

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**  
**FALCON STORAGE**  
**FILE NO. CU-23-01**

The above-entitled Conditional Use Permit land use application came before the Star City Council for their action on November 21, 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 Conditional Use Permit for a commercial storage facility to include 139 storage condominium units and 15, for sale commercial flex space units of approximately 2,500 square feet each. The property is located at 8323 W. Moon Valley Road in Star, Idaho and consists of 11 acres. The subject property is generally located on the south side of W. Moon Valley Road at the southeast corner of Moon Valley Road and S. Herons Flight Lane and adjacent to Hwy 16. Ada County Parcel No's. S0416110105, S0416121100 & S0416110400.

*B. Application Submittal:*

A neighborhood meeting was held on February 2, 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 March 9, 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 September 27, 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 November 2, 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 November 10, 2023.

*D. History of Previous Actions:*

October 12, 2023	Council denied applications for Preliminary Plat (PP-21-12), Private Road (PR-21-11) and Development Agreement Modification (DA-21-13) for 156
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residential townhouse lots, 1 common lot on 12.06 acres with a density of 12.94 dwelling units per acre.

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

	<b>Zoning Designation</b>	<b>Comp Plan Designation</b>	<b>Land Use</b>
<b>Existing</b>	Mixed Use (MU)	Mixed Use (MU)	Bare Ground
<b>Proposed</b>	Mixed Use (MU-DA)	Mixed Use (MU)	Storage Condos
<b>North of site</b>	County Rural Transitional (RUT)	Estate Urban Residential	Single Family Residential
<b>South of site</b>	County Rural Transitional (RUT)/Mixed Use (MU)	Mixed Use (MU)	Single Family Residential/Bare Ground
<b>East of site</b>	County Rural Transitional (RUT)	Neighborhood Residential	Bare Ground/Agricultural Use
<b>West of site</b>	Residential (R-3PUD-DA)/County Rural Transitional (RUT)	Estate Urban Residential	Rosti Farms Subdivision/Single Family Residential/Agricultural

F. *Development Features:*

**CONDITIONAL USE PERMIT:**

The applicant is requesting approval of a Conditional Use Permit for an approximately 183,916 square feet self-storage facility. The proposed development would consist of 4 buildings that will contain individually owned units (condominiums) and will be used for the storage of recreational vehicles and personal items. The main buildings range in size from 800 square feet to 1,500 square feet. The applicant states there will be 139 individual units within the facility. The site will be improved with paved driving aisles, perimeter landscaping and a security gate. Main access will currently be taken from S. Heron’s Flight Lane/Moon Valley Road. The site will have a 1,336 square foot clubhouse and office space with adjoining parking spaces. Two of the buildings will have restroom facilities on the west end of the building for use by all the owners/guests.

The proposed development will also consist of 2 buildings that will contain 15 individually owned business condominiums. These for sale units will each consist of 2,500 square feet of commercial flex space with room for a potential office with a service garage door and open parking. These buildings will be part of a separate ownership association, which will collect dues to maintain and operate the open space, buildings, and parking area.

**For the individual units in this development to be sold, a condominium subdivision plat will need to be submitted and approved by the Administrator. The applicant shall comply with the standards set forth in Section 8-6A-6-F of the UDC.**

The Unified Development Code Section 8-4B-2 states that all drive aisles adjacent to a building shall be a minimum of 25'0" or as required by the fire code, unless the building is 30 feet in height or greater, at which point the drive aisle shall be 26'0" or as otherwise approved by the Fire District. The Applicant has not provided measurements on all the drive aisles, the ones with measurements show 24'0", which does not satisfy code. **The Applicant will need to update the site plan with drive aisles that meet the code on width. The widths will also need to be properly labeled on all drive aisles, showing adherence to the code.**

**Section 8-4B-2 also states that parking stalls shall be 9' wide and 20' deep. The materials submitted with the application do not show the dimensions of any parking stalls. This will need to be added to the updated site plan, along with drive aisle measurements. The Applicant also needs to clearly mark an ADA parking spot for the clubhouse.**

**The Star Transportation and Pathways Committee has provided comment on the application and recommends that the sidewalk on the west side of the development be changed to a 10-foot-wide sidewalk to comply with the City's pathway system connecting Hwy 44 and the Boise River. Staff supports this recommendation.**

**The Applicant has not indicated on the site plan the fencing proposed for the property. Per Section 8-5-30-F, *no structure, facility, drive lane, parking area, nor loading area, shall be located adjacent to a residential district without a sound attenuation wall or other sound buffering measures.* Staff recommends that solid fencing be required along the entire southern and eastern boundary of the development. The Applicant shall provide staff with revised site plan for review and approval prior to issuance of a building permit. The Applicant has not indicated the hours of operation for the storage facility. Per Section 8-5-30-E, *If abutting a residential district, the facility hours of public operation shall be limited to seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.* Council shall consider operation hours for this facility based on the adjacent land uses. Considering the submitted layout of the site with the back of the storage buildings adjacent to the residential subdivision to the south, together with proposed landscaping and required fencing, Staff believes that noise from the storage facility will not have a negative impact on the surrounding land uses.**

**The Applicant has indicated in the letter of intent that the facility shall include an RV dump station. The Applicant shall be required to provide an approval letter from Star Sewer and Water District to allow the dump station. Otherwise, it shall not be allowed as part of this approved facility.**

The applicant has provided exterior elevations and color renderings of the storage condominiums but not the commercial flex space. The Applicant states that the materials used in construction will be hardy siding, stucco panels along with metal and wood accents. The buildings will be a mix of grey, brown and white. These materials and colors are aligned with the architectural guidelines. The buildings will need approval from the design review committee as part of the Certificate of Zoning Compliance process.

**The applicant has requested a waiver of the 20’ street side setback for a portion of the storage units on the west boundary of the property. This waiver is needed to accommodate Fire District requirements and to allow the Applicant to provide the 10’ sidewalk.**

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 plan appears to meet these requirements.

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 – None.
- ✪ Riparian Vegetation – None.
- ✪ Steep Slopes – None.
- ✪ Stream/Creek – Along the north of the property.
- ✪ 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.

Star Fire District	Pending
ACHD	March 27, 2023/September 20, 2023
ITD	February 23, 2023
Drainage Dist. #2	March 10, 2023
Pathway Committee	November 6, 2023

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

October 11, 2023 Letter from Jerry Kiser, Atty, on behalf of Lloyd and Paul Akins  
October 4, 2023 Email from George Jacques

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

**Comprehensive Plan:**

8.2.3 Land Use Map Designations:

Mixed Use District

Generally suitable for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, light industrial, and/or residential depending upon the specific area designated as Mixed Use. See Mixed Use Implementation Policies for specific criteria. Development within this land use designation is to proceed through the PUD and/or development agreement process. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this land use designation will allow the development community to be more innovative in design and placement of structures. Development design guidelines should also be established to guide development within mixed-use areas. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use.

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.
- 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.

#### 8.5.7 Policies Related Mostly to the Mixed-Use Planning Areas:

- A. Council, at their sole discretion, shall determine what mix of uses are appropriate for any Mixed-Use area considering existing property owners rights. B. Development within the Mixed-Use Designation is to proceed through the CUP, PUD, and/or Development Agreement process, and a concept plan must be included with any such proposed use. C. In general, Mixed-Use areas along state highways should be predominantly commercial with a very minor component of residential unless the residential is placed on upper floors as part of a mixed-use building. D. Mixed use areas along state and U.S. Highways where direct access to the state highway is prohibited, like along State Highway 16 between State Highway 44 and US Highway 20/26, should be predominately residential with a minor component of neighborhood commercial, or light industrial if sufficient roadway access, by means of backage or other roads, to the State Highway is provided. E. Mixed use areas located between commercial and residential land use designations are to provide a compatible transition between the higher intensity use of commercial and the lower intensity use of Estate and Neighborhood Residential. Uses for these Mixed-Use areas could include multi-family housing and or office related uses if determined by the Council through the public hearing process, to be appropriate.

#### 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.

#### **Unified Development Code:**

#### **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:

**MU MIXED USE DISTRICT:** To provide for a mixture of uses which may, at the sole discretion of the Council, include office, commercial, and/or residential depending upon the specific comprehensive plan area designated as Mixed Use. Development within this zone is to proceed through the PUD process unless a development agreement has already been executed for the particular property. Identifying areas for mixed-use development has two objectives. The first objective is to give the city a better tool to manage the type of developments through the planned unit development and/or the Development Agreement process. The second objective is that this zone may allow the development community to be more innovative in design and placement of structures subject to Council review and approval. Rezoning within this land use designation is to be strictly monitored by the city to assure that the Mixed-Use areas are not being used simply to justify high density residential use. Residential uses may be part of an overall mixed-use development that includes a non-residential component and may not exceed 30% of the overall size of the development.

**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
Flex Space	C
Storage facility, outdoor (Commercial) 1	C
Storage facility, self-service (Commercial) 1	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

MU	35'	For MU and CBD - Unless otherwise approved by the Council as a part of a PUD or development agreement, all residential buildings shall follow the residential setbacks shown in this table based upon the project density and all other buildings shall follow setbacks for the C-2 zone (3).
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Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without 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.

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

- A. Storage units and/or storage areas shall not be used as dwellings or as a commercial or industrial place of business. The manufacture or sale of any item by a tenant from or at a self-service storage facility is specifically prohibited.
- B. On site auctions of unclaimed items by the storage facility owners shall be allowed.
- C. The distance between structures shall be a minimum of twenty-five feet (25').
- D. The storage facility shall be completely fenced, walled, or enclosed. Where abutting a residential district or public road, chain-link shall not be allowed as fencing material.
- E. E. If abutting a residential district, the facility hours of public operation shall be limited to seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- F. No structure, facility, drive lane, parking area, nor loading area, shall be located adjacent to a residential district without a sound attenuation wall or other sound buffering measures.
- G. If the applicant provides a sound attenuation wall, landscaping buffers may be reduced to ten feet (10').
- H. The facility shall have at least one additional point of access, for emergency purposes, as determined by the Star Fire District.
- I. All outdoor storage of material shall be maintained in an orderly manner so as not to create a public nuisance. Materials shall not be stored within the required yards. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic.
- J. The site shall not be used as vehicle wrecking or junk yard as herein defined.
- K. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand feet (1,000') from a hospital or school.
- L. The use shall comply with the flood hazard overlay district as set forth in this title.

## **8-6A-6: SHORT PLAT PROCESS:**

A. Applicability: A subdivision application for a short plat may be processed provided that it meets all of the following conditions:

1. The property is an original lot in a recorded subdivision;
2. The property is not the result of a previous short plat of a lot and/or the property is not the result of an approved parcel division by Ada or Canyon County Development Services;
3. The proposed subdivision does not exceed a total of two (2) lots on a previously platted property or parcel of land;
4. No new public street dedication, or new proposed private street, excluding widening of an existing street, is involved;
5. There are no impacts on the health, safety or general welfare of the city, and the subdivision is in the best interest of the city.

B. Preapplication Conference: The applicant shall complete a preapplication conference with the administrator prior to submittal of an application for a combined preliminary and final plat. The purpose of this meeting is to discuss early and informally the purpose and effect of this title and the criteria and standards contained herein.

C. Application Requirements: Applications and fees, in accord with subsection 8-6A-3C, 8-6A-3D and 8-6A-4 of this article shall be submitted.

D. Final Approval Notice: Upon determination by the administrator that the short plat is in conformance with this article, a final approval letter shall be issued.

E. Time Limit and Completion of Tasks: Upon tentative approval of the application by the administrator, subject to any applicable conditions of approval and the regulations of this title, the applicant or owner shall have one year to complete the following tasks:

- a. Cause the property to be surveyed and a record of survey recorded;
- b. Execute and record the necessary deeds to accomplish the property boundary adjustments as approved;
- c. Obtain new tax parcel numbers and street addresses from the county assessor; and
- d. Provide copies of the recorded record of survey, recorded deeds, and the new tax parcel numbers to the administrator.

**F. A condominium plat application for any number of lots for property in any district shall be processed as a short plat where all buildings are constructed or have received**

**building permits for construction. A condominium plat amendment for interior alterations or modifications shall be exempt from further review.**

**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
- Chris Todd
- Shane Jamenez
- Star Police Officer Johnathon Steele

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 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 proposed land use. Review and discussion included hours of operation, site plan/layout, access and circulation, noise and landscape/fencing buffering. The Council added conditions of approval and included Staff recommended conditions of approval to address these concerns. Council concluded that the Applicant's request, as conditioned, meets the requirements for conditional use. Council hereby incorporates the staff report dated November 21, 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.

**Council added the following conditions of approval and requested waivers to the application approval:**

- **Masonry or other appropriate sound dampening fencing/wall shall be installed along the entire southern and eastern boundary of the property.**
- **A ten foot (10') sidewalk shall be installed along the western boundary of the property to provide for continuation of the City greenbelt/pathway.**
- **24-hour operation for the storage facility is conditionally approved with a revocation clause that hours will be limited to 7am to 10pm should violations occur as a result of signed complaints through the Police Department. The complaint shall be reviewed by Council for determination of revocation with prior notice provided to the affected parties of the hearing.**
- **Council approves a waiver of the street side yard setback on the western boundary to 10' to provide for widening of the sidewalk and to accommodate fire district internal drive aisle widths.**
- **The applicant shall add additional landscaping along the western boundary of the development to include additional trees at a ratio of 3 per 30'. This shall be reviewed at Design Review.**

**Additional 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, fencing type 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. The Applicant also needs to clearly mark an ADA parking spot for the clubhouse.**
5. **The Applicant shall provide an updated landscape plan showing the additional trees and landscaping materials on the western boundary, along with fencing specifics 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. The applicant shall meet all requirements of the Star Fire Protection District.

**Council Decision:**

The Council voted 3-0 (Salmonsens absent) to approve the Conditional Use for Falcon Storage on November 21, 2023.

Dated this 5th day of December 2023.

Star, Idaho

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

ATTEST:

\_\_\_\_\_  
Jacob M. Qualls, City Clerk