

**CITY OF STAR**

**RESOLUTION NO. 2023-008**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STAR:**

- **Making Certain Findings;**
- **Amending the *City of Star Comprehensive Plan* by the amendment of the *Public Services, Facilities, and Utilities* component by amending section 11.2.2 Public Safety/Fire Protection Comprehensive Plan by referencing the Star Fire Protection District Development Impact Fee Ordinance and intergovernmental agreement; and by the addition to the Comprehensive Plan as Appendix A the *Capital Improvement Plan and Development Impact Fee Study submitted to: Star Fire Protection District dated August 23, 2023.***
- **Directing the City Clerk; and**
- **Setting an Effective Date.**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Star:

**Section 1: Findings**

It is hereby found by the City Council of the City of Star that:

- 1.1** On June 7, 2022 the City Council of the City of Star last adopted by resolution amending and approving the current edition of the *City of Star Comprehensive Plan* (the “Comprehensive Plan”) and since that date the City has entered into the *City of Star and Star Fire Protection District Second Amended and Reformed Intergovernmental Agreement and Joint Powers Agreement for the Collection and Expenditure of Development Impact Fees for Fire District Systems Improvements* and approved the *Capital Improvement Plan and Development Impact Fee Study Submitted to Star Fire Protection District August 23, 2023* (the “Star Updated Capital Improvement Plan”), and has amended various sections of the *Star Fire Protection District Impact Fee Ordinance* ( Article A Chapter 3 of Title 7 Star City Code) (the “Ordinance”) to update the provisions of the Ordinance to provide for development impact fees for the Star Fire Protection District, (the “Fire District”); and
- 1.2** The City is experiencing and is affected by considerable growth and development; and
- 1.3** The Star Fire Protection District provides fire protection and emergency medical services within the City; and
- 1.4** The Fire District has requested the City, pursuant to I.C. § 67-8204A, to enter into an amended and reformed intergovernmental agreement and to update the provisions of the Ordinance to provide for development impact fees for the Fire District; and

- 1.5** The *Idaho Development Impact Fee Act* (the “Act”) codified at Chapter 82 of Title 67 Idaho Code provides for:
- the imposition, collection and expenditure of development impact fees in accordance with the provisions of the Act; and
  - the promotion of orderly growth and development by establishing uniform standards by which local governments may require that those who benefit from new growth and development pay a proportionate share of the costs of new public facilities needed to serve new growth and development; and
  - minimum standards for the adoption of development impact fee ordinances by governmental entities which are authorized to adopt ordinances; and
  - The contents of a capital improvements plan and the process to be followed for the adoption of a capital improvements plan.
- 1.6** The City of Star is a governmental entity as defined in the Act at Idaho Code § 67-8203(14) and, as provided at Idaho Code § 67-8202(5), has ordinance authority to adopt a development impact fee ordinance whereas, the Fire District do not have ordinance authority and cannot adopt a development impact fee ordinance; and
- 1.7** The Act provides, at Idaho Code § 67-8204A, that the City when affected by growth and development, has the authority to enter into an intergovernmental agreement with the Fire District for the purpose of agreeing to collect and expend development impact fees for Fire District System Improvements; and
- 1.8** The Ordinance provides for and the City has established and appointed, pursuant to Idaho Code § 67-8205, a Development Impact Fee Advisory Committee for the Fire District development impact fees; and
- 1.9** The Star Fire Protection District retained TischlerBise Consulting, a qualified professional in the field of public administration, to review and revised and prepare a new and updated impact fee study and capital improvements plan in consultation with the Advisory Committee for the Star Rural Fire District (the “Star Advisory Committee”); and
- 1.10** The Star Advisory Committee has submitted to the City Council the Star Updated Capital Improvement Plan; which was prepared in accordance with the requirements of Idaho Code § 67-8208 in consultation with the Advisory Committee as provided in Idaho Code §§ 67-8205 and 67-8206(2); and
- 1.11** Prior to the adoption of the Star Updated Capital Improvements Plans, the City Council of the City of Star, in accordance with Idaho Code § 67-8206(3), has published notice and held a public hearing; and
- 1.12** The Star Updated Capital Improvement Plan contains all the necessary contents of a capital

improvements plan as provided in the Act by Idaho Code § 67-8208; and

- 1.13 The Fire District has concluded all of its process for the adoption of the Capital Improvements Plan as required in the Act by Idaho Code § 67-8205 and § 67-8206(3); and
- 1.14 The Act at I.C. § 67-8208 (1) provides that a governmental entity, such as the City, is required to undertake comprehensive planning pursuant to chapter 65, title 67, Idaho Code, (the “Local Planning Act”), is also required to prepare and adopt capital improvements plans according to the requirements contained in section 67-6509, Idaho Code, which shall be included as an element of the comprehensive plan.
- 1.15 The City Council has provided notice and held a public hearing, in accordance with section 67-6509, in consideration of the approval of the following amendments to the City of Star Comprehensive Plan:

*Chapter 11 - Public Services, Facilities, and Utilities Component* to read as follows:

#### 11.2.2 Public Safety/Fire Protection

The Middleton/Star Fire Districts entered into a joint powers agreement to operate in a functional consolidation. Middleton/Star Fire District have combined administration to save both districts overhead costs. Middleton/Star operate as one operation saving both taxpayers in their respective taxing districts money by being more efficient with firefighting staff and coverage. The Middleton/Star Fire District currently operates out of three stations. Station 51 is located at 11665 W State Street in Star Idaho. Station 52 is Shining Bright into the Future - 2040 and beyond | 75 located at 22585 Kingsbury Road in the unincorporated area between Star and Middleton Idaho and Station 53 is located at 302 W Main Street in Middleton Idaho. All three stations are staffed daily with a minimum of a three-man engine company. The Middleton/Star Fire Personnel are certified Emergency Medical Technicians (EMT’s) and respond on all emergency calls. In 2021, the Middleton/Star Fire Districts saw a 14% increase in call volume and are currently working on building two more fire station locations. New Station 55 will be located on Floating Feather Road, between Plummer and Pollard Roads. Station 56 will be located at 26476 Harvey Road in Middleton. Funding for the station in Star Idaho on Floating Feather Road will be accomplished through impact fees applied to all new housing and commercial units.

**The City of Star is experiencing significant growth, which has and will continue to strain the resources and services provided by the Star Fire District. In response to this growth and to ensure that the Fire District can adequately serve both new developments and existing residents, the City of Star City Council has enacted the Star Fire Protection District**

**Impact Fee Ordinance. This ordinance imposes development impact fees for the Star Fire District pursuant to an intergovernmental agreement between the City and the Star Fire District. The specific fees are determined based on the approved capital improvement plan, as approved by the City Council. The Idaho Development Impact Fee Act mandates that this plan be included in the city's comprehensive plan. The City Council has approved the Capital Improvement Plan and Development Impact Fee Study Submitted to Star Fire Protection District August 23, 2023, is included in this Comprehensive Plan as Appendix A.**

Funding for staffing the new station will be provided through new construction property tax increases. With the State of Idaho's limitations on new construction to be included in property tax as required by recent State of Idaho legislation, it is imperative that the building community come to the table with solutions on how to fund the Middleton/Star Fire District with future developments to maintain the level of public safety required by the city and fire district with future development.

The city has earned an ISO Rating Class **4 3** (one is best.) The immediate surrounding area has an ISO rating of 8, 9 and 10. ISO is the insurance rating for the city. Rescue, vehicle extraction, and emergency medical services are provided within the district and the department is a participating organization in the Idaho State Homeland Security program. The Star Fire Department supports the North Star Land Use Map expansion. A portion of that land north of Oasis extended and west of Can-Ada Road is in the Middleton Fire District. Any development will be required to obtain approval for the fire district having jurisdiction.

- 1.16** The City Council has provided notice and held a public hearing in accordance with section 67-6509 and has made its findings of fact, conclusions of law, and order authorizing this resolution amending the City Comprehensive Plan.

**Section 2: Action Amending the *City of Star Comprehensive Plan*.**

- 2.1** That the *City of Star Comprehensive Plan* is amended to read as set forth in Section 1.15 of the Findings hereinabove stated.
- 2.2** That the City of Star Comprehensive Plan is amended by the inclusion of a new Appendix A the *Capital Improvement Plan and Development Impact Fee Study Submitted to Star Fire Protection District August 23, 2023.*

**Section 3: Direction to City Clerk**

- 3.1** The City Clerk is hereby directed to retain this resolution in the official records of the City and to provide a certified copy of this resolution to the District Officer of Administration

of the Star Fire Protection District; and to facilitate the inclusion of the above stated amendment in an updated edition of the *City of Star Comprehensive Plan*.

**Section 4: Effective Date.**

**4.1** This Resolution shall be in full force and effect after its passage and approval.

**ADOPTED** by the City Council of the City of Star

**APPROVED:**

Dated: \_\_\_\_\_, 2023

Signed: \_\_\_\_\_  
Trevor A. Chadwick, Mayor

**ATTEST:**

*I certify that the above Resolution was duly adopted by the City Council of the City of Star on \_\_\_\_\_, 2023 by the following vote:*

*Ayes:* \_\_\_\_\_  
*Noes:* \_\_\_\_\_  
*Absent:* \_\_\_\_\_

By \_\_\_\_\_  
Jacob Qualls, City Clerk



## **APPENDIX D**

### **CAPITAL IMPROVEMENTS PLAN**

**Capital Improvement Plan and Development Impact Fee Study submitted to:  
Star Rural Fire Protection District dated September 15, 2023**

## **APPENDIX G**

### **CAPITAL IMPROVEMENTS PLAN Capital Improvement Plan and Development Impact Fee Study Submitted to Star Fire Protection District August 23, 2023**