

**Star City Council
Meeting Minutes
May 19, 2020**

The regular meeting of the Star City Council was held on Tuesday, May 19, 2020 at 7:00 pm at Star City Hall, 10769 W. State Street in Star, Idaho. Mayor Trevor Chadwick called the meeting to order and all stood for the Pledge of Allegiance.

ROLL CALL: Councilman Kevin Nielsen was present. Councilmen Michael Keyes, David Hershey and Councilwoman Jennifer Salmonsens were present via ZOOM, with Salmonsens joining the Council Meeting in person part way through.

APPROVAL OF THE AGENDA: Keyes mentioned that the numbering was incorrect on the agenda and the spelling of Arete Investments was incorrect. Keyes moved to approve the agenda. Nielsen seconded the motion. All ayes. Motion carried.

CONSENT AGENDA: Keyes moved to approve the agenda. Nielsen seconded the motion. The Mayor asked for any further discussion. Keyes mentioned that the Impact Fee Advisory Committee is only supposed to have 5 members, so we need to remove The Mayor and designate him as an alternate. Additionally, on the May 5 minutes, the comment by Director Wong said that impact fees could not be used for arterials but that should be changed to collectors. Keyes also had a question on the Reunion subdivision, if the flood designation and other issues had been resolved. Shawn Nickel, City Planner, confirmed that they had. Keyes had two comments regarding the Snack shack. First, he mentioned it has a \$250,000 liability insurance requirement and questioned whether that was high enough. Secondly, the prior tenants had not been allowed to operate during the Home Town Celebration and asked if that would be the case for the current tenant and it should be noted in the lease so there is no misunderstanding. The Mayor confirmed that it was in the lease. The Mayor also stated that the liability was originally \$100,000 and was increased to the current amount. Keyes moved to approve the amended agenda to include the changes. Nielsen seconded the motion. All ayes. Motion carried.

OLD/NEW BUSINESS

A – Public Hearing for the Rosti Farms Subdivision to be tabled to June 16, 2020. Hershey moved to approve. Keyes seconded the motion. All ayes. Motion carried.

Council moved to Item F with the approval of Chris Yorgason, Legal Counsel, to change the order of the agenda.

F – Ordinance No 307, Monroe-Butler Property Annexation and Zoning. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded the motion. All ayes. Motion carried. Nielsen moved to approve Ordinance No 307. Keyes seconded the motion. Roll call, all ayes, with the exception of Salmonsens who was not yet in attendance. Motion carried.

G – Ordinance 308, Arete Investments Property Rezone. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded. Salmonsens noted a discrepancy on a date showing February 12, when the meeting was held on February 11. The date will be corrected. All ayes. Motion carried. Nielsen moved to approved Ordinance 308 with the corrections of the spelling of Arete and the second parcel number. Keyes seconded the motion. Roll call, all ayes. Motion carried.

H – Ordinance 309, J & E Properties Rezone and PUD. Keyes moved to waive the rules to be able to approve the ordinance after reading once by title only. Nielsen seconded. All ayes. Motion carried. Hershey moved to

approve Ordinance 309. Nielsen seconded the motion. The Mayor mentioned looking at the February date of this as well. Roll call, all ayes. Motion carried.

B – Public Hearing, Unified Development Code Amendments. Nickel went through the following redline report.
***Redlines added after March 11, 2020 City Council Workshop**

CITY COUNCIL UNIFIED DEVELOPMENT CODE AMENDMENT PUBLIC HEARING MAY 19, 2020

CHAPTERS:

1.
 - a. **Added Prelim Plats to applications requiring Public Hearings (page 4)**
 - b. **Added 30-day review notice to agencies to review – (Page 6)**
 - c. **Added language regarding reimbursements/costs associated with ITD (Page 11)**
 - d. **Removal of some Comp Plan Amendment language (Page 14)**
 - e. **Guesthouse/Granny Flat definition revised to match Specific Use Standards (page 39)**
 - f. **Added Live/Work Definition (page 41)**
2. **No Changes**
3.
 - a. **Added language to CBD for Multi-Family (page 57)**
 - b. **Revised 8-3E-1 Mixed Use Timing and Ratios (page 58)**
 - c. **Accessory structures revised in CBD & MU (page 60)**
 - d. **Residential uses in the CBD changed to Prohibited except Multi-Family as CUP (page 61)**
 - e. **Live/Work added as use in CBD & MU (page 61)**
 - f. **Added Riding Arena or Stable, Commercial and Private page 63**
 - g. **Removed Stable (page 63)**
 - h. **Misc. classification changes as directed by Council (page 60-64)**
 - i. **Remove Note 4 for Sidewalk measurement (page 66)**
4.
 - a. **Reworded Mixed-Use ratio/phasing timing (page 72)**
 - b. **New Permitted/Prohibited Sign Exhibit – page 82**
 - c. **Added 8’ sidewalks along State Street in the CBD (page 84)**
 - d. **Fireworks Stands- Remove 500 sq. ft. max size – page 96 &**
 - e. **Changed Food Truck Vendor Permit to 1 year – page 101**
 - f. **Added “or development agreement” to Private Streets (page 102)**
 - g. **Added exemption for approval of utility/infrastructure (page 102)**
 - h. **Added Fire District approval to private street gates (page 102)**
 - i. **Added Private Street Sidewalk Waiver (page 103)**
 - j. **Changed Private “Roads” to “Streets (pages 102-104)**
5.
 - a. **Renumbered Uses (pages 107-134)**
 - b. **Added Live/Work Specific Use Standards (page 116)**
 - c. **Added Commercial Riding Arena Standards (page 124)**
 - d. **Changed Dwelling Unit, Secondary to Secondary Dwelling Unit (page 125)**

- e. Grammar change to Central District Health (per M.K.) (page 125)
- 6.
- a. Added Access issues to Application Requirements (Page 136)
 - b. Added minimum Public Street width requirement (page 143)
 - c. 8-6B-3 Developer's Responsibility – Homeowners Assoc. (page 145)
 - d. Revised 8-6B-3: DEVELOPER'S RESPONSIBILITY: H-3-d SB "...Star City Code of or in the original CC&Rs...".(per M.K.) (page 146)
- 7.
- a. Added Private street interconnectivity to 8-7-4-3 (page 148)
- 8.
- a. Signs
 - i. Added Animated sign definition (page 152)
 - ii. Menu Boards "Drive-Thru Added (page 160)
 - iii. Off-Premises signs revised (page 160)
 - iv. Signs Exempt From This Chapter revised page (171)
 - v. Signs Not Requiring Permits revised page including removal of prohibition of flagpoles in back yards (page 173)
 - b. Bike Parking Standards – Removed from Code per Council Workshop discussion
 - c. New redlines throughout Landscape Article D as reviewed by Council at our February 5th workshop
 - d. Misc. Text removed throughout Section per City Attorney Review
 - e. Added additional language for Certification of Completion of Landscaping (page 205)
 - f. Added language to Landscaping Alternative Methods of Compliance (Page 210)

Comments from Council regarding the Unified Development Code Amendment presentation:

Page 58 – Nielsen asked for clarification regarding timing components from page 58. This was answered on page 72 of Chapter 4.

Page 60 – The Mayor asked about the paragraph "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." Nickel replied that under Accessory Structures, he revised that to make residential accessory structures a prohibited use but to allow commercial accessory structures as a conditional use. As an example, if a business wanted a small shed that coincided with the commercial use, they would have the ability to review that on a case by case basis.

Page 61 – The Mayor confirmed that for the fireworks stands, we changed from principle use to conditional use.

Page 82 – Salmonsens asked if figure 2 could be reworked to be clearer and more readable.

Page 124 –There was a discussion concerning commercial use, what conditions would be in effect for it to be considered commercial conditional use. Discussions included items such as striking the word "group" and including individual/private lessons, if charging a fee would it automatically make it commercial, if they had a business license, or if it was available to the public. It was decided that it could either be reworded or they could

use a Home Occupation Permit for individual lessons and the group lessons would be covered under the Conditional Use Permit. Also, adding “2 or more” to the definition of group.

Chapter 6, page 136 – Nielsen asked to clarify that “access or traffic generations issues” meant that they are declared by ACHD or ITD and if we should be more specific in the language of who has the authority to declare those issues. His concern was how the public perceives what a complete application is and suggested that adding some language identifying the appropriate traffic agencies who could declare that there is an issue would resolve any misinterpretation. There was some discussion on wording and Nielsen offered to come up with some language to propose during this meeting. Yorgason stated one challenge is to determine what is appropriate for a staff level rejection vs a City Council denial of an application. Nielsen’s proposed language read: “any known access or traffic generation issues identified by the City, ACHD, ITD or CHD4, shall be resolved by the applicant prior to acceptance of any application. The rest would read the same. Yorgason added that he likes the word “known” for two reasons, one because it says if we know it upfront, we can deny the application and number two, opens the door for the City to continue to review any issues that come up after the fact that will still need to be addressed. All agreed to that modification.

Yorgason requested to go back to Page 138 F. There was talk earlier about adding Preliminary Plat under the Public Hearings section of the code and that language was not here in this section. Idaho statutes do not require Public Hearings for Preliminary Plats when there is no request for modifications from the code but if we want to require those Public Hearings, we need to say that “a decision on a Preliminary Plat is made by the City Council after a public hearing and after receiving a recommendation from the administrator.” Yorgason suggested adding this to both sections to provide consistency.

P145 - Salmonsens asked about landscaping and if we want to state that some land is preserved or if owners would be able to change anything in their CC&Rs, including tree distancing or fencing. Nickel replied that once we approve a landscape plan and we sign off on a Final Plat, it’s left up to the HOA to follow through. There was discussion about adding wording that “the HOA shall not alter plans or any other conditions approved by The City.”

Chapter 8, B – Keyes added that we need to include this as an ordinance and at one of the workshops, we should review the language. Nickel added that he would like to bring that back to the Council, along with the design review.

Comments from the public regarding the Unified Development Code Amendment presentation:

Chris Todd. Business address: 53 N Plummer, Star ID, 83669. Todd spoke about conditional uses in the different zones. They had talked about retirement homes being applicable for conditional use in the Central Business District, similar to the 4 other zones that are conditional use areas for retirement homes. There was a discussion concerning the differences between assisted living facilities and retirement homes, the definition of a retirement home and what qualifies for conditional use in the CBD. Todd proposed that putting condos on top of commercial use buildings would qualify as conditional use in the CBD. Salmonsens mentioned prior discussions about retirement homes where it was decided there was no multi-family dwellings allowed in the CBD, but live-work multi use was added, which made her agreeable to add this to conditional use, as it would likely be bringing in income. Todd confirmed that most would have a lobby/amenity area that would require someone to be on site to care for and assist those in the building. Some would include things such as meal plan services, beauty salons or barber shops, etc. and would give residents flexibility to live in the downtown area close to commercial areas where they could walk or bike, and it would be beneficial to the CBD in the long run. Todd also discussed automotive hobby and what would be determined as a conditional use.

The Mayor closed the Public Hearing and opened it up for deliberations.

Salmonsens brought up that in the workshop discussion they had about nursing homes, assisted living and retirement homes and that they had decided to make it not permitted in the CBD because there was no residential in the area. Because an independent living apartment could be attached to commercial use businesses, there was discussion about changing definition of the retirement home, which would include the 55 and older independent living facilities, to be a conditional use in the CBD. Keyes suggested if we are looking at expanding the residential uses in the CBD, we should contemplate adding a timing component, with the same language that was proposed in the mixed used area. Nielsen raised a concern that we should make sure that the businesses are open to public, so we are not giving up our commercial space. Nickel confirmed that through public hearing and conditional use processes, the Council would have the opportunity for review and placing conditions. Nielsen moved to approve with changes as discussed. Keyes seconded the motion. All ayes. Motion carried.

C – Discussion on the “Heart of the City” Sub Area Plan. Keyes went through the scope of the plan. The intent is to come up with a more detailed plan, including a concept plan, and is hoping to get this proposal underway as soon as possible. Yorgason confirmed that this needed to be done with the consent of the Council, an RFP would need to be obtained and it would go back to the Council. Hershey asked if we had an estimated cost, at least a minimal figure, before we put it out for an RFP. Keyes reminded the Council that it was budgeted into our fiscal year. Salmonsens moved to approve. Nielsen seconded the motion. Salmonsens commented she’d like to see some additional verbiage and focus on economic development and preserving the rural character with this scope of work so when it goes out to bid, they would keep that in mind. Salmonsens revised her motion to approve with the revision. Nielsen seconded the motion. All ayes. Motion carried.

