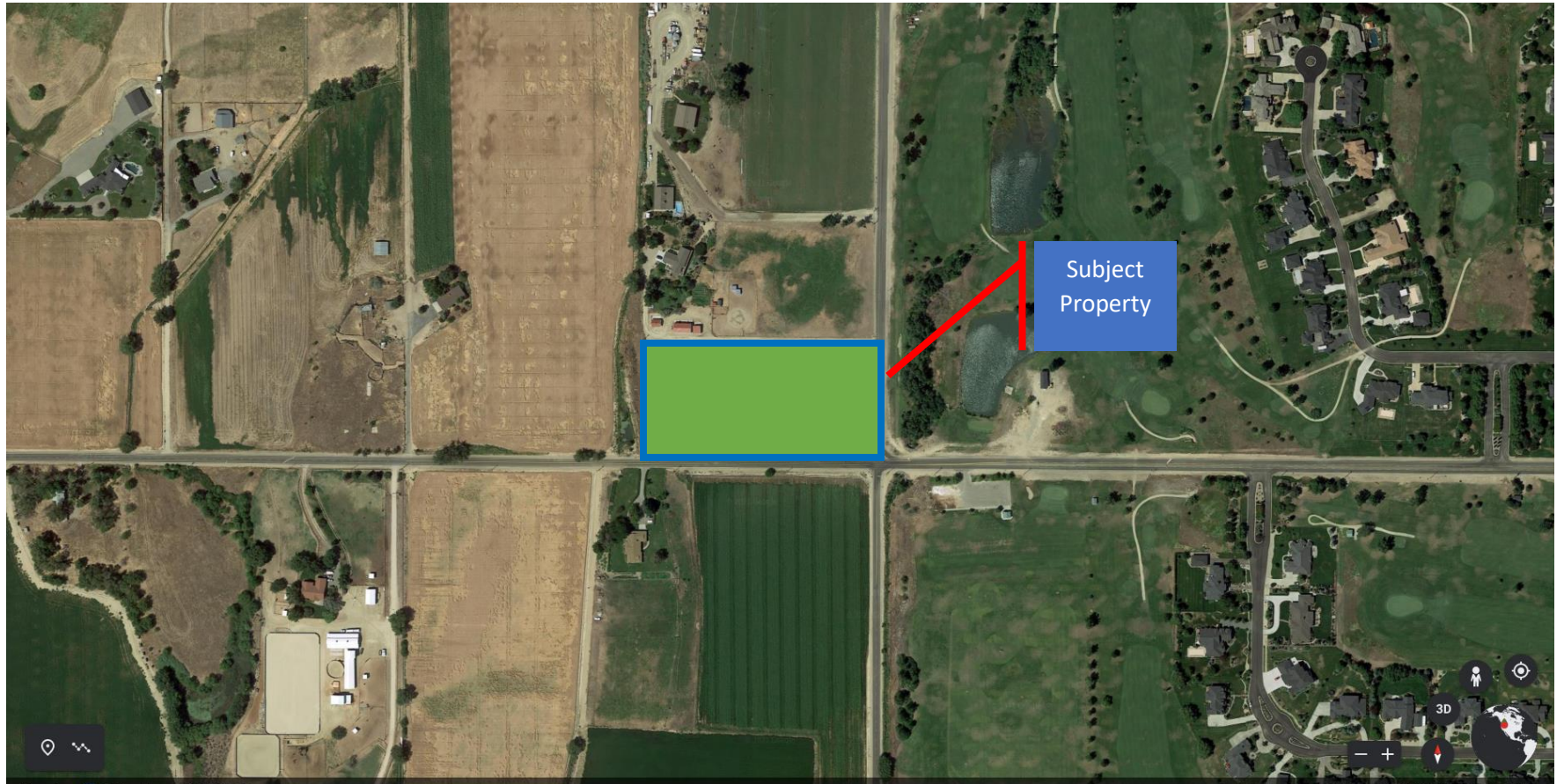
10. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
11. A plat note supporting the "Right to Farm Act" as per Idaho Code Title 22, Chapter 45, shall be shown on the Final Plat.
12. A copy of the CC&R's shall be submitted to the City of Star at Final Plat.
- 13. A letter from the US Postal Service shall be given to the City at Final Plat stating the subdivision is in compliance with the Postal Service.**
14. 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.
- 15. Prior to signing the final plat, Applicant shall provide approval from Ada County for all street names, and they should be accurately reflected on the 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, unless amended in the Development Agreement or CUP conditions.
17. Development standards for single family residential units shall comply with effective building and zoning requirements at time of building permit issuance, or as approved through the Development Agreement or as stated herein.
18. All common areas shall be owned and maintained by the Homeowners Association.
19. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through home sales that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of construction.**
20. A sign application is required for any subdivision signs.
- 21. Owner/Developer will agree to install a 2" (High Density Polyethylene) HDPE SDR-11 roll pipe in the shared utility trench to be used for future fiber optic and/or copper telecommunication cables.**
- 22. Any additional Condition of Approval as required by Staff and City Council.**

<b>COUNCIL DECISION</b>
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The Star City Council \_\_\_\_\_ File Number AZ-21-16/DA-21-24/PP-21-19 for Springtree Estates Subdivision on \_\_\_\_\_, 2022.

## VICINITY MAP

9220 BEACON LIGHT, STAR IDAHO



## **Springtree Estates Subdivision**

9220 Beacon Light, Star ID

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Springtree Estates Subdivision is a proposed development of five-acre parcel on the north west corner of Beacon Light and Pollard. The development is proposed to be annexed and rezoned to R-3 which is consistent with the City of Star's Comprehensive Plan. Springtree Estates Subdivision will have estate size lots with thoughtful architectural elements and design. The proposed project would consist of 14 residential lots of 8,500 and larger lots with a common lot which incorporates community amenities. Landscaping has been designed to both address the neighbors' concerns of privacy and create a development which has a lush and comfortable neighborhood environment for the residents. Integrating a mix of hedges, evergreen and flowering trees in the landscape plan will promote privacy and foster a beautiful environment in all seasons.

Architecture of the proposed Springtree Estates Subdivision will have distinctly different elevations and exterior finishes throughout the neighborhood. A variety of paint colors, architectural elements and architectural elevations will be incorporated to make the community an interesting and unique environment.





City of Star  
P.O. Box 130  
Star, Idaho 83669  
P: 208-286-7247

## PRELIMINARY PLAT APPLICATION

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

FILE NO.: \_\_\_\_\_  
Date Application Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_  
Processed by: City: \_\_\_\_\_

### Applicant Information:

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

Applicant Name: Marianne Payne  
Applicant Address: P.O. Box 6964, Boise, Idaho Zip: 83707  
Phone: 208-918-5500 Email: marianne@concentrate.com

Owner Name: Same as Applicant  
Owner Address: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Representative (e.g., architect, engineer, developer):  
Contact: John Price Firm Name: The Architects Office, PLLC  
Address: 499 W. Main Street, Boise, Idaho Zip: 83702  
Phone: 208-343-2931 x2 Email: john@taoidaho.com

### Property Information:

Subdivision Name: Springtree Estates Subdivision  
Site Location: 9220 W. Beacon Light Road  
Approved Zoning Designation of Site: R-3 - DA  
Parcel Number(s): S0333334020

### Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	RUT		Residential
Proposed	R-3 - DA		Residential
North of site	RUT		Residential
South of site	R-2		Residential
East of site	Golf Course		Golf Course
West of site	R-3		Residential

**SITE DATA:**

Total Acreage of Site - 5.0 acres  
Breakdown of Acreage of Land in Contiguous Ownership - 5.0 acres  
Total Acreage of Site in Special Flood Hazard Area - 3 acres plus/minus  
Dwelling Units per Gross Acre - 2.8 units/acre  
Minimum Lot Size - 8,363 s.f.  
Minimum Lot Width - 81'-3"

Total Number of Lots - 16  
Residential - 14  
Commercial - \_\_\_\_\_  
Industrial - \_\_\_\_\_  
Common - 2

Total Number of Units - 14  
Single-family - 14  
Duplex - \_\_\_\_\_  
Multi-family - \_\_\_\_\_

Percent of Site and Total Acreage of Common Area - 15.8% % / .79 acres  
Percent of Common Space to be used for drainage - 12%  
Describe Common Space Areas (amenities, landscaping, structures, etc.) - Landscaping buffers along Beacon Light Road and Pollard Lane, picnic area at Lot 8  
Proposed Dedicated Lots & Acreage (school, parks, etc): N/A

Public Streets - Yes Private Streets - \_\_\_\_\_  
Describe Pedestrian Walkways (location, width, material) - 5' wide detached concrete sidewalks. 5' wide concrete sidewalk connection to Beacon Light Road at west end.  
Describe Bike Paths (location, width, material) - N/A

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

Total Acreage of Site in Special Flood Hazard Area - 3.0 acres plus/minus

- a. A note must be provided on the final plat documenting the current flood zone in which the property or properties are located. The boundary line must be drawn on the plat in situations where two or more flood zones intersect over the property or properties being surveyed.
- b. FEMA FIRM panel(s): #160xxxxxxC, 160xxxxxxE, etc.: 16001C0130  
FIRM effective date(s): mm/dd/year 06/19/2020  
Flood Zone(s): Zone X, Zone A, Zone AE, Zone AH, etc.: Zone A  
Base Flood Elevation(s): AE 0 ft., etc.: \_\_\_\_\_
- c. Flood Zones are subject to change by FEMA and all land within a floodplain is regulated by Chapter 10 of the Star City Code.



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

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

Potable Water - applying to Star Water and Sewer District  
 Irrigation Water- no irrigation rights with property  
 Sanitary Sewer- applying to Star Water and Sewer District  
 Fire Protection - Star Fire Department  
 Schools - West Ada School District, LS-Star Elementary, MS-Star Middle School,  
 Roads - Beacon Light and Pollard, ACHD HS-Star High School

