

ORDINANCE _____

AN ORDINANCE OF THE CITY OF STAR, ADA AND CANYON COUNTIES, IDAHO, AMENDING TITLE 8 OF THE STAR CITY CODE, ADDING 'BUILD TO RENT SINGLE FAMILY HOMES' SECTION, MODIFYING DEFINITIONS, AMENDING USES WITHIN ZONING DISTRICTS, MODIFYING APPLICATION CRITERIA, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the construction of 'Horizontal Apartments' or single-family 'Build-to-Rent' developments is growing as a national trend to address changing housing demands, and

WHEREAS, knowledge of the eventual sale or rental of developed properties permits the City of Star to better allocate resources to effectively protect public health, safety and welfare, and

WHEREAS, the City of Star, Idaho, has the authority to make and amend all such ordinances not inconsistent with the laws of the state of Idaho as may be expedient to maintain the peace, good government and welfare of the city and its trade, commerce, and industry, and

WHEREAS, the City of Star, Idaho, seeks to update its city code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STAR, IDAHO, AS FOLLOWS:

Section 1: Title 8, Chapter 3, Article F, is hereby added, as follows:

ARTICLE F. "Build to Rent Single Family Homes Development Requirements"

- A. Before any Build-to-Rent or Horizontal Apartment development is initiated, either through the submission of construction plans or rezoning applications, the development entity shall:
 - 1. Provide a Declaration to the City of Star Zoning Administrator that provides the following project information:
 - a) Statement regarding the intent to operate a Build-to-Rent or Horizontal Apartment development.
 - b) The number of units of the development that will be permanently managed by the management company.
 - c) What public infrastructure will be privately maintained.

- d) Name of the local Registered Agent individual or company to which legal notices would be directed.
 - e) Description of the property management process to be used, including the management company and local property manager.
 - f) Declaration that the development shall consist of individual residential lots each with its own water meter and sewer tap.
 - g) Description of Covenants to be enforced by the management entity.
 - h) The overarching applicant development organization shall be identified, describing the unity of control and management of the development.
 - i) Architectural drawings of the proposed units.
- B. This Section is applicable to the Residential District (R), the Mixed-Use District (MU), and the Central Business District (CBD).
- C. This section shall only apply to developments of five (5) or more Build-to-Rent residences or five (5) or more Horizontal Apartments.
- D. Any application that does not comply with this Section shall have a Condition of Approval added that prohibits Build-to-Rent residences or Horizontal Apartments.
- E. Material and design standards. Single-Family Build to Rent and Horizontal Apartment units shall comply with the following material and design standards:
 - 1. All other standards found elsewhere in this Title shall apply.
 - 2. Exterior finishes shall be primarily horizontal wood or wood product siding, brick, stucco, stone or other decorative masonry product.
 - 3. Facades and floorplans of each unit shall not replicate the facade or floorplan of adjacent units.
 - 4. There shall be a mixture of two (2) story and one (1) story structures.
 - 5. No facade or floorplan shall be used for more than 15% of the project.
 - 6. Roofing style is not included in the facade.
 - 7. Units shall utilize at least two of the following design features on the facade:
 - a) Gables;
 - b) Recessed entries;

- c) Covered front porches;
- d) Pillars or posts;
- e) Bay window with a minimum of 24-inch projection; or Dormers.
- f) Walls which face a street other than an alley shall contain at least 20 percent of the wall space in windows and/or doors.

Section 2: Title 8, Chapter 1, Article E of the Star City Code, DEFINITIONS, is hereby amended in part, as follows:

8-1E-1: Terms Defined

DEVELOPMENT, MULTI-FAMILY: A development, or portion thereof, that contains one or more multi-family dwellings, 15% or more Build-To Rent homes, or 15% or more Horizontal Apartments.

BUILD-TO-RENT (BTR): A community, or a 15% or larger part of a community, of single-family residences offered for rental only in a professionally managed community, including single-family detached homes and townhouses.

HORIZONTAL APARTMENTS: Clusters of single-family homes, multi-family homes, or townhomes in rental communities that developed as individual residences. All such units may or may not be located on the same property

MANAGEMENT COMPANY: A company conducting the operation, control, maintenance, and oversight of an Apartment Community, a Build-to-Rent community, or a Horizontal Apartment community.

LARGE SCALE: When applied to multi-family dwellings, Build-To Rent neighborhoods, or Horizontal Apartments, is any community larger than 4 rental units.

COMMERCIAL USE: An occupancy of a building, structure or other property which involves any retail sale, wholesale distribution, office, entertainment service, recreational area, restaurant, room for rent, manufacturing, hybrid production facility or other nonresidential use. Large-scale apartment complexes, Build-To Rent neighborhoods, or Horizontal Apartments are considered commercial property because space is leased out to others as part of a rental business. However, this definition shall not include home occupations, churches, public schools, hospitals, public civic centers or public recreation facilities, or other facilities owned by, or operated strictly for the benefit of the public.

Section 3: Title 8, Chapter 3, Article A of the Star City Code, DISTRICTS ESTABLISHED, is hereby amended in part, as follows:

8-3A-3: Uses Within Zoning Districts

- E. In zoning designations of R-1, R-2, R-3, R-4 and R-5, housing shall be single family detached, for sale homes, unless approved with a PUD or development agreement in lieu

of a PUD.

Section 4: Title 8, Chapter 1, article B of the Star City Code, APPLICATION CRITERIA, is hereby amended in part, as follows:

8-1B-2: Certificate Of Zoning Compliance

- F. Zoning Certificate Prohibited: No zoning certificate shall be issued, granted or approved for multi-family residential use, Build-To Rent neighborhoods, Horizontal Apartments, childcare facility, school, manufactured home community or mobile home park unless all irrigation ditches, laterals and canals crossing, intersecting and lying adjacent, or contiguous to, such uses are covered or fenced. Upon application, the council may waive this restriction in whole or in part if it is found that covering or fencing will not serve the public purpose in an individual case.

Section 5: This Ordinance shall be published once in full and shall take effect and be in force from and after its passage, approval, and publication.

DATED this _____ day of _____, 2021.

CITY OF STAR, IDAHO

By: _____
Trevor Chadwick, Mayor

ATTEST:

Jacob Qualls, City Clerk