

FINDINGS OF FACT AND CONCLUSIONS OF LAW
LIFSPRING CHURCH REZONE
RZ-25-01/DA-25-02

The above-entitled Rezone and Development Agreement application came before the Star City Council for their action on March 18, 2025, 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 from Residential (R-4) to Central Business District (CBD) with a Development Agreement. The property includes two separate parcels located at 174 & 198 N. Star Road in Star, Idaho and consists of 1.64 acres. The subject property is generally located on the east side of N. Star Road, north of W. State Street. Ada County Parcel No's. R0011350085 & S0408336050.

B. Application Submittal:

A neighborhood meeting was held on December 2, 2024, 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 February 20, 2025.

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 March 1, 2025. 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 February 26, 2025. Notice was sent to agencies having jurisdiction in the City of Star on February 20, 2025. The property was posted in accordance with the Star Unified Development Code on March 6, 2025.

D. History of Previous Actions:

May 20, 2003	Council unanimously approved a Conditional Use Permit for a new church building to be built, replacing an existing church building.
November 16, 2004	Council approved a Vacation of Right-of-Way request for Lifespring Church.

- September 1, 2009 Council approved application for a waiver (WV-09-01) granting permission for temporary off premise signage.
- March 4, 2014 Council approved request for deferment of two years from Certificate of Occupancy to install specific enhancements and requirements of construction not related to life safety.
- April 5, 2022 Council approved application a Conditional Use Permit (CU-22-02) for the addition of a temporary modular classroom on the existing church property.

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

	Zoning Designation	Comp Plan Designation	Land Use
Existing	Residential (R-4)	Central Business District	Place of Religious Worship
Proposed	Central Business District (CBD)	Central Business District	Place of Religious Worship
North of site	Residential (R-4)	Compact Residential	Single Family Residential
South of site	Residential (R-4) Central Business District	Central Business District	Multi & Single Family Residential
East of site	Residential (R-4)	Central Business District	Single Family Residential
West of site	Residential (R-4)	Central Business District	Single Family Residential

F. *Development Features.*

ANNEXATION & REZONE:

The applicant is requesting approval of a rezone from Residential (R-4) to Central Business District (CBD) on 1.64 acres. This zoning district will allow for more accurate zoning for the church and multiple uses associated with the property. The property is currently serviced by the Star Sewer and Water District for central sewer and water. The rezone request includes a development agreement.

As part of the rezone and Development Agreement, the Applicant is requesting approval for the remodeling the current church building in two proposed phases. Phase 1 will include modifications to the main entrance and front of the facility. A patio will be added along with a reception area and additional office space. A front vestibule will enhance the visual appeal of the building. There will also be nursery, cry rooms and storage space added with Phase 1. A total of 3 parking spaces will be eliminated with this phase of expansion.

Phase 2 will be an addition to the south side of the building where a portable building currently resides. This phase will add more storage, a children’s assembly area and classrooms. The portable building will be removed from the property. No parking will be eliminated or added in this phase of expansion.

Staff is recommending that the Council approve, as part of the Development Agreement, the following conditional uses within the CBD zone*:

- 1. Church or Place of Religious Worship as part of the proposed remodel of the facility and any future remodels.**
- 2. Child Care Center (more than 12).**
- 3. Farmer’s or Saturday Market.**
- 4. Events/Entertainment Facility, public or private (indoor/outdoor).**
- 5. Parking Lot/Parking Garage (Commercial).**
- 6. Recycling Center.**

*** All Uses Subject to Certificate of Zoning Compliance Review and Approval**

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 the Church Facility Approved as Part of the Development Agreement.
- Fire District Requirements for Access.
- Additional Approved Uses as Proposed by Staff.

H. On-Site Features:

- ✪ Areas of Critical Environmental Concern – No known areas.
- ✪ Evidence of Erosion – No evidence.
- ✪ Fish Habitat – No.
- ✪ Floodplain – No.
- ✪ Mature Trees – No.
- ✪ Riparian Vegetation – No.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – None.
- ✪ 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.
- ✪ Historical Assets – No historical assets have been observed.
- ✪ Wildlife Habitat – No known sensitive wildlife habitat observed.

I. *Agencies Responding:*

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

Fire District

February 20, 2025

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

No public comments have been received.

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:

- 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.

- Work to create a vibrant Central Business District.
- 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:

- 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.
- Implement, review, and update the 2011 Star Downtown Revitalization Plan for development strategies within the plan intended to stimulate development within the CBD.
- The city should encourage assemblage of the smaller properties where appropriate.

8.5.9 Additional Land Use Component Policies:

- Encourage flexibility in site design and innovative land uses.
- 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.

18.4 Implementation Policies:

- F. 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:

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 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.

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

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.

(CBD) CENTRAL BUSINESS DISTRICT: To provide for commercial, retail, civic, office, and entertainment uses. Residential uses, including higher densities may be allowed on the upper floors of 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.

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

ZONING DISTRICT USES	Central Business District (CBD)
Church or place of religious worship ¹	C

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

Zoning District	Maximum Height	Minimum Yard Setbacks			
	Note Conditions	Front (1)	Rear	Interior Side	Street Side
CBD	35'/60' ⁵	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 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.

8-5-11: 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 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 this annexation and zoning of this property will be materially detrimental to the public health, safety or welfare.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts.

The Council 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 annexation is reasonably necessary for the orderly development of the City.

Public Hearing of the Council:

- a. A public hearing on the application was heard by the City Council on August 20, 2024, 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
 - Tim Nay
- 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 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 future land uses, portable classrooms and remodeling of the existing church. 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 March 18, 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 conditions of approval to their decision to approve the application to include the following:

- **The Council approves the currently proposed remodel of the church facility. A Certificate of Zoning Compliance/Design Review application shall be submitted to the City for approval.**
- **A new Modular classroom shall be allowed on the property on a temporary basis not to exceed one (1) year. Any permanent placement shall require further City approval.**
- **The applicant shall meet all requirements of the Star Fire District.**
- **The following uses are approved as accessory uses to the church operation:**
 - ***Child Care Center (more than 12).***

- ***Farmer's or Saturday Market.***
- ***Events/Entertainment Facility, public or private (indoor/outdoor).***
- ***Parking Lot/Parking Garage (Commercial).***
- ***Recycling Center.***

Council Decision:

The Council voted 4-0 to approve the Rezone and Development Agreement on March 18, 2025.

Dated this 18th day of March, 2025.

Star, Idaho

By: _____
Trevor A. Chadwick, Mayor

ATTEST:

Jacob M. Qualls, City Clerk