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

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

**Application Requirements:**

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

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



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

### FEE REQUIREMENT:

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

Mauanne Dai  
Applicant/Representative Signature

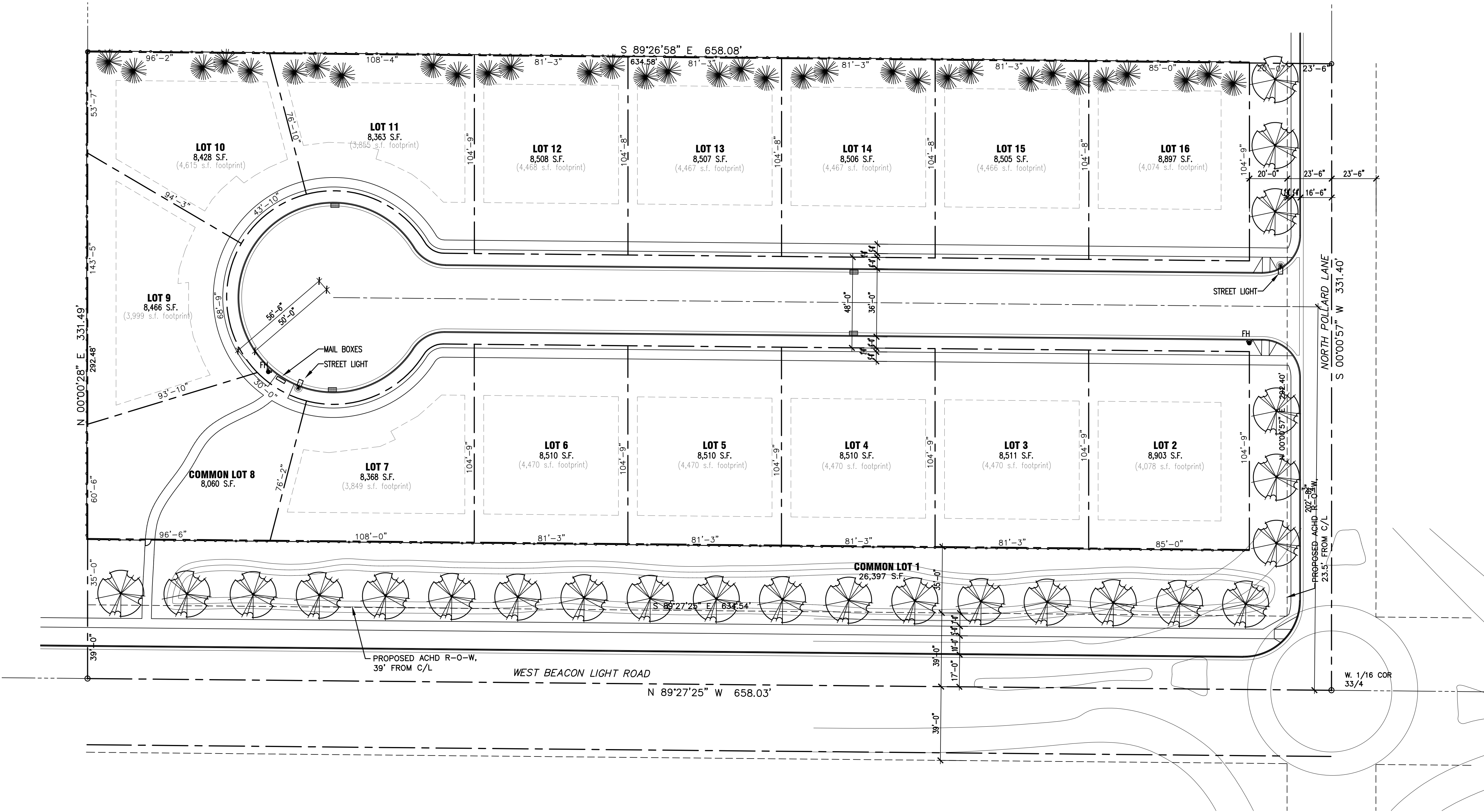
Sept 22, 2021  
Date

SITE DATA

TOTAL SITE AREA:.....218,099 S.F. / 5.00 ACRES  
BEACON LIGHT AND POLLARD RIGHT-OF-WAY..... 59,892 S.F. / 1.37 ACRES  
RESIDENTIAL LOT AREA.....119,493 S.F. / 2.74 ACRES  
COMMON LOT AREA.....34,457 S.F. / 0.79 ACRES

CURRENT ZONING:.....RUT  
PROPOSED ZONING:.....R-3

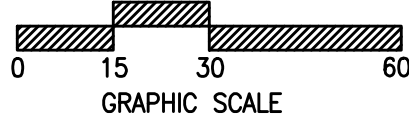
TOTAL NUMBER OF BUILDABLE LOTS:.....14 (2.8 UNITS PER ACRE)  
TOTAL COMMON LOTS:.....2



1 SITE PLAN

SCALE: 1" = 30'-0"

SITE SIZE: 218,099 S.F.  
5.00 ACRES

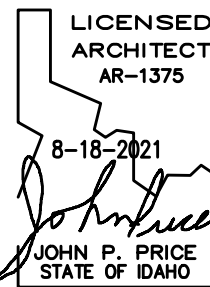


PROJECT

SPRINGTREE  
ESTATES  
SUBDIVISION

9220 W. BEACON LIGHT  
ROAD  
STAR, IDAHO

SEAL



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FILE

DATE  
8-18-2021

FILE NO.  
20-210 A1.0

DRAWN  
JOHN PRICE

REVISIONS

SHEET

A1.0  
SITE PLAN

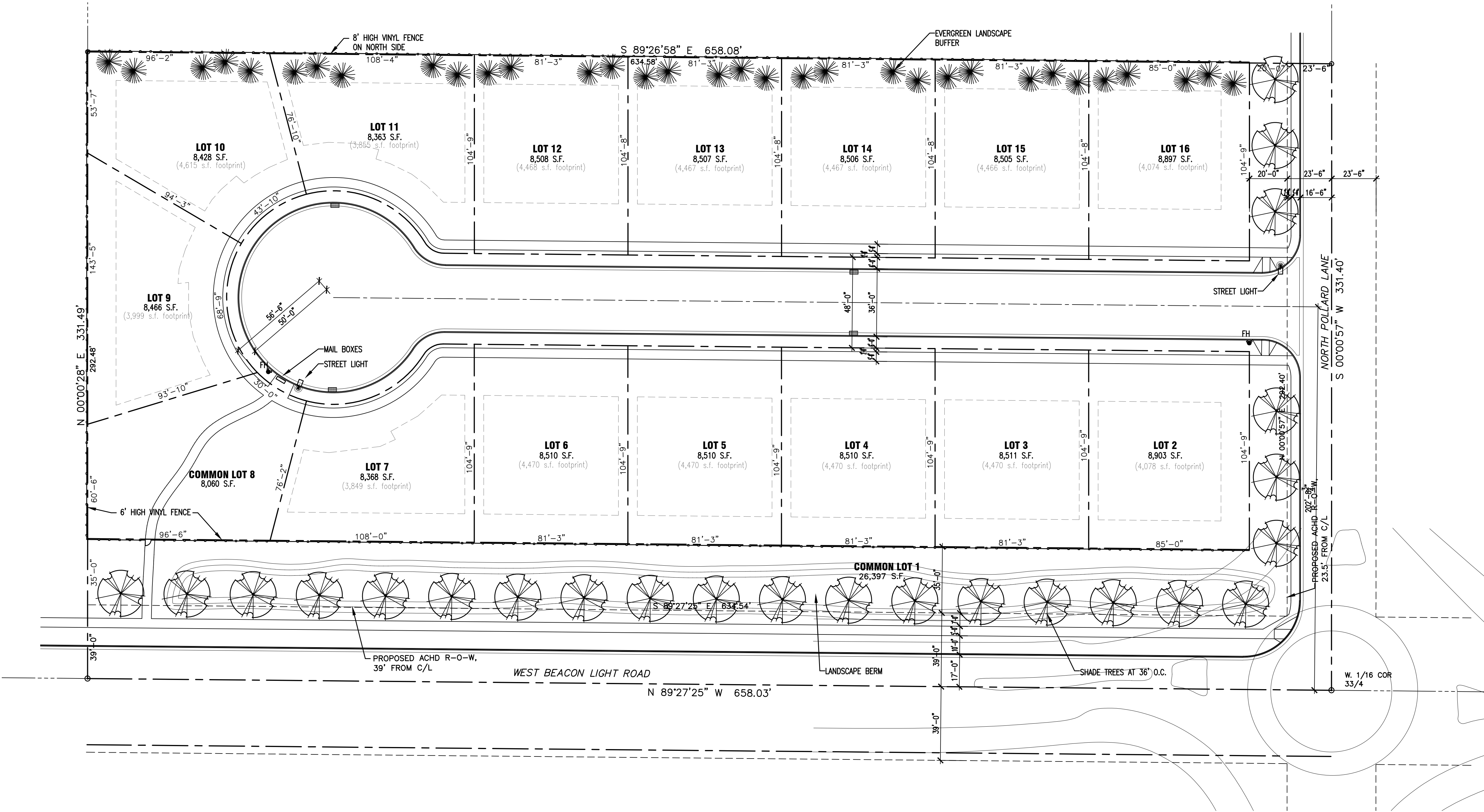


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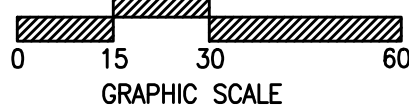
TOTAL NUMBER OF BUILDABLE LOTS:.....14 (2.8 UNITS PER ACRE)  
TOTAL COMMON LOTS:..... 2



1 SITE PLAN / LANDSCAPE PLAN

SCALE: 1" = 30'-0"

SITE SIZE: 218,099 S.F.  
5.00 ACRES

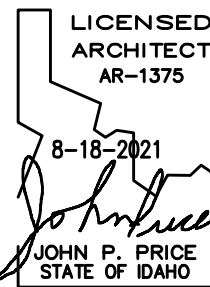


PROJECT

SPRINGTREE  
ESTATES  
SUBDIVISION

9220 W. BEACON LIGHT  
ROAD  
STAR, IDAHO

SEAL



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FILE

DATE  
8-18-2021

FILE NO.  
20-210 A1.0

DRAWN  
JOHN PRICE

REVISIONS

SHEET

A1.0  
SITE PLAN

08 February 2022

FROM: Geoffrey and Jessica Bauchman  
TO: City of Star City Council

SUBJECT: Springtree Estates Subdivision 92220 W. Beacon Light Road Star, ID

We are the owners of 3301 N Pollard Ln Star, ID, the lot and land adjacent to the planned subdivision. We would like to start by saying that we are not opposed to the subdivision, but rather concerned with the overall layout and plan and how it affects us. Toll Brothers is developing the remaining land behind our property and because we purchased the home in July of last year we did not have the opportunity to be given consideration for 100' setback from home to home/structures, privacy berms, landscaping or fencing. After attending the January 18, 2022 City Council Meeting, and listening to both concerns and concessions regarding another new development not far from us, we were incredibly disheartened to learn that others developing were having to make compromises, while we watch Toll Brothers right outside our front door making none. Our hope is that taking on active participation in this process from the start will allow for the opportunity to listen, be heard and ultimately find a way to make all parties happy with the end result.

Our land borders lots 10-16 of the proposed development (see Attachment A). At the last City Counsel Meeting we listened to much discussion about transition zones from rural lots to planned subdivisions and setbacks of 100' from neighboring structures. On the current PLAT, this is not considered. Within the 5 acres of land available to develop, a large section will be required for setbacks for future expansion of Beacon light. This will drive smaller lots, seven of which will back up directly to our home and land. We would like to see a plan put in place that creates a natural transition between our home and the planned subdivision. The planned lot numbers 10-12 are less than 100' and some less than 50' from our current structures.

We believe that this plan could easily be achieved by requiring larger lot sizes that would create a natural transition. Additionally, a dirt berm with a fence built on top of it would create an additional privacy barrier for both us and the future residents of Springtree Estates.

Before Beacon light was repaved as part of the sewer expansion to feed the developments under instruction, a natural drainage existed that runs through the middle of our property into lot 13 of Springtree Estates and under the Beacon light (Attachment A). The culvert was removed during the Beacon light work. Our concern is that if the current culvert that runs from our property into lot 13 of Springtree Estates is removed, then we will be left with flooding in our field and nowhere for runoff water to run.

We would really like to see this development be single story homes. One of the most appealing parts about our property and those surrounding us, is the view. We would like to preserve the integrity of that view as much as possible. Privacy is also a top concern. The proposed subdivision has seven lots that, if occupied by two-story homes, would overlook where our

children play, where our animals live and where we gather regularly. We moved from a subdivision in Meridian for this exact reason; we no longer wanted to have our neighbors looking down into our yard from their top floor.

Our last concern is the plan to move the property address and entrance from Beacon Light to Pollard Lane. Pollard Lane between Beacon Light and Highway 16 is a quiet, rural road. The only cars that typically use Pollard between Beacon Light and Highway 16 are the few residents and visitors to the golf course. We feel that adding the entrance to a subdivision with 14 homes and likely 28+ vehicles will really change the road. We would like to see the entrance to the property remain off of Beacon Light to preserve the rural feel of our area as much as possible, amidst the overwhelming growth.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Geoffrey Bauchman" and "Jessica Bauchman" joined together.

Geoffrey and Jessica Bauchman  
3301 N Pollard Ln Star, ID 83669





# Attachment A

This is not an completely accurate depiction of Springtree Estates Lot lines but an approximation for discussion.

The red line illustrates the current natural runoff, location of the culvert and drainage ditch.



100 E Bower Street, Suite 110  
Meridian, ID 83642

(208) 288-1992

February 8, 2022

Mayor Trevor Chadwick  
City of Star  
P.O. Box 130  
Star, ID 83669

**Re: Springtree Subdivision Preliminary Plat Application**

Dear Mayor:

Keller Associates, Inc. has reviewed the Preliminary Plat for the Springtree Subdivision. We reviewed the applicant's package to check conformance with the City's Subdivision Ordinance and coordinated our review with Shawn L. Nickel. We have the following comments and question based on our review.

1. Water and sewer mains shall be extended to the north property boundary in Pollard Road.
2. Potable water cannot be used for irrigation purposes. A separate pressure irrigation system will be required. Construction plans for a subdivision-wide pressure irrigation system will be required for each final plat. Plan approvals and license agreements from the affected irrigation and/or canal companies will be required.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. 10-foot easements for pressure irrigation lines will need to be shown once the applicant determines the alignment location(s) for the facilities. Show all ditch and drainage easements.
6. This subdivision will need to be annexed into the Star Sewer and Water District to provide water and sewer to the site.

We recommend that the preliminary plat be **APPROVED with the conditions listed above**. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**

Ryan V. Morgan, P.E.  
City Engineer

cc: File





# ADA COUNTY DEVELOPMENT SERVICES

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

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

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

December 30, 2021

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

RE: AZ-21-16 / 9220 W Beacon Light Road / Springtree Estates Subdivision

Feedback has been requested regarding the proposed annexation and preliminary plat for the Springtree Estates Subdivision, which will consist of 14 single-family homes on 5-acres at 9220 W Beacon Light Road. Ada County is supportive of the application due to the proximity of the site to existing public services, and due to its compliance with the Star Comprehensive Plan, as adopted by Ada County, which designates the site as *Medium Density Residential*, which is intended for single-family homes at densities of four dwelling units per acre or less.

The proposed subdivision of the land into 14 lots is supported by *Goal 2.2* of the Ada County Comprehensive Plan which calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made. To improve future connectivity, it is recommended that a stub street to the north be considered to provide connectivity in compliance with *Goals 4.3b and 4.3c* of the Ada County Comprehensive Plan which promote connectivity through well-connected local street systems and stub streets connecting to future developments on adjacent lands wherever possible within Areas of City Impact.

Additionally, the proposal to set aside over 8,000 square feet of open space, which will include a picnic area is compatible with *Residential Policy 3* of the Star Comprehensive Plan, which encourages neighborhood parks and open spaces to be provided within residential areas, as well as to protect and enhance the hillside along the southwestern portion of the site, which is supported by *Recreation, Parks, Open Space and Pathways Policy 13*, which calls for the protection of steep slopes in order to preserve the natural lay of the land.

Thank you for this opportunity to provide feedback.

Sincerely,

*Stacey Yarrington*

Stacey Yarrington  
Community & Regional Planner  
Ada County Development Services



# West Ada

## SCHOOL DISTRICT

January 14, 2022

City of Star  
P.O. Box 130  
Star, ID 83669

RE: Springtree Estates, PP-21-19

Dear Planners:

West Ada School District has experienced significant and sustained growth in student enrollment during the last ten years. Based on current enrollment data specific to the area surrounding this proposed development, we estimate a development consisting of 14 homes could house approximately **5 school aged children**. Approval of this application will affect enrollments at the following schools in West Ada School District based on attendance areas for the 2021-22 school year. For your information, included in this data is the number of approved preliminary plat parcels and multi-family units approved by this and other agencies.

	<u>Enrolled for 21-22</u>	<u>Capacity</u>	<u>Approved prelim plat parcels per attendance area</u>	<u>Approved MF units per attendance area</u>
Star Elementary	651	650	3337	37
Star Middle School	834	1000	9045	278
Eagle High School	1775	1800	5953	577
Galileo STEM Academy (K-8 school of choice)	724	775	N/A	N/A

West Ada School District supports economic growth. To meet the need for additional school capacity in this area one or more of the following may need to be accomplished:

- Transporting students to an alternate school with available classrooms.
- Attendance area adjustments if there is availability in a nearby school.
- Passage of a bond to build a new elementary school on land already owned by West Ada School District.
- Portable classrooms placed on the property.

Please encourage the developer to provide safe walkways, bike paths and pedestrian access for our students. Future developments will continue to have an impact on the district's capacity.

Sincerely,

Marci Horner  
Planning and Development Administrator

**Project/File:**     **Springtree Estates Subdivision/ SPP22-0001**  
*This is an annexation, rezone, and preliminary plat application to allow for the development of a 16 lot subdivision on 5 acres.*

**Lead Agency:**     City of Star

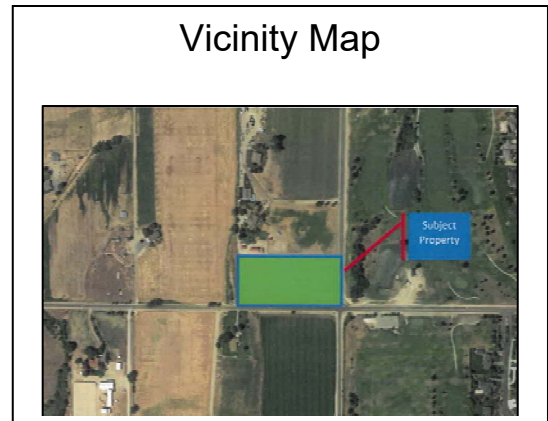
**Site address:**     9220 Beacon Light Road

**Staff Approval:**   January 13, 2022

**Applicant:**        Marianne Payne  
                             PO Box 6964  
                             Boise, ID 83707

**Representative:** John Price  
                             The Architects Office  
                             499 W Main Street  
                             Boise, ID 83702

**Staff Contact:**    Mindy Wallace, AICP  
                             Phone: 387-6178  
                             E-mail: [mwallace@achdidaho.org](mailto:mwallace@achdidaho.org)



## **A. Findings of Fact**

- Description of Application:** The applicant is requesting approval of an annexation, rezone (RUT to R-3-DA), and preliminary plat application to allow for the development of a 16 lot subdivision consisting of 14 single family building lot and 2 common lots on 5 acres. This application includes a development agreement with the City of Star.

The applicant's proposal is consistent with the City of Star's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Single family residential	RUT (Ada County)
South	Single family residential	R-2
East	Golf Course	Golf Course
West	Single family residential	R-3

- Site History:** ACHD has not previously reviewed this site for a development application.
- Adjacent Development:** The following developments are pending or underway in the vicinity of the site:
  - Rivercreek Landing Subdivision is located directly south of the site and consists of 144 single family building lot and was approved by ACHD on January 20,2021.
  - Moyle Estates No. 2 is located directly west of the site and consist of 86 single family building lots and was approved by ACHD on December 10, 2020.

5. **Transit:** Transit services are not available to serve this site.
6. **Pathway Crossings:** United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

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

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

7. **New Center Lane Miles:** The proposed development includes 0.13 centerline miles of new public road.
8. **Impact Fees:** There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
9. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
  - Beacon Light Road is listed in the CIP to be widened to 3-lanes from Munger Road to Pollard Lane between 2036 and 2040.
  - Beacon Light Road is listed in the CIP to be widened to 3-lanes from Pollard Lane to SH-16 between 2036 and 2040.
  - The intersection of Pollard Lane and Beacon Light Road is listed in the CIP to be widened and reconstructed as a single lane roundabout between 2036 and 2040.
10. **Roadways to Bikeways Master Plan:** ACHD's Roadways to Bikeways Master Plan (BMP) was adopted by the ACHD Commission in May of 2009 and was update in 2018. The plan seeks to implement the Planned Bicycle Network to support bicycling as a viable transportation option for Ada County residents with a wide range of ages and abilities, maintain bicycle routes in a state of good repair in order to ensure they are consistently available for use, promote awareness of existing bicycle routes and features and support encouragement programs and to facilitate coordination and cooperation among local jurisdictions in implementing the Roadways to Bikeways Plan recommendations.

The BMP identifies Beacon Light Road as an existing Level 1 facility and a future Level 3 facility that will be constructed as part of a future ACHD project.

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

1. **Trip Generation:** This development is estimated to generate 133 vehicle trips per day; 14 vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 11<sup>th</sup> edition.
2. **Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Pollard Lane	308-feet	Local	19	N/A
Beacon Light Road	650-feet	Minor Arterial	161	Better than "E"

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

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

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

- The average daily traffic count for Pollard Lane north of Beacon Light Road was 798 on 7/8/2020.
- The average daily traffic count for Beacon Light Road west of SH-16 was 2,853 on 7/8/2020.

## C. Findings for Consideration

### 1. Purple Sage/Beacon Light Alignment Study

The Purple Sage Road/Beacon Light Road alignment study is the result of a regional alignment study that was done in a collaborative effort between the Ada County Highway District (ACHD) and the Canyon Highway District #4 (CHD4). The study identifies Purple Sage Road/Beacon Light Road corridor is located in northeastern Canyon County and northwestern Ada County. The study was undertaken in response to Communities in Motion, the long-range transportation plan for southwest Idaho prepared by the regional planning organization, Community Planning Association of Southwest Idaho (COMPASS). Communities in Motion identified the corridor as a location that is expected to experience more traffic, serving as a reliever to State Highway 44. The purpose of the study is to identify a connection between Purple Sage Road and Beacon Light Road and make plans for corridor preservation.

On June 28, 2008 the ACHD Commission approved the Purple Sage/Beacon Light Alignment Study which included a preferred alignment for the roadway and determined that Beacon Light Road would be extended as a 3-lane minor arterial roadway. The study notes that right-of-way dedication and construction of the roadway will occur incrementally as development occurs.

### 2. MSM Roundabout – Beacon Light Road/Pollard Lane

- ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, roundabout requirements, and specific roadway features required through development. A new roundabout was identified on the MSM. The new single-lane roundabout is planned at the Beacon Light Road and Pollard Lane intersection.
- Applicant Proposal:** The applicant is not proposing to dedicate additional right-of-way abutting the site to accommodate for the future construction of the single-lane roundabout at the Beacon Light Road and Pollard Lane intersection.
- Staff comments/Recommendation:** Consistent with the MSM, the applicant should be required to dedicate additional right-of-way to accommodate the future construction of a single-lane roundabout at the Beacon Light Road/Pollard Lane intersection consistent with template shown as attachment 3. Compensation will be provided for the right-of-way dedication for the roundabout, as this project is listed as impact fee eligible in the CIP.

### 3. Beacon Light Road

- a. **Existing Conditions:** Beacon Light Road is improved with 2-travel lanes, 24-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 45-feet of right-of-way for Beacon Light (24-feet from centerline).

b. **Policy:**

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

**Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

**Street Section and Right-of Way Width Policy:** District Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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

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

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

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

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

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

**ACHD Master Street Map:** ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Beacon Light is designated in the MSM as a Residential Arterial with 3-lanes and on-street bike lanes, a 46-foot street section within 78-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to dedicate 39-feet of right-of-way from the centerline of Beacon Light Road abutting the site. No improvements are proposed.
- d. **Staff Comments/Recommendations:** Typically, right-of-way would be measured from centerline of the roadway; however, the right-of-way dedication and the construction of improvements should be from the section line of Beacon Light Road because the centerline and section line do not align on this segment of the roadway.

Consistent with ACHD's prior action on Moyle Estates 2 Subdivision located directly west of the site, the applicant should be required to dedicate right-of-way to total 40-feet from the section line of Beacon Light Road abutting the site. Compensation will be provided for this right-of-way dedication, as this segment of Beacon Light Road is listed for improvements in the CIP.

The applicant should be required to improve Beacon Light Road with additional pavement widening to total 17-feet from section line with 3-foot wide gravel shoulders abutting the site.

The applicant should be required to construct a 5-foot wide detached concrete sidewalk on Beacon Light Road abutting the site located a minimum 30-feet from section line. The applicant should be required to provide a permanent right-of-way easement for any sidewalks located outside of the dedicated right-of-way. The permanent easement shall encompass the entire area between the right-of-way line to 2-feet behind the back edge of the sidewalk. If street trees are required than an 8-foot wide planter strip should be provided.

#### 4. Pollard Lane

- a. **Existing Conditions:** Pollard Lane is improved with 2-travel lanes, 20-feet of pavement, and no curb, gutter or sidewalk abutting the site. There is 44-feet of right-of-way for Pollard Lane (17-feet from centerline).

- b. **Policy:**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

**Standard Urban Local Street—33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District's Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

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

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

**Half Street Policy:** District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

- c. **Applicant's Proposal:** The applicant is proposing to dedicate 23.5-feet of right-of-way from the centerline of Pollard Lane abutting the site. No improvements are proposed.
- d. **Staff Comments/Recommendations:** There is a large irrigation canal, Big Gulch Creek, located on the east side of Pollard Lane across from and south of the site between Beacon Light Road and Floating Feather Road. Although not located as close to the Pollard Road, Big Gulch Creek, is extends from Beacon Light Road north, across from the site. In 2015 as part of ACHD's action on Star Middle School it was determined that Pollard Lane should be widened to the west, due to the size of the canal and the cost associated with relocating the canal outside of the right-of-way.

Consistent with ACHD's 2015 action on Star Middle School and other action along Pollard Lane and to ensure that north and south legs of the Beacon Light/Pollard Lane intersection align, the applicant should be required to dedicate additional right-of-way to total 54-feet from the existing edge of pavement on the east side of Pollard Lane across from the site and construct Pollard Lane as ½ of a 36-foot local street section with vertical curb, gutter, and 5-foot wide attached (or 5-foot wide detached) concrete sidewalk abutting the site. If detached sidewalk is desired a permanent right-of-way easement should be provided to 2-feet behind the back edge of the sidewalk. If street trees are desired, then an 8-foot wide planter strip should be provided.

A portion of the Pollard Lane frontage is located within the influence area of the intersection. Compensation will be provided for the right-of-way necessary to accommodate the construction of the future roundabout only.

## 5. Private Roads

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
  - Designed to discourage through traffic between two public streets,
  - Graded to drain away from the public street intersection, and
  - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.

**Driveway Location Policy:** District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

- b. **Applicant Proposal:** The applicant has proposed to construct a public street with 48-feet of right-of-way. No street section or pedestrian improvements are proposed.
- c. **Staff Comments/Recommendations:** Staff is not supportive of the proposal to construct a public street and recommends that a private road be constructed to serve the site. The proposed



roadways essentially serve as a private drive for the homes providing little or no public benefit. If the applicant is required to construct a public street by the City of Star than a public stub street should be constructed to the parcel located north of the site and a revised site plan should be provided to ACHD for review and comment.

