



# CITY OF STAR

## LAND USE STAFF REPORT

**TO:** Mayor & Council

**FROM:** City of Star – Planning & Zoning Department 

**MEETING DATE:** June 17, 2025 – PUBLIC HEARING  
**FILE(S) #:** AZ-25-02 – Annexation  
DA-25-04 – Development Agreement

### OWNER/APPLICANT/REPRESENTATIVE

**Applicant/Representative/Owner:**

Jeremy & Sabrina Newberry  
9909W. Lanktree Gulch Road  
Star, Idaho 83669

### REQUEST

**Request:** The Applicant is requesting approval of Annexation and Zoning (R-1), and a Development Agreement. The property is located on N. Echo Summit Way in Star, Ada County, Idaho, and consists of 10.96 acres.

### PROPERTY INFORMATION

**Property Location:** The subject property is generally located on the corner of N. Echo Summit Way and N. Summit Place, south of W. Lanktree Gulch Road in Hillsdale Estates Subdivision No. 5 (Lot 8, Block 6). Ada County Parcel No. R3626150220.

**Surrounding Land Use/Designations:**

	<b>Zoning Designation</b>	<b>Comp Plan Designation</b>	<b>Land Use</b>
<b>Existing</b>	Rural Residential (RR)	Low Density Residential	Vacant Ground
<b>Proposed</b>	Residential (R-1)	Low Density Residential	Single Family Residential
<b>North of site</b>	Rural Residential (RR)	Low Density Residential	Hillsdale Estates Subdivision
<b>South of site</b>	Residential (R-1))	Estate Rural Residential	Candau Estates Subdivision
<b>East of site</b>	Residential (R-1)	Low Density Residential	Hillsdale Estates Subdivision
<b>West of site</b>	Residential (R-1)	Low Density Residential	Hillsdale Estates Subdivision

**Existing Site Characteristics:** The property is currently bare ground with a large outbuilding.

**Irrigation/Drainage District(s):** N/A

**Flood Zone:** This property is not located in a Special Flood Hazard Area.

Flood Zone: Zone X

FEMA FIRM Panel Number: 16001C0130J

Effective Date: 6/19/2020

**Special 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 – Yes, 20% of slopes greater than 15%.
- ✧ 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.

## APPLICATION REQUIREMENTS

Pre-Application Meeting Held	March 3, 2025
Neighborhood Meeting Held	April 1, 2025
Application Submitted & Fees Paid	April 3, 2025
Application Accepted	April 3, 2025
Residents within 300' Notified	April 24, 2025
Agencies Notified	April 24, 2025
Legal Notice Published	May 31, 2025
Property Posted	Pending

## HISTORY

There have been no previous requests through the City for development of this property.

## CODE DEFINITIONS / COMPREHENSIVE PLAN

### 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.

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	R-1
Dwelling:	
Multi-family <sup>1</sup>	A
Secondary <sup>1</sup>	P
Single-family attached	P
Single-family detached	P
Two-family duplex <sup>1</sup>	N
Live/Work Multi-Use <sup>1</sup>	

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

Zoning District	Maximum Height	Minimum Yard Setbacks Note Conditions			
	Note Conditions	Front (1)	Rear	Interior Side	Street Side
R-1	35'	30'	30'	10'	20'

Notes:

1. Front yard setback shall be measured from the face of the garage to the face of the sidewalk, allowing for 20' of parking on the driveway without overhanging onto the sidewalk.
2. Zero-Lot-Line, reduced street side yard setbacks and reduced front and rear setback waivers may be requested through the Development Agreement process. All other side yard setback requests for detached structures shall not be granted waivers, unless approved by Council as part of a Planned Unit Development.
3. All setbacks in the CBD, C-1, C-2, LO, LI, PS, RC and M-U zone shall maintain a minimum 15' when adjacent to a residential use or zone. A waiver may be requested if the adjacent property has the potential to redevelop as a non-residential use in the future.
4. As approved by the Fire District.
5. 35' height requirement unless a height exception is approved by Council through the Conditional Use Permit or Planned Unit Development Process.

### **8-3B-3: RESIDENTIAL DISTRICTS:**

- A. Comply with Section 8-3A-1: ZONING DISTRICTS AND PURPOSE ESTABLISHED.
- B. When development is planned with lots that directly abut existing lots within a Rural Residential area, or "Special Transition Overlay Area" as shown on the Comprehensive Plan Land Use map, an appropriate transition shall be provided for the two abutting residential lot types. A transition shall take into consideration site constraints that may exist and may include clustering of the urban lots in order to provide an open space area avoiding urban lots directly abutting rural residential lots, or may include the provision of a buffer strip avoiding urban lots directly abutting rural residential lots, or may include setbacks within the urban lots similar to the rural residential lots directly abutting, or may include the provision of one half to one acre size lots directly abutting the rural residential lots.
- C. Urban style development, as guided by provisions within the comprehensive plan and this Title, is required to limit urban sprawl, however, densities of no more than 1 to 2 dwelling units per acre are to be designed within the floodplain, ridgeline developable areas and hillside developable areas (both as defined within the comprehensive plan).
- D. Housing developments with densities of R-11 and higher shall be designed to limit height, increase setbacks and/or provide additional landscaping along the perimeter of the development, if determined by the council, where abutting areas are planned for lower densities.
- E. Rezoning to R-11 and higher shall not be allowed unless adequate ingress/egress to major transportation corridors is assured.
- F. All new residential, accessory uses or additions/remodels within the residential zones shall pave all unpaved driveways to the home.
- G. Spite strips, common lots, unreasonable development phasing, or other means of any type purposely or unintentional that may result in the blocking of services or development, including but not limited to sewer, water, streets, or utilities are prohibited in any zoning district within the City of Star.
- H. In any development that requires a traffic signal as part of the approval process, the developer shall be responsible for providing an Emergency Opticom System to the intersection.
- I. Transitional Lots. For proposed residential developments located adjacent to a Special Transition Area only, as determined on the current Comprehensive Plan Land Use Map, transitional standards listed below shall be required if reasonable evidence is presented that adjacent properties will not be further subdivided in the future. This shall be through a legal encumbrance that prevents the adjacent land from being further subdivided. These encumbrances shall include:
  - 1. Property with a Future Comprehensive Plan Land Use Map designation that does not allow future redevelopment to densities lower than one dwelling unit per acre.
  - 2. Subdivision CC&R's preventing further redevelopment;

3. Easements granted to municipal or other political entities, voluntary development easements granted to conservation land trusts, or other, legal encumbrances conserving the property in perpetuity, such as deed restrictions.

This specifically excludes statements from landowners regarding future intent without proof of legal encumbrance.

The allowed Transitional Density for new development adjacent to Special Transition Areas, shall be as follows:

Existing Transitional Lot Sizes	Allowed Immediately Adjacent Minimum Lot Size	Allowed Immediately Across the Road from Transitional Lot
Lots larger than 1.1-acre	1 acre lots	½ acre lots
Lots of 1 to 1.1-acre	½ acre lots	1/3 acre lots
Lots smaller than 1-acre	1/3 acre lots	R-3 density Maximum

J. Additional residential standards applying to all new residential subdivisions:

1. Residential Elevations:

- i. Building elevations for all residential uses shall be submitted with any development application and will be included as part of any preliminary plat, development agreement and/or any other condition of approval.
- ii. Single-Family Residential Building Front and Side Elevation Minimum Standards. These standards shall be reviewed for compliance with all submitted residential building permits under the Building Zoning Certificate process. Council may adopt these standards as part of a development agreement or preliminary plat approval. The following minimum standards shall be applied to all new residential structure elements in all zones:
  1. Exterior finishes shall be primarily horizontal/vertical wood or wood product siding, brick, stucco, stone, or other decorative masonry product. A minimum of three (3) architectural elements shall be provided for all single-family residential structures. These elements shall include, but are not limited to, shingled, horizontal or vertical siding, stone or brick highlights, garage door windows or hardware, colored window frames, or other architectural treatments deemed appropriate by the administrator.

**8-3B-4 - FIGURE EXTERIOR ARCHITECTURAL ELEMENTS:**



2. Two-story residential dwellings should provide a minimum of one, second story side window per side elevation, when appropriate.
  3. A minimum one (1) foot overhang shall be provided on all roof overhangs. Administrator may approve deviation from this standard.
  4. Dwellings backing up to collector or arterial streets shall have rear elevations and/or architectural designs that provide depth and dimension, avoiding the flat-wall appearance. These elements must be functional and may not be minimized or created solely for the purpose of compliance with this provision.
  5. Additional landscaping buffers may also be required.
2. Dwelling Unit Design. Building styles shall be spread throughout the entire development (including all contiguously owned and phased properties). Nowhere within the development shall any fewer than 5 different exterior elevation styles and/or floorplans be located adjacent to each other. The number of different dwelling styles within a development shall be as follows:
- a. 1 to 50 units = minimum of 5 architectural styles and/or floorplans
  - b. 51 to 100 units = minimum of 7 architectural styles and/or floorplans
  - c. 101 and over units = minimum of 10 architectural styles and/or floorplans

3. Homeowners Associations. All subdivisions shall be maintained by a Homeowners association with appropriate Conditions, Covenants and Restrictions (CC&R's). CC&R's are not enforceable by the City and are private contracts between the developer and the property owner.
4. Irrigation and drainage ditches shall not be covered, tiled or re-routed as part of any new residential development unless specifically approved by Council and the applicable irrigation and/or drainage district. Perforated piping may be considered as an option if tiling is allowed.

## **COMPREHENSIVE PLAN:**

### 8.2.3 Land Use Map Designations:

#### Low Density Residential:

Suitable primarily for single family residential use. Densities in this land use area are a maximum of 1 dwelling unit per acre. It is the intent of this land use designation to provide larger lots and help transition from higher densities to the Rural Residential land uses, typically to the north of the City. Densities may be limited due to the availability of infrastructure however sewer and water may be extended to serve these properties where available, and wells and septic systems may be permitted for lots in this land use designation if approved by the applicable Health Department. Modified street sections and a reduction in light pollution (by reducing lighting standards) may be offered for a more rural feel. Clustering is allowed to preserve open space.

### 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.

#### 8.5.2 Policies Related Mostly to the Rural and Agricultural Planning Areas

- A. Create a "Rural Residential" land use zoning designation for rural lots to permanently remain as a part of the city in strategic locations and terminate rezones to the Rural Transitional (RT).
- B. Rural Residential areas help to preserve Star's rural feel and huge manicured "Rural Residential" lots are discouraged in order to preserve land for more rural/agricultural type use. The manicured home site areas on these properties should be minimal and subordinate to open rural ground for pastures, farming, and other rural uses.
- C. Modified street sections with dark sky lighting standards should be encouraged in Rural Residential land use areas.
- D. When an urban density residential development is planned with lots that directly abut lots within a Rural Residential area an appropriate transition is to be provided for the two abutting residential lot types. A transition must take into consideration site constraints that provide transitional lots and/or open space area avoiding urban lots directly abutting rural residential lots.
- E. Larger setbacks should be required for new lots planned to abut existing Rural Residential lots.
- F. Lots within a Rural Residential Land Use designation should be designed such that lots on each side of the street are of similar size.
- G. Rural Residential developments are to be located so that they do not block extension of urban services at reasonable costs and will require utility easements where necessary to assure urban service extensions.
- H. Add an Agricultural (A) zoning designation within the zoning code to allow for large parcels of land to be annexed into the city as either agricultural use or as agricultural use transitioning in the future to city rural residential or urban lots.

#### 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.

### PROJECT OVERVIEW

#### **ANNEXATION/REZONE:**

The annexation and rezone request from Rural Residential (RR) to Low Density Residential (R-1) on the applicant's property will bring the applicants property into the City of Star and allow for the benefits afforded to citizens within the City. The current Comprehensive Plan Land Use Map designates this property as Low Density Residential, with an allowed density of 1 dwelling units per acre. Any future uses will be required to meet all requirements within the current Unified Development Code. The requested zoning designation and future plans by the property owner meets the intent of the Comprehensive Plan. The annexation request includes a development agreement that provide conditions of annexation to ensure compliance with City codes and plans.

#### **DEVELOPMENT AGREEMENT**

Through the Development Agreement process, the applicant is proposing to work with the City to provide further insurances that the property and all future uses will be compatible and meet the intent of the City. Items that should be considered by the applicant and Council include the following:

- ITD Proportionate Shares
- Dedication of Requested Sewer District Easements
- Future Emergency Services Mitigation Fees
- Future Development Standards

## AGENCY RESPONSES

Idaho Transportation Department	April 29, 2025
Ada County Development Services	April 29, 2025
City of Star Engineering Department	May 7, 2025
ACHD	June 3, 2025

## PUBLIC RESPONSES

No public comments have been received.

## STAFF ANALYSIS AND RECOMMENDATION

Based upon the information provided to staff in the applications and agency comments received to date, the proposed annexation and zoning request meets the requirements, standards and intent for development as they relate to the Comprehensive Plan and Unified Development Code.

The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter. Should the Council vote to approve the application, either as presented or with added or revised conditions of approval, Council shall direct staff to draft findings of fact and conclusions of law for the Council to consider at a future date. A development agreement will also be brought back to the Council for review of proposed Conditions of Approval for the rezone.

## FINDINGS

The Council may **approve**, **conditionally approve**, **deny** or **table** this request. In order to approve these applications, the Unified Development Code requires that Council must find the following:

### ANNEXATION/REZONE FINDINGS:

1. The map amendment complies with the applicable provisions of the Comprehensive Plan.  
*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 Council must find compliance with the Comprehensive Plan.*

2. The map amendment complies with the regulations outlined for the proposed district, specifically, the purposes statement.

*The Council must find that the proposal complies with the proposed district and purpose statement. The purpose of the residential districts is to provide regulations and districts for various residential neighborhoods with gross densities in compliance with the intent of the Comprehensive Plan designation. 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 in all districts exceeding one dwelling unit per acre. Private streets may be approved in this district for access to newly subdivided or split property.*

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

*The Council must find that there is no indication from the material submitted by any political agency stating 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 must find that it 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 must find that this annexation is reasonably necessary for the orderly development of the City.*

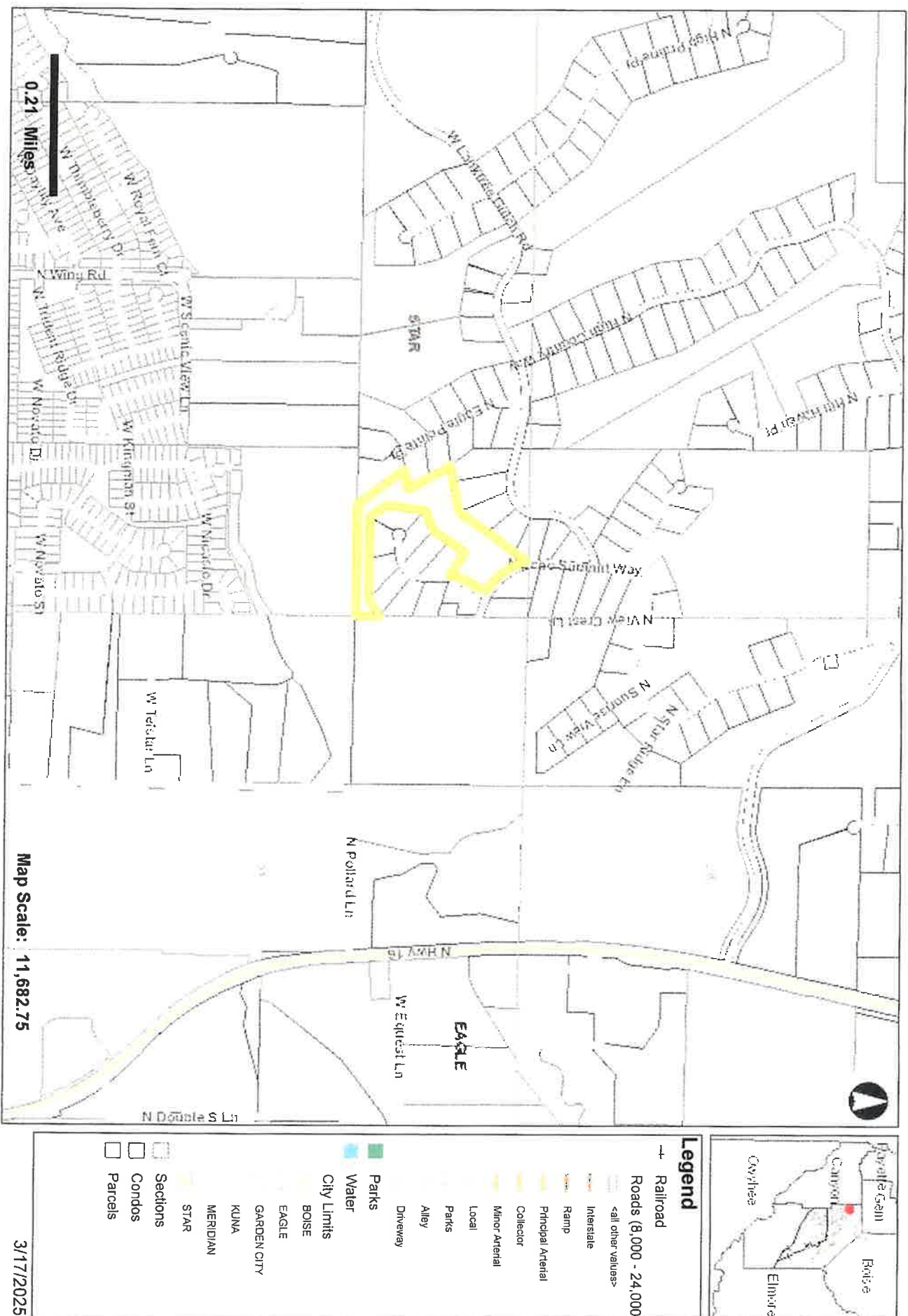
*Upon granting approval or denial of the application, the Council shall specify:*

1. The Ordinance and standards used in evaluating the application;
2. The reasons for recommending approval or denial; and
3. The actions, if any, that the applicant could take to obtain approval.

<b>COUNCIL DECISION</b>
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The Star City Council \_\_\_\_\_ File Number AZ-25-02 and DA-25-04 for Jeremy & Sabrina Newberry on \_\_\_\_\_, 2025.

### Vicinity Map





## ANNEXATION & ZONING - REZONE - DEANNEXATION APPLICATION

\*\*\*All information must be filled out to be processed.

FILE NO.: <u>A 2-25-08</u>
Date Application Received: <u>4-3-25</u> Fee Paid: <u>2190.<sup>00</sup></u>
Processed by: City: _____

### Applicant Information:

PRIMARY CONTACT IS: Applicant ☐ Owner ☐ Representative ☐

Applicant Name: Jeremy Newberry  
Applicant Address: 9909 W Lanktree Gulch, Star Zip: 83669  
Phone: 925-746-6756 Email: 621newberry@gmail.com

Owner Name: Jeremy & Sabrina Newberry  
Owner Address: Same as above Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Representative (e.g., architect, engineer, developer):  
Contact: Jeremy newberry Firm Name: \_\_\_\_\_  
Address: 9909 W Lanktree Gulch Rd Star, ID Zip: 83669  
Phone: 925-746-6756 Email: 621newberry@gmail.com

### Property Information:

Site Address: N. Echo Summit Way, Star Parcel Number: R3626150220  
Total Acreage of Site: 10.96 acres  
Total Acreage of Site in Special Flood Hazard Area: none  
Proposed Zoning Designation of Site: R-1

### Zoning Designations:

	Zoning Designation	Comp Plan Designation	Land Use
Existing	<u>RR</u>	<u>RR</u>	<u>RR</u>
Proposed	<u>R-1</u>	<u>R-1</u>	<u>R-1</u>
North of site	<u>RR</u>		
South of site	<u>R-1</u>		
East of site	<u>RR</u>		
West of site	<u>RR</u>		

**Special On-Site Features** (Yes or No – If yes explain):

Areas of Critical Environmental Concern - none  
 Evidence of Erosion - none  
 Fish Habitat - none  
 Floodplain - none  
 Mature Trees - none  
 Riparian Vegetation - none  
 Steep Slopes - yes 20% of slopes greater than 15%  
 Stream/Creek - none  
 Unique Animal Life - none  
 Unique Plant Life - none  
 Unstable Soils - none  
 Wildlife Habitat - none  
 Historical Assets - none

**Application Requirements:**

(Applications are required to contain one copy of the following unless otherwise noted. **When combining with other applications (Prelim Plat, CUP, etc.) please include one paper copy for all applications**)

Applicant (✓)	Description	Staff (✓)
✓	Pre-application meeting with the Planning Department required prior to neighborhood meeting. <b>Date of Pre-App Meeting:</b> <u>3-3-2025</u>	BN
	Copy of neighborhood meeting notice sent to property owners within 300 feet and meeting sign-in sheet. <b>(Please contact the City for addresses &amp; labels)</b> (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.) <b>Date of Neighborhood Meeting:</b> <u>4-1-2025</u>	BN
✓	Completed and signed Annexation & Zoning/Rezone Application	BN
✓	All Annexations & Rezones require a Development Agreement *Applicant agrees to enter into a Development Agreement with this application. Applicant's Signature: <u>[Signature]</u>	BN
X	An application for annexation or rezone shall <del>not</del> be accepted until any required traffic impact study is submitted and accepted by the appropriate transportation authority. A hearing date before the Council shall not be scheduled until the traffic impact study has been approved and the transportation authority (ACHD, ITD, Highway District #4) has issued a staff report/review on the development application.	
n/a	If the Annexation & Zoning or Rezone request is accompanied by a preliminary plat and/or site plan, building elevations shall be included with the application.	
✓	Fee: (Include Development Agreement Fee). Please contact the City for current fees. Fees may be paid in person with check or electronically with credit card. Please call City for electronic payment. Additional service fee will apply to all electronic payments.	BN
✓	Narrative fully describing the proposed project (must be signed by applicant)	BN
✓	Legal description of the property to be annexed and/or rezoned: <u>Mike</u>	BN

✓	<ul style="list-style-type: none"> <li>Include a metes &amp; bounds description to the section line/centerline of all adjacent roadways, stamped and signed by a registered professional land surveyor, with a calculated closure sheet.</li> <li>Scaled exhibit map showing the boundaries of the legal description in compliance w/the requirements of the Idaho State Tax Commission Property Tax Administrative Rules IDAPA 35.01.03.225.01h.</li> <li>If requesting more than one zoning designation, include a legal description for each zone along with an overall annexation/rezone boundary description. Also include the boundaries of each different zone on the map.</li> <li>Submit <u>word.doc</u> and <u>pdf version</u> with engineer's seal.</li> </ul>	BN
✓	Recorded warranty deed for the subject property	BN
n/a	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.	
✓	Vicinity map showing the location of the subject property with minimum 1-mile radius <i>mike</i>	BN
✓	Copy of any <u>associated applications</u> (i.e. CUP/PUD Site Plan/Preliminary Plat). If this application is not accompanied by a plat or site plan, <u>a conceptual development plan for the property is required.</u>	BN
n/a	List of name(s) and address(es) of all canal or irrigation ditches within or contiguous to the proposed development.	
✓	One (1) copy of names and addresses printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the entire property being considered as shown on record in the County Assessor's office. <b>Please contact the City to request addresses and labels (additional fee required).</b>	BN
	Electronic versions of all submitted application materials including neighborhood meeting information, signed application, narrative, legal description, warranty deed, vicinity map, preliminary plat/site plan or concept plan, <u>irrigation district information, shall be submitted in original pdf format (no scans for preliminary plat/site, concept plans) on a thumb drive only (no discs)</u> with the files named with project name and plan type. <i>awk chg</i>	BN
	Signed Certification of Posting with pictures (see attached posting requirements and certification form) – To be completed by applicant a minimum of 10-days prior to public hearing. Staff will notify applicant in writing of hearing and posting date.	
✓	Property shall be annexed into Star Sewer and Water District prior to Final Plat approval, building permits, if applicable. Please contact SSWD for details at 208-286-7388.	

## APPLICANT ACKNOWLEDGEMENT\*\*:

*\*\* I have read, understand and accept the above requirements. I further understand fees will be collected at the time of filing an application. I understand that there may be additional fees associated with this application incurred by the City in obtaining reviews or referrals by architect, outside engineering, or other professionals necessary to enable the City to process this application. I understand that I, as the applicant, I am responsible for all payments to the City of Star.*

  
Applicant/Representative Signature

3/3/25  
Date

## AFFIDAVIT OF LEGAL INTEREST

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss

I \_\_\_\_\_, \_\_\_\_\_  
(name) (address)  
\_\_\_\_\_, \_\_\_\_\_  
(city) (state) (zip)

being first duly sworn upon oath, depose and say: That I am the record owner of the property described on the attached, and I grant my permission to \_\_\_\_\_,  
(name)  
\_\_\_\_\_, \_\_\_\_\_  
(address) (state) (zip)

to submit the accompanying application pertaining to that property.

Address or location of property: \_\_\_\_\_

I agree to indemnify, defend and hold the City of Star and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

I understand there may be direct costs incurred by the City in obtaining a review of the application by architects, engineers, or other professionals necessary to enable the City to approve or disapprove the application. I understand that I will be billed on a monthly basis and will remit payment within 30 days.

I hereby grant permission to the City of Star staff to enter the subject property for the purpose of site inspections related to processing said application(s).

Type of application: \_\_\_\_\_

# Neighborhood Meeting Notice

**Mailing:**

9909 W Lantree Gulch Rd

Star, ID 83669

(925) 776-6756

[Sabrinanewberry23@gmail.com](mailto:Sabrinanewberry23@gmail.com)

[62Jnewberry@gmail.com](mailto:62Jnewberry@gmail.com)

Dear Neighbor,

You are invited to a neighborhood meeting to discuss a project we are proposing near your property. The purpose of this meeting is to discuss the project, answer any questions, and listen to your feedback and suggestions.

This is not a public hearing and public officials will not be present. If you have questions regarding meeting requirements, please contact the Star City Planning & Development Services Department.

**Purpose:** To review and discuss plans for 0 N Echo Summit Pl.

**When:** April 1, 2025

6:30PM (MT)

**Where:**

'The Shop'

0 N Echo Summit Way

Star, ID 83669

**Project Description:** The development of 10.6 acres to be divided into 2 additional buildable sites, plus divide 3 non buildable lots.

**Please Note:** to track and certify that a meeting was held, a sign-in sheet will be present at this meeting. We will submit the sign-in sheet with our application, which will then be used to notify you of when the application was submitted.

Best regards,

Jeremy and Sabrina Newberry

# NEIGHBORHOOD MEETING ATTENDANCE ROSTER

PROJECT NAME: O N. Echo Summit

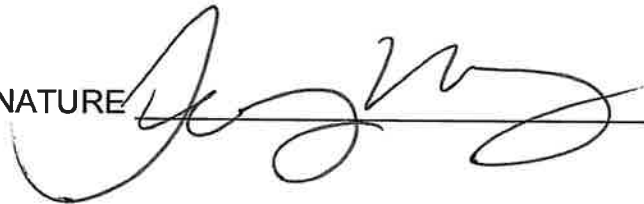
Meeting Date: April 1, 2025 Meeting Time: 1130 PM

Meeting Location: O N Echo Summit Star, ID 836069

## ATTENDEES:

NAME	ADDRESS	TELEPHONE
TIM FERRILL	4722 N. EAGLE POINTE	714-580-1605
MILES & JUDY NORDQUIST	4652 N. ECHO SUMMIT PL	208-860-4739
Joyce D'Agostino		208-841-1195
Deb & Kelsey Royball	4556 N. Echo Summit Pl.	208-867-2448
Jeff Laney	4492 N. Echo Summit Pl	208-631-0498
Wayne, Annette, Kurt & Hinrichs	4596 N. Eagle Pt. Pl	208-898-4799
JEFF NINDS	4638 N. Eagle Pointe Pl	208-859-9694
HEIDI & DAVE BUTLER	4588 N. Echo Summit PL	208-407-4221 208-371-9911 (H)
Bruce & Susan Wood	4680 N. Eagle Pointe Pl	208-880-4870
MARK & JANA WESEL	4511 N EAGLE POINTE PL	818-854-9926
Traay & Keri Rieless	4620 N Echo Summit Pl.	208-949-0310
Brian Nichols	4524 N Echo Summit Pl.	208-284-4488
Hugh & Amy GARDNER	9871 LAUREL TREE GLEN	208-867-4571
Kevin Helbert	9837 W. Laurel Tree	208-870-7174
TODD & NANCY COLLINS	4718 N ECHO SUMMIT WAY	208-559-6942
Steve Allen	4910 N Echo Summit way	505-987-8321
Barbie & Ken Stevens	4587 N Echo Summit Pl	208-440-1549
Zoe Ferguson	4816 Echo Summit	208-562-9896
TALBOT	4553 N EAGLE POINTE PL	208-286-0321
Caisey Minifter	4523 N ECHO SUMMIT PL	408-464-3302

APPLICANT SIGNATURE



DATE 4/1/25



## **NARRATIVE**

03.18.2025

### **Newberry Family 2014 Revocable Trust**

Jeremy and Sabrina Newberry 9909 W Lanktree Gulch Rd, Star, ID 83669

## **Overview**

Annexation, Minor Land Division & Private Street applications - Newberry Family 2014 Revocable Trust

Lot 8, Block 6 of Hillsdale Estates No. 5 – Ada County Parcel No. R3626150220 – 0 N. Echo Summit Way

## **Goals**

1. Subdivide 10.6 acres
2. 6 lots ranging from .46 to 4.27 acres

## **Specifications**

This proposal is to annex 10.932 acres into the City of Star with a zoning designation of R-2-DA. The Site Plan reflects the existing and proposed conditions. This would be consistent with the comprehensive plan and surrounding lot sizes.

Three single family residential parcels are proposed with an average size of 2.963 acres and three non-buildable parcels averaging 0.680 acres each. The latter are proposed to be sold to the adjacent owners of Lots 20, 21 and 22, Block 6 of Hillsdale Estates No. 5 Subdivision.

Central District Health has approved individual domestic water wells and septic systems on Parcels A and C. Parcel B currently has a well and septic system in place

2251 S. Sumac Street, Boise, Idaho 83706

Telephone (208) 859-6032 [mike@elsurveys.com](mailto:mike@elsurveys.com)

14 March 2025

ELS Project No. 240802 - Jeremy & Sabrina Newberry  
Land Description for Annexation

Lot 8, Block 6 of Hillsdale Estates No. 5 (a recorded Plat on file in Book 80 at Pages 8550-8552) records of Ada County, Idaho and within the NE ¼ of the NE ¼ of Section 32, Township 5 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the northeast corner of said Section 32 marked by a found brass cap monument; thence southerly along the easterly line of said NE ¼ of the NE ¼ S 00°15'39" E a distance of 1325.95 feet to a found aluminum cap monument marking the southeast corner of said NE ¼ of the NE ¼ and the southeast corner of said Lot 8, the POINT OF BEGINNING.

Thence along the boundary line of said Lot 8 the following 18 (eighteen) courses:

Thence westerly along the southerly line of said NE ¼ of the NE ¼ S 89°50'03" W a distance of 881.05 feet to a found #5 bar with cap PLS 2824;

Thence leaving said southerly line N 37°34'33" W a distance of 453.49 feet to a found #5 bar with cap PLS 2824;

Thence N 82°12'10" E a distance of 156.47 feet to a found #5 bar with cap PLS 2824;

Thence N 29°31'40" W a distance of 376.78 feet to a found #5 bar with cap PLS 2824;

Thence N 79°14'14" E a distance of 365.52 feet to a found #4 bar with cap PLS 2824;

Thence N 35°29'24" E a distance of 664.08 feet to a found #4 bar with cap PLS 2824 on the southerly rights-of-way line of Echo Summit Way;

Thence along said rights-of-way line 390.49 feet along the arc of a non-tangent curve to the left, said curve having a radius of 530.00 feet, a central angle of 42°12'51" and a long chord bearing S 35°27'08" E a distance of 381.72 feet to a found #4 bar with cap PLS 2824;

Thence continuing along said rights-of-way line 37.02 feet along a curve to the right, said curve having a radius of 25.00 feet, a central angle of 84°50'46" and a long chord bearing S 14°08'37" E a distance of 33.73 feet to a found #4 bar with cap PLS 2824 on the westerly rights-of-way line of Echo Summit Place;

Thence along said rights-of-way line S 28°16'19" W a distance of 179.78 feet to a found #4 bar with cap PLS 2824;

Thence continuing along said rights-of-way 112.87 feet along a curve to the left, said curve having a radius of 225.00 feet, a central angle of 28°44'31" and a long chord bearing S 13°54'06" W a distance of 111.69 feet to a found #4 bar with cap PLS 2824;

Thence leaving said rights-of-way line N 57°12'23" W a distance of 219.55 feet to a #4 bar with cap PLS 2824;

Thence S 34°06'32" W a distance of 296.81 feet to a found #4 bar with cap PLS 2824;

Thence S 67°57'49" W a distance of 169.81 feet to a found #4 bar with cap PLS 2824;

Thence S 07°56'01" W a distance of 287.53 feet to a found #4 bar with cap PLS 2824;

Thence S 35°52'14" E a distance of 162.17 feet to a found #4 bar with cap PLS 2824;

Thence N 89°50'03" E a distance of 637.33 feet to a found #4 bar with cap PLS 2824;

Thence N 58°58'54" E a distance of 164.38 feet to a found #4 bar with cap PLS 2824 on said easterly line of the NE ¼ of the NE ¼;

Thence southerly along said line S 00°15'39" E a distance of 184.30 feet to the POINT OF BEGINNING.

The above-described tract of land contains 10.932 acres more or less subject to all existing easements and rights-of-way.





City of Star

P.O. Box 130  
Star, Idaho 83669  
208-286-7247  
Fax 208-286-7569

[www.staridaho.org](http://www.staridaho.org)



Mayor:  
Trevor A. Chadwick

Council:  
Kevin Nielsen  
Jennifer Salmonsens  
Kevan Wheelock  
David Hershey

7 May 2025

Jeremy Newberry  
9909 W Lanktree Gulch  
Star, ID 83669

**Re: Newberry – Annexation**

Dear Mr. Newberry

The City of Star Engineering Department has reviewed the Annexation Application for the your property dated March 2, 2025. We reviewed the package to check conformance with the City's Ordinance and coordinated our review with Shawn L. Nickel. We have the following comments and question based on our review.

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
2. Finish grades at property boundaries shall match existing finish grades. Runoff shall be maintained on the property unless otherwise approved.
3. This property should approach the Star Sewer and Water District to discuss potential for future services of a new buildings.

We recommend that the Annexation be APPROVED with the conditions listed above. Any variance or waivers to the City of Star standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to contact City Hall

Sincerely,

Ryan V. Morgan, P.E.  
City Engineer

---

**RE: Agency Transmittal - Jeremy & Sabrina Newberry Annexation**

---

**From** D3 Development Services <D3Development.Services@itd.idaho.gov>

**Date** Tue 4/29/2025 11:43 AM

**To** Barbara Norgrove <bnorgrove@staridaho.org>

Hello,

After careful review of the transmittal submitted to ITD on April 24, 2025 regarding, Jeremy & Sabrina Newberry Annexation, the Department has no comments or concerns to make at this time. This application does not meet thresholds for a Traffic Impact Study nor does it pose any safety concern. If you have any questions please contact Niki Benyakhlef at (208) 334-8337/ [Niki.Benyakhlef@itd.idaho.gov](mailto:Niki.Benyakhlef@itd.idaho.gov).

Thank you

*Mila Kinakh*

D3 Planning and Development  
Administrative Assistant



**YOUR Safety** \* \* \* **YOUR Mobility** \* \* \* **YOUR Economic Opportunity**

---

**From:** Barbara Norgrove <bnorgrove@staridaho.org>

**Sent:** Thursday, April 24, 2025 3:40 PM

**To:** jboal@adaweb.net; sheriff@adaweb.net; Daniel.Weed@cableone.biz; Terence.Alsup@cableone.biz; Lbadigian@cdhd.idaho.gov; Mreno@cdhd.idaho.gov; Gloria Stokes <drain.dist.2@gmail.com>; GIS@tax.idaho.gov; D3 Development Services <D3Development.Services@itd.idaho.gov>; Ryan Morgan <rmorgan@staridaho.org>; rmorgan@starswd.com; bryce@sawtoothlaw.com; gtiminsky@midstarfire.org; Melvin.B.Norton@usps.gov; harp.kimberly@westada.org; farmers.union.ditch@gmail.com; ERIC.GRZEBINSKI@mdu.com; planningreview@achdidaho.org; hday@starswd.com; bmoore@adacounty.id.gov; BRO.Admin@deq.idaho.gov; samuel.flores@sparklight.biz; PDickerson@idahopower.com; permits@midstarfire.org; info@pioneerirrigation.com; irrigation.mm.mi@gmail.com; syarrington@adacounty.id.gov; westerninfo@idwr.idaho.gov; gmprdtim@gmail.com; Andy Waldera <andy@sawtoothlaw.com>; brandon.flack@idfg.idaho.gov; Ryan Field <rfield@staridaho.org>; file@idwr.idaho.gov; Niki Benyakhlef <Niki.Benyakhlef@itd.idaho.gov>; data@landprodata.com; Cheryl.imlach@intgas.com; irr.water.3@gmail.com; Mwallace@achdidaho.org; rgirard@staridaho.org; Kerry.schmidt@intgas.com; ctodd@staridaho.org; jtensen@staridaho.org; gis@compassidaho.org; Vincent Trimboli <Vincent.Trimboli@itd.idaho.gov>; zsmith@adacounty.id.gov; Brian Duran <Brian.Duran@itd.idaho.gov>; gmprdclerk@gmail.com; carson.miranda@westada.org; reinhart.david@westada.org; RKlein@republicservices.com

**Cc:** Shawn Nickel <snickel@staridaho.org>

**Subject:** FW: Agency Transmittal - Jeremy & Sabrina Newberry Annexation

**CAUTION:** This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.



# ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300  
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900  
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

April 29, 2025

Shawn Nickel  
City of Star Planning & Zoning  
10769 W State St  
Star, ID 83669

RE: AZ-25-02 / Parcel No. R3626150220 / Jeremy & Sabrina Newberry Annexation

Feedback has been requested regarding the proposed annexation with rezone to R-1 (one dwelling unit per acre) and a development agreement on 10.96-acres located on Parcel No. R3626150220, in unincorporated Ada County.

## Land Use

The Land Use Map of the Ada County Comprehensive Plan designates the site as *Residential (Non-Farm Sub)* which is primarily intended for detached single-family homes on large lots. As the property is 10.96 acres in size and the proposed zoning of R-1 (Residential one dwelling unit per acre), Ada County is supportive of the application as the site will be more easily served by the City of Star than by Ada County, and as the site abuts Star City limits along the southern boundary, it is supported by *Goal 2.2* of the Ada County Comprehensive Plan which calls for urban development to be directed to Areas of City Impact where investments in urban services have already been made.

To improve future connectivity, it is recommended that at such time as further development takes place, a public road be considered to allow adjacent properties to access it as they develop, in conformance with *Goals 4.3b and 4.3c* of the Ada County Comprehensive Plan which promotes connectivity through well-connected local street systems and pathways and discourages cul-de-sacs and private roads within Areas of City Impact.

It is also recommended that sidewalk be considered along the roadways in order to improve pedestrian comfort and safety and allow for a potential pedestrian connection to adjacent properties in the future, as supported by *Transportation Policy 9* of the Star Comprehensive Plan, as adopted by the County, which encourages non-motorized pathways between residential areas to reduce short trips and improve access for non-drivers.

Thank you for this opportunity to provide feedback.

Sincerely,

***Stacey DuPuis***

Stacey DuPuis  
Community & Regional Planner  
Ada County Development Services



Miranda Gold, President  
Alexis Pickering, Vice-President  
Kent Goldthorpe, Commissioner  
Dave McKinney, Commissioner  
Patricia Nilsson, Commissioner

Date: June 3<sup>rd</sup>, 2025 **DRAFT**

To: Jeremy & Sabrina Newberry

Staff Contact: Matt Pak, Planner

Project Description: Jeremy & Sabrina Newberry Annexation

Trip Generation: Trip generation will be determined with a future development application, based on the Institute of Transportation Engineers Trip Generation Manual, 11<sup>th</sup> edition.

Proposed Development Meets	
All ACHD Policies	
Requires Revisions to meet ACHD Policies	X

Area Roadway Level of Service	
Do area roadways meet ACHD's LOS Planning Thresholds?	
Yes	N/A
No	
Area roads will meet ACHD's LOS Planning Thresholds in the future with planned improvements?	
Yes	
No	

Traffic Impact Study	
Yes	
No	X
If yes, is mitigation required	

ACHD Planned Improvements	
FYP	
CIP	

Livable Street Performance Measures	
Pedestrian	LTS 1
Cyclist	LTS 1

Is Transit Available?	
Yes	
No	X

*connecting you to more*

## Report Summary:

**1** DRAFT Jeremy & Sabrina Newberry Annexation  
STAR25-0004 / AZ-25-02 / DA-25-04

## ACHD Planned Improvements

### 1. Capital Improvements Plan (CIP)/ Five Year Plan (FYP):

There are no roadways, bridges or intersections in the general vicinity of the project that are in the Five Year Plan (FYP) or the District's Capital Improvement Plan (CIP).

## Level of Service Planning Thresholds

### 1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
* Echo Summit Way	406-feet	Local	N/A	N/A
* Echo Summit Place	312-feet	Local	N/A	N/A

\* ACHD does not set level of service thresholds for local streets.

### 2. Average Daily Traffic Count (VDT)

*Average daily traffic counts are based on ACHD's most current traffic counts.*

- There are no traffic counts available for Echo Summit Way.
- There are no traffic counts available for Echo Summit Place.

## **A. Site Specific Conditions of Approval**

*This application is for rezone only. Site specific conditions of approval will be established through the review of a future development application.*

1. Submit civil plans as part of a future development application to ACHD Development Services for review and approval. The impact fee assessment will not be released until the civil plans are approved by ACHD.
2. There will be an impact fee that is assessed and due prior to issuance of any building permits as part of a future application. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time. The impact fee assessment will not be released until the civil plans are approved by ACHD.
3. Comply with all Standard Conditions of Approval.

## B. Vicinity Map



## **C. Findings for Consideration**

*This application is for annexation and rezone only. Listed below are some findings for consideration that the District may identify when it reviews a future development application. The District may add additional findings for consideration when it reviews a specific development application.*

### **1. Echo Summit Way**

- a. **Existing Conditions:** Echo Summit Way is improved with 2-travel lanes, 30-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 60-feet of right-of-way for Echo Summit Way (26-feet from centerline).
- b. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to improve Echo Summit Way consistent with District policies listed on page 6.

### **2. Echo Summit Place**

- a. **Existing Conditions:** Echo Summit Place is improved with 2-travel lanes, 30-feet of pavement and no curb, gutter or sidewalk abutting the site. There is 50-feet of right-of-way for Echo Summit Way (24-feet from centerline).
- b. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to improve Echo Summit Way consistent with District policies listed on page 6.

### **3. Driveways**

#### **3.1 Echo Summit Place**

- a. **Existing Conditions:** There is an existing 25-foot wide unimproved driveway from the site onto Echo Summit Place, located 306-feet south of Echo Summit Way (measured centerline-to-centerline).
- b. **Staff Comments/Recommendations:** As part of a future development application, the applicant should be required to pave and improve the driveway consistent with District policies listed on page 9.

## **D. Policy**

### **1. Federal Accessibility Design Guidelines and Standards**

District policy 7203.1.1 states that developers shall follow the current version of the U.S. Access Board's Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), 36 CFR Part 1190, September 7, 2023; (Also see, <https://www.access-board.gov/prowag> and <https://www.access-board.gov/files/prowag/planning-and-design-for-alternatives.pdf> for additional information).

### **2. Minor Improvements**

**Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing Highways adjacent to a proposed development may be required. These needed transportation facilities are to correct deficiencies or replace deteriorated facilities. Included are sidewalk and/or bike lane construction or replacement (with physical buffers if missing and needed); construction of transitional sidewalk segments; crosswalk construction or replacement; curb and gutter construction or replacement; repair, replacement or expansion of curb extensions; replacement of unused driveways with curb, gutter, sidewalk, repair or addition of traffic calming or speed mitigation features; installation or reconstruction of pedestrian ramps; pavement repairs; signs, motor vehicle, pedestrian and bicycle traffic control devices; and other similar items. The current version of PROWAG will determine the applicable accessibility requirements for alterations and elements added to existing streets. ACHD staff is responsible for identifying the minor improvements that would be proportionate to the size and complexity of the development.

### **3. Livable Street Performance Measures**

District policy 7203.8 states that ACHD has adopted performance measures (level of stress) for evaluating the experience of bicyclists and pedestrians. ACHD seeks to create a transportation network that serves all ages and abilities. Bike and pedestrian facilities built through development should achieve a bike and pedestrian level of traffic stress 1 or 2, with no new bike lane below a minimum of 5-feet.

### **4. Echo Summit Way & Echo Summit Place**

**Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

**Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 47-feet wide and that the standard street section shall be 33-feet (back-of-curb to back-of-curb).

**Standard Urban Local Street—33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 33-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 47-feet of right-of-way.

For the City of Kuna and City of Star: Unless otherwise approved by Kuna or Star, the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot wide concrete sidewalks on both sides and shall typically be constructed within 50-feet of right-of-way.

#### **Off-Site Streets Policy:**

##### **Local Streets with less than 400 VTD (existing + proposed)**

District Policy 7207.2.3 states that if the proposed development is not served by a public street with at least 24-feet of pavement then the developer shall pave the street or widen the existing pavement

to provide 24-feet of pavement with 3-foot gravel shoulders from the site to a public street specified by the District.

Local Streets with 400 to 1,000 VTD (existing or proposed)

District Policy 7207.2.3 states that if the proposed development is not served by a public street with at least 30-feet of pavement then the developer shall pave the street or widen the existing pavement to provide a minimum 24 to 30-feet of pavement as determined by the District, with 3-foot gravel shoulders from the site to a public street specified by the District.

Local Streets with greater than 1,000 VTD (existing or proposed)

District Policy 7207.2.3 states that if the proposed development is not served by a public street with a minimum of 30-feet of pavement, then the developer shall pave the street or widen the existing pavement to provide 30-feet of pavement with 3-foot gravel shoulders from the site to a public street specified by the District; OR shall provide 24-feet of pavement with 3-foot gravel shoulders and a minimum 6-foot wide detached asphalt/concrete pedestrian facility from the site to a public street specified by the District.

All Local Streets

Alternatives to pavement widening include sidewalks, pathways, or other proposals such as passive traffic calming measures or mitigation through design elements, may be considered by the District. The extent of the roadway improvements (improvement type and length) will be determined by evaluating site specific criteria. Criteria to establish improvement type and length include but are not limited to: traffic volumes (existing and projected); number of pedestrians (existing and projected); location of pedestrian “attractors” and “generators” (i.e. parks and schools); number of access points/streets serving the proposed development; usable right-of-way; need for traffic calming; utilities and irrigation facilities. All utility relocation costs associated with the off-site street widening shall be borne by the developer.

**Continuation of Streets Policy:** District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:

- Reduces vehicle miles traveled.
- Increases pedestrian and bicycle connectivity.
- Increases access for emergency services.
- Reduces need for additional access points to the arterial street system.
- Promotes the efficient delivery of services including trash, mail and deliveries.
- Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
- Promotes orderly development.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the

applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**Half Street Policy:** District Policy 7207.2.2 required improvements shall consist of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5-feet), plus 12-feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

**Rural Street Section:** District policy 7207.5.2 requires rural developments with lot sizes of 5-acres or greater per dwelling provide a minimum 24-foot pavement width, with additional 3-foot gravel shoulders and borrow ditches on each side. This street section does not require the construction of curbs, gutters, or sidewalks.

Developments with lot sizes of 1-acre or greater, but less than 5-acres per dwelling will provide streets with a 30-foot wide surface (26-feet of pavement with 2-foot concrete ribbon on each side), 4-foot of which will be striped for non-motorized travel on each side. The minimum right-of-way width for this street section shall be 52-feet in order to encompass the entire swale section. The developer shall construct on both sides of the road a 2-foot wide (minimum) concrete ribbon 8-inches thick and an 8-foot wide drainage swale along the edge of the pavement to accommodate the runoff from the development. See Section 7207.5.6 for roadside swale requirements.

**Cul-de-sac Streets Policy:** District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 50-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

**Landscape Medians Policy:** District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.

- The license agreement shall contain the District's requirements of the developer including, but not limited to, a "hold harmless" clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

## 5. Driveways

### 5.1 Echo Summit Way & Echo Summit Place

**Driveway Location Policy:** District policy 7207.4.1 requires driveways near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest local street intersection, and 150-feet from the nearest collector or arterial street intersection.

**Successive Driveways:** District Policy 7207.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

**Driveway Width Policy:** District policy 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway.

## 6. Tree Planters

**Tree Planter Policy:** Tree Planter Policy: The District's Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

## 7. Landscaping

**Landscaping Policy:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

## 8. Pathway Crossings

United States Access Board R304.5.1.2 Shared Use Paths. In shared use paths, the width of curb ramps runs and blended transitions shall be equal to the width of the shared use path.

AASHTO's Guidelines for the Development of Bicycle Facilities 5.3.5 Other Intersection Treatments: The opening of a shared use path at the roadway should be at least the same width as the shared use path itself. If a curb ramp is provided, the ramp should be the full width of the path, not including any flared sides if utilized. . . . Detectable warnings should be placed across the full width of the ramp.

FHWA's "Designing Sidewalks and Trails for Access" (1999) reflected common ADA-related concepts: Chapter 6, Page 16-6: The width of the ramp should be at least as wide as the average width of the trail to improve safety for users who will be traveling at various speeds. In addition, the overall width of the trail should be increased, so the curb ramp can be slightly offset to the side.

The increased width reduces conflict at the intersection by providing more space for users at the bottom of the ramp.

## **E. Standard Conditions of Approval**

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA), Public Right-of-Way Accessibility Guidelines (PROWAG), ISPWC, or ACHD requirements. The applicant's engineer should provide documentation of compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property, which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

## **F. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.

### **Request for Appeal of Staff Decision**

To request an appeal of a staff level decision, see District policy 7101.6.7 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>

### **Request for Reconsideration of Commission Action**

To request reconsideration of a Commission Action, see District policy 1006.11 at <https://www.achdidaho.org/home/showpublisheddocument/452/638243231708370000>