

**Star City Council
Meeting Minutes
February 11, 2020**

A special meeting of the Star City Council was held on February 11, 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: Councilmen David Hershey, Michael Keyes, Kevin Nielsen and Councilwoman Jennifer Salmonsens were present.

Approval of the Agenda: Keyes moved to approve the amended agenda with one correction, item 4H Resolution No. 20-01 should be Resolution No. 2020-01, Hershey seconded the motion. All ayes: motion carried.

Old/New Business:

Public Hearing: Annexation/Preliminary Plat/Planned Unit Development for 551 S. Crystal Springs – Landyn Village (CANCELLED) – Mayor Chadwick announced the public hearing for Landyn Village was being tabled to March 3, 2020.

Public Hearing: New Unified Development Code - The Mayor explained this public hearing was to replace the City's existing Unified Development Code and to adopt a new one. The Mayor opened the public hearing and asked the City Planner, Shawn Nickel, to present.

Nickel presented a summary of the new Unified Development Code by chapter.

- Chapter 1 deals with administration, application processing, public hearing process, annexation, rezones, zoning certificates, conditional use permits, comp plan/code amendments, variance, surety agreements/bonding, implementation provisions – including code enforcement and definitions.
- Chapter 2 covers non-conforming uses.
- Chapter 3 includes district standards – zoning districts and purpose statements, zoning district land uses principally permitted, accessory, conditional use or prohibited, zoning district setbacks, and additional standards for Ag, rural, residential, commercial, industrial and mixed uses such as transitional areas and live/work residential.
- Chapter 4 covers performance standards – addressing, bikeways, drainage & grading, fencing, sidewalks, pathways, off-street parking requirements, temporary uses – firework stands, special events, food trucks, private street, and common open space and amenity requirements.
- Chapter 5 deals with specific use standards – additional requirements for uses found in Chapter 3 Land Uses – examples: childcare, contractors yards, gravel pits, multi-family, cell towers.
- Chapter 6 is for subdivision regulations for preliminary and final plats, short plats, parcel splits, lot line adjustments. Also covers subdivision design and improvement standards such as street improvements, common/shared driveways, easements, block lengths, weed abatement and HOA's.
- Chapter 7 covers planned unit developments, the process, standards, deviations, open space/amenities.
- Chapter 8 includes the sign ordinance which includes legal requirements, future location for design review, bicycle parking requirements, landscape & buffer standards, and future location for lighting and streetlight standard – dark sky ordinance.

Nickel stated he had put in front of them comments from Tucker Johnson, Jeffrey Bower, Gary Smith, and Brooke Taylor.

Keyes noted he didn't see anything that says they need to stop going forward. Nickel stated they can move forward with what's before them and if there's a material change they want, they can bring it forward later. Nickel then reviewed some possible material changes for further consideration: surety agreements at 150% for landscaping bonding; height variances - CUP application; sign ordinance revisions; landscaping and buffering standards; fireworks stand revisions; Comp Plan amendments; zoning designations; and mixed-use uses revisions per public comment; and any additional changes from the February 11, 2020 Council Meeting. Also discussed the general-purpose statement cannot preclude a use in a zone, wording of HOA CC&R's, and private roads may also need to be addressed in the future.

Public Testimony: Chris Todd, 53 N. Plummer Road, Star, Idaho congratulated the Council on getting to this point. He addressed the zoning matrix for the Central Business District and the fact retirement homes are not an allowed use, yet nursing/care facilities are conditionally allowed. He felt some type of senior independent living should be allowed in CBD. Following discussion Nickel stated they may need to clean-up the wording to allow independent living/retirement homes with a conditional use. Discussion was held on the distinction between assisted living as commercial compared to independent living. Todd asked for clarification as to whether parking in the CBD will apply to Stonecrest even though it has already been approved.

Brooke Taylor, 669 Redman Street, Chubbuck, Idaho addressed the fireworks section, stating the process is cumbersome to small business owners and fees are more than in any other city they operate in. She requested that the zones where fireworks are allowed all have the same requirements. She expressed concern with no generators allowed after 8:00 pm as that is when they need to run them; as well as with the business hours. She expressed frustration with the requirement needing written approval from the Fire Department before getting a permit and the Fire Department saying they can't approve until the stand is set up. She asked the Council to also consider her other points addressed in her e-mail. It was the consensus to hold a workshop to consider Taylor's comments and they would notify Taylor of the date of the workshop.

Jeff Bower, 601 W. Bannock, Boise, Idaho stated his concerns included the proposed changes to the guidelines for a Comp Plan amendment are too strict; when looking at the Residential Zoning designation it does not have separate zoning districts while the dimensional standards section lists the zoning districts; and, on the land use table in the mixed-use zone almost every use is a conditional use and will have to come back for review.

A discussion followed Bower's comments and it was felt they may need to do a better job defining what's allowed in mixed-use and what will require a conditional use; and may need to further define density and add definitions back into the code.

The Mayor closed the public hearing and moved to deliberations.

