

**AN ORDINANCE OF THE CITY OF STAR, ADA AND CANYON COUNTIES, IDAHO, AMENDING TITLE 8 OF THE STAR CITY CODE, ALLOWING FOR REPEAL; ALLOWING FOR SEVERBILITY AND PROVIDING AN EFFECTIVE DATE.**

**NOW THEREFORE**, be it ordained by the Mayor and City Council of the City of Star, in Canyon & Ada Counties, in the State of Idaho, as follows:

**SECTION 1: “TITLE 8: UNIFIED DEVELOPMENT CODE” (Amended)**

Hereby amended as follows:

**CHAPTER 1  
ADMINISTRATION  
ARTICLE A. APPLICATION PROCESSING**

**SECTION 8-1A-2: DUTIES AND AUTHORITY**

5. The administrator shall certify all certificates of occupancy upon completion of zoning review.

**SECTION 8-1A-5: PROCEDURES FOR HEARINGS ON ADMINISTRATIVE DECISIONS:**

C. Hearing Scheduled: The city clerk shall schedule the hearing before the city council at the next public hearing city council meeting date, following any pertinent ~~the notice~~ requirements provided by subsection 8-1A-6E.

**SECTION 8-1A-6: PUBLIC HEARING PROCESS:**

A. The following applications require public hearings: Annexation and zoning, deannexation, comprehensive plan text amendments, comprehensive plan map amendments, conditional use permits, floodplain text amendments, planned unit developments, preliminary plats, unified development code text amendments, ~~variations~~, variances, and zoning map amendments (rezones).

B. Preapplication Meeting: Applications requiring a public hearing require a preapplication meeting with the administrator prior to holding a neighborhood meeting. The applicant shall provide a concept plan to the administrator detailing the proposed development at the time of scheduling the preapplication meeting. Preapplication meetings shall be good for 6-months prior to submittal of an application. The administrator may waive a preapplication meeting when deemed appropriate.

C. Neighborhood Meetings:

2. Notice: It shall be the sole duty of the applicant to provide written notice of the neighborhood meeting to all property owners of record within the radius

required in subsection 8-1A-4B of this article. The City ~~will~~ shall provide the radius labels to the applicant, by request, for a fee.

3. Advance Notice and Timing of Meeting: Notice of the meeting shall be provided at least seven (7) days prior to the meeting. The meeting shall be held not more than ~~twelve three (312)~~ months nor less than ~~two one (21)~~ business days prior to the submittal of an application.

4. Hours Stipulated for Holding Meeting: Neighborhood meetings shall start on Saturday between ten o'clock (10:00) A.M. and ~~four seven o'clock (74:00)~~ P.M., or on a weekday between six o'clock (6:00) P.M. and eight o'clock (8:00) P.M. The meeting shall not be on a Sunday, a holiday, a holiday weekend, or on the day before a holiday or holiday weekend.

D. Posting of Public Hearing Notice by Applicants:

3. Notice:

b. Purpose and Contents of Sign: Centered at the top of the four-foot by four-foot (4' x 4') signboard(s) in six-inch (6") letters shall be the words "City of Star Public Hearing Notice" and the date of the hearing. In addition, each sign will inform the public of the nature of the hearing, the date, time and address of the hearing location, detailed information of the proposal to be considered, a city contact number, the location of the development and the name of the applicant, and if applicable, the proposed development. Each sign shall be painted white, and the letters shall be painted black and shall appear on both sides. An example of this sign is set forth below:

FIGURE 8-1A-6(a)  
PUBLIC HEARING NOTICE SIGN EXAMPLE

Size  
Six (6) inches

Size  
Six (6) inches

Size  
Two (2) inches

Size  
One and one-half  
(1.5) inches

**CITY OF STAR**  
**PUBLIC HEARING NOTICE**  
**THE CITY OF STAR WILL HOLD A PUBLIC HEARING**  
**DATE: APRIL 7, 2024**  
**TIME: 7:00 P.M.**

**LOCATION: Star City Hall**  
**10769 W. State Street, Star, Idaho**

**PURPOSE:** (Examples) Annexation and Zoning – Sun King Property, Approximately 64 Acres, Requested Zoning R-3  
(OR)  
Preliminary Plat – Blackbird Subdivision, Approximately 9 acres, 8 single-family dwelling lots  
(OR)  
Conditional Use Permit to Operate a Barber Shop

**PROPERTY LOCATION:**  
SW corner of Penny Lane and Blue Jay Way

APPLICATION BY: William Shears

**CONTACT:** The City of Star at 208-286-7247

c. Sign Placement: The signs shall be posted on the land being considered along each roadway that is adjacent to the subject property boundaries. The sign(s) shall be located on the property, outside of the public right of way. If the sign cannot be placed on the property and still be clearly visible, the sign may be placed within the right of way if the applicant can obtain the consent of the owner of the right of way (ITD/ACHD/CHD4). The administrator may modify the location of the sign(s) on a case-by-case basis.

d. Proof of Posting: The applicant shall submit a notarized statement and a photograph of the posting to the city no later than seven (7) days prior to the public hearing attesting to where and when the sign(s) were posted. Unless the certificate is received by such date, the public hearing will be canceled.

e. Sign Removal: The signs shall be removed no later than seven (7) days after the public hearing for which the sign ~~had~~ has been posted. A fine may be initiated for failure to remove sign. Fine amount to be determined by Council.

f. Failure to post the property properly or within the required timeframe will result in postponement of the public hearing and any additional posting and re-noticing fees will be paid for by the applicant.

F. Public Hearing:

3. If the council finds that it does not have sufficient information to make a decision, it may continue the public hearing. The council may also choose to conduct a study workshop session with all parties of record the applicant to address questions and issues related to the application.

6. The council action shall be made within ~~seventy ninety (70 90)~~ days after receiving all information to make a decision, acceptance of the application and submittal of any necessary agency correspondence, or ~~seventy ninety (70 90)~~ days from the last meeting where the application is was considered and postponed from, if additional information is not needed.

### **SECTION 8-1A-8: INDEFINITE DEFERRAL PROCESS:**

When action on an application has been deferred indefinitely at the applicants' request, the applicant shall pay an additional fee to cover the cost of re-advertising before the application is scheduled for a public hearing. An indefinite deferral does not prevent the administrator and/or Council from initiating updated Code or policy requirements on any pending application.

## **CHAPTER 1 ADMINISTRATION**

### **ARTICLE B. APPLICATION CRITERIA**

#### **8-1B-1: ANNEXATION, DEANNEXATION, AND ZONING; REZONE:**

#### **8-1B-8: VACATION OF PLATS:**

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

#### A. Process:

Annexation, Deannexation, and Zoning or Rezone Initiated By Property Owner: The applicant shall complete a pre-application conference with the administrator prior to submittal of an application for an annexation and zoning and/or rezone. An application and fees shall be submitted to the administrator on forms provided by the city.

#### B. Standards:

1. The subject property shall meet the minimum dimensional standards and/or density standards of the proper district.
2. The city ~~may~~ shall 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, building elevations, including front and rear (when

backing up to a collector or arterial street), and concept plan shall be required for any annexation or rezone to a commercial, mixed-use or residential zone or use, or land which includes steep slope (land over 25%) or floodway. An application for annexation or rezone shall not be accepted until any required traffic impact study is submitted and accepted by the appropriate transportation authority, or a letter from the transportation authority waiving said study is received by the administrator. A hearing date before the Council shall not be scheduled until ~~the~~ any required traffic impact study has been approved and the transportation authority has issued a staff report on the development application. The administrator may waive these requirements in certain circumstances.

6. Applicant may be responsible to participate in reimbursement costs associated with traffic studies, in ITD proportionate share and/or additional mitigation contributions that may be established with transportation authorities, relative to traffic signals, access, or construction improvements associated with State Highways 16, 20/26 & 44, and/or with funding of police and fire protection as it relates to residential growth impacts, through mitigation measures as may be adopted by Council.

D. Exclusion or deannexation/disannexation of land(s). Applications to exclude or deannex or disannex land from within the incorporated limits of the city shall be processed in the same manner as applications to annex. The council may choose to grant or deny such applications to deannex, in its sole discretion, as provided in Idaho Code section 50-225. Decisions to grant or deny any application for exclusion, deannexation/disannexation do not require that the council articulate or provide findings justifying its decision.

### **SECTION 8-1B-2: CERTIFICATE OF ZONING COMPLIANCE:**

A. Purpose: The purpose of the certificate of zoning compliance (CZC) is to ensure that all construction, alterations and/or the establishment of a new use complies with all of the provisions of this title, and any applicable conditions of approval, before any work on the structure is started and/or the use is established. A certificate of zoning compliance may be associated with an Administrative Design Review. Residential and commercial building permits may be subject to review under the CZC process. An associated fee shall be assessed for this review, as determined by Council.

C. Process:

3. Certificate of zoning compliances issued in conjunction with a proposed use shall expire if said use has not commenced within one year of the date of issuance of the certificate of zoning compliance.

b. The certificate of zoning compliance ~~may~~ shall require inspections and

approvals specified in the approval of the application. The certificate of zoning compliance shall require sign off by the Administrator prior to issuance of a certificate of occupancy.

D. Zoning Certificate Not Required: ~~No~~ A zoning certificate shall may not be required, as may be determined by the administrator, for any of the following specified uses and structures when such uses are permitted in the district:

E. Temporary Uses: A zoning certificate shall be required for temporary buildings, temporary display and retail sale of merchandise, model homes, and construction project trailers, activities, and/or uses incidental to the construction of a building or group of buildings on the same or adjacent premises. A zoning certificate shall also be required for seasonal uses (e.g., fireworks stands, Christmas tree lots, fruit and vegetable stands marketing locally grown produce). Other uses which clearly are not associated with a holiday, the growing season, or a construction project may be considered for approval by the administrator. The timeframe for approval shall be determined by the administrator based on the specific use, ~~not to exceed one (1) year.~~

F. Zoning Certificate Prohibited: No zoning certificate shall be issued, granted or approved for single-family residential use, multi-family residential use, childcare facility, school, manufactured home community or mobile home park unless all irrigation ditches, laterals and canals crossing, intersecting and lying adjacent, or contiguous to, such uses are covered or fenced. Upon application, the Council may waive this restriction in whole or in part if it is found that covering or fencing will not serve the public purpose in an individual case.

**SECTION 8-1B-4: CONDITIONAL USES:**

A. Purpose: The purpose of this section is to establish procedures that allow for a particular use on a specific property subject to specific terms and conditions of approval.

B. Applicability: The provisions of this section apply to all uses identified as conditional use within this title. In addition to other processes permitted by city and state code, exceptions or waivers of standards, other than use, may be permitted through issuance of a conditional use permit, development agreement or PUD, upon approval by Council.

**SECTION 8-1B-7: ADMINISTRATIVE DESIGN REVIEW:**

B. Applicability.

- 1. Administrative design review shall only be required for all new commercial, industrial, institutional, public or quasi-public development

that is subject to conditional use, certificate of zoning compliance and/or building permit approval, except developments meeting one (1) or more of the following standards shall be exempt:

a. The structure and/or addition is fully screened from public view from all abutting property lines;

E. The administrator shall meet with a design review committee, including one (1) member of the City Council and the Mayor to review the application and present proposed findings and conditions prior to issuing approval of the application. The committee may also include members of the professional community, including building architects, civil engineers, builders and landscape architects.

F. The applicant may appeal the decision of the administrator and committee to the City Council per Section 8-1A-5 of this title.

**SECTION 8-1B-8: VACATIONS OF PLATS:**

A. Vacation of a plat or any part thereof. A vacation of any portion of a plat shall comply with Idaho Code section 50-1306A.

B. A vacation of utility easements, including but not limited to, gas, sewer, water, telephone, cable television, power, drainage, and slope purpose, shall be requested to the Administrator.

1. Process:

a. A request for vacation shall be brought before City Council but shall not be a public hearing.

b. Vacation of these easements shall occur upon the recording of the new or amended plat.

c. All affected easement holders shall be notified by the applicant by certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing.

**CHAPTER 1**

**ADMINISTRATION**

**ARTICLE C. SURETY AGREEMENTS**

**SECTION 8-1C-1: PROCESS:**

B. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Those improvements including , but may not be limited to, water, sewer, power facilities, street paving, emergency

services, streetlights, parking lot paving and striping.

C. In the event that an applicant and/or owner cannot complete the nonlife, non-safety and non-health improvements, such as landscaping, pressurized irrigation, streetlights, fencing, and other site amenities, within the time specified in the final plat approval or prior to occupancy, a surety agreement may be approved in accord with the procedures set forth in this chapter.

- 1) For landscaping, including irrigation pumps and other landscaping related materials, the applicant shall provide the City with copies of paid receipts indicating purchase and order of said equipment and materials, along with a schedule date for delivery and installation. Landscaping and pressurized irrigation must shall be installed as soon as allowed by weather or other relevant conditions, but shall not extend more than twelve (12) months from the date of recordation of final plat. Building permits may be delayed by the building department, or City signatures on future final plat phases may be withheld if improvements are not completed in the timeframe. Administrator may authorize an additional time extension.
- 2) Streetlights must be installed prior to the first building permit being issued for the development and shall be energized prior to occupancy of the first structure. The administrator may approve the use of temporary streetlights or other acceptable options prior to building permit issuance, provided permanent streetlights are installed and energized prior to occupancy of first structure, on a case-by-case basis.
- 4 For all requests, a detailed schedule of work to be completed shall be provided. Unless otherwise stated, A-all work shall be completed and surety release requested within one (1) year of acceptance by the City. 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.
6. An applicant may bond for ACHD/HD4/ITD roadway improvements or a private street in order to obtain final plat signature. Building permits shall not be issued until all roadway improvements are completed and signed off by the Agency.

H. Fees for the surety agreement process shall be set and adopted by resolution of the city council.

**CHAPTER 1  
ADMINISTRATION  
ARTICLE D. IMPLEMENTATION PROVISIONS**



**SECTION 8-1D-8: VIOLATIONS:**

C. It is a violation of this unified development code for any person to not comply with specific conditions of approval within any city adopted Findings of Fact and Conclusions of Law as stated in, but not limited to, a conditional use permit, preliminary plat, final plat, or planned development, or within an approved administrative approval including, but not limited to certificate of zoning compliance, temporary use, design review, sign permit or home occupation, as set forth in this title.

**CHAPTER 1  
ADMINISTRATION  
ARTICLE F. DEFINITIONS**

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

ACCESSORY STRUCTURE: A detached structure that is incidental and subordinate to the principal structure and is located upon the same property. The structure shall not receive a building permit prior to the primary structure being built and will not be permitted without a primary structure. The term accessory structure shall include, but not be limited to, the following: private garage, storage structure, secondary dwelling unit, workshop, pool house, and/or greenhouse. New accessory structures are not allowed in the CBD district, unless approved by the administrator or council as part of an application. A maximum of two (2) accessory structures shall be allowed on any residential parcel or lot. Allowed accessory structures shall require certificate of zoning compliance, building permit, and shall comply with all requirements of the applicable zoning district. Accessory structures less than 200 sq ft do not need a building permit, but shall require a zoning compliance review, and should have a 5' minimum setback from any property line.

COMMON DRIVE: Also referred to as a shared driveway. An access shared by adjacent property owners that is privately owned and maintained. Common or shared driveways shall not be permitted in new residential developments without approval from the Council and Fire District.

CONTRACTOR'S YARD: Any area of land used by a contractor for storage, maintenance, or processing incidental to the business of building, hauling, excavation, demolition, or similar activity and including any area of land used for minor preinstallation work or repair of machinery used for any of the above listed activities. Shall also include the parking or storage of multiple commercial vehicles on a single lot or parcel not associated with a specific business located

on the same property.

EVENTS/ENTERTAINMENT CENTER FACILITY. PUBLIC & PRIVATE, INDOOR OR OUTDOOR: A The indoor or outdoor use of a property and/or structure for public or private gatherings to include wedding receptions, corporate events, live music events, cultural events, recreation, sporting events, entertainment uses including but not limited to bowling alleys and skating rinks, miniature golf courses or driving ranges (not associated with a Golf Course), movie theaters, or other organized events where food service is may be provided, amplified music or excessive noise may be is present and area for a large amount of parking is required necessary.

LIVE/WORK UNIT: A unit or units consisting of both a commercial/office/light industrial component and a residential components and typically constructed as a single unit. separate units under a condominium regime or as a single unit. The “work” component is restricted to specific uses within the CBD and MU zoning district. The “live” component may be located on the street level (on the side or behind the work component) or any other level of the building. Live/work units shall have internal access between use components or floors. See Multiple Use Buildings for other multi-use options.

LOT, FLAG: A property in the shape of a flag on a pole where access to the street is from a narrow right of way. Flag lots are not permitted within residential subdivisions with zoning designations higher than R-2, and/or lot sizes less than half an acre in size. All other flag lots may only be permitted upon approval from the Fire District. Turn-around for emergency services shall be required.

MIXED USE DEVELOPMENT: The development of a tract of land or building or structure which includes uses from two (2) or more of the land use categories such as residential, commercial, office, light industrial, public space or agricultural. See also definition of Multiple Use Building and Live/Work Unit.

MULTIPLE USE BUILDING: Also known as mixed use or multi-use structures. The development of a building or structure which includes uses from two (2) or more of the land use categories such as residential, commercial, office, or light industrial. Multi-use structures consisting of both a commercial/office/light industrial and a residential component shall not have internal access between units on separate floors and shall be constructed as a separate unit under a condominium regime or as multi-family units. See Live/Work Unit for other multi-use options.

MULTIPLE USE BUILDING: Also known as mixed use or multi-use structures. The development of a building or structure which includes uses from two (2) or more

of the land use categories such as residential, commercial, office, or light industrial. Multi-use structures consisting of both a commercial/office/light industrial and a residential component shall not have internal access between units on separate floors and shall be constructed as a separate unit under a condominium regime or as multi-family units. See Live/Work Unit for other multi-use options.

PARKING LOT/PARKING GARAGE: A site/building for parking vehicles for a fee. May also include the parking of multiple vehicles on a vacant property without financial compensation.

PUBLIC INFRASTRUCTURE: The use of a site for a public infrastructure including, but not limited to a) power substation, electric substation, grid switching site, electric transmission line; b) public well and/or water reservoir; and c) municipal wastewater and treatment facility; d. Fire Station.

SERVICE BUILDING: A permanent building or buildings designed to provide service facilities to the inhabitants or users of any development.

SHOPPING OR COMMERCIAL CENTER: A group of ~~three (3)~~ two (2) or more retail sale, office or service commercial establishments, attached or detached that are planned, developed, owned and/or managed as units related in location, size and type of shops to the trade area the unit serves.

**CHAPTER 3  
ZONING DISTRICT STANDARDS  
ARTICLE A. DISTRICTS ESTABLISHED**

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

(CBD) CENTRAL BUSINESS DISTRICT: To provide for commercial, retail, civic, office, and entertainment uses. ~~High density housing is encouraged~~ Residential uses, including higher densities may be allowed on the upper floors of mixed-use multiple use buildings and may also be allowed at the fringes of the land use designation shown on the comprehensive plan. Live/work designed development is also encouraged in this district. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility. Special emphasis shall be placed on development in the central downtown area to encourage and create a vibrant, walkable downtown community that incorporates the Boise River as an active amenity.

(C-1) NEIGHBORHOOD ~~BUSINESS~~ COMMERCIAL DISTRICT: To provide for the establishment of convenience business uses which tend to meet the daily needs

of the residents of an immediate neighborhood while establishing development standards that prevent adverse effects on residential uses adjoining a C-1 district. Such districts are typically appropriate for small shopping clusters or integrated shopping centers located within residential neighborhoods, where compatible.

(C-2) ~~GENERAL BUSINESS~~ COMMERCIAL DISTRICT: To provide for the establishment of areas for commercial uses allowed in other commercial zones and commercial uses which are more intensive than those permitted in other commercial zones, and typically located adjacent to arterial roadways and not immediately adjacent to residential, including the establishment of areas for travel related services such as hotels, motels, service stations, drive-in restaurants, offices, limited warehousing, commercial services and retail sales.

(PUD) PLANNED UNIT DEVELOPMENT: This designation, following any zoning designation noted on the official zoning map of the city (i.e., R-4-PUD), indicates that the development was approved by the city as a planned unit development, with specific allowances and design approved by Council.

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

# ZONING DISTRICT USES

ORDINANCE 404-2024 – AMENDING TITLE 8

USES	A	RR	R	CBD	C-1	C-2	LO	LI	PS	MU	RC
Church or place of religious worship <sub>1</sub>	<del>P</del> <u>C</u>	<del>P</del> <u>C</u>	C	<del>N</del> <u>C</u>	C	C	C	N	<del>E</del> <u>N</u>	C	N
Convenience store	N	N	N	<del>P</del> <u>C</u>	C	<del>P</del> <u>C</u>	<del>P</del> <u>C</u>	<del>P</del>	N	C	C
Events/ <u>Entertainment Center Facility</u> , public or private (indoor/outdoor) <sub>1</sub>	C	C	N	C	C	C	N	C	C	C	C
Fireworks Stands	<del>N</del>	<del>N</del>	<del>N</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>N</del>	<del>P</del>	<del>N</del>
Gasoline, Fueling & Charging station with or without convenience store <sub>1</sub>	N	N	N	C	C	<del>P</del> <u>C</u>	C	<del>P</del> <u>C</u>	N	C	N
Institution	N	N	N	C	C	<del>P</del> <u>C</u>	N	N	C	C	C
Lagoon	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>E</del>	<del>E</del>	<del>N</del>	<del>N</del>
Mortuary	N	N	N	N	C	<del>P</del>	N	<del>P</del>	N	C	N
<u>Multiple Use Building</u> <sub>1</sub>	<del>N</del> <u>N</u>	<del>N</del> <u>N</u>	<del>N</del> <u>N</u>	<del>C</del> <u>C</u>	<del>C</del> <u>C</u>	<del>C</del> <u>C</u>	<del>C</del> <u>C</u>	<del>C</del> <u>C</u>	<del>N</del> <u>N</u>	<del>C</del> <u>C</u>	<del>C</del> <u>C</u>
Shopping or <u>Commercial center</u>	N	N	N	<del>P</del> <u>C</u>	C	<del>P</del> <u>C</u>	N	N	N	C	N

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Street Front <sup>(1)</sup>	Rear	Interior Side	Side
CBD	35'/ <u>60</u> ' <sup>5</sup>	0'	0'	0' <sup>4</sup>	0'
C-2	35'/ <u>60</u> ' <sup>5</sup>	20'	5'	0' <sup>4</sup>	20'
IL	35'/ <u>60</u> ' <sup>5</sup>	20'	5'	0' <sup>4</sup>	20'
MU	35'/ <u>60</u> ' <sup>5</sup>	For MU and CBD - Unless otherwise approved by the Council as a part of a PUD or development agreement, all residential buildings shall follow the residential setbacks shown in this table based upon			

		the project density and all other buildings shall follow setbacks for the C-2 zone <sup>(3)</sup> .
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Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhanging onto the sidewalk.
2. Zero-Lot-Line, reduced street side yard setbacks and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless approved by Council as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, ~~IL~~ LI, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone. A waiver may be requested if the adjacent property has the potential to redevelop as a non-residential use in the future.
4. As approved by the Fire District.
5. 35' height requirement unless a height exception is approved by Council through the Conditional Use Permit or Planned Unit Development Process.

Note Conditions:

E. All new residential and accessory structures ~~of any size~~ over 200 s.f. within any zoning district shall comply with residential setbacks. Accessory structures less than 200 s.f. shall not intrude on the primary structures required side yard setback.

**CHAPTER 3**

**ZONING DISTRICT STANDARDS**

**ARTICLE B. ADDITIONAL RESIDENTIAL DISTRICT STANDARDS**

**8-3B-4: FIGURE**

**SECTION 8-3B-3: RESIDENTIAL DISTRICTS:**

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

1. Residential Elevations:

i. Building elevations for all residential uses shall be submitted

with any development application and will be included as part of any preliminary plat, development agreement and/or any other condition of approval.

- ii. Single-Family Residential Building Front and Side Elevation Minimum Standards. These standards shall be reviewed for compliance with all submitted residential building permits under the Building Zoning Certificate process. Council may adopt these standards as part of a development agreement or preliminary plat approval. The following minimum standards shall be applied to all new residential structure elements in all zones:
  1. Exterior finishes shall be primarily horizontal/vertical wood or wood product siding, brick, stucco, stone, or other decorative masonry product. A minimum of three (3) architectural elements shall be provided for all single-family residential structures. These elements shall include, but are not limited to, shingled, horizontal or vertical siding, stone or brick highlights, garage door windows or hardware, colored window frames, or other architectural treatments deemed appropriate by the administrator.

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



2. Two-story detached structures should provide a minimum of one, second story side window per side elevation, when appropriate.

3. A minimum one (1) foot overhang shall be provided on all roof overhangs. Administrator may approve deviation from this standard.
  4. Dwellings backing up to collector or arterial streets shall have rear elevations and/or architectural designs that provide depth and dimension, avoiding the flat-wall appearance. These elements must be functional and may not be minimized or created solely for the purpose of compliance with this provision.
  5. Additional landscaping buffers may also be required.
2. Dwelling Unit Design. Building styles shall be spread throughout the entire development (including all contiguously owned and phased properties). Nowhere within the development shall any fewer than 5 different exterior elevation styles and/or floorplans be located adjacent to each other. The number of different dwelling styles within a development shall be as follows:
    - a. 1 to 50 units = minimum of 5 architectural styles and/or floorplans
    - b. 51 to 100 units = minimum of 7 architectural styles and/or floorplans
    - c. 101 and over units = minimum of 10 architectural styles and/or floorplans
  3. Homeowners Associations. All subdivisions shall be maintained by a Homeowners association with appropriate Conditions, Covenants and Restrictions (CC&R's). CC&R's are not enforceable by the City and are private contracts between the developer and the property owner.
  4. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new residential development unless specifically approved by Council and the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

## CHAPTER 3

### ZONING DISTRICT STANDARDS

#### ARTICLE C. ADDITIONAL COMMERCIAL AND OFFICE DISTRICT STANDARDS

##### 8-3C-1: ALL COMMERCIAL AND OFFICE DISTRICTS:

##### SECTION 8-3C-1: ALL COMMERCIAL AND OFFICE DISTRICTS:

C. Big box retail commercial, generally a single-story single use building over 50,000 square feet, shall not be permitted unless approved by Council.



D Commercial buildings and centers, including shopping centers and strip malls immediately adjacent to State Street and Star Road shall front the roadway with parking located to the rear. Single buildings may provide parking on the sides as approved by Council. Direct access to these roadways shall be limited to avoid excessive access points. Existing alleyways shall be utilized when present, or new alleyways as permitted by the transportation authority.

E. All commercial buildings fronting State Street, Star Road, and State Hwy 16 & 20/26 shall be designed with architectural elements facing the roadways that provide a visually pleasing character to the public view, as may be determined through the Design Review process.

€ F. Site Improvements:

- 3) One (1) full-size copy of the construction drawings, drawn in accordance with the requirements hereinafter stated. The construction Drawings shall be submitted on good quality paper, be professionally drafted, shall have the dimensions of not less than twenty-four inches by thirty-six inches (24" x 36"), and shall be drawn to a scale of not less than one inch to one hundred feet (1"=100') and contain a drafting date and north arrow.
  - a. Construction drawings shall include both above ground and below ground improvements, including the proposed building envelope of proposed improvements. Said improvements must include proposed finished grades of all impervious surfaces, and shall be in conformance with all Federal, State, and local regulations. Construction drawings shall include an erosion and sediment control plan, prior to pre-construction meeting.
- 4) Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new residential development unless specifically approved by Council and the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.
- 5) Certification Of Completion: Upon the completion of construction of any commercial development, and/or other improvements subject to architectural review approval, a written certification of completion shall be prepared by the licensed engineer and/or architect responsible for the approved plan. The certifications of completion shall state that the installation of all improvements is in substantial compliance with the city approved plans. This certification shall be

submitted prior to the issuance of a certificate of occupancy, signature of a final plat, or release of bond, and is required as a part of, and not in lieu of, the inspections performed, and certificates issued by the city.

**SECTION 8-3C-2: ADDITIONAL CENTRAL BUSINESS DISTRICT STANDARDS:**

- B. High density residential may be permitted within the CBD in ~~mixed-use multiple use~~ buildings with commercial or office type uses on the first floor and high density residential on upper floors.
- C. New development on Main Street and Star Road, generally north and south of State Street, shall include transition consisting of a compatible mix of lower intensity commercial, retail and office type uses mixed with live/work type residential. Existing Single-Family uses are encouraged to convert to or redevelop as non-residential uses.
- D. Big ~~B~~box retail commercial, generally a single-story single use building over 50,000 square feet, shall not be permitted, unless approved by Council, and any single-story single use building which is large in scale, such as approaching the 50,000 square foot size, shall be located to front on Highway 44 or Star Road.
- E. Commercial buildings and centers, including shopping centers and strip malls immediately adjacent to State Street and Star Road shall front the roadway with parking located to the rear. Single buildings may provide parking on the sides as approved by Council. Direct access to these roadways shall be limited to avoid excessive access points. Existing alleyways shall be utilized when present.
- F. All commercial buildings fronting State Street, Star Road, and State Hwy 16 & 20/26 shall be designed with architectural elements facing the roadways that provide a visually pleasing character to the public view, as may be determined through the Design Review process.
- J. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new development unless specifically approved by Council and the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

K. Certification Of Completion: Upon the completion of construction of any commercial development, and/or other improvements subject to architectural review approval, a written certification of completion shall be prepared by the licensed engineer and/or architect responsible for the approved plan. The certifications of completion shall state that the installation of all improvements is in substantial compliance with the city approved plans. This certification shall be submitted prior to the issuance of a certificate of occupancy, signature of a final plat, or release of bond, and is required as a part of, and not in lieu of, the inspections performed, and certificates issued by the city.

**CHAPTER 3  
ZONING DISTRICT STANDARDS  
ARTICLE D. ADDITIONAL LIGHT INDUSTRIAL DISTRICT STANDARDS**

**SECTION 8-3D-1: LI LIGHT INDUSTRIAL DISTRICT:**

E. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new industrial development unless specifically required by the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

F. Certification Of Completion: Upon the completion of construction of any industrial development, and/or other improvements subject to architectural review approval, a written certification of completion shall be prepared by the licensed engineer and architect responsible for the approved plan. The certifications of completion shall state that the installation of all improvements is in substantial compliance with the city approved plans. This certification shall be submitted prior to the issuance of a certificate of occupancy, signature of a final plat, or release of bond, and is required as a part of, and not in lieu of, the inspections performed, and certificates issued by the city.

**CHAPTER 3  
ZONING DISTRICT STANDARDS  
ARTICLE E. ADDITIONAL MIXED-USE DISTRICT STANDARDS**

**SECTION 8-3E-1: MU MIXED USE DISTRICT:**

J. Big box commercial, generally a single-story single use building over 50,000 square feet, shall not be permitted unless approved by Council.

K. Commercial buildings and centers, including shopping centers and strip malls immediately adjacent to State Street and Star Road shall front the roadway with parking located to the rear. Single buildings may provide parking on the sides as approved by Council. Direct access to these

roadways shall be limited to avoid excessive access points. Existing alleyways shall be utilized when present.

L. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new mixed use development unless specifically required by the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

M. Certification Of Completion: Upon the completion of construction of any mixed use development, and/or other improvements subject to architectural review approval, a written certification of completion shall be prepared by the licensed engineer and/or architect responsible for the approved plan. The certifications of completion shall state that the installation of all improvements is in substantial compliance with the city approved plans. This certification shall be submitted prior to the issuance of a certificate of occupancy, signature of a final plat, or release of bond, and is required as a part of, and not in lieu of, the inspections performed, and certificates issued by the city.

N. All commercial buildings fronting State Street, Star Road, and State Hwy 16 & 20/26 shall be designed with architectural elements facing the roadways that provide a visually pleasing character to the public view, as may be determined through the Design Review process.

## **CHAPTER 3**

### **ZONING DISTRICT STANDARDS**

#### **ARTICLE G. ARCHITECTURAL OVERLAY DISTRICT:**

##### **SECTION 8-3G-1:**

A. An Architectural Overlay District boundary is all of the existing CBD Central Business District north of the Boise River, and approximately 750' on either side of SH-44 from city limit to city limit, and Star Road from the Boise River north, and including all future annexations within this area. This shall also include all other non-residential zoned uses and properties throughout the City. Single-family dwellings that are part of an approved PUD or Conditional Use Permit shall comply with this section.

## **CHAPTER 4**

### **ADDITIONAL REGULATIONS APPLICABLE TO ALL DISTRICTS**

#### **ARTICLE A. PERFORMANCE STANDARDS**

##### **8-4A-6: BUILDING PERMITS:**

##### **8-4A-6-7: CLEAR VISION TRIANGLE:**

##### **8-4A-7 8: OBJECTIONAL CONDITIONS:**

##### **8-4A-8 9: DRAINAGE AND STORMWATER MANAGEMENT:**

**8-4A-9 10: ENCLOSED TRASH AREA:**

**8-4A-10 11: FENCES:**

**8-4A-11 12: GRADING:**

**8-4A-12 13: PATHWAYS:**

**8-4A-13 14: OUTDOOR LIGHTING:**

**8-4A-14 15: OUTDOOR SERVICE AND EQUIPMENT AREAS:**

**8-4A-15 16: PRESSURIZED IRRIGATION SYSTEM:**

**8-4A-16 17: SELF-SERVICE USES:**

**8-4A-17 18: SIDEWALKS AND PARKWAYS:**

**8-4A-18 19: WATER AND SEWER SUPPLY, PUBLIC:**

**8-4A-20: TRAVELING SLEEPING QUARTERS:**

**8-4A-19-21: MAILBOXES:**

**SECTION 8-4A-3: ACCESSORY STRUCTURES:**

A. No detached accessory building or structure shall occupy any area in front of the main building, unless approved as a conditional use, ~~or~~ with a development agreement, or as part of an administrator approved certificate of zoning compliance.

G. An accessory structure shall not be located in any required yard or on any publicly dedicated easement, unless specifically allowed under this title.

H. An accessory structure located in the rear yard shall not exceed a height of twenty-four feet (24').

**SECTION 8-4A-6: BUILDING PERMITS:** Building permits shall not be issued on any property that does not have a valid address and assessor's parcel number. A single residential dwelling, model home, clubhouse, multi-family building, or commercial building may be issued a building permit with the existing address and assessor's parcel number prior to recordation of a final plat, provided that all improvements related to public life, safety and health is completed prior to issuance of a building permit for the structure, as determined by the administrator. Those improvements include water, sewer, power facilities, street paving, emergency services including fire hydrants, and streetlights. The administrator may approve additional building permits as part of an approved model home/office and amenity administrative permit, as allowed in Section 8-5-22.

**SECTION 8-4A-67: CLEAR VISION TRIANGLE:**

**SECTION 8-4A-78: OBJECTIONAL CONDITIONS RESTRICTED:**

A. Performance Requirements:

11. Vehicle Parking: No vehicle, either operational or non-operational, shall be parked on any vacant private property or within a public right of way for the purpose of storage or for advertising the sale of the vehicle within the City at any time.

12. Weeds: Vacant properties within the City shall be weed abated at all times. At no time shall weeds exceed a height of 12" in height.

13. Removal of Trash, Junk and Debris: This shall include, but is not limited to trash, junk or disabled vehicles on any vacant property.

B. Enforcement: Any violation shall be subject to Titles 3 & 4 of the Star Municipal Code. The administrator may require the submission of statements and plans indicating the manner in which dangerous and objectionable elements involved in processing and in equipment operations are to be eliminated or reduced to acceptable limits and tolerances. The administrator may issue a stop work on any approved use until the violations are remedied, and/or may revoke city approvals including preliminary plat/final plat or certificate of zoning compliance approvals.

**SECTION 8-4A-89: DRAINAGE AND STORMWATER MANAGEMENT:**

- B.
  - 1. All drainage, irrigation and stormwater from private property shall be retained on said private property unless otherwise approved in writing by the administrator and/or city engineer and the jurisdiction receiving the stormwater.

**SECTION 8-4A-910: ENCLOSED TRASH AREA:**

**SECTION 8-4A-1011: FENCES:**

The following regulations shall govern the type, location, and construction of all fences:

- A. General Standards:
  - 3. All open vision fencing shall be limited to wrought iron or open rail fencing only.
  - 4. Chain link fencing shall be prohibited in all residential or commercial district unless required by an irrigation district, school district or other jurisdiction for safety reasons, and where wrought iron is not otherwise required.
  - 3-5. Unsightly Materials: The use of boxes, sheet metal, old or decayed wood, broken masonry blocks, pallets or other like unsightly, non-construction materials for fencing shall be prohibited.

~~4~~6. Obstruction: No fence shall obstruct access to public utility boxes, meters or other infrastructure.

~~5~~7. Maintenance: Fences shall be kept free from advertising and graffiti and maintained in good repair. Wood fences along collectors and arterials that are within an approved subdivision shall be required to be stained/painted and kept in good condition at all times. The administrator may issue a letter of violation to the HOA when any fencing falls into disrepair. Maintenance shall be included in the CC&R's.

~~6~~8. Front Yard Fences: Front yard fences shall not exceed three feet (3') height for closed vision and four feet (4') open vision within any front yard setback, as indicated in Figure 1. At no point shall a fence be any closer than 5' from a sidewalk.

~~7~~9. Side Yard Fences on Corner Lots: Side yard fences on corner lots less than or equal to ten (10) feet from the street shall not exceed three feet (3') height for closed vision and four feet (4'0) for open vision, as indicated in Figure 2. At no point shall a fence be any closer than 5' from a sidewalk. Fences greater than 4' in height must be minimum of 5' from a sidewalk.

~~8~~10. Compliance with Clear Vision Triangle Requirements: All fences shall comply with the clear vision triangle requirements as stated within this article.

~~9~~11. Fencing provided by a developer in any subdivision, or by any future resident, shall not have a gap along the bottom of the fence exceeding 2-inches to finished grade. This shall be included within the approved CC&R's for all new fencing.

~~10~~12. A fencing plan for fences adjacent to common areas shall be submitted and approved with all subdivision applications.

### **SECTION 8-4A-~~11~~12: GRADING:**

A. Prior to any ground disturbance over 500 cubic yards on any property, or any disturbance of hillside property, as defined in Section 8-4A-12J, including grading, filling, clearing or excavation of any kind excluding activities associated with agricultural use, a grading application shall be submitted to the City for approval by the City Engineer. ~~This shall include any newly approved commercial or residential development, or property where disturbance and/or fill is in excess of 1,000 yards prior to any.~~ This shall not apply when grading is done in association with approval of construction drawings. If grading activities are anticipated to be done in association with other site improvements, the construction drawing review will include the grading plan review and a separate application is not required. Early grading permits may be issued at the request of the applicant and review and approval of City Engineer.

An Application for Permit to Develop in an Area of Special Flood Hazard is required for earth moving activities associated with any development activities.

Refer to section Title 10 - Flood Control for additional flood zone requirements.

A grading permit to develop in any Hillside Area, as defined in Section 8-4A-12J, is required.

All developments shall develop a storm water pollution prevention plan (SWWP) as required by the Department of Environmental Quality.

B.

3. Grading of a property shall take into consideration adjacent roadways and properties, with focus on state highways, arterials and collectors. New construction shall not result in sidewalks not matching centerlines of existing roadways. The City Engineer shall approve all grading plans.

G. Provisions to control drainage runoff shall be constructed as part of final grading of any development. Drainage runoff control provisions shall be adequate to prevent any surface or subsurface drainage water from flowing or being conveyed onto an adjacent lot or parcel. Specific improvements shall be considered for all roof drainage. Roof drains shall not daylight on sidewalks included as main access pathways to building entrances, nor shall they drain across any ADA improvements, including parking.

H.

3. Construct a permanent retaining wall so the ground within three feet (3') of the lot line, subdivision boundary and parcel boundary, ~~comply with subsections C1 and C2 of this section.~~

I. Permit requirements for retaining walls shall comply with IBC section 105. A building permit for retaining walls four feet in height and greater will be required prior to approval of the grading permit. This includes construction drawings for new subdivisions.

J. Hillside Development:

1. Hillside Development Evaluation:

A.

(5) Completion of ~~paving~~ slope stabilization (IE paving, landscaping) as rapidly as possible after grading, but no longer than two weeks after work is completed.



C. Areas over 25% slope shall be considered Steep Slope areas and shall be No Development areas. Development shall be limited except for the following:

- (1) City approved trails
- (2) Short sections of road to transition from one developable area to another.
- (3) Small sections required for utility improvements as specifically required by the utility provider.
- (4) NO portion of any residential building lot shall be located within a Steep Slope Area.
- (5) Exceptions must be approved by the City Council and shall be demonstrate the following:
  - (i) Area is isolated and not connected to other steep slope areas.
  - (ii) Grading creates minimum impact to hillside area including non-steep slope areas.

**SECTION 8-4A-1213: PATHWAYS:**

A. Pathways are required consistent with the city of Star comprehensive plan and adopted pathway plan within all new residential and commercial developments as part of the public right of way or as separate public easements dedicated to the City so that an alternate transportation system (which is distinct and separate from the automobiles) can be provided.

**SECTION 8-4A-1314: OUTDOOR LIGHTING:**

**SECTION 8-4A-1415: OUTDOOR SERVICE AND EQUIPMENT AREAS:**

**SECTION 8-4A-1516: PRESSURIZED IRRIGATION SYSTEM:**

**SECTION 8-4A-1617: SELF-SERVICE USES:**

Any unattended, self-service uses, including, but not limited to, laundromats, automatic teller machines (ATMs), vehicle washing facilities, fuel sales facilities, and storage facilities, shall comply with the following requirements. The Star police designee may approve alternative standards where it is determined that a similar or greater level of security is provided:

A. Entrance or view of the self-service facility shall be open to the public street or to adjoining businesses and shall have low impact security lighting.

B. Financial transaction areas shall be oriented to and visible from an area that

receives a high volume of traffic, such as a collector or arterial street.

C. Landscape shrubbery shall be limited to no more than three feet (3') in height between entrances and financial transaction areas and the public street.

**SECTION 8-4A-1718: SIDEWALKS AND PARKWAYS:**

A. All sidewalks shall adhere to the standards shown in the table below.

	MINIMUM SIDEWALK AND PARKWAY PLANTER WIDTHS <sup>1</sup>	
	5 Foot (5') Detached Sidewalk with minimum <del>6</del> 8 Foot ( <del>6</del> 8') Parkway Planter Strip Both Sides of Roadway	

**SECTION 8-4A-1819: TRAVELING SLEEPING QUARTERS:**

Recreation vehicles and equipment, including, but not limited to, travel trailers, fifth wheels, recreational vehicles, motor coaches, and tents, shall not be used anywhere in the City as living quarters for longer than ~~two (2) weeks~~ seventy-two hours (72) within a ~~six (6)~~ six (6) month period, unless within an approved campground or recreational vehicle park, or as allowed in the temporary use section.

**SECTION 8-4A-1920: WATER AND SEWER SUPPLY, PUBLIC:**

**SECTION 8-4A-20 21: MAILBOXES:**

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

**CHAPTER 4**

**ADDITIONAL REGULATIONS APPLICABLE TO ALL DISTRICTS**

**ARTICLE B. OFF STREET PARKING AND LOADING REQUIREMENTS**

**SECTION 8-4B-3: REQUIRED NUMBER OF OFF-STREET PARKING SPACES:**

B. Minimum Number of Off-Street Parking Spaces:

Type Of Use	Off-Street Parking Spaces Required
RESIDENTIAL	
Event/ Center Entertainment Facility	Indoor Facility – 1 per 200 square feet of gross floor area; Outdoor Facility – 1 per 8 seats As Or as otherwise required with conditional use permit
Storage (enclosed building and/or fenced area)	1 per 1,000 square feet of gross storage area; Self-storage facilities: As specified by Conditional Use Permit.

Notes:

3. Within the CBD zoning district, minimum required parking may be reduced by Council for up to 50% of all non-residential uses. Adjacent on-street parking may also be included in the minimum parking requirement. Council may also require a parking in-lieu-of payment for a portion of the reduced parking, in accord with Section 8-4B-6.

**CHAPTER 4  
ADDITIONAL REGULATIONS APPLICABLE TO ALL DISTRICTS  
ARTICLE C. TEMPORARY USE REQUIREMENTS**

**8-4C-3: STANDARDS FOR RETAIL FIREWORKS STANDS AND CHRISTMAS TREE SALES LOTS:**

**SECTION 8-4C-3: STANDARDS FOR RETAIL FIREWORKS STANDS AND CHRISTMAS TREE SALES LOTS:**

A. Retail fireworks stands and Christmas tree sales lots shall be prohibited in residential districts.

B. Firework stands and Christmas tree sales lots shall comply with General Standards in 8-4C-2 of this title, unless otherwise stated.

C. The applicant or owner shall obtain written approval of the Star Joint Fire

~~Protection~~-District prior to issuance of certificate of occupancy.

K. Christmas tree sales lots shall be removed within five (5) days from Christmas.

L. Applicant may stay in an RV on the lot during the duration of the use.

**SECTION 8-4C-4: STANDARDS FOR CONSTRUCTION SITES:**

B. Temporary buildings, construction trailers, equipment and materials may be permitted in any district during the period construction work is in progress. Such temporary facilities or equipment shall be removed within thirty (30) days of completion of the construction work. Construction trailers, model homes and sale centers shall be reviewed as a temporary use and shall be processed as a certificate of zoning compliance and shall be valid for one (1) year with an additional 1-year extension available. The extension shall be processed as a Certificate of Zoning Compliance Re-verification. Model homes and sales offices requested to be constructed prior to final plat recordation shall comply with Section 8-5-22.

**SECTION 8-4C-5: STANDARDS FOR SEASONAL SALE OF AGRICULTURAL AND FOOD PRODUCTS:**

A. The provisions of this title shall apply to ~~Christmas tree lot~~, snow cone shacks, pumpkin sale stands, produce stands, corn mazes and similar uses as determined by the administrator. Lemonade stands or other similar food sales within neighborhoods conducted by children are exempt from these regulations so long as the activity remains only on local streets and is not conducted on collectors, arterials or highways.

B. Such sales and uses are limited to a period of time not to exceed two (2) consecutive months for pumpkin and ~~Christmas tree sales~~ and corn mazes, and four (4) consecutive months per calendar year for other uses. ~~Christmas tree lots shall be removed by January 1.~~ Snow cone shacks may be approved for extended periods and multiple years, as determined by the administrator.

E. Applicant shall obtain all appropriate city permits. Fire district approval is required for all uses.

**CHAPTER 4**

**ADDITIONAL REGULATIONS APPLICABLE TO ALL DISTRICTS**

**ARTICLE E. COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS**

**SECTION 8-4E-2: STANDARDS:**

A. Open Space and Site Amenity Requirement

4. Developments with a density of ~~less than~~ 1 dwelling unit per acre or less may request a waiver of open space and amenities to the Council. Developments with a density of ~~less than~~ 2 dwelling units per acre or less may request a 50% reduction in total required open space and amenities to the Council.

B. Qualified Usable Area Open Space:

1.

c. Ponds or water features where active fishing, paddle boarding or other activities are provided (50% qualifies towards total required usable area open space, must be accessible by all residents to qualify). ~~o~~ Ponds must be aerated. All ponds shall be provided with safety floatation devices (rings) located at reasonable distances, as determined by the administrator;

C. Qualified Site Amenities:

5. Recreation amenities:

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

6. Community Gardens

## CHAPTER 5

### SPECIFIC USE STANDARDS

**8-5-15: EVENTS/ENTERTAINMENT FACILITY:**

**8-5-15 16: GASOLINE STATION/GASOLINE STATION WITH CONVENIENCE STORE, AND TRUCK STOP:**

**8-5-16 17: HOME OCCUPATION:**

**8-5-17 18: LIVE/WORK UNIT:**

**8-5-18 19: MANUFACTURED/MOBILE HOME GUIDELINES:**

**8-5-19 20: MANUFACTURED/MOBILE HOME PARKS:**

**8-5-20 21: MINING, PIT OR QUARRY AND ACCESSORY PITS:**

**8-5-22: MODEL HOME/OFFICE AND AMENITY ADMINISTRATIVE PERMIT:**

**8-5-23: MULTIPLE USE BUILDING:**

**8-5-21 24: MULTI-FAMILY DWELLING/DEVELOPMENT:**

**8-5-22 25: NURSING OR RESIDENTIAL CARE FACILITIES:**

**8-5-23 26: PORTABLE CLASSROOM/MODULAR BUILDING:**

**8-5-24 27: PUBLIC INFRASTRUCTURE; PUBLIC UTILITY MAJOR, MINOR & YARD:**

**8-5-25 28: RECYCLING CENTER:**

**8-5-26 29: RIDING ARENA OR STABLE, COMMERCIAL:**

**8-5-27 30: SECONDARY DWELLING UNIT:**

**8-5-28 31: SHORT-TERM RENTAL:**

**8-5-29 32: STORAGE FACILITY, OUTSIDE:**

**8-5-30 33: STORAGE FACILITY, SELF-SERVICE:**

**8-5-31 34: TEMPORARY LIVING QUARTERS:**

**8-5-32 35: TERMINAL, FREIGHT OR TRUCK:**

~~8-5-33~~ 36: VEHICLE EMISSIONS TESTING:

~~8-5-34~~ 37: VEHICLE IMPOUND YARD:

~~8-5-35~~ 38: VEHICLE REPAIR, MAJOR AND MINOR:

~~8-5-36~~ 39: VEHICLE SALES OR RENTAL:

~~8-5-37~~ 40: VEHICLE WASHING FACILITY:

~~8-5-38~~ 41: VEHICLE WRECKING OR JUNK YARD:

~~8-5-39~~ 42: WIRELESS COMMUNICATION FACILITY:

**SECTION 8-5-13: DRIVE-THROUGH ESTABLISHMENT:**

A. A drive-through establishment shall be an accessory use where the drive-through portion of the facility (including stacking lanes, speaker and/or order area, pick up windows, and exit lanes) is not immediately adjacent to the drive-through portion of another facility, or immediately adjacent to a residential district or an existing residence, unless approved through a planned unit development. All drive-through establishments shall require a conditional use permit unless previously approved through a development agreement.

C.

1. Stacking lanes shall have sufficient capacity to prevent obstruction of the public right of way by patrons at any time;

5. A letter from the transportation authority indicating the site plan is in compliance with the authority's standards and policies shall be required, if applicable.

D. The applicant shall provide a six-foot (6') high sight or noise obscuring fence or wall, and/or additional landscaping where a drive-thru establishments stacking lane, speaker or window location adjoins is intended, in order to mitigate any negative impact on an adjacent residential use or district or an existing residence. The administrator may require additional noise mitigation after the drive-thru is in operation, should excessive noise be observed.

~~E. Menu boards are considered as signs.~~

~~F. Approval from the Fire District is required for the location and access of the drive-thru facility.~~

F. When immediately adjacent to any residential use or district, any portion of a drive-thru restaurant use, including speakers, vehicle stacking and windows, excluding parking, shall be located a minimum of one hundred feet (100'), from any abutting residential use or district. Council may approve a waiver to this when the use is part of a Planned Unit Development or Development Agreement. This shall not apply to a financial institution.

G. All site lighting shall be designed in a manner that eliminates fugitive lighting from illuminating any portion of an adjacent residential use. The administrator may require additional mitigation or modification to the site lighting if it is determined that fugitive light is observed after installation and operation begins.

**SECTION 8-5-15: EVENTS/ENTERTAINMENT FACILITY, PUBLIC OR PRIVATE:**

A. General Standards:

1. All structures or outdoor event areas shall maintain a minimum setback from any residential districts as determined by Council.
2. Any outdoor speaker system and amplified sound associated with the event facility shall comply with the noise regulations of this code.
3. All outdoor activities and events shall be scheduled so as to complete all activity by ten o'clock (10:00) P.M. All illumination shall be terminated no later than one hour after conclusion of the event.
4. The site shall have access from a principal or minor arterial, unless otherwise approved by Council.
3. A six foot (6') sight obscuring fence, wall, and/or other screening may be required in the landscape plan for all property lines abutting a residential district.

**SECTION 8-5-15 16: GASOLINE STATION/GASOLINE STATION WITH CONVENIENCE STORE, AND TRUCK STOP:**

**SECTION 8-5-16 17: HOME OCCUPATION:**

**SECTION 8-5-17 18: LIVE/WORK UNIT:**

General Standards:

1. Live/Work units are allowed in the Mixed Use (MU) and Central Business District (CBD) zoning districts. They may also be allowed in some residential zones as part of a Planned Unit Development (PUD).
3. Live/work units must be attached and shall have direct access between the commercial and residential uses at all times, unless otherwise approved by Council. Residential areas are permitted above the commercial component, to the side or in the rear of the business component.
9. For buildings with commercial and residential uses that are not directly accessible to one another, see Multiple Use Building.

**SECTION 8-5-18 19: MANUFACTURED/MOBILE HOME GUIDELINES:**

**SECTION 8-5-19 20: MANUFACTURED/MOBILE HOME PARKS:**

**SECTION 8-5-2021: MINING, PIT OR QUARRY AND ACCESSORY PITS:**

**SECTION 8-5-22: MODEL HOME, OFFICE, AND AMENITY ADMINISTRATIVE PERMIT:**

A permit allowing issuance of a building permit for one or more residential dwelling model homes and/or sales offices, and/or community amenity prior to recordation of a final plat. The administrator may approve a building permit(s) when all public safety items have been addressed to the satisfaction of emergency services, all bonding for improvement requirements are provided, as allowed for in Section 8-1C-1, and all other public agencies having jurisdiction have approved the development. At no time shall final occupancy be issued until all permanent improvements are in place, unless as bonded for.

A. Standards

- 1) In addition to all bonding requirements, approval may include, but may not be limited to, the following details:
  - a. Temporary street signage;
  - b. Temporary streetlights;
  - c. Street addressing for emergency services and building inspections;
  - d. Temporary fire flows;
  - e. Snow removal plan;
  - f. Star Fire District approval.

**SECTION 8-5-2123: MULTI-FAMILY DWELLING/DEVELOPMENT:**

**SECTION 8-5-24: MULTIPLE USE BUILDING:**

A structure that blends commercial and residential uses together into one building. Multiple use buildings may be either commercial use downstairs with a single or multiple residential units upstairs, or larger scale with multiple commercial uses downstairs and multiple residential, or residential and commercial uses upstairs. Individual uses may be individually leased or rented or may be developed as condominiums for individual ownership. See Live/Work Unit for commercial with residential directly attached and accessible to each other.

A. General Standards:

- 1. The use shall require a Conditional Use Permit approval from City Council, unless approved as part of a Planned Unit Development or Development



Agreement, and Certificate of Zoning Compliance (CZC) and Design Review approval.

2. Private Open Space: A minimum of sixty (60) square feet of private, usable open space shall be provided for each residential unit. This requirement can be satisfied through porches, patios, or decks.

3. All Fire District requirements, including fire suppression, addressing and access shall be met.

4. A sign permit shall be required for any commercial signage.

5. Parking requirements for both commercial and residential uses shall be met. This includes a minimum of one (1) covered parking space for each residential unit.

**SECTION 8-5-2225: NURSING OR RESIDENTIAL CARE FACILITIES:**

**SECTION 8-5-2326: PORTABLE CLASSROOM/MODULAR BUILDING:**

**SECTION 8-5-2427: PUBLIC INFRASTRUCTURE; PUBLIC UTILITY MAJOR, MINOR AND YARD:**

**SECTION 8-5-2528: RECYCLING CENTER:**

**SECTION 8-5-2629: RIDING ARENA OR STABLE, COMMERCIAL:**

**SECTION 8-5-2730: SECONDARY DWELLING UNIT:**

C. Maximum Size: Detached, S-secondary dwelling units shall be limited to a maximum size of 50% of the footprint (including any attached garage) of the primary dwelling. There is no size limit for an attached unit, provided that it is attached with a structure, such as a breezeway, that is no greater than 10 feet total in length.

**SECTION 8-5-2831: SHORT-TERM RENTAL:**

**SECTION 8-5-2932: STORAGE FACILITY, OUTDOOR:**

**SECTION 8-5-3033: STORAGE FACILITY, SELF-SERVICE:**

**SECTION 8-5-3134: TEMPORARY LIVING QUARTERS:**

**SECTION 8-5-3235: TERMINAL, FREIGHT OR TRUCK:**

**SECTION 8-5-3336: VEHICLE EMISSIONS TESTING:**

**SECTION 8-5-3437: VEHICLE IMPOUND YARD:**

**SECTION 8-5-3538: VEHICLE REPAIR, MAJOR AND MINOR:**

**SECTION 8-5-3639: VEHICLE SALES OR RENTAL AND SERVICE:**

**SECTION 8-5-3740: VEHICLE WASHING FACILITY:**

**SECTION 8-5-3841: VEHICLE WRECKING YARD, JUNK YARD, OR SALVAGE YARD:**

**SECTION 8-5-3942: WIRELESS COMMUNICATION FACILITY:**

C. Process:

4. Wireless communication facilities shall require a conditional use permit in all districts ~~with the exception of an industrial zone, which will require a certificate of zoning compliance~~, prior to installation.

5. Antennas used for any type of public safety shall require a certificate of zoning compliance.

**CHAPTER 6**

**SUBDIVISION REGULATIONS**

**ARTICLE A. SUBDIVISION PURPOSE AND PROCESS**

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

C. Application Requirements: A complete subdivision application form and preliminary plat data as required in this title, together with fees shall be submitted to the administrator. At the discretion of the administrator or city engineer, appropriate supplementary information may also be required to sufficiently detail the proposed development within any special development area, including, but not limited to, hillside, planned unit development, floodplain, cemetery, manufactured home parks, and/or hazardous or unique areas of development. When possible, Any unresolved access or traffic generation issues related to ACHD/CHD4 or ITD regulated roadways ~~shall~~ should be resolved by the applicant prior to acceptance of any application. The administrator may require A a letter from the appropriate transportation agency or servient property owner ~~shall~~ to be submitted with the application.

**SECTION 8-6A-5: COMBINED PRELIMINARY AND FINAL PLAT PROCESS:**

A. Applicability: A subdivision application may be processed as both a

preliminary and final plat if all of the following exist:

1. The proposed subdivision does not exceed five (5) lots (excluding common and/or landscaping lots); or a previous plat was approved on the subject property; and
2. No new public street dedication, excluding widening of an existing street, is required (private streets are ok); and

**SECTION 8-6A-8: TERM OF APPROVALS:**

A. Failure to Submit Final Plat: Approval of a preliminary plat or combined preliminary and final plat or short plat shall become null and void if the applicant fails to obtain city engineer signature of record a final plat within two (2) years of the approval of the preliminary plat (signed findings of fact) ~~or one year of the combined preliminary and final plat or short plat~~. Minor land divisions shall be recorded within one year of approval.

C. Authorize Extension: Upon written request and filed by the applicant prior to the termination date of the period in accord with subsection A of this section, the administrator may authorize a single extension of time to record the final plat not to exceed ~~twelve (12)~~ twenty four (24) months. Additional time extensions up to ~~twelve (12)~~ twenty four (24) months as determined and approved by the city council may be granted. Submittal of a Council approved time extension request shall be a minimum of 30 days prior to the expiration date. With all time extensions, the administrator or city council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

D. Failure to Meet Timetable: If the above timetable is not met and the applicant does not receive a time extension, the property may be required to go through the platting procedure again, as determined by the administrator.

**SECTION 8-6A-9: MINOR LAND DIVISION PROCESS:**

C. Process:

d. Time Limit and Completion of Tasks:

- iv. Provide copies of the recorded record of survey, recorded deeds, and the new tax parcel numbers to the administrator.

**CHAPTER 6**

**SUBDIVISION REGULATIONS**

**ARTICLE B. SUBDIVISION DESIGN AND IMPROVEMENT STANDARDS**

**SECTION 8-6B-2: IMPROVEMENT STANDARDS:**

D. Common/Shared Driveways:

~~1. Maximum Dwelling Units Served: Common driveways shall serve a maximum of two (2) dwelling units and shall be approved by the Fire District.~~

Common/Shared Driveways shall not be permitted for residential developments unless an approved, emergency turn-around is provided, and the driveway is approved by the Fire District.

F. Blocks: In the residential districts, no block shall be more than seven hundred fifty feet (750') in length without an intersecting street, alley, or other City and ACHD/GHD4 approved remedy. Remedies include traffic calming and/or waiver from City Council for the lengths.

H. Flag Lots: Flag lots are prohibited in all residential zones greater than R-2, unless specifically approved by Council. Any approved flag lot shall also be ~~unless~~ approved by the Fire District.

**SECTION 8-6B-3: DEVELOPER'S RESPONSIBILITY:**

The developer has the responsibility of maintaining the subdivision property until such time that the subdivision is turned over to a homeowner or business owner association. Failure to comply with the following may result in a stop work order being issued until the violations are remedied, and/or revocation of preliminary plat/final plat approvals. The following are requirements of the developer:

C. Maintain the site for debris daily and prevent wind-blown debris. This shall include, but is not limited to trash, junk or disabled vehicles during any portion of the development process.

E. Clean up of any mud and/or dirt that is deposited from construction onto any streets daily. This shall include any streets used to access the property.

**CHAPTER 8**

**DESIGN AND DEVELOPMENT STANDARDS**

**ARTICLE A. SIGN STANDARDS**

**SECTION 8-8A-8: SIGNS NOT REQUIRING PERMITS:**

2. One corporation flag may be flown in conjunction with the United States or state of Idaho flag and as part of the display in a non-residential zone;
3. Such displays shall not exceed ~~twenty-five (25 30)~~ square feet in area in any residential area or ~~sixty fifty (60 50)~~ square feet in any commercial or industrial

**SECTION 8-8A-9: SIGNS WITHIN THE HISTORIC OVERLAY CBD ZONING DISTRICT:**

The number, size, height, ~~appearance~~ and location of signage within a historic overlay zoning district shall comply with adopted design guidelines for the central business district and the city of Star zoning regulations. Any sign not previously approved by the Star city council as a landmark sign will be considered nonconforming as of the enactment of this chapter until found to be appropriate by subsequent action of the administrator and/or Star city council. All nonconforming signs will be subject to section 8-8A-13 of this article. All nonconforming signs within the CBD district will be subject to sections 8-8A-1 through 5, and 8-8A-12 through 8-8A-14 of this article.

**SECTION 8-8A-11: SIGNS REQUIRING PERMITS:**

A. Residential or Miscellaneous Signs:

1. Subdivision identification signs identifying the subdivision or development name, provided:

~~c. Such signs shall not exceed twenty (20) square feet in area; and~~ Sign and sign structure shall be sized accordingly, based on the area associated with the sign location, and shall be approved by the administrator. The entire sign structure shall not exceed ten feet (10') in height unless approved by the administrator.

~~d. The entire sign structure shall not exceed twenty five feet (25') in length and eight feet (8') in height.~~

~~d e.~~ The sign shall be located within a common area lot, shall be maintained by an HOA, and shall be located outside of the clear vision triangle.

**SECTION 2: REPEALER CLAUSE** All ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 3: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be

unconstitutional or invalid.

**SECTION 4: EFFECTIVE DATE** This Ordinance shall be in full force and effect from date of passage, publication, and signature of the Mayor according to law.

PASSED AND APPROVED BY THE CITY OF STAR MAYOR AND CITY COUNCIL ON \_\_\_\_\_.

	Aye	Nay	Absent	Abstain
Kevan Wheelock				
David Hershey				
Jennifer Salmonsén				
Kevin Nielsen				

\_\_\_\_\_  
Trevor A Chadwick, Mayor

ATTEST: \_\_\_\_\_  
Jacob M Qualls, City Clerk / Treasurer

DRAFT