



BEFORE THE BOARD OF ADA COUNTY COMMISSIONERS

In re:

Application of SLN Planning, Inc.

Project No. 201400069 S

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

A. The Board finds that the record is comprised of:

1. Exhibits to the Staff Report.
2. Exhibit A to the Findings of Fact, Conclusions of Law and Order.
3. All other information contained in Ada County Development Services File for Project No. 201400069 S.

B. As to procedural items, the Board finds the following:

1. In accordance with Section 8-7A-2B of the Ada County Code, the applicant completed a pre-application conference with the director prior to the submittal of the application on September 26, 2013.
2. In accordance with Section 8-7A-3 of the Ada County Code, the applicant held a neighborhood meeting on October 10, 2013.
3. On January 15, 2014, Development Services accepted Project #201400069 S and scheduled it for public hearing before the Ada County Planning and Zoning Commission on March 13, 2014.

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4. On January 21, 2014, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as Exhibits.
5. On February 12, 2014, property owners within 300 feet of the site were notified of the hearing by mail. Legal notice of the Commission's hearing was published in The Idaho Statesman on February 25, 2014. Notices of the public hearing were posted on the property by March 1, 2014 and a certification sign posting was submitted to the director on March 6, 2014.
6. On March 13, 2014, the Commission voted 5-0 to recommend approval of this application to the Board of Ada County Commissioners.
7. On March 19, 2014, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as Exhibits.
8. On April 9, 2014, property owners within 300 feet of the site were notified of the hearing by mail. Legal notice of the Board's hearing was published in The Idaho Statesman on April 22, 2014. Notice of the public hearing was posted on the property by April 27, 2014 and a certification sign posting was submitted to the director by April 30, 2014.

C. As to the project description, the Board finds based on the application materials found in the file for Project No. 201400069 S the following:

1. PROPOSED USES: A three (3) lot residential subdivision.
2. PROPOSED STRUCTURES: Single-family dwelling(s).
3. PROPOSED SITE IMPROVEMENTS: None.

D. Based on the materials found in the file for Project No. 201400069 S, the Board finds the following concerning the project description:

1. PARCEL NUMBER AND LOCATION: The parcel numbers are S1405141900 and S1405417210. The location of the property is 7085 S. Eagle Road, Meridian, ID 83642 in Section 5, T. 2N, R. 1E.

2. OWNERSHIP: Mikal Black.

3. SITE CHARACTERISTICS

Property size: 19.38 acres.

Existing structures: There is a 2,947 square foot single-family dwelling with a detached garage and a couple of outbuildings.

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Existing vegetation: Agricultural crops and residential landscaping at the existing residence.

Slope: The property is generally flat with slopes less than 15%.

Irrigation: The property is located within the jurisdictional boundaries of the Boise-Kuna Irrigation District, New York Irrigation District, and the Boise Project Board of Control.

Drainage: The property generally drains toward the southwest.

Views: The property is generally visible from all directions.

- E. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the current land use and zoning:

The property is zoned Rural-Urban Transitional (RUT). The property is agricultural with a single-family residence.

- F. Based on the officially adopted Ada County land use maps, the Board finds the following concerning the surrounding land use and zoning:

North: The site is agricultural and is located in the Rural-Urban Transition (RUT) District.

South: The site is agricultural with a rural residence and is located in the Rural-Urban Transition (RUT) District.

East: The site is agricultural with a rural residence one of the parcels is unplatted and another parcel is located in the Vantage Pointe Subdivision in the Rural-Urban Transition (RUT) District.

West: The site is agricultural and is located in the Rural-Urban Transition (RUT) District.

- G. Based on the officially adopted Ada County land use maps and materials found in the file for Project No. 201400069 S, the Board finds the following concerning services:

Access Street and Designation: Access to the proposed lots will be off of S. Eagle Road. S. Eagle Road is designated as a Minor Arterial.

Fire Protection: Kuna Fire District.

Sewage Disposal: Individual Septic Systems.

Water Service: Individual Wells.

Irrigation District: Boise-Kuna Irrigation District, New York Irrigation District, and Boise Project Board of Control.

Drainage District: None.

- H. As to the applicable law, the Board finds the following:

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This section details the comp plan goals, objectives and policies; the zoning ordinance regulations; and other applicable standards regarding development of the subject property.

1. The Board finds that the **Meridian Comprehensive Plan as adopted by Ada County** is applicable because the subject property is located within Meridian's Area of Impact. The Board finds the application complies with **Meridian Comprehensive Plan as adopted by Ada County**. Regarding the Meridian Comprehensive Plan as adopted by Ada County the Board finds the following:

The Board finds that the Future Land Use Map designates the property as Low Density Residential.

Goal I: Ensure a variety and balance of land uses to support the Meridian Impact Area.

Objective D: Plan for appropriate uses within rural areas.

Action 1: Permit low-density (one unit per 5-10 acres) residential uses where City services can not be provided.

The Board finds as evidenced in the record that City services are not proposed for the subdivision and that the density for the subdivision will fall in the range of one single-family dwelling per 5-10 acres.

Action 2: Require rural area residential development to submit alternative development plans to demonstrate the efficient extension of urban services in the future (e.g. a resubdivision plan or other City-approved documentation).

The Board finds that the applicant has obtained a waiver letter from the City of Meridian (Exhibit #26). The letter states in accordance with Ada County Code 9-4-3C and 9-4-3D, the City of Meridian will not require dry lines to be installed or utility easements granted for this development.

Action 5: Allow residential development in rural areas that are outside the City limits but inside the Area of Impact, provided that development complies with the following standards.

- *Within the USPA one single-family residential house may be placed on a five-acre minimum lot if dry line sewer and water lines are installed for future connection. Alternatively, the City Engineer may grant a waiver to the dry line sewer and water line requirement where said lines are not feasible. A concept plan for roads and lots must be submitted to the Planning Department showing that provisions have been made to allow for re-subdivision of the property to an urban density as shown in the Comprehensive Plan Land Use map.*

The Board finds that the applicant has obtained a waiver letter from the City of Meridian (Exhibit #26). The letter states in accordance with Ada County Code 9-4-3C and 9-4-3D, the City of Meridian will not require dry lines to be installed or utility easements granted for this development.

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2. The Board finds **Section 8-6-5 of the Ada County Code** is applicable because the applicant has applied for a subdivision. The Board finds that the application complies with **Section 8-6-5 of the Ada County Code**. Regarding Section 8-6-5 the Board finds the following:

1. *The design conforms to the standards established in Article A of this chapter;*

- *Section 8-6A-1A – These standards shall be followed in all subdivisions regulated by this title. In addition, to these standards, all subdivisions shall meet the design standards of the applicable zoning district.*

The Board finds as evidenced in the record that the lots in the subdivision comply with the design standards of the Rural-Urban Transition (RUT) District as the residential lots either meet or exceed the minimum lot size of 5.0 acres and have a minimum roadway frontage of 250 feet.

- *Section 8-6A-1B – Any proposed subdivision in areas of the county where topographical slopes are greater than fifteen percent (15%) or where adverse conditions associated with slope stability, erosion, or sedimentation are present, as determined by the county engineer, shall conform with the additional hillside regulations set forth in this title.*

The Board finds as evidenced in the record that the property where the subdivision is located has slopes less than 15%.

- *Section 8-6A-1C – Adequate means for eliminating unsuitable conditions must be approved by the county engineer in order to develop property that has been designated in the applicable comprehensive plan, in the natural features analysis, or elsewhere, as being unsuitable for development because of flood threat, poorly drained areas, high groundwater, steep slopes, rock formations, buried pipelines, or other similar conditions likely to be encountered.*

The Board finds as conditioned that the applicant will need to submit a full engineering report to the Central District Health Department due to their response in Exhibit #17. The Central District Health Department stated that an application, full engineering report, and onsite soil evaluation must be submitted to them to determine septic suitability.

- *Section 8-6A-1D – The limits of the subdivision shall encompass the full extent of the owner’s lot or “contiguous parcels”, as herein defined.*

The Board finds that per Ada County Assessor information all contiguous properties owned by Mikal Black have been included in this subdivision.

- *Section 8-6A-1E – The decision making body may require modifications where, in its opinion, site planning has not sufficiently addressed the existing natural features.*

The Board finds that a natural features analysis has been submitted with the application (Exhibit #8) and did not indicate any known natural features that

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would hinder development of the property. The subdivision design has taken into consideration the natural features on the property.