Hershey and Keyes both stated they were in favor of approving what they have before them and to hold workshops to address concerns that were brought up. Salmons stated she felt this is a great improvement from what they've had. Nielsen noted he was pleased with what's been done, and though they have seen some imperfections that will require some work he was in support of approving.

Keyes moved to approve the Unified Development Code they reviewed tonight in the public hearing, Hershey seconded the motion. All ayes: motion carried.

Ordinance No. 303 – Hershey moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 303 be considered after reading once by title only, Keyes seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Salmonsens – aye, Nielsen – aye: motion carried.

Keyes moved to approve Ordinance No. 303, an Ordinance of the City of Star, Idaho repealing the Unified Development Code, Ordinance No. 215 and subsequent text amendments 223, 236, 246, 252, 255, 290; adopting the Unified Development Code for the City of Star, Idaho; providing for administration, non conforming uses, zoning district standards, regulations applicable to all districts, specific use standards, subdivision regulations, planned unit developments and sign regulations; and providing an effective date. Hershey seconded the motion. All ayes: motion carried.

Ordinance No. 304 – The Mayor explained this ordinance was to change the date alcoholic beverage licenses expire to June 30th and it will put the City in line with what other cities in the valley are doing.

Hershey moved that pursuant to Idaho Code Section 50-902 the rule requiring an Ordinance to be read on three different days, with one reading to be in full, be dispensed with and that Ordinance No. 304 be considered after reading once by title only, Keyes seconded the motion. Roll Call: Hershey – aye, Keyes – aye, Salmonsens – aye, Nielsen – aye: motion carried.

Keyes moved to approve Ordinance No. 304, an Ordinance of the City of Star, Idaho amending Ordinance No. 217, an Ordinance relating to beer, wine and alcohol; providing for renewal dates for beer, wine and alcohol beverage licenses within the city limits of Star; and providing for an effective date. Hershey seconded the motion. All ayes: motion carried.

Sub-Area Planning Discussion – The Mayor explained they want to plan sub-areas of the city and are looking at the area south of the Boise River and Nielsen asked they also include a sub-area for the CBD. Following a discussion for the need for a more detailed plan to the Comp Plan it was decided to hold workshops and citizens were invited to attend. Keyes reminded the Council there had been money put in the budget for sub-area planning.

Zoning Discussion – Mayor Chadwick explained it was time to take a look at the zoning as it related to some of their overlapping areas. He suggested they revisit these areas in a workshop. Discussion was held as to how often the zoning should be reviewed, from annually to every three years. Concern was expressed that the workshop needs to be done in conjunction with other agencies and with public input. The Mayor stated he would set up a workshop for discussion.

Foregone Amount Discussion – Mayor Chadwick explained foregone money is the amount of tax increase the City could have taken over previous years but chose not to. Previous Councils had been fiscally responsible and had banked a lot of money in a foregone account with the State and they have concern with having so much money (\$635,874.00) in the foregone account. They are looking at trying to set up only having thirty percent (30%) of our levy amount in foregone. He would like to have a discussion regarding having a resolution in place limiting the amount they can have in a foregone account. By forgiving some of the foregone amount it removes it from the account forever and prevents the current or future Councils from claiming it back at some future point. Following additional discussion, Nielsen suggested before setting a percentage they should have outside assistance to do a financial analysis at what the base budget provides. The Mayor stated they would move forward with their suggestions.

Resolution No. 2020-01 ECAMP Map Revision - Jon Tensen, 538 S. Selwood, Star, Idaho introduced the Transportation Committee members and explained the committee, city staff, city engineer, and transportation consultant, Dave SPLITZ, came up with the proposed draft utilizing input from ACHD, ITD,

COMPASS, and from Star's Comprehensive Plan. Their goals included preserving major section line arterial and collector corridors for future extension, preserving corridors for future frontage roads along the State highways, providing interconnectivity between geographical areas, preserving corridors for minor collectors, and to identify major roadways that Star may request reclassification for. Tensen reviewed the proposed ECAMP map and the proposed corridors and roads. He reminded them this is a working document and estimated there will be changes and recommendations and should be reviewed annually. The Mayor explained this would allow them to go to ITD and ACHD to work on access points and that COMPASS wants to include it in their planning if approved. Discussion held regarding the Highway 44 corridor, street light locations, back roads and frontage roads, and traffic concerns in neighborhoods.

Keyes moved to approve Resolution No. 2020-01 a Resolution of the City of Star adopting an Economic Corridors Access and Road Connection Management Plan, Hershey seconded the motion. All ayes: motion carried.

Executive Session: Nielsen moved to go into Executive Session under Idaho Code Statute 74-206 (1)(c) Real Property Negotiations, Hershey seconded the motion. Roll Call: Hershey - aye, Keyes - aye, Salmonsens - aye, Nielsen - aye: motion carried.

Adjournment: The Mayor adjourned the meeting at 9:00 pm.

Approved:

Respectfully submitted:

Trevor Chadwick, Mayor

Kathleen Hutton, Deputy City Clerk