D – Discussion & Ratification of Draft Cost Proposal for Traffic Signals Study. The Mayor went through the scope of the plan to reclassify that section of the road to include more signals. ITD said they would consider this motion if the traffic study comes back favorable. The first draft of the traffic study will be done by July and a final draft is scheduled to be presented to ITD in August. Salmonsens questioned if there will be another bid. The Mayor replied there would not. She also noticed page numbers were not in order and asked if the document was complete. The Mayor replied that this study was based off comments from ITD and was complete despite the page numbering. Keyes moved to approve. Nielsen seconded the motion. All ayes. Motion carried.

E – Amended Star Fire Department Agreement. Yorgason went through the scope of the agreement with Star Fire to join forces to buy the building on the West side of Star Road. Star Fire’s attorney prepared this document which will allow Star Fire to pay the City back in the appropriate amount. Yorgason’s recommendation is that the City adopts it as it is drafted and that will allow the City to be repaid the money they’ve put into that building. The Mayor said they are going through approval process and should have it by the end of the month and then the City can have discussions because we have the first right of refusal to have it become part of the City if we choose. Hershey moved to approve with the comments noted by Yorgason. Keyes seconded the motion. All ayes. Motion carried.

6 – REPORTS

Nickel – He would like to start looking at the comprehensive plan map and will work with Yorgason and The Mayor.

Yorgason – Nothing to report.

Hershey – He will give his report at the workshop.

Keyes - He attended a couple of meetings with The Mayor. They met with ITD where they discussed the proposal and talked about the intersection of Highway 16 and Floating Feather and their Portion Share Agreement. He also met with ACHD and discussed the intersection of Highway 16 and Floating Feather. The intent of the meeting was to get them on board to accept that plan. He attended the Board Meeting with the Water and Sewer District and regarding several projects. The expansion project is on schedule. He spoke with Jack Kirtley about the potential of using their right of way along Lawrence Kennedy to extend their walking path into downtown Star. They also spoke of their extension of their sewer and water South of the river, and they are estimating March 2021 to have that online.

Salmonsens – She attended the monthly Air Quality Board meeting. They are sending out emissions testing letters and the stations are open. The Expo Idaho Citizens Advisory Group has not been meeting but plan to restart in mid-June. The Pathways and Beautification Committee has also not been meeting but will be meeting at the end of the month.

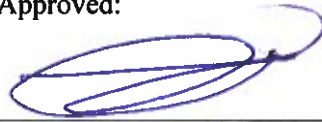
Nielsen – He has not met with The Boise Metro Chamber of Commerce so had nothing to report there. He was unable to attend the meeting with the Economic Development Specialist. He met with Keyes at the Pavilion Park area and was hopeful to be able to preserve a water feature in the area, but it doesn't look feasible. He also took walk with The Mayor on 960 S Main along some property that will potentially come to the City.

Mayor Chadwick – He had a meeting with ACHD regarding the integrated 5-year workplan. They hope to have a draft to us by October regarding the timing. City Hall and DMV are now open to the public for business. For the 960 Main Street project, Keller is on board, with an architect as well, so design drawings will be brought to the Council in the near future. The Mayor spoke with Fish and Game and the developer regarding the ponds. They will be stocking the ponds and they are hoping to get this turned over within a year. The Hometown Celebration parade, luncheon and other functions will be moved to August 22nd and will be included in the End of Summer Bash. We will continue with the Fireworks Show on July 4th. We will not have live bands but will have music and a little larger show than last year. The Mayor encouraged everyone to continue to support our local businesses that are now open and to continue to practice safe protocol. The Mayor was not able to attend the Economic Development meeting, due to a schedule conflict but they met with Shawn.

The Mayor hoped that everyone had completed their Ballots and gave a reminder that they won't be counted till June.

Adjournment: The Mayor adjourned the meeting at 9:06 pm.

Approved:



Trevor A. Chadwick, The Mayor

Respectfully submitted:



Meredith Hudson, Deputy City Clerk