- *Section 8-6A-2A – The length, widths, and shapes of blocks shall be determined with due regard to:*

1. *Provision of adequate building sites suitable to the special needs of the type of use contemplated including the base district requirement as to property sizes and dimensions.*

The Board finds that the subdivision provides adequate building sites because the lots comply with the dimensional standards for the Rural-Urban Transition (RUT) District.

2. *Avoiding double front lots. If unavoidable, one of the frontages shall be restricted from access.*

The Board finds that the three (3) lots will only have frontage and access from S. Eagle Road.

3. *Needs for convenient access, circulation, control, and safety of street traffic. The number of intersecting streets with arterials of all classes shall be held to a minimum.*

The Board finds that needs for convenient access, circulation, control, safety or street traffic, and the number of intersecting streets with arterials have been held to a minimum. All three (3) residential lots will take access and frontage off of Eagle Road. The Ada County Highway District responded in Exhibit #24 that the existing 24-foot wide driveway located 220 feet south of Adler Hof Lane is approved. They recommend that the applicant construct one (1) shared access to align with Vantage Point Lane to serve the southernmost two (2) lots.

4. *The limitations and opportunities of topography.*

The Board finds that there are no limitations due to the topography of the property.

- *Section 8-6A-2B – Residential block lengths should be between four hundred feet (400') and six hundred feet (600').*

The Board finds that the subdivision consists of one (1) block whereby the lots front and will take access off of S. Eagle Road. Due to the rural nature of the subdivision and that the minimum lot size for a property in the Rural-Urban Transition (RUT) District is five (5) acres the residential block lengths exceed six hundred feet (600').

- *Section 8-6A-2C – Pedestrian access rights of way not less than ten feet (10') wide, may be required for walkways through or across a block when deemed desirable to provide circulation, or access to schools, playgrounds, shopping*

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centers, transportation, and other community facilities. Said access right of way shall be a separate platted lot.

The Board finds that the subdivision is intended to be rural in nature and that walkways are not necessary for this type of development.

- *Section 8-6A-3A – The property size, width, depth, shape, and orientation, and the minimum structure setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.*

The Board finds that the applicant has submitted a preliminary plat that provides appropriate size, width, depth, shape, orientation, and that the minimum setbacks for the Rural-Urban Transition (RUT) District can be met.

- *Section 8-6A-3B – The minimum dimensional standards for all lots shall be in accord with the base district. Corner lots in residential zoning districts shall be increased five percent (5%) above the minimum property size of the applicable base district to permit appropriate front and street side setbacks.*

The Board finds that the residential lots within the subdivision comply with the minimum dimensional standards for the Rural-Urban Transition (RUT) District as the residential lots either meet or exceed the minimum lot size of 5.0 acres and the minimum roadway frontage of 250 feet. As evidenced by the preliminary plat (Exhibit #7) the subdivision does not have corner lots.

- *Section 8-6A-3C – For a distance of fifty feet (50'), side property lines originating at the front of the lot shall be within twenty degrees (20°) of right angles or radial to the street providing access.*

The Board finds that side property lines originating at the front of the lot are within twenty (20) degrees of right angles or radial to the street providing access.

- *Section 8-6A-3D – Through lots shall be avoided except to separate developments from arterial streets or to overcome topographic restrictions. A screening easement or common area lot having a minimum width of ten feet (10') shall be provided along the arterial streets. If unavoidable, one of the frontages shall be restricted from access.*

The Board finds that the three (3) lots in the subdivision have only frontage and access to S. Eagle Road.

- *Section 8-6A-3E – Frontage for lots on a cul-de-sac turnaround shall be measured fifty (50') back from the front property line along an arc parallel to the right of way of the cul-de-sac. See section 8-1A-2, figure 11 of this title.*

The Board finds as evidenced on the preliminary plat (Exhibit #7) that there are no lots, which have frontage on a cul-de-sac turnaround.

- *Section 8-6A-3F – Frontage for lots on a knuckle shall be measured fifty feet (50') back from the front property line along the arc parallel to the right of way of the knuckle. See section 8-1A-2, figure 11 of this title.*

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The Board finds as evidenced on the preliminary plat (Exhibit #7) that there are no lots, which have frontage onto a knuckle.

- *Section 8-6A-4A – All lots shall have access that complies with the regulations of section 8-4A-3 of this title. The arrangement, character, extent, and location of all streets shall conform to the comprehensive plan or portions thereof, and shall be considered in their relation to existing and planned streets, topographic conditions, and in their appropriate relation to the proposed uses of the property to be served by such streets. All required public street improvements and additional design standards are subject to the jurisdiction of the Ada County Highway District.*

The Board finds that all residential lots in the subdivision have frontage and access onto S. Eagle Road, which is a public road.

- *Section 8-6A-4B – Where a subdivision borders a railroad right of way or limited access highway right of way, a street approximately parallel to such right of way, at a distance suitable for appropriate use of the intervening property may be required.*

The Board finds that the property does not border a railroad right-of-way or a limited access highway.

- *Section 8-6A-4C – Street layout shall be planned to facilitate future development of abutting areas and the entire neighborhood, and shall provide for adequate access to abutting lands.*

The Board finds that the subdivision is intended to be rural in nature and access to the lots will be from S. Eagle Road, which is a public road. The setback requirements for the Rural-Urban Transition (RUT) District along with roadway frontage could facilitate future development of the site and adjoining areas if so desired when the necessary infrastructure and services are available to support a denser development form.

- *Section 8-6A-5 – Alleys may be provided. If alleys are provided, alleys shall comply with ACHD standards and be public.*

The Board finds as evidenced on the preliminary plat (Exhibit #7) that there are no alleys proposed for this subdivision.

- *Section 8-6A-6A – There shall be easements provided for utilities, drainage, and irrigation abutting to all public street right of way and subdivision boundaries, and where considered necessary, centered on the interior property lines. Said easements shall have a minimum width of ten feet (10’).*

The Board finds as conditioned that the applicant will be required to provide 10-foot easements for utilities, drainage and irrigation abutting all public rights-of-way and subdivision boundaries.

- *Section 8-6A-6B – Where a subdivision is transversed by a watercourse, appropriate easements shall be provided.*

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The Board finds the northern boundary of the subdivision is the Farr Lateral. The preliminary plat (Exhibit #7) depicts a 40 foot wide easement for the Farr Lateral.

- *Section 8-6A-7A – There shall be a minimum structural setback of thirty feet (30') from the normal high water line of all watercourses, whether covered or uncovered. For open watercourses, normal high water line shall be as determined by a licensed surveyor or engineer.*

The Board finds as conditioned that there shall be a minimum structural setback of thirty feet (30') from the normal high water line of all watercourses, whether covered or uncovered.

- *Section 8-6A-7B – Only when required by the board shall watercourses within an urban district be covered or fenced.*
 1. *Proposed fences within the southwest planning area shall comply with the regulations of subsection 8-3C-3C of this title.*
 2. *Proposed fences in a designated flood hazard area shall comply with the regulations of chapter 3, article F of this title.*
 3. *Unless otherwise specified by this title, fences shall be a six foot (6') barrier that meets the barrier requirements for swimming pools in the Ada County building code as set forth in title 7, chapter 2 of this code.*

The Board finds that that northern boundary of the subdivision is transversed by a watercourse (Farr Lateral). If there are any fences along the Farr Lateral the fences shall be a six foot (6') barrier that meets the barrier requirements for swimming pools in the Ada County building code as set forth in title 7, chapter 2 of this code.

2. *The design complies with the required improvements established in article B of this chapter;*
 - *Section 8-6B-1 – The owner is responsible to complete the improvements required by this article and any additional improvements that may be required as a condition of approval.*

The Board finds as conditioned that the applicant and/or owner will be required to complete the improvements within two (2) years of the written decision if approved.

- *Section 8-6B-2 – The owner shall comply with the requirements of Idaho Code sections 50-1302, 50-1303, 54-1227, and 55-1608.*

The Board finds that the final plat will be required to be signed by the County Surveyor, indicating that it meets the requirements of Idaho State Code 50-1302, 50-1303, 54-1227, and 55-1608.

- *Section 8-6B-3A – Public streets shall be accepted by the Ada County Highway District.*

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The Board finds that the lots of the subdivision will take access and frontage from S. Eagle Road, which is an already existing public street.

- *Section 8-6B-3B – Approved private roads shall be completed in accord with the requirements of chapter 4, article D of this title.*

The Board finds that there are no proposed private roads associated with the subdivision.

- *Section 8-6B-3C – All new developments shall have adequate sewage facilities as provided for in section 8-4A-22 of this title or the plat shall have a sanitary restriction as approved by the appropriate health authority.*

The Board finds that the subdivision will be served by individual septic tanks. As conditioned, the Central District Health Department will need to approve the septic systems.

- *Section 8-6B-3D – Stormwater facilities and drainage improvements shall be constructed by the applicant or owner and approved by the county engineer.*

The Board finds as conditioned that the applicant will be required to submit drainage plans to the County Engineer for approval and that those improvements shall be completed, inspected and deemed approved by the County Engineer prior to approval of the final plat.

- *Section 8-6B-3E – Streetlights shall comply with the lighting regulations set forth in chapter 4, article H of this title.*

The Board finds that the developer is not required to install streetlights due to the rural nature of the development; therefore, **Section 8-6B-3E** is not applicable.

- *Section 8-6B-4 – In lieu of completion of the improvements listed in subsections 8-6B-3A, B, D, and E of this article, the owner may deposit a surety and surety agreement for completion of such improvements with the director on forms provided by the development services department and as specified in chapter 4, article K of this title.*

The Board finds that the owner may submit a surety agreement pursuant to **Article 8-4K of the Ada County Code**.

3. *If applicable, the proposed subdivision complies with the standards of an applicable overlay district as set forth in chapter 3 of this title;*

The Board finds that according to the Ada County Zoning Map that the property is not located in any overlay district.

4. *The design conforms to the topography and natural landscape features and shows consideration for the location and function of land uses and structures to achieve this purpose;*

The Board finds that the subdivision conforms to the topography and natural landscape features and shows consideration for the location and function of land uses

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and structures as the topography is relatively flat and the northern lot will contain the existing single-family dwelling and structures associated with the farmstead.

5. *The development would not cause undue damage, hazard, or nuisance to persons or property in the vicinity;*

The Board finds that there has not been any evidence submitted into the record indicating that the subdivision would cause undue damage, hazard, or nuisance to persons or property in the vicinity.

6. *An internal street system is designed for the efficient and safe flow of vehicles, bicycles and pedestrians without having a disruptive influence upon the activities and functions contained within the proposed subdivision, nor placing an undue burden upon the existing transportation and other public services in the surrounding area;*

The Board finds that the proposed lots in the subdivision will have frontage and access off of an existing road (S. Eagle Road).

7. *Community facilities such as parks, recreational, and dedicated open space areas are functionally related to all dwelling units and are easily accessible via pedestrian and/or bicycle pathways;*

The Board finds due to the larger size lots (5.0 acre +) in the subdivision that there is not a need for community facilities such as parks, recreational, and dedicated open space areas in the subdivision because the lots are large enough for the property owners to pursue and enjoy recreational activities.

8. *The proposal complies with the dimension standards set forth in this title for the applicable zoning district;*

The Board finds that the proposed subdivision complies with the dimensional standards for the Rural-Urban Transition (RUT) District as the residential lots meet or exceed the minimum lot size of 5.0 acres and the minimum roadway frontage of 250 feet.

9. *The overall plan is in conformance with the applicable comprehensive plan(s), future acquisition maps, area of city impact ordinances including applicable subdivision regulations, and other pertinent ordinances; and*

The Board finds as stated in Finding H1 that the overall plan is in conformance with the Meridian Comprehensive Plan as adopted by Ada County. The overall plan is also in conformance with the Meridian Area of City Impact Agreement as this land use application was forwarded to the City of Meridian for comment at least 30 days prior to the public hearing before the Ada County Planning and Zoning Commission and the Board of Ada County Commissioners. The subject property is not contiguous to Meridian city limits, and thus a request to annex to Meridian is not required.

10. *In addition to the findings required above, the board shall make the following findings for preliminary plats located in a PC base district;*

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- a. *The preliminary plat is in conformance with the approved planned community implementation plan.*
- b. *Urban public services and urban public facilities are adequately provided according to the standards set forth in chapter 8 of this title, including the transition plan, if any; and*
- c. *Sufficient funds will be available to construct the urban public facilities and to provide urban public services.*

The Board finds the preliminary plat is not located in a PC base district.

- 3. The Board finds **Section 9-4-3 of the Ada County Code** is applicable because the proposed subdivision is located within Meridian’s Area of City Impact. The Board finds that the application complies with **Section 9-4-3 of the Ada County Code**. Regarding Section 9-4-3 the Board finds the following:

- A. *The Meridian comprehensive plan, adopted by Meridian on August 6, 2002 by resolution 02-382 and as updated on April 8, 2003, by resolution 03-401, on December 14, 2004, by resolution 04-454, on March 14, 2006, by resolution 06-505, on December 18, 2007, by resolution 07-591, and on March 4, 2008, by resolutions 08-598, 08-559, and 08-0600, shall apply to the Meridian area of city impact.*

The Board finds as evidenced in the record that the subject property is located within Meridian’s Area of City Impact and as such the Meridian Comprehensive Plan as adopted by Ada County Code is the applicable comprehensive plan. This application has been evaluated to the adopted comprehensive plan as evidenced in Finding H1.

- B. *All subdivision plats, situated within the area of impact, shall be submitted to the city of Meridian for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.*

The Board finds as evidenced in the record that the proposed subdivision plat was submitted to the City of Meridian as part of the transmittal process on January 21, 2014 and March 19, 2014.

- C. *All subdivision plat applications in the urban service planning area for land zoned RUT (rural-urban transition) shall require a street and utility easement plan. Said plan shall provide for future resubdivision to urban densities and shall be included on the final plat. The requirement may be waived if a letter of waiver is submitted to the director from the Meridian council prior to preliminary plat approval by the board.*

The Board finds as evidenced in Exhibit #26 that the City is not requiring a street and utility easement plan that provides for future subdivision to urban densities.

- D. *A condition of approval for all subdivision plats in the urban service planning area for land zoned RUT (rural-urban transition) shall require that, prior to occupancy of the subdivision’s first dwelling unit, dry line sewer and water lines shall be installed to accommodate the future resubdivision to urban densities. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian city council prior to preliminary plat approval by the board.*

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The Board finds as evidenced by Exhibit #26 that the City has determined that the installation of dry lines is not necessary.

- E. *Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.*

The Board finds that Title 8 of this code has been used to implement this chapter. As evidenced in Finding H2 this application complies with the provisions of this chapter.

- F. *The Meridian comprehensive plan shall apply to the property described in Ada County ordinance 508. The land use designation of the adjacent property shall apply to the area described in Ada County ordinance 508.*

The Board finds as evidenced in the record that the subject property is located within Meridian's Area of City Impact and as such the Meridian Comprehensive Plan as adopted by Ada County Code is the applicable comprehensive plan.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact they are incorporated into the Findings of Fact section.

1. The Board concludes that Project No. 201400069 S complies with the Meridian Comprehensive Plan as adopted by Ada County.
2. The Board concludes that Project No. 201400069 S complies with Section 8-6-5 of the Ada County Code.
3. The Board concludes that Project No. 201400069 S complies with Section 9-4-3 of the Ada County Code.

ORDER

Based upon the Findings of Fact and Conclusions of Law contained herein, the Board approves Project #201400069 S, subject to the Conditions of Approval attached as Exhibit A and the Preliminary Plat dated November 21, 2013.

DATED this _____ day of _____, 20____.

Board of Ada County Commissioners

By: David L Case, Chairman

By: Rick Yzaguirre, Commissioner

By: Jim Tibbs, Commissioner

ATTEST:

Christopher D. Rich, Ada County Clerk

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Project #201400069 S
SLN Planning, Inc.
Mikal Black

EXHIBIT A

CONDITIONS OF APPROVAL

REQUIRED ACTIONS. THE FOLLOWING LIST DETAILS THE TASKS (IN ORDER) THAT THE APPLICANT AND/OR OWNER MUST COMPLETE BEFORE THE APPROVAL OF PROJECT #201400069 S WILL BE CONSIDERED FINAL. PLEASE NOTE THAT YOU HAVE UNTIL TWO YEARS OF THE WRITTEN DECISION TO COMPLETE THESE TASKS AND SUBMIT A FINAL PLAT UNLESS A TIME EXTENSION IS GRANTED. SEE SECTION 8-7-6 OF THE ADA COUNTY CODE FOR INFORMATION ON TIME EXTENSIONS.

1. The applicant and/or owner shall obtain written approval of the plat from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written/stamped upon a copy of the approved plat. All site improvements are prohibited prior to approval of these agencies.
 - a) Central District Health must approve the septic permit.
 - b) The Kuna Fire District must approve all fire flow requirements and/or building plans.
 - c) The Boise-Kuna Irrigation District, and/or the New York Irrigation District, and/or Boise Project Board of Control must approve all proposed modifications to the existing irrigation system.
 - d) The County Engineer must approve a surface drainage run-off plan. The plan shall contain all proposed site grading. Please contact the County Engineer at 287-7900 for fee and application information. See Section 8-4A-11 of the Ada County Code for drainage plan standards.
2. As required by the Board, the plat shall be modified to include the following items:
 - a) Ten (10) foot easements shall be depicted for utilities, drainage, and irrigation abutting all public right-of-ways and subdivision boundaries.
3. The final plat shall be meet the final plat specifications listed in Section 8-6-4.3 of the Ada County Code.
4. Before you submit the final plat for approval, the Ada County Street Name Committee must approve all street subdivision names. See Title 2, Chapter 1 of the Ada County Code.
5. Any adjustments to the preliminary plat must conform to the design standards in Title 8, Chapter 6, Article A of the Ada County Code.
6. Prior to approval by the Board of County Commissioners, the plat shall contain the following certificates and/or endorsements:
 - a) certificate of the owner(s),

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EXHIBIT A

- b) certificate of the plat surveyor,
 - c) certificate of the County Surveyor;
 - d) endorsement of the Central District Health Department,
 - e) approval and acceptance of the Ada County Highway District.
7. The following statements shall appear on the face of the final plat:
- a) This development recognizes Idaho Code §22-4503, Right to Farm Act, which states: “No agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof.”
 - b) Any resubdivision of this plat shall comply with the applicable regulations in effect at the time of the resubdivision.
8. The Board of County Commissioners must approve the final plat within 24 months of the Board of County Commissioner’s approval of the preliminary plat. For subdivisions where the Board approved a phasing plan, the Board shall approve the phases in successive one-year intervals as required in Section 8-6-3 of the Ada County Code.
9. The owner shall complete all required site improvements in accordance with Section 8-6B-1 of the Ada County Code.
10. No building permits will be issued until the final plat is recorded through the County Recorder’s Office and parcel numbers have been issued by the County Assessor’s Office.
11. There shall be a minimum structural setback of thirty feet (30’) from the normal high water line of all watercourses, whether covered or uncovered.
12. Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site.
13. Prior to Board approval of the final plat, the Ada County Engineer shall approve all drainage improvements and site grading shall be completed. The County Engineer shall inspect and approve all drainage improvements, except where bonding is provided. As-built drawings, acceptable to the County Engineer in form and substance, shall be permitted prior to final inspection and approval of the drainage improvements.
14. Prior to final plat approval by the Board, all required improvements shall be completed. In lieu of completing the required improvements, the applicant and/or owner may deposit a surety with the Director and sign a surety agreement in accordance with the regulations

CONDITIONS OF APPROVAL

EXHIBIT A

for surety agreements set forth in Article 8-4K of the Ada County Code. All surety and surety agreements shall comply with Article 8-4K of the Ada County Code.

15. The property must be managed and maintained consistent with the standard regulations in Title 8, Chapter 4, Article A of the Ada County Code. Please note that this article contains specific regulations regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous material storage, and utilities.
16. If there are any fences along the Farr Lateral the fences shall be a six foot (6') barrier that meets the barrier requirements for swimming pools in the Ada County building code as set forth in title 7, chapter 2 of this code.

CONDITIONS OF APPROVAL

Project #201400069 S
SLN Planning, Inc.
Mikal Black