

FINDINGS OF FACT AND CONCLUSIONS OF LAW
HOOD RATS GARAGE
FILE NO. RZ-23-01/DA-23-02/CU-23-03

The above-entitled Rezone, Development Agreement and Conditional Use Permit land use applications came before the Star City Council for their action on May 2, 2023, at which time public testimony was taken and the public hearing was closed. The Star City Council, having requested and taken oral and written testimony, and having duly considered the matter, does hereby make the following Findings of Fact and Conclusions of Law.

Procedural History:

A. Project Summary:

The Applicant is seeking approval of a Rezone (C-1 to CBD), a Development Agreement and Conditional Use Permit for a 1,400 square feet automotive sales and repair facility. The property is located at 11525 West State Street, Star, Idaho and consists of .190 acres. The subject property is generally located on the southwest corner of West State Street and South Sunlight Avenue. Ada County Parcel No. R5836250010.

B. Application Submittal:

A neighborhood meeting was held on January 14, 2023, 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 April 12, 2023.

C. Notice of Public Hearing:

Notice of Public Hearing on the application for the City of Star Council was published in accordance with the requirements of Title 67, Chapter 65, Idaho Code and the Star Unified Development Code on April 16, 2023. Notice of this public hearing was mailed to property owners within three-hundred feet (300') of the subject property in accordance with the requirements of Title 67, Chapter 65, Idaho Code and Star Unified Development Code on April 13, 2023. Notice was sent to agencies having jurisdiction in the City of Star on March 9, 2023. The property was posted in accordance with the Star Unified Development Code on April 23, 2023.

D. History of Previous Actions:

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

E. *Comprehensive Plan Land Use Map and Zoning Map Designations:*

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Commercial (C-1)	Central Business District (CBD)	Vacant Ground
Proposed	Central Business District (CBD)	Central Business District (CBD)	Automotive Sales/Repair
North of site	Commercial (C-1)	Central Business District (CBD)	Coffee Shop/Office Space
South of site	Residential (R-8)	Central Business District (CBD)	Single Family Residential
East of site	Commercial (C-2)	Central Business District (CBD)	Napa Auto Parts
West of site	Commercial (C-1)	Central Business District (CBD)	Single Family Residential

F. *Development Features.*

REZONE:

The rezone request from Commercial (C-1) to Central Business District (CBD) on the applicant's property will allow for the development of the property in a manner that will be consistent with the current Comprehensive Plan Map. Sewer and Water will be provided by the Star Sewer and Water District and is in close proximity to the property. Annexation into the Sewer and Water District will be required.

CONDITIONAL USE PERMIT:

The applicant is requesting approval of a Conditional Use Permit for an approximately 1,400 square feet automotive sales and repair facility. The proposed building is a manufactured steel building that will have three bay doors (3) on the west side of the facility and one (1) on the north side. The material will be white sheet metal with black trim and reclaimed wood siding accents on all four sides.

Access will be taken from S. Sunlight Avenue directly to the parcel. The applicant is proposing eight (8) parking spaces, one (1) of which is ADA accessible. Section 8-4B-3 of the Unified Development Code states that this type of use requires a minimum of six (6) parking spaces. Section 8-4B-2 requires parking stalls to be a minimum of nine feet (9') wide and twenty feet (20') deep. **The Applicant is proposing two (2) stalls to be the correct width; however, the other six (6) spaces are proposed at eight feet six inches (8' 6") in width. The Applicant will need to adjust these spaces so that they are nine feet (9') wide.** The Applicant is proposing the parking stalls be eighteen feet (18') deep. Section 8-4B-2(b)3 states that "when a

vehicle bumper overhangs into 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.” The applicant is proposing a five foot (5') wide grass area that will satisfy this requirement and allow for the eighteen foot (18') deep stalls.

The Unified Development Code, Section 8-4B-2 states that all drive aisles adjacent to a building shall be a minimum of twenty-five wide (25') or as required by the fire code, unless the building is thirty feet (30') in height or greater, at which point the drive aisle shall be twenty-six feet (26') wide or as otherwise approved by the Fire District. The Applicant is proposing a twenty-five foot (25') wide drive aisle, which satisfies this section of the code.

The Ada County Highway District (ACHD) has issued a staff report, the Applicant will be required to comply with the conditions of approval prior to certificate of occupancy.

The applicant has provided exterior elevations and color renderings that will need to be reviewed by the Design Review Committee, as part of the Certificate of Zoning Compliance process, for approval.

