



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department *Shen T. Muth*

MEETING DATE: **September 5, 2023 – PUBLIC HEARING**

FILE(S) #: DE-AX-23-01 Annexation and Zoning

OWNER/APPLICANT/REPRESENTATIVE

Applicant/Representative:

Jay Walker
Kimley Horn & Associates
950 W. Bannock St., Ste. 1100
Boise, Idaho 83702

Property Owner:

Todd Campbell
P.O. Box 140298
Boise, Idaho 83714

REQUEST

Request: The Applicant is requesting de-annexation of a small area of about 3,500 square feet along the southern boundary of the property annexed as part of the Iron Mountain Vista Subdivision. The property is located on the north side of W. Floating Feather Road, approximately 650 east of N. Pollard Lane in Star, Idaho, and consists of 16.46 acres with a proposed density of 2.79 dwelling units per acre.

PROPERTY INFORMATION

Property Location: The subject property is generally located between N. Pollard Lane and N. Hwy 16. Ada County Parcel Numbers R9545740040 & R9545740050.

APPLICATION REQUIREMENTS

Pre-Application Meeting Held	July 26, 2023
Neighborhood Meeting Held	
Application Submitted & Fees Paid	August 2, 2023

Application Accepted	August 2, 2023
Residents within 300' Notified	August 7, 2023
Legal Notice Published	August 13, 2023
Property Posted	

HISTORY

City Council approved the annexation and zoning, development agreement and preliminary plat for Iron Mountain Vista Subdivision on November 16, 2021.

OVERVIEW OF REQUEST

DE-ANNEXATION:

The applicant is requesting approval by Council to de-annex an area of 6' x 587.12' (3,520 square feet) along the southern boundary of the parcel that was originally annexed in 2021 as part of the Iron Mountain Vista Subdivision. The area that is requested to be de-annexed will then be given to the property owners to the south through a lot-line adjustment by Ada County. The area in question contains the water service lines that serve the 3 lots located to the south in the Worsley's Folly Subdivision.

STAFF RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed de-annexation request is consistent with all requirements, standards and intent as they relate to the Comprehensive Plan and Unified Development Code.

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.

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.

COUNCIL DECISION

The Star City Council _____ File Number DE-AX-23-01 for Iron Mountain Vista
Subdivision on _____, 2023.



15.84 a

N Pollard Ln

N Pollard Ln

N Pollard Ln

N Sugar Loop Ave

N Warrley Ln

W Reynold Creek St

W Floating Feather Rd

W Snow Wolf Dr

16

Emmett Hwy

Emmett Hwy

Star Cemetery



August 2, 2023

Planning & Zoning Department
City of Caldwell
10769 W. State Street
Star, ID 83669

RE: *Iron Mountain Vista De-Annexation*

On behalf of Todd Campbell, we are submitting a De-Annexation application for review and approval. In accordance with direction from the Planning Director, this submittal is based off the Annexation submittal checklist. Accordingly, we are submitting all required documents electronically via a thumb drive, as required. Paper copies can be submitted if requested/required.

The proposed De-Annexation is for a small sliver of land (approximately 3,500 square feet or 0.08 acres) along the south boundary of the Iron Mountain Vista Subdivision (File #'s AZ-21-14/DA-21-21/PP-21-18) containing water service lines. At the time of original submittal and approvals, the precise location of these two water service lines were not known. Therefore, the annexation boundary included these water service lines that serve the County zoned parcels directly south of the project. To ensure there are no maintenance, access, or tax issues on this area and water service lines, we are submitting a De-Annexation with the City of Star for this area. If approved, a separate Property Boundary Adjustment will be submitted to Ada County to ensure the subdivision boundary of Iron Mountain Vista and the rear property lines of the adjacent lots are consistent with the "new" annexation boundary.

Please contact me at (208) 906-0883 or Jay.Walker@kimley-horn.com should you have any questions.

