

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
IRON MOUNTAIN VISTA SUBDIVISION DE-ANNEXATION
FILE NO. DE-AX-23-01**

The above-entitled De-Annexation of a portion of the Iron Mountain Vista Subdivision came before the Star City Council for their action on October 3, 2023, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

Procedural History:

A. Project Summary:

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

B. Application Submittal:

The Land Use application was deemed complete on August 2, 2023.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on September 15, 2023. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on August 7, 2023. The property was posted in accordance with the Star Unified Development Code on September 21, 2023.

D. History of Previous Actions:

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

E. *Development Features.*

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.

8-1B-1C ANNEXATION/REZONE FINDINGS:

1. The map amendment complies with the applicable provisions of the Comprehensive Plan.
The Council finds that the de-annexation of the property will comply with the intent of the Comprehensive Plan.
2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.
The Council finds that the de-annexation of the property meets the intent of the proposed district and purpose statement.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare; and
The Council finds that there is no indication from the material and testimony submitted that the de-annexation 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 finds that the City has not been presented with any information from agencies having jurisdiction that public services will be adversely impacted by the de-annexation of this property.
5. The annexation is in the best interest of the city.
The Council finds the de-annexation request is reasonably necessary for the protection of those residents that would benefit from this action.

Public Hearing of the Council:

- a. A public hearing on the application was heard by the City Council on October 3, 2023, at which time testimony was heard and the public hearing was closed. The City Council made their decision at that time.
- b. Oral testimony regarding the application was presented to the City Council.

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed de-annexation in accordance with the City of Star Title 8 (Unified Development Code), deliberated on the matter, resulting in review of the record, including the staff report, and discussions on the request. The Council concluded that the Applicant’s request meets the requirements within the Unified Development Code. Council hereby incorporates the staff report dated October 3, 2023 into the official decision as part of these Findings of Fact, Conclusions of Law.

Statement of Compliance:

Council finds the Applicant has met all requirements of the Unified Development Code and the intent and purpose of the Comprehensive Plan and Map requirements.

Council Decision:

The Council voted 4-0 to approve the De-Annexation for a portion of the Iron Mountain Vista Subdivision on October 3, 2023.

Dated this 22nd day of November 2023.

Star, Idaho

By: _____

Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk