FINDINGS OF FACT AND CONCLUSIONS OF LAW
REFRESH CHURCH REZONE, DEVELOPMENT AGREEMENT & CUP
RZ-26051/DA-26-06/CU-26050

The above-entitled Rezone, Development Agreement and Conditional Use Permit application came before the Star City Council for their action on October 6, 2026, 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 approval of a Rezone (C-1), Development Agreement and Conditional Use Permit for a church. The property is located north of W. Chinden Blvd and east of N. Owyhee Storm Avenue in Star, Ada County, Idaho and consists of approximately 3.43 acres. The subject property is generally located on the north side of W. Chinden Blvd between N. Owyhee Storm Avenue and N. Mystic Creek Avenue. Ada County Parcel No. S0420468675.

B. *Application Submittal:*

A neighborhood meeting was held on May 29, 2026, in compliance with the application submittal requirement of the Star Unified Development Code (Section 8-1 A-6 C). The Land Use application was deemed complete on July 16, 2026.

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 11, 2026. 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 September 9, 2026. Notice was sent to agencies having jurisdiction in the City of Star on September 9, 2026. The property was posted in accordance with the Star Unified Development Code on September 24, 2026.

D. *History of Previous Actions:*

August 17, 2021	Council tabled applications for Annexation (AZ-21-09), Development Agreement (DA-21-11), Planned Unit Development (PUD-21-01) and Preliminary Plat (PP-21-12) for Inspirado Subdivision to allow ACHD and ITD time to provide input.

January 11, 2022	Council approved applications for Annexation (AZ-21-09), Development Agreement (DA-21-11), Planned Unit Development (PUD-21-01) and Preliminary Plat (PP-21-12) for Inspirado Subdivision
July 21, 2026	Council approved the applicants request to modify the South of the River Plan Illustrative Map to change the designation of the subject parcel from Compact Residential to Commercial.

E. *Development Features*:

REZONE:

The applicant is requesting approval of a rezone from Residential (R-3-PUD-DA) to Commercial (C-1-DA) on approximately 3.43 acres. The property can be serviced by the Star Sewer and Water District for central sewer and water. This property may need to be annexed into the Star Sewer and Water District. The rezone request includes a development agreement.

DEVELOPMENT AGREEMENT

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the property and associated uses will be as presented and/or modified by the Council through the review process. Items that should be considered by the applicant and Council include the following:

- Future Development of Property (DA shall limit use to Church)
- Future Zoning Certificate and Design Review to Detail Project

CONDITIONAL USE PERMIT:

The applicant is requesting approval of a Conditional Use Permit to construct an approximately 17,500 square foot Church Building on 3.43 acres. The property is currently zoned Residential (R-3-PUD-DA) and a request for a rezone to Commercial (C-1-DA) is included with this application. The building consists of approximately 11,000 square feet of Assembly Area, approximately 4,100 square feet of office and classroom space with a lobby separating the two areas. Section 8-4B-3 requires a church or place of religious worship to provide 1 parking spot for each 5 seats. The site plan indicates what appears to be adequate parking and ADA spots, however further review will be required at Design Review to insure proper parking is provided.

Section 8-4B-2 of the UDC requires all parking stalls to be a minimum of nine feet (9') wide and twenty feet (20') deep.

A. When a vehicle bumper overhangs onto a sidewalk or landscape area, the parking stall dimensions may be reduced two (2) feet in length if two (2) feet is added to the width of the sidewalk or landscaped area, and the additional area is planted in ground cover. In this case, wheel restraints may be removed.

Access is proposed to be taken from N. Owyhee Drive and from a private drive aisle along the south of the property shared with the development to the south. Further review will be required at Design Review to insure proper access is provided to the property.

All signage, including building, directional and monuments will need separate permits and approval from Staff.

The applicant has not asked for any setback waivers, and the site plan is compliant with the required Commercial setbacks.

As required by the Unified Development Code, Chapter 8, Section 8-8C-2-M (2) Street Trees; A minimum of one street tree shall be planted for every thirty-five (35) linear feet of street frontage. The applicant shall use "Treasure Valley Tree Selection Guide", as adopted by the Unified Development Code. The proposed landscape plan appears to satisfy these requirements. All street trees should be verified as acceptable under the Treasure Valley Tree Selection Guide.

The proposed building appears to be two stories, and 32 feet high at the tallest point. The building will have brick, stone veneer, stucco, lap siding and two types of metal siding components with charcoal colored aluminum storefronts and awnings. The colors appear to satisfy the design standards outlined in the structural overlay guidelines. The building will go through a Design Review as part of the Zoning Certificate process should Council approve the Conditional Use Permit.

F. *Agencies Responding:*

The following agencies responded, and correspondence was attached to the staff report.

Ada County Highway Dist. April 28, 2025

G. Staff received the following letters & emails for the development:

No public comments have been received.

H. *Comprehensive Plan and Unified Development Code Provisions:*

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Commercial

Suitable primarily for the development of a wide range of commercial activities including offices, retail, and service establishments. Rezoning to this designation should not be allowed unless adequate ingress/egress to major transportation corridors are assured. Light industrial uses may be considered at the discretion of the City Council without amending this plan.

8.3 Goal:

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

8.4 Objectives:

- Preserve the family friendly feel of Star.
- Implement the Land Use Map and associated policies as the official guide for development.
- Manage urban sprawl in order to minimize costs of urban services and to protect rural areas.
- Encourage commercial development that is consistent with a family friendly feel, not overburdening the community with big box and franchise uses and discourage the development of strip commercial areas.

8.5.6 Policies Related Mostly to the Commercial Planning Areas:

- Assist in the provision of coordinated, efficient, and cost-effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Star's role as the urban core while protecting existing property rights.
- Encourage commercial facilities to locate on transportation corridors.
- Locate neighborhood services within walking distance to residential development.
- Discourage the development of strip commercial areas.
- Maintain and develop convenient access and opportunities for

shopping and employment activities.

- Commercial areas of five acres or less should be encouraged in residential land use designations with appropriate zoning to allow for commercial services for residential neighborhoods and to limit trip lengths. Such commercial areas should be submitted for approvals with a Conditional Use Permit or Development Agreement to assure that conditions are placed on the use to provide for compatibility with existing or planned residential uses. These areas should be oriented with the front on a collector or arterial street.
- Allow for some light industrial uses within the Commercial areas at the sole discretion of the City Council.

8.5.9 Additional Land Use Component Policies:

- Upon review of specific development applications, the Council may approve uses considering that the boundaries of the various land use designations shown on the Land Use Map are contemplated to be slightly flexible based upon existing property lines and other site considerations.
- Update the Area of City Impact boundaries.
- Encourage the city and county(s) to meet on a regular basis to discuss common land use issues within the Areas of City Impact.
- Developments planned in the area where the Star Comprehensive Plan overlays the Comprehensive Plan of adjacent cities should be planned in a coordinated manner to limit conflicts between city jurisdictions.
- Encourage public participation in the land use planning process.
- With regard to land-use planning, property owners and residents within Star's Comprehensive Planning area who live outside the city limits and are not entitled to vote in city elections are encouraged to provide public input for consideration by the City Council.
- Develop processes for public participation and materials that describe the development and public hearing processes.
- Develop a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities.
- Encourage flexibility in site design and innovative land uses.
- In the Neighborhood Residential Land Use Designation property of sufficient size may be developed with a mix of housing types such as single family, two family, and multi-family with appropriate transitioning as referenced otherwise herein and with the gross density not being exceeded.
- Buffer and transition development is to occur between conflicting

types of land use.

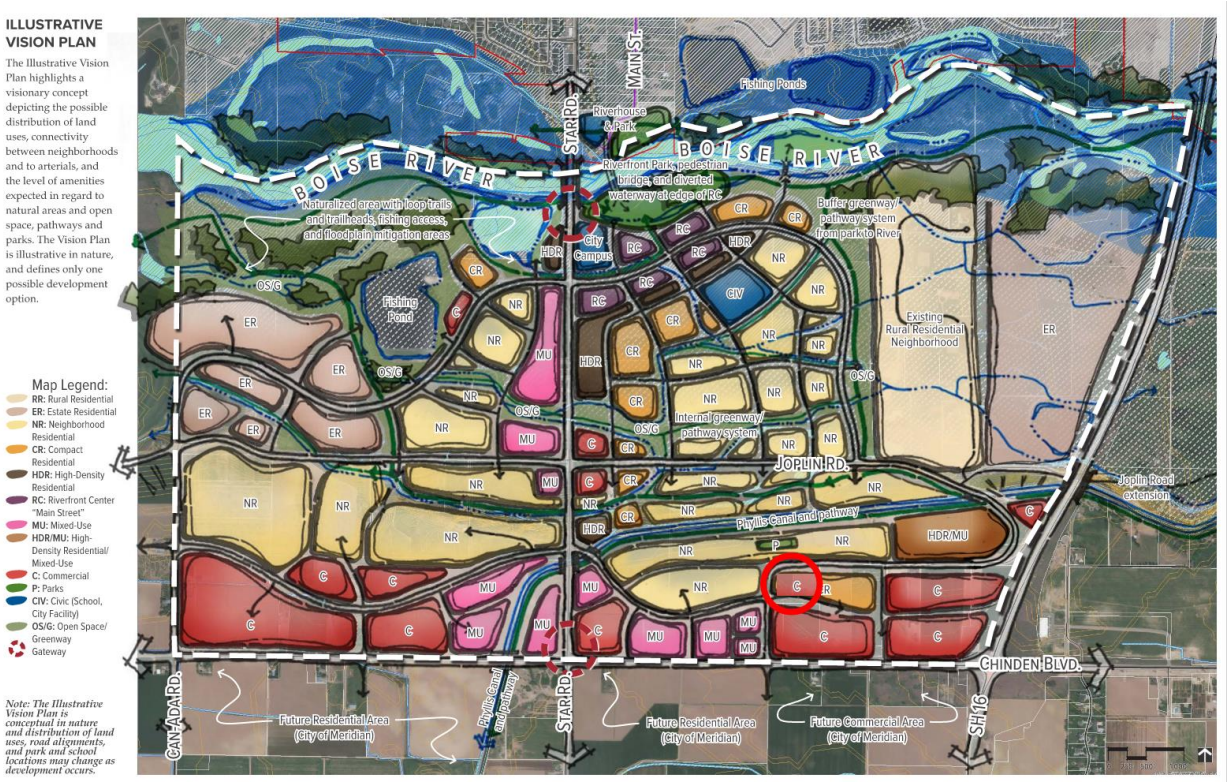
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- Amend the code to require tree lined streets where appropriate.
- Require more open space and trees in subdivisions.
- Work with Ada County Highway District (ACHD), Canyon Highway District #4 (CHD4), and Idaho Department of Transportation (ITD) for better coordination of roadway and access needs.
- Promote "trip capture," in new development.
  The Star Fire District is encouraged to respond to development applications by advising the city's Planning Department of the impact that the proposed development will have, if approved, on the standard response time.
- Develop an infill development ordinance.
- Developments will be required to provide groundwater studies where needed to address possible impacts to existing wells or the aquifer.
- Support well-planned, pedestrian-friendly developments.
- Dark sky provision should be adopted within the code to assure down style lighting in all developments and Star should consider joining the International Dark Sky Association.
- The City should utilize the 2018 Treasure Valley Tree Selection Guide when requiring trees within developments.

18.4 Implementation Policies:

- Update the Zoning and Subdivision Ordinances to be in conformance with the adopted Comprehensive Plan.
- Development Agreements allow the city to enter into a contract with a developer upon rezoning. The Development Agreement may provide the city and the developer with certain assurances regarding the proposed development upon rezoning.

21.1 – South of the River Planning Area

Refer to the South of the River Area Document



Unified Development Code:

UNIFIED DEVELOPMENT CODE:

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

1. The subject property shall meet the minimum dimensional standards and/or density standards of the proper district.

2. The city 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 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.

3. The termination of a development agreement shall result in the reversal of the official zoning map amendment approval and applicable development approval for any undeveloped portion of property subject to the development agreement. The undeveloped property subject to the development agreement shall be rezoned to the district classification as designated by the development agreement. When no designation is provided, the property shall revert to its original zoning or, if the original designation no longer exists, to the closest current equivalent zoning as determined by the current Comprehensive Plan Land Use Map designation.

4. An amendment or termination of a previously recorded development agreement shall be recorded in the office of the county recorder by the clerk.

5. An approved development agreement must be executed within ninety (90) days of the meeting at which the development agreement is approved by the city council. A one-time administrative extension of maximum thirty (30) days may be granted by the zoning administrator. Additional extensions may be approved by majority vote of the city council. Failure to execute the development agreement within the required timeframe will result in the denial of all related applications.

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

1. The map amendment complies with the applicable provisions of the comprehensive plan;

2. The map amendment complies with the regulations outlined for the proposed district;

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

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city.

5. The annexation (as applicable) is in the best interest of city.

8-1B-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.

C. Process:

1. The applicant shall complete a pre-application conference with the administrator prior to submittal of an application for a conditional use.

2. A neighborhood meeting shall be held by the applicant pursuant to Section 8-1A-6C of this title.

3. An application and appropriate application fees shall be submitted to the City on forms provided by the city.

4. Prior to issuing the conditional use permit, the administrator may require additional information, including studies, concerning the social, economic, fiscal or environmental effects of the proposed conditional use. Traffic studies may be required by the transportation authority prior to acceptance of an application.

D. Standards: In approving any conditional use, the city council may prescribe appropriate conditions, bonds and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.

2. Control the sequence and timing of the use.

3. Control the duration of the use.

4. Assure that the use and the property in which the use is located is maintained properly.

5. Designate the location and nature of the use and the property development.

6. Require the provision for on-site or off-site public facilities or services.

7. Require more restrictive standards than those generally required in this title.

8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, that provides services within the city.

8-1B-4E. FINDINGS: The council shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

2. That the proposed use shall meet the intent of the Star comprehensive plan and be in compliance with the requirements of this title.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance as determined by the City.

8-1B-4F. TIME LIMITATIONS AND EXTENSIONS:

1. A conditional use permit, upon council approval, shall be valid for a maximum period of twenty-four (24) months unless otherwise approved by the City Council. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. Once all requirements are satisfied, permits are acquired and the use is commenced, the conditional use permit will become permanent unless otherwise revoked by the city council.

2. A conditional use permit that also requires platting: The final plat must be recorded within this twenty-four (24) month period.

a. For projects with multiple phases, the twenty-four (24) month deadline shall apply to the first phase. In the event that the development is made in successive contiguous segments or multiple phases, such phases shall be constructed within successive intervals of one year from the original date of approval. If the successive phases are not submitted within the one-year interval, the conditional use approval of the future phases shall be null and void.

3. Time Extension. Upon written request and filed by the applicant prior to the termination of the period in accord with this subsection F, the administrator may authorize a single, administrative time extension to commence the use not to exceed one (1), twelve (12) month period. The administrator may require the conditional use comply with the current provisions of this chapter. Additional requests must be approved by the council.

a. Council approval of requests for time extension for an approved conditional use shall be determined by the city council at a public hearing and will not be granted if any of the following conditions exist:

(1) Significant amendments to the comprehensive plan or this unified development code have been adopted that change the basis under which the conditional use permit was granted.

(2) Significant changes in land use have occurred in the area that will impact or be impacted by the project.

(3) Hazardous conditions have developed or have been discovered that will impact the project.

4. Community facilities and/or services are no longer adequate to serve the project.

a. The city council may place additional requirements, modify the previous approval or deny the request for time extension.

b. No more than one-time extension may be granted to a single conditional use.

8-1B-4G. TRANSFERS AND MODIFICATIONS:

1. Conditional use permits are an entitlement to the specific property on which the approval was granted and upon property sale the entitlement transfers to the new owner(s) without further application or approval, provided, however, the new owner(s) shall be bound by the same conditions of approval as the original permit holder(s). This is for a specific use and may not be used for other applications.

2. A conditional use permit is not transferable from one property to another.

3. All requested modifications to an approved conditional use shall be considered by the city council at a public hearing. The city council may modify the conditions, limitations and/or scope of the permit.

8-1B-4H. REVOCATION:

1. A conditional use permit may be revoked or modified by the city council, upon notice and public hearing, for breach or violation of any condition of approval or limitation of the permit.

2. If the city council decides to revoke a conditional use permit, either on its own action or upon complaint to the city council, the administrator shall notify the permit holder of its intention to revoke the conditional use permit and provide the permit holder with the opportunity to contest the revocation.

3. Fifteen (15) days' prior notice of the hearing shall be given to the permit holder and all property owners of record (to be obtained from the County Assessor's office) within the radius required in subsection 8-1A-4B of this article.

4. The council shall make findings of fact and conclusions of law supporting its decision to revoke the conditional use permit. If the council decides not to revoke the conditional use permit, no findings of fact and conclusions of law shall be made.

5. An affected person may appeal the decision of the city council under the administrative procedure act of the state of Idaho, Idaho Code title 67, chapter 52.

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

The following zoning districts are hereby established for the interpretation of this title, the zoning districts have been formulated to realize the general purposes as set forth in this title. In addition, the specific purpose of each zoning district shall be as follows:

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

(C-1) NEIGHBORHOOD 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.

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

8-3A-3: USES WITHIN ZONING DISTRICTS

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

ZONING DISTRICT USES	MU
Church or place of religious worship	C

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

Zoning District	Maximum Height Note Conditions	Minimum Yard Setbacks Note Conditions			
		Front (1)	Rear	Interior Side	Street Side
C-1	35'	20'	5'	0' [4]	20'

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, 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.

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

Churches and other places of religious assembly	1 for each 5 seats.

8-5-11: CHURCH OR PLACE OF RELIGIOUS WORSHIP:

Uses that are accessory to churches or other places of religious worship, such as schools, child daycare services, meeting facilities for clubs and organizations, and other similar uses not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation may be permitted to the extent the activity is otherwise permitted in the district.

Churches conducting activities outside the normal church events are required to complete a temporary use permit stating when and where the activity will take place and who will be in charge of the activity.

8-1B-1C: ANNEXATION AND ZONING (REZONE) FINDINGS:

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

   The Council finds that 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 City must find compliance with the Comprehensive Plan. The Council finds that this rezone is in compliance with 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 proposal complies with the proposed district and purpose statement. The purpose of the neighborhood commercial district is 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.. Council finds that this request is consistent with the 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 rezoning 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 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 finds this rezone is reasonably necessary for the orderly development of the City.

8-1B-4E CONDITIONAL USE FINDINGS:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The Council finds nothing in the record indicating that the site of the proposed use would not be large enough to accommodate the proposed use or meet all of the dimensional and development regulations in the district in which the use would be located.

2. That the proposed use will be harmonious with the Star comprehensive plan and in accord with the requirements of this title.

The Council finds that the proposed use request is harmonious with the Star Comprehensive Plan and is in accord with the requirements of this Title. The proposed development meets the intent or purpose. The Future Land Use Map designates this property as Commercial.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

The Council finds that operation of the proposed use would be compatible with the other uses in the general area. Council placed specific staff recommended conditions of approval to address the proposed church use.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

The Council finds that the proposed use, with imposed conditions of approval, would not adversely affect other property in the vicinity. Council placed specific staff recommended conditions of approval to address the proposed church use.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The Council finds that the proposed use can be adequately served by essential public facilities and services.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Council finds that the proposed use would not create excessive additional costs for public facilities and would not be detrimental to the economic welfare of the community. The City has not received notice from any agency having jurisdiction stating that this application

will create excessive additional costs for the public facilities and services as the development will pay for all changes in services.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

   The Council finds that the proposed use would involve activities that, if designed and constructed with imposed conditions of approval, would not be detrimental to any person, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors. Council placed specific staff recommended conditions of approval to address the proposed church use.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.

   The Council finds that the proposed use would not result in the destruction, loss or damage of natural, scenic or historic feature of major importance since none are apparent on this site.

Public Hearing of the Council:

a. A public hearing on the application was heard by the City Council on June 3, 2025, 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 by:

- Shawn L Nickel, City Planning Director gave Staff Presentation
- Reggie Mace, Applicant
- T.J. Hankey
- Ryan Morgan, City Engineer

c. Public sign-ins that did not testify (Against or Neutral):

- Zach McWaters
- Maria Ferrarra
- Tony Tseng
- Samual Pech
- Danna Douglas
- Tim Douglas

d. Written testimony in favor of or opposing the application was presented to the City Council at the hearing by:

None

Deliberations and Conclusions of Law:

The Council reviewed the particular facts and circumstances of this proposed rezone and conditional use permit application 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 development. Review and discussion included land use, access, parking, building elevations and landscaping. The Council accepted staff's recommended conditions of approval on the application. Council concluded that the Applicant's request, as will be conditioned as part of the development agreement, meets the requirements for the rezone. Council hereby incorporates the staff report dated June 3, 2025 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 added to the Development Agreement the following Staff recommended conditions of approval to their decision to approve the application to include the following:

- **Future Development of Property is limited to a Church Facility use.**
- **Prior to issuance of a building permit, the applicant shall receive a certificate of zoning compliance/design review approval from staff.**
- **An updated site plan shall be provided at the Design Review that properly calls out all the necessary dimensions (parking spaces, drive aisles, sidewalks) as part of the approval process.**
- **All conditions of approval in Conditional Use Permit.**

CONDITIONS OF APPROVAL

1. The approved Conditional Use shall comply with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. **Prior to issuance of a building permit, the applicant shall receive a certificate of zoning compliance/design review approval from staff.**
3. **An updated site plan shall be provided at the Design Review that properly calls out all the necessary dimensions (parking spaces, drive aisles, sidewalks) as part of the approval process.**
4. Pressurized irrigation systems shall comply with the Irrigation District(s) and the City of Star Codes. Plans for pressurized irrigation systems shall be submitted to, and approved by the City of Star Engineer, prior to installation.
5. A form signed by the Star Sewer & Water District shall be submitted to the City prior to issuance of building permit stating that all conditions of the District have been met, including annexation into the District.

6. The applicant shall provide a sign, to be located at all construction entrances, indicating the rules for all contractors that will be working on the property starting at grading and running through occupancy that addresses items including but not limited to dust, music, dogs, starting/stopping hours for contractors (7a.m. start time). **Sign shall be approved by the City prior to start of any construction.**
7. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy of the unit.
8. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
9. The applicant shall obtain a sign permit prior to any signage being placed on the site or building.
10. Any additional Condition of Approval as required by Staff and City Council.
11. Any Conditions of Approval as required by Star Fire Protection District.
12. The property associated with this approved conditional use permit shall be properly maintained at all times, including throughout the construction process to include trash picked up and trash receptacles emptied with regular frequency, streets swept and cleaned weekly, including any streets used to access the property and all debris shall be prevented from accumulating on any adjacent property or public right of way and shall remove all debris from public way at least daily. This shall also include, but is not limited to any trash, junk or disabled vehicles during any portion of the development process. The site shall be properly mitigated from fugitive dust at all times, including during construction, as determined by the Zoning Administrator. Failure to comply with any of the above may result in a stop work order being issued until the violations are remedied, and/or revocation of the conditional use permit or building permit.

Council Decision:

The Council voted 4-0 to approve the Rezone, Development Agreement and Conditional Use Permit on October 6, 2026.

Dated this 17th day of November, 2026.

Star, Idaho

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

_____
Shelly Tilton, City Clerk