Sincerely,

Jay Walker



Client: Iron Mountain Vista Subdivision
Date: 08-02-2023
Job No.: 7421

**EXHIBIT C
DE-ANNEXATION
PROPERTY DESCRIPTION**

Six Foot (6') Wide Strip of land for the Purpose of De-Annexation located in Lot 4 Block 1 of the Worsley's Folly Subdivision, Recorded in Book 86 at Page 9656, Ada County Recorders, situated in the NE1/4 of the SW1/4 of Section 4, Township 4 North, Range 1 West, Boise Meridian, City of Star, Ada County Idaho, more particularly described as follows:

COMMENCING at a Brass Cap monument marking the SE corner of said NE1/4 SW1/4, (Center South 1/16 Corner) said corner bears S. 00° 03' 01" E., a distance of 1328.83 feet from a found Aluminum Cap monument marking the NE corner of said NE1/4 SW1/4 (Center 1/4 Corner);

Thence along the East Boundary of said NE1/4 SW1/4, N. 00° 03' 01" W. a distance of 238.90 feet to the Southeast corner of Lot 4 Block 1 of said Worsley's Folly Subdivision;

Thence leaving said East Boundary and along the South Boundary line of said Lot 4, S. 89° 32' 24" W., a distance of 69.97 feet to the **POINT OF BEGINNING**;

Thence continuing along said South Boundary line of Lot 4, S. 89° 32' 24" W. a distance of 587.12 feet to the Southwest Corner of said Lot 4;

Thence leaving said Southwest Corner and along the West Boundary line of said Lot 4, N. 00° 00' 31" W., a distance of 6.00 feet;

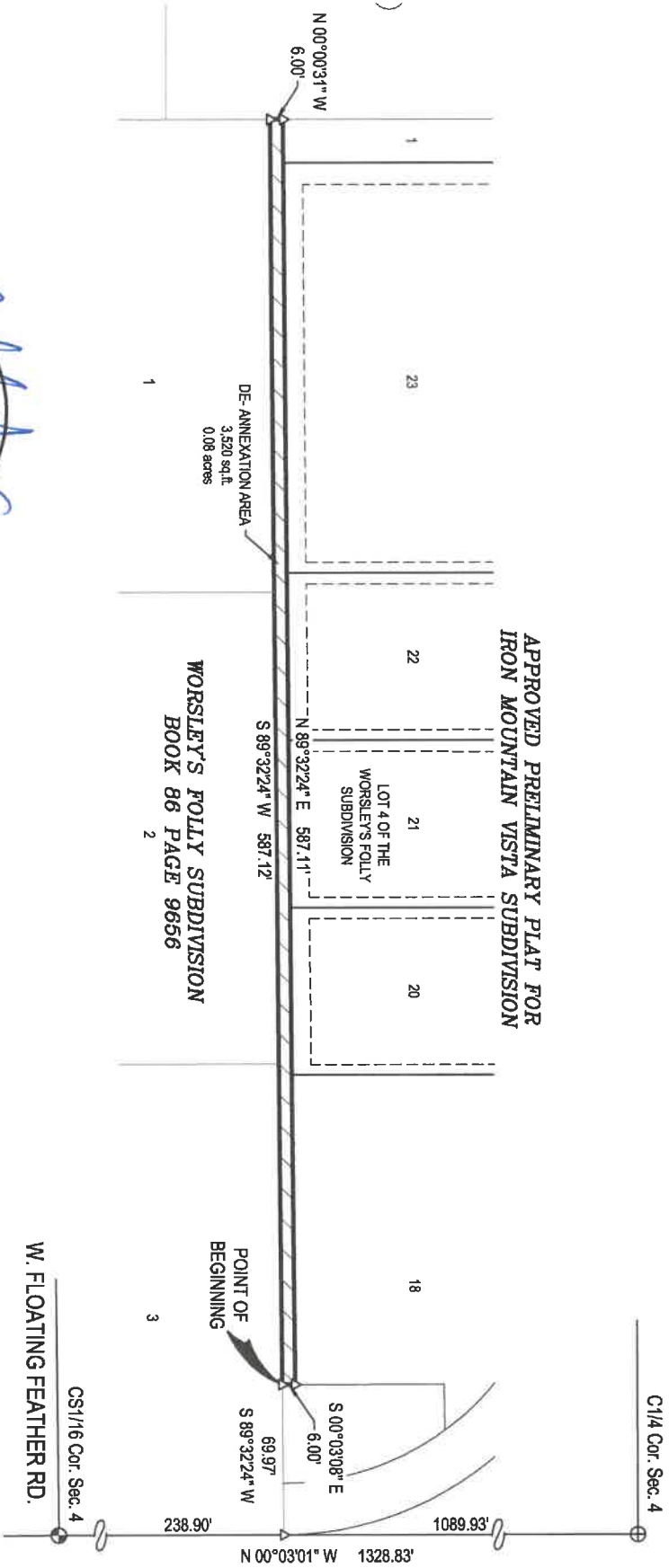
Thence leaving said West boundary line and along a line parallel with the South Boundary line of said Lot 4, N. 89° 32' 24" E., a distance of 587.11 feet;