The applicant has not asked for any setback waivers and the site plan is compliant with the required Central Business District (CBD) 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 submitted landscape will require a minimum of two shade trees (2) planted along W. State Street. The Applicant will need to update the landscape plan and provide to Staff or approval prior to issuing a building permit. The Applicant has proposed seasonal landscaping but has not indicated the type of landscape materials. The updated landscape plan will need to call this out.**

The Applicant has not provided a lighting plan for the site or building. This will be required prior to issuing a building permit, for review and approval by Staff. All lighting shall be downward facing and Dark Sky like compliant to avoid any fugitive light to the neighboring properties.

DEVELOPMENT AGREEMENT:

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

- Specifically Requested Conditional Use Approvals

The Development Agreement may also contain additional items as directed by the City Council as part of the review and approval process.

H. *On-Site Features:*

- ✧ Areas of Critical Environmental Concern – No known areas.
- ✧ Evidence of Erosion – No known areas.
- ✧ Fish Habitat – No known areas.
- ✧ Mature Trees – Yes, healthy, mature trees will be preserved if possible.
- ✧ Riparian Vegetation – None.
- ✧ Steep Slopes – None.
- ✧ Stream/Creek – No.
- ✧ Unique Animal Life – No unique animal life has been identified.
- ✧ Unique Plant Life – No unique plant life has been identified.
- ✧ Unstable Soils – No known issues.
- ✧ Wildlife Habitat – No wildlife habitat has been developed or will be destroyed.
- ✧ Historical Assets – No historical assets have been observed.

I. *Agencies Responding:*

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

ITD
ACHD

February 23, 2023
March 27, 2023

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

Gary Avise

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

Comprehensive Plan:

8.2.3 Land Use Map Designations:

Central Business District

The Central Business District is planned to be a vibrant downtown center for the community. Uses encouraged are commercial, retail, civic, private offices, and entertainment. High density housing is encouraged on the upper floors of mixed-use

buildings and at the fringes of the land use designation. Developments in this district are to place an emphasis on pedestrian and bicycle access and compatibility.

8.3 Goal:

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

8.4 Objectives:

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

8.5.5 Policies Related Mostly to the Central Business District Planning Areas:

- A. The CBD zoning district should allow for a mix of commercial, office, institutional, and civic type uses with specific provisions for residential use in appropriate locations with compatible densities.
- B. High density residential is suitable within the CBD in mixed use buildings with commercial or office type uses on the first floor and high density residential on upper floors.
- C. Main Street, generally south of Tempe Lane extended, consists of several lots which are about one acre in size created by "Dixon Subdivision" almost a century ago. Many of the existing home sites on these lots are rural in nature, including farm animals. As redevelopment of this area occurs, a transition consisting of a compatible mix of lower intensity commercial and office type uses mixed with residential should be encouraged. This Main Street area needs to be studied to provide for special care guiding future development understanding that the rights consisting of the existing rural use of residential lots are not to be infringed. Furthermore, Main Street is to be studied for the provision of traffic calming measures and to provide for a connection for horseback riders to access an equestrian trail which should be planned along the Boise River.
- D. The city should develop a street improvement plan for the CBD identifying drainage and street improvements with a functional grid system and use public

private partnerships to assure the system is built and that “ad hoc” development of parcels within the CBD do not block good planning.

E. The city should develop a downtown grid system, in part, planning for the easterly extension of Tempe Lane and easterly extension of West First Street to help provide better downtown access and parking facilities.

F. The east west public road from the Heron River Development, south of the LDS Church on Main Street, should be extended to Star Road.

G. Implement, review, and update the 2011 Star Downtown Revitalization Plan for development strategies within the plan intended to stimulate development within the CBD.

H. As recommended in the 2011 Star Downtown Revitalization Plan, the city should create an Urban Renewal District to stimulate development within the CBD.

I. The city should encourage assemblage of the smaller properties where appropriate.

J. The “floodway” lands abutting the CBD land use designation, all as shown in the Comprehensive Plan Land Use Map, should continue to be developed as park space supporting activities integral to the economic and “Live, Work, Play” ambiance planned for the CBD.

K. Main city service facilities should be located in the CBD and should all be south of State Highway 44 clustered into a “City Services Campus”. That includes the City Hall, Library, Post Office, Emergency Services, Department of Motor Vehicles, and other related facilities.

L. Big Box commercial, generally a single-story single use building over 50,000 square feet, should not be permitted within the CBD and any single-story single use building which is large in scale, such as approaching the 50,000 square foot size, should be located to front on Highway 44 or Star Road.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- Encourage landscaping to enhance the appearance of subdivisions, structures, and parking areas.
- 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.
- 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:

E. 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.

Unified Development Code:

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

B. Standards:

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

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:

CENTRAL BUSINESS DISTRICT: To provide for commercial, retail, civic, office, and entertainment uses. High density housing is encouraged on the upper floors of mixed-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.

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	CBD
Vehicle Sales, Rental & Service	C

Notes:

- 1. Indicates uses that are subject to specific use standards in accord with chapter 5 of this title.**

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
CBD	35'	0'	0'	0' ⁴	0'

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 overhang onto the sidewalk.
2. Zero-Lot-Line 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 as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, IL, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone.
4. As approved by the Fire District.

8-1B-4: CONDITIONAL USES:

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

B. Applicability: The provisions of this section apply to all uses identified as conditional use in chapter 3, "District Regulations", of this title, and as otherwise required by specific development standards in chapter 5, "Specific Use Standards", of this title.

C. Process:

1. The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a conditional use.
2. An application and appropriate application fees, in accord with article A, "General Provisions", of this chapter, shall be submitted to the administrator on forms provided by the planning department.
3. The administrator may require additional information concerning the social, economic, fiscal or environmental effects of the proposed conditional use, prior to the scheduling of a public hearing.

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 exact 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 will be harmonious with the Star comprehensive plan and in accord 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 and that such use will not adversely change the essential character of the same area.
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.

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

Type of Use	Off-Street Parking Spaces Required
Automotive, mobile home, travel trailer and or farm implement sales	1 per 400 square feet of gross floor area; plus 1 per 500 square feet of outdoor display.
Automotive repair shop, body shop or tire shop	1 per 225 square feet of gross floor area.

8-1B-1C ANNEXATION/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 central business district is to provide for commercial, retail, civic, office, and entertainment uses. 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. Emergency services were reviewed and mitigation recommended by the Star Fire District.

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

The Council finds the majority of the property is already annexed. The annexation and rezone request proposed is reasonably necessary for the continued, 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.

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.

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.

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 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.

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 May 2, 2023, at which time testimony was heard and the public hearing was closed, and the 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
- Newell Price
- Nicholas Price
- Terry Stickney

- Gary Advise

c. 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 annexation and preliminary plat 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 rezone and proposed land use. Review and discussion included site plan/layout, access and circulation, noise and landscape buffering. The Council included Staff recommended conditions of approval to address these concerns. Council concluded that the Applicant's request, as conditioned, meets the requirements for rezone and conditional use. Council hereby incorporates the staff report dated May 2, 2023 into the official decision as part of these Findings of Fact, Conclusions of Law.

Statement of Compliance:

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

While Council did not add additional specific conditions of approval to the application, they did notify the applicant that additional review regarding final building finishes and landscape buffering types will be part of the future design review application.

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. Streetlights/Parking Lot lights shall comply with the Star City Code. Design shall follow Code with requirements for light trespass and "Dark Skies" lighting. **Applicant/Owner shall work with staff and submit a streetlight design that meets city standards prior to Building Permit being issued.**
3. **A Certificate of Zoning Compliance will be required prior to the start of construction. The applicant shall address building finishes and landscape buffering at that time.**
4. **A revised site plan, showing the correct parking dimensions shall be submitted to and approved by City Staff, prior to issuing the building permit.**
5. **The Applicant shall provide an updated landscape plan showing the correct number of street trees and landscape materials to Staff for approval prior to issuing a building permit.**

6. The property with the approved application shall be satisfactorily weed abated, preventing a public nuisance, per Star City Code.
 7. 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.
 8. 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.
 9. 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 the start of any construction.**
 10. The applicant shall obtain all the proper building permits from the City Building Department prior to occupancy of the unit.
 11. The Conditional Use Permit may be revoked or modified by the City Council for any violation of any Condition of Approval.
 12. The applicant shall obtain a sign permit prior to any signage being placed on the site or building.
 13. Any additional Condition of Approval as required by Staff and City Council.
- Any Conditions of Approval as required by Star Fire Protection District.

Council Decision:

The Council voted 4-0 to approve the Rezone, Development Agreement, and Conditional Use for Hood Rats Garage on May 2, 2023.

Dated this 20th day of June 2023.

Star, Idaho

By: _____

Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk