



TO: ADA COUNTY PLANNING & ZONING COMMISSION

HEARING DATE: March 13, 2014
STAFF MEMBERS: Megan Basham, AICP, Associate Planner
PROJECT NO.: 201400166 S-ZC-DA, Moonridge Subdivision No. 13
APPLICANT: Tall Timber Consulting, Dave Yorgason
OWNER: Moonridge Development LLC

INTRODUCTION

A request for a rezone from C1 to R12, a five (5) lot residential subdivision (3 residential, 2 common lots) and a development agreement for a 0.481-acre property at the southeast corner of West Lake Hazel Road and South Zither Avenue. This is a resubdivision of Lot 14, Block 1 of the Moonridge Subdivision No. 12. The property contains 0.481 acres and is located at 8801 West Lake Hazel Road, Boise, ID; Section 01, T. 2N, R. 1E.

EXECUTIVE SUMMARY

The applicant is proposing an infill residential subdivision with three (3) residential lots and two (2) common lots. This is a resubdivision and rezone of Lot 14, Block 1 of the Moonridge Subdivision No. 12. The lot was originally intended and zoned as a commercial lot but the developer states that there is currently little demand for commercial in the area due to the economic downturn and the long recovery for commercial; therefore, the developer is requesting a rezone from Neighborhood Commercial (C1) to High Density Residential (R12). The minimum lot size will be 5,800 square feet and the developer will build either duplexes or single-family dwellings on the property. The subdivision will have a density of 12.47 dwelling units per acre with duplexes (or alternatively 6.23 dwelling units per acre if single-family homes are built). The properties directly to the south are zoned R12 and are approximately 5,000 square feet in size. There is a commercial lot to the west across Zither Avenue.

The developer is providing two (2) common lots along the northern and southern property lines. There will be a 2251 square foot landscape buffer between West Lake Hazel Road and the northernmost residential lot. Pedestrian connectivity will be provided for by the existing sidewalks along West Lake Hazel Road and South Zither Avenue. The developer is also proposing a pedestrian path in the southern common lot that will connect the sidewalk along South Zither Avenue to the existing path in Moonridge Subdivision No. 1.

The applicant is not proposing any internal streets with this development as it is small infill lot and access is provided from South Zither Avenue. ACHD is not requiring any improvements to the streets but is requiring the developer to update the existing pedestrian ramps at the corner of West Lake Hazel Road and South Zither Avenue to meet ADA requirements.

The development will be connected to Boise sewer and United Water.

All written comments received to date are included as exhibits. The comments received have been from the affected agencies. No written comments from the surrounding neighbors have been received, thus far.

RECOMMENDATION

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Commission as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

The Commission should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application. Should the Commission make positive Findings of Fact and vote to recommend approval of File #201400166 S-ZC-DA, staff recommends that the approval of File #201400166 S-ZC-DA be subject to the Conditions of Approval listed in Exhibit A attached to the proposed Findings of Fact and Conclusions of Law and Order.

EXHIBIT LIST – FILE #201400166 S-ZC-DA

1. Pre-Application Notes dated October 17, 2013 – 3 pages
2. Master Application and Checklists submitted January 31, 2014 – 7 pages
3. Detailed Letter submitted January 31, 2014 – 2 pages
4. Vicinity Map – 1 page
5. Preliminary Plat and Lot Layout submitted January 31, 2014 – 2 pages
6. Previously approved Natural Features Analysis – 1 page
7. Moonridge Subdivision No. 12 Approved Preliminary Plat – 1 page
8. Moonridge Subdivision No. 13 Legal Description dated February 20, 2014 – 1 page
9. R12 Zoning District Boundary Legal Description dated February 20, 2014 – 1 page
10. Subdivision Name Reservation submitted January 31, 2014 – 1 page
11. Neighborhood Meeting Certification submitted January 31, 2014 – 3 pages
12. Moonridge Subdivision No. 12 CC&R's submitted January 31, 2014 – 17 pages
13. Submission and Hearing Date letter dated February 3, 2014 – 1 page
14. Ada County P&Z Transmittal dated February 3, 2014 – 2 pages
15. Memo from Ada County Building Department dated February 4, 2014 – 1 page
16. Memo from Boise City Public Works dated February 5, 2014 – 1 page
17. Memo from Central District Health Department dated February 6, 2014 – 1 page
18. Email from Jerry Hastings dated February 11, 2014 – 1 page
19. Radius Notice mailed February 13, 2014 – 4 pages
20. ACHD Staff Report dated February 20, 2014 – 3 pages
21. Memo from Ada County Engineer dated February 20, 2014 – 1 page
22. Legal Notice published February 25, 2014 – 1 page
23. Boise Planning and Zoning Comment received February 28, 2014 – 13 pages



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201300111 - PREAP - A

Status: Active

Date Received: 10/8/2013

Date Closed:

Meeting Date: 10/17/2013 Date Assigned: 10/8/2013

Project Description:

Would like to develop lot 14 block 1 Moonridge Sub No 12 into duplexes.

Applicant's Name:

YORGASON DAVE

No. of Lots/Units: 0 Total Acres: .481

Development Services Staff Assigned To Meeting:

Staff Name:	Attended Meeting?
BRENT DANIELSON	<input checked="" type="checkbox"/>

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

South of Lake Hazel Road and east of Maple Grove Road.

Parcel Info:

Parcel Num:	Street Address:	City/State/Zip:
R5793840010	8801 W LAKE HAZEL RD	Boise, ID 83709-0000

Zone Info:

Zone Type:	Zone:
Existing Zone	C1

Twtn / Rng / Sec Info:

Twtn:	Rng:	Sec:	Qtr:
2N	1E	1	

Overlay Areas Info:

Overlay Area:	Overlay Value:	Code Ref:	Comments:
Impact Area	Boise		
SouthWest	Yes	Article 8-3C	

Comp Plan:

Boise

Agencies To Contact:

Agency Name:

ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170

Comments:

CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517

Comments:

IDAHO POWER COMPANY - (208)-388-2699

Comments:

Contact Person:

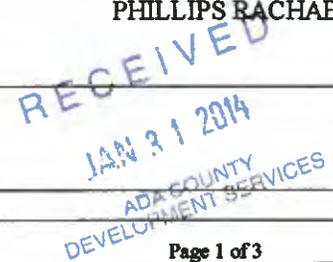
LITTLE CHRISTY

RENO MIKE

PHILLIPS RACHAEL

Proposed Allowed Uses:

Dwelling, single-family detached





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PREAPPLICATION CONFERENCE NOTES

Required Applications:

App Type:	Descriptive Name:
DA	DEVELOPMENT AGREEMENT
S	PRELIMINARY PLAT
ZC	ZONING ORDINANCE MAP AMENDMENT

Notes:

The property is currently zoned C1 and is within the Boise City Impact Area. The Boise Comprehensive Plan as currently adopted by Ada County designates the property as Planned Community, which allows for a mix of uses and densities. Duplexes are allowed in the R4, R6, R8, R12, and R20 base districts. A rezone to a residential base district would be required. You will want to discuss the rezone with the City to determine if they would support it. See Article 8-2B of the Ada County Code for information on Residential base districts.

The property would need to be served by municipal sewer and water. Boise Public Works is the sewer provider in the area and United Water is water provider.

Check with ACHD to discuss access off of Zither Avenue. Especially, just south of Lake Hazel. They may have certain spacing requirements from the intersection.

It appears there is a pedestrian pathway in Lot 7, Block 1 of Moonridge Phase 1. This should be extended to the street to complete the connectivity.

The applicable applications would include:
A zoning ordinance map amendment.
Preliminary Plat (Subdivision)
Development Agreement

A natural features analysis would not be required because one was approved in 04-11 S, Moonridge #12.

Public hearings before the Planning & Zoning Commission and the Board of Ada County Commissioners will be required.

The rezone requires a development agreement to be signed by the developer and the Board.

Prior the submission of the application, a neighborhood meeting is required. You may obtain the mailing labels from this office for a \$26.50 fee.

The applicant is required to post the property with the hearing information at least 10 days before the public hearing. A signed certification form is required to be submitted at least 7 days before the public hearing.

Applicable Codes:

- 8-2B: Residential Base Districts
- 8-6: Subdivision Regulations
- 8-7-3: Zoning Ordinance Amendments
- 8-7C: Development Agreements

MEETING NOTES:

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PREAPPLICATION CONFERENCE NOTES

The applicant gave two scenario proposals:

1. Four-plex
 2. Three detached single-family residences w/ 2 common lots.
-

Additional Preap Conference: Recommended

Neighborhood Meeting Required? Yes

Cross References:

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MASTER APPLICATION/PETITION REQUEST

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TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE*

TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY*
- PLANNED COMMUNITIES*
- SUBDIVISION, SKETCH PLAT*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

TYPE OF ADDENDA:

- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- *SUPPLEMENTAL WORKSHEET REQUIRED

SITE INFORMATION:

Section: 1 Township: 2N Range: 1E Total Acres: 481
 Subdivision Name: Moonridge Sub. NO 12 Lot: 14 Block: 1
 Site Address: 8801 W Lake Hazel Rd. City: Boise
 Tax Parcel Number(s): R5793840010
 Existing Zoning: C1 Proposed Zoning: R12 Area of City Impact: Boise Overlay
 District(s): ~~Southwest~~ Southwest

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OFFICE USE ONLY

Project #: <u>201400166-S-DA-ZC</u>	Planning Fees/GIS: <u>\$2378</u>	Engineering Fees: <u>\$110</u>
Received By: <u>DSP</u> Date: <u>1-31-14</u> Stamped <input checked="" type="checkbox"/>		

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PRELIMINARY PLAT CHECKLIST

A Subdivision request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
✓	Completed and signed Master Application	
-	Completed Supplemental Information	
	Associated Forms:	
✓	Zoning Ordinance Map Amendment (Re-zone)	
✓	Development Agreement	
	Sketch Plat	
	Zoning Text Amendment	
	Private Road	
	Vacation	
dy ✓	DETAILED LETTER by the applicant fully describing the request or project and address the following	✓
	Explain proposed use, and all uses associated with the request.	✓
	Any other supporting information.	
	NATURAL FEATURES ANALYSIS (ACC 8-4E-4D) must include the following	
	One electronic copy.	
	Important features such as existing structures, water courses, wetlands, power lines, telephone lines, railroad lines, Airport influence areas, existing easements, municipal boundaries, section lines, parks, schools and supplemental data as required.	
	HYDROLOGY. ACC 8-4E-4D1	
	SOILS ACC 8-4E-4D2	
	TOPOGRAPHY ACC 8-4E-4D3	
	VEGETATION ACC 8-4E-4D4	
	SENSITIVE PLANT AND WILDLIFE SPECIES ACC 8-4E-4D5	
	HISTORIC RESOURCES ACC 9-4E-4D6	
	HAZARDOUS AREAS ACC 8-4E-4D7	
	IMPACT ON NATURAL FEATURES ACC 8-4E-4D8	
	PHASING PLAN of proposed subdivision, if applicable, and timeline of phasing (One full size copy and one electronic copy)	
dy ✓	SUBDIVISION NAME APPROVAL from the County Engineer.	✓
	RESTRICTIVE COVENANTS , if proposed.	✓
raw ✓	IRRIGATION PLAN as required per Idaho Statute 31-3805. - p.o.i. how? -	✓
	OPEN SPACE MANAGEMENT PLAN .	
dy ✓	DEED (or evidence of proprietary interest)	✓
dy ✓	NEIGHBORHOOD MEETING CERTIFICATION	✓
dy ✓	PRE-APPLICATION CONFERENCE NOTES	✓
	SUPPLEMENTAL DATA required by County Engineer -	
ck ✓	PRELIMINARY PLAT SPECIFICATIONS ACC 8-6-4-2 Submit 1 electronic copy, 2 full size copies, and one reduced copy to 8 1/2" X11".	✓
ck ✓	METES AND BOUNDS LEGAL DESCRIPTION of the property to be subdivided including a Microsoft Word® electronic Word document.	✓
?	OVERLAY DISTRICT: May require a separate checklist or additional information for the following	

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	HILLSIDE DEVELOPMENT (ACC 8-3H) YES () NO ()	
	<i>Preliminary Grading Plan (ACC 8-3H-3B)</i>	
	<i>Slope Stabilization & Revegetation Plan & Report (ACC 8-3H-3C)</i>	
	Prepared and sealed by a licenced landscape design professional? YES () NO ()	
	<i>Engineering Hydrology Report (ACC 8-3H-3D)</i>	
	Prepared and sealed by a professional engineer registered in the State of Idaho? YES () NO ()	
	<i>Soils Engineering Report (ACC 8-3H-3E)</i>	
	Prepared and sealed by a professional engineer registered in the State of Idaho? YES () NO ()	
	<i>Engineering Geology Report (ACC 8-3H-3F)</i>	
	Prepared by a professional geologist or prepared and sealed by a professional engineer registered in the State of Idaho? YES () NO ()	
	<i>Visual Impact Report (ACC 8-3H-3G)</i>	
	Prepared by a licensed design professional? YES () NO ()	
	FLOOD HAZARD (ACC 8-3F)	
	Evacuation plan filed with the Ada City-County Emergency Management Office? YES () NO ()	
	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)	
	Fire hazard and emergency access roads evaluated and sealed by licensed fire professional engineer? YES () NO ()	
dy →	SOUTHWEST PLANNING AREA (ACC 8-3C)	
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)	
	BOISE RIVER GREENWAY (ACC 8-3G)	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)	
	PROPOSED STREET NAME	
	Must comply with ACC 2-1.	
	Contact Ada County Street Naming Specialist.	
	PLANNED COMMUNITIES:	
	Digital Version of Planned Community Subdivision.	
	Project Data Tables (see PC application manual)	
	Color keyed full sized copy of preliminary plat displaying land use districts.	
	Landscape Plan	
	Urban Public Services Discription	
	Open Space Description	
	Community Center and/or Recreation Center Description (if applicable)	
	Water Supply Verification	
	Urban Public Services Construction Verification	
	Urban Public Services Operation & Maintenance Verification	
	Transportation Plan (if applicable)	
	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County or go to www.adaweb.net for fees	

Supplementary information at the discretion of the Director or County Engineer may be required to sufficiently detail the proposed development within any special development area, including but not limited to hillside, planned unit development, floodplain, southwest, WUFI, Boise River Greenway, airport influence, and/or hazardous or unique areas of development.

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORM ARE SUBMITTED.

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SUPPLEMENTAL INFORMATION / PRELIMINARY PLAT

(to be completed by the applicant)

	DETAILED