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

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

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

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

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

## **6. Tree Planters**

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

## **7. Landscaping**

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

## **8. Other Access**

Beacon Light Road is classified as a minor arterial roadway. Direct lot access is prohibited to this roadway and should be noted on the final plat.

## **D. Site Specific Conditions of Approval**

1. Dedicate additional right-of-way abutting the site to accommodate the future construction of the single-lane roundabout at the Beacon Light/Pollard Lane intersection consistent with the template shown as attachment 3. Compensation will be provided for this right-of-way dedication.
2. Dedicate additional right-of-way to total 40-feet from section line of Beacon Light Road abutting the site. Compensation will be provided for this right-of-way dedication.

3. Improve Beacon Light Road with pavement widening to 17-feet from section line and 3-foot wide gravel shoulder abutting the site.
4. Construct a 5-foot wide detached concrete sidewalk on Beacon Light Road located a minimum 30-feet from section line abutting the site. Provide a permanent right-of-way easement for any public sidewalk placed outside of the dedicated right-of-way. The permanent easement shall encompass the entire area between the right-of-way line to 2-feet behind the back edge of the sidewalk.
5. Dedicate additional right-of-way to total 54-feet of right-of-way from the existing edge of pavement on the east side of Pollard Lane.
6. Construct Pollard Lane as  $\frac{1}{2}$  of a 36-foot local street section with vertical curb, gutter, and 5-foot wide attached (5-foot wide detached) concrete sidewalk abutting the site. The 36-feet should be measured from the edge of pavement on the east side of the roadway across from the site. If detached sidewalk is desired a permanent right-of-way easement should be provided to 2-feet behind the back edge of the sidewalk. If street trees are desired, then an 8-foot wide planter strip should be provided.
7. Construct one 20 to 24-foot wide private road to intersect Pollard Lane located a minimum of 150-feet north of Beacon Light Road.
8. Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
9. If an internal public street is required by the City of Star, then submit a revised preliminary plat which include a stub street to the parcel (No. S0333334000) located directly north of the site for review and approval.
10. Direct lot access to Beacon Light Road is prohibited and shall be noted on the final plat.
11. Submit civil plans to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
12. Payment of impact fees is due prior to issuance of a building permit.
13. Comply with all Standard Conditions of Approval.

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

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.

3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPMC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

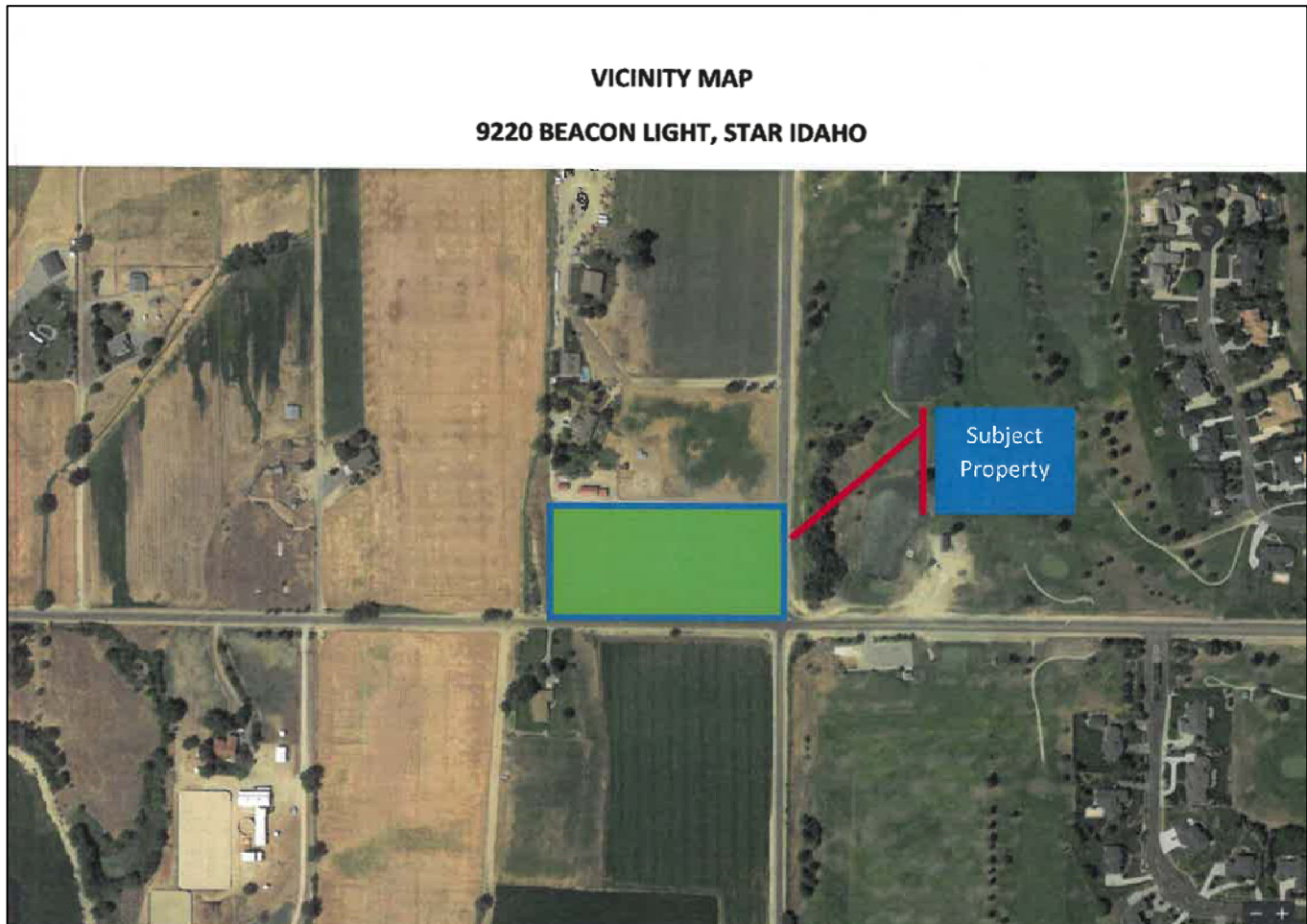
## **F. Conclusions of Law**

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

## **G. Attachments**

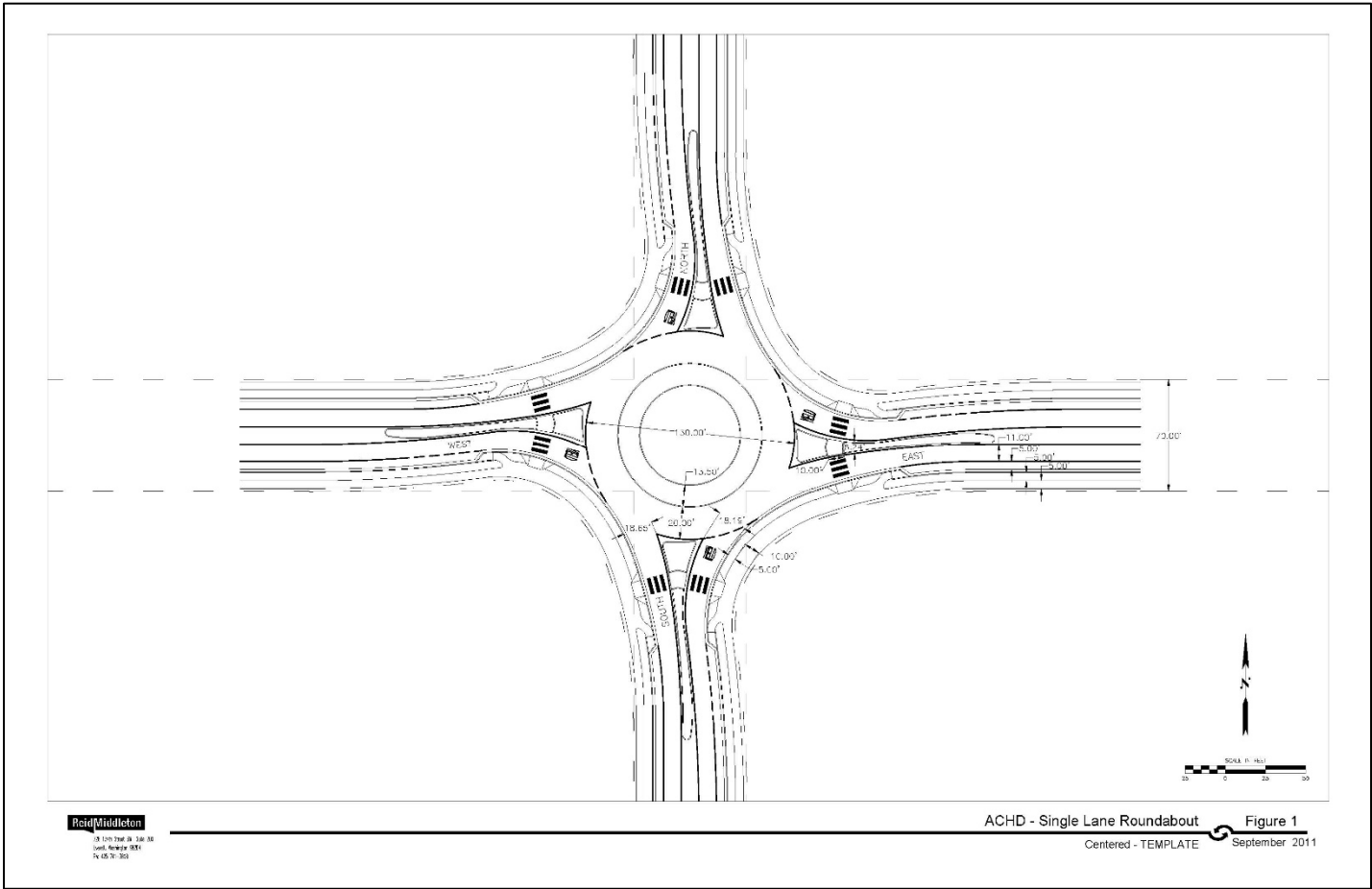
1. Vicinity Map
2. Site Plan
3. Roundabout Template
4. Utility Coordinating Council
5. Development Process Checklist
6. Request for Reconsideration Guidelines **OR** Appeal Guidelines

## VICINITY MAP





Roundabout Template





# Ada County Utility Coordinating Council

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

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

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

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

# Development Process Checklist

## Items Completed to Date:

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

## Items to be completed by Applicant:

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

### DID YOU REMEMBER:

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

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

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

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

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

#### *Construction (Subdivisions)*

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

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

##### ☐ **Idaho Power Company**

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

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

## Request for Appeal of Staff Decision

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

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

- a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

- b. The request must be in writing and delivered to the Secretary of the Highway District no later than 11:00 a.m. 2 days prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.
- c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.
- d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.
- e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.
- f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.



**STATE OF IDAHO**  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1445 N Orchard Street, Boise, ID 83706  
(208) 373-0550

Brad Little, Governor  
Jess Byrne, Director

December 30, 2021

By e-mail: [snickel@staridaho.org](mailto:snickel@staridaho.org)

City of Star  
P.O. Box 130  
Star, Idaho 83669

Subject: Springtree Estates Subdivision, AZ-21-16/DA-21-24/PP-21-19

Dear Mr. Nickel:

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

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

**1. AIR QUALITY**

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

- Per 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 David Luft, Air Quality Manager, at (208) 373-0550.

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

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

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

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.02.851 and 852). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.02.851.01 and 04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Ground Water Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

For questions, contact Albert Crawshaw, 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,

A handwritten signature in black ink that reads "Aaron Scheff". The signature is written in a cursive, flowing style.

Aaron Scheff  
Regional Administrator  
DEQ-Boise Regional Office

EDMS#: 2021AEK279



Ada County Transmittal  
Division of Community and Environmental Health

Return to:

- ☐ ACZ  
☐ Boise  
☐ Eagle  
☐ Garden City  
☐ Meridian  
☐ Kuna  
☒ Star

Rezone # \_\_\_\_\_

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat PP-21-19

Springtree Estates

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:  
☐ high seasonal ground water ☐ waste flow characteristics  
☐ bedrock from original grade ☐ other \_\_\_\_\_
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☒ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:  
☒ central sewage ☐ community sewage system ☐ community water well  
☒ interim sewage ☒ central water  
☐ individual sewage ☐ individual water
- ☒ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:  
☒ central sewage ☐ community sewage system ☐ community water  
☐ sewage dry lines ☒ central water
- ☐ 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 12. We will require plans be submitted for a plan review for any:  
☐ food establishment ☐ swimming pools or spas ☐ child care center  
☐ beverage establishment ☐ grocery store
- ☒ 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDH.
- ☐ 14. \_\_\_\_\_

Reviewed By: Lowrey

Date: 12/21/2021