Thence S. 00° 03' 08" E., a distance of 6.00 feet to the **POINT OF BEGINNING**;

This parcel contains 0.08 acres more or less.



EXHIBIT B FOR DE-ANNEXATION
LOCATED IN THE NE1/4 SW1/4 OF SECTION 4, T. 4 N., R. 1 W., B.M.,
CITY OF STAR, ADA COUNTY, IDAHO
2023

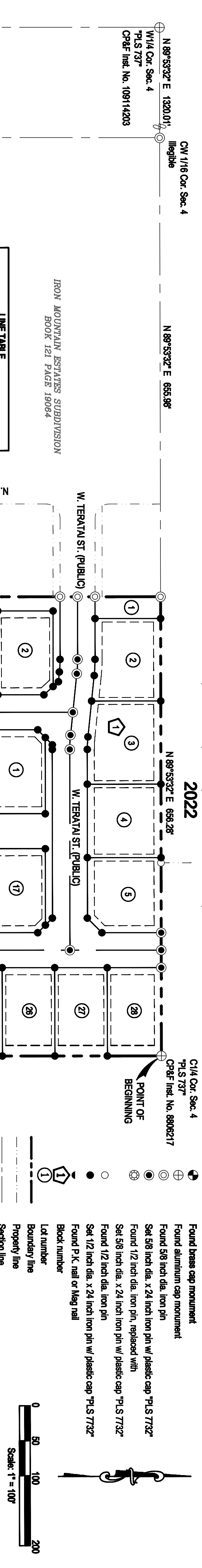


COMPASS LAND SURVEYING, PLLC

623 11th Avenue South Nampa, ID 83651
 Office: (208) 442-0115 Fax: (208) 327-2106

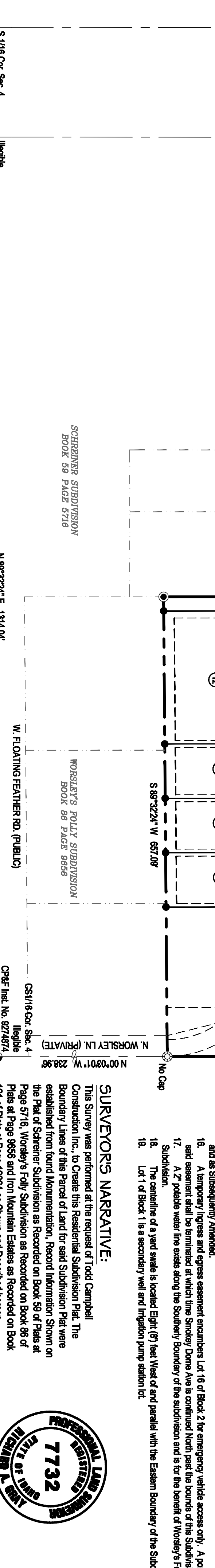
PLAT OF IRON MOUNTAIN VISTA SUBDIVISION

**A REPLAT OF LOTS 4 & 5, BLOCK 1 OF WORSLEY'S FOLLY SUBDIVISION,
LOCATED IN THE E-1/2 NE-1/4 SW-1/4 OF SECTION 4,
T. 4 N., R. 1 W., B.M., ADA COUNTY, IDAHO
2022**



LINE	BEARING	LENGTH
L1	S 84°08'02" E	14.04
L2	S 42°04'16" E	10.28
L3	S 42°04'16" E	17.88
L4	N 45°55'43" E	15.40
L5	N 45°55'43" E	14.82
L6	S 45°01'07" E	14.14
L7	S 45°01'07" E	15.32

CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD
C1	23.14	225.00	06°53'37"	N 87°04'57" W	23.13
C2	20.57	200.00	06°53'37"	N 87°04'57" W	20.56
C3	18.00	175.00	06°53'37"	N 87°04'57" W	17.99
C4	18.00	175.00	06°53'37"	S 87°04'52" E	18.00
C5	20.58	200.00	06°53'41"	S 87°04'52" E	20.57
C6	6.89	225.00	01°40'41"	S 86°11'22" E	6.89
C7	5.00	75.00	03°48'20"	S 01°45'11" E	5.00
C8	53.98	75.00	41°13'22"	S 24°26'32" E	52.80
C9	53.98	75.00	41°13'21"	S 45°03'30" E	52.81
C10	5.01	75.00	03°49'44"	S 88°11'36" E	5.01
C11	117.84	75.00	90°05'57"	S 45°03'30" E	108.16
C12	78.83	50.00	90°05'56"	S 45°03'30" E	70.17
C13	16.13	25.00	36°58'09"	S 16°28'35" E	15.85
C14	23.18	25.00	53°07'46"	S 63°32'34" E	22.36
C15	38.31	25.00	90°05'57"	S 45°03'30" E	35.39
C16	79.47	75.00	60°42'36"	N 89°32'12" E	75.80
C17	38.21	75.00	29°11'25"	N 14°35'11" E	37.80
C18	117.88	75.00	89°54'03"	N 44°56'30" E	105.87
C19	78.45	50.00	89°54'03"	N 44°56'30" E	70.85
C20	23.13	25.00	53°01'04"	N 63°22'59" E	22.32
C21	18.09	25.00	36°52'56"	N 16°25'58" E	18.82
C22	38.23	25.00	89°54'03"	N 44°56'30" E	35.32
C23	148.39	150.31	56°53'43"	N 26°25'45" W	142.43
C24	124.94	128.00	66°46'00"	N 53°16'51" E	118.79
C25	25.87	75.00	19°36'34"	N 53°16'51" E	25.54
C26	18.71	75.00	14°17'41"	N 53°19'44" E	18.88

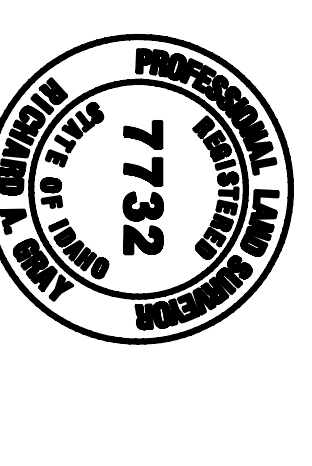


LEGEND

- △ Calculated point
- Found brass cap monument
- Found aluminum cap monument
- Found 5/8 inch dia. iron pin
- Found 5/8 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732*
- Found 1/2 inch dia. iron pin, replaced with
- Found 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732*
- Found 1/2 inch dia. iron pin
- Found 1/2 inch dia. x 24 inch iron pin w/ plastic cap PLS 7732*
- Found P.K. nail or Mag nail
- Block number
- Lot number
- Boundary line
- Property line
- Section line
- Easement line
- Lot line
- Centerline
- Private Road

NOTES:

- Minimum Building Setbacks and Dimensional Standards for this Subdivision shall be in accordance with the City of Star Standards for the Applicable Zone and Subdivision Regulations at the time of the issuance of individual Building Permits or as Specifically Approved and/or Required, or as shown on this Plat.
- Any re-subdivision of this Plat shall comply with the Applicable Zoning Regulations in effect to the time of re-subdivision.
- This development recognizes Section 22-4503, Idaho Code, "Right to Farm Act, which states: "No Agricultural operation, Agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof.
- The private well and portable pump station located within Lot 16, Block 2 will be contained in a bonded easement. Access will be provided through N. Worsley.
- The Iron Mountain Vista Subdivision Home Owners Association will Provide a Pressure Irrigation System from supplemental water rights to each lot, and will be Owned and Maintained by the Iron Mountain Vista Subdivision Home Owners Association.
- Lot 1, Block 1, Lot 1 and Lot 16, Block 2, and Lot 5, Block 3 are Common Area Lots all having a Bonded Easement for Access, Utilities, Pressure Irrigation, Drainage and Landscaping purposes and will be Owned and Maintained by the Iron Mountain Vista Homeowners Association.
- Lot 16, Block 2, or a Portion of said Lot is Servient to and Contain the ACHD Storm Water Drainage System and is a designated well lot. This Lot is Encumbered by that Certain First Amended Master Reciprocal Storm Water Drainage Easement Recorded on November 10, 2015 as Instrument No.2015-103286, Official Records of Ada County, and Incorporated herein by the reference as it set forth in full (The Master Easement). The Master Easement and the Storm Water Drainage System are Dedicated to ACHD pursuant to Section 40-2202 Idaho Code. The Master Easement is for the Operation and Maintenance of the Storm Water Drainage System.
- Existing Easements from Worsley's Folly Subdivision, per Idaho Code 50-1306(d) relating to the Vacation of Platded Easements States: Land Exclusive of Public Right of Way that has been Subdivided and Platted in Accordance with this Chapter need not be Vacated in order to be replatted.
- This Development is Subject to Temporary Landscape License Agreement with ACHD, Recorded as Instrument No. _____ Records of Ada County, Idaho.
- All Lots are hereby designated as having a Permanent Easement for Public Utilities, Pressure Irrigation and Lot Drainage over the Ten (10) feet along the Exterior North and West Subdivision Boundary Line, Fifteen (15) feet along the Exterior South and East Boundary Line, and the front Ten (10) feet adjacent to any Street. This Easement shall not Preclude the Construction of Hard-Surfaced Driveways and Walkways to each Lot.
- All Interior Lot Lines are hereby designated as having a Five (5) foot Permanent Easement for Public Utilities, Pressure Irrigation and Lot Drainage over the Five (5) feet Adjacent to all Interior Side Lot Line, unless otherwise shown and dimensioned.
- Building Setbacks and Dimensional Standards in this Subdivision shall be in Compliance with the City of Star Applicable Zoning.
- Direct Lot or Parcel Access to West Floating Feather Road is Prohibited.
- Maintenance of any Irrigation or Drainage Pipe or Ditch Crossing a Lot is the Responsibility of the Lot Owner unless such Responsibility is Assumed by an Irrigation/Drainage Entity.
- This Subdivision is Subject to the Terms of the Covenants, Conditions and Restrictions for Iron Mountain Vista Subdivision and as Subsequently Amended.
- A temporary ingress and egress easement encumbers Lot 16 of Block 2 for emergency, vehicle access only. A portion of said easement shall be terminated at which time Smokey Dome Ave is continued North past the bounds of this Subdivision.
- A 2" portable water line exists along the Southern Boundary of the subdivision and is for the benefit of Worsley's Folly Subdivision.
- The centerline of a yard swale is located Eight (8) feet West of and parallel with the Eastern Boundary of the Subdivision.
- Lot 1 of Block 1 is a secondary well and irrigation pump station lot.



SURVEYORS NARRATIVE:

This Survey was performed at the request of Todd Campbell Construction Inc., to Create this Residential Subdivision Plat. The Boundary Lines of this Parcel of Land for said Subdivision Plat were established from found Monumentation, Record Information Shown on the Plat of Schreiner Subdivision as Recorded on Book 59 of Plats at Page 5716, Worsley's Folly Subdivision as Recorded on Book 86 of Plats at Page 9656 and Iron Mountain Estates as Recorded on Book 121 of Plats at Page 19084 as Shown and Described Herein.

REFERENCE DATA

R1) Schreiner Subdivision Bk. 59, Pg. 5716
 R2) Iron Mountain Ridge Subdiv. Bk. 117, Pg. 17801
 R3) Worsley's Folly Subdivision Bk. 86, Pg. 9656
 R4) Iron Mountain Estates Subdivision Bk. 121, Pg. 19084

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 JN 7421 SHEET 1 OF 5
 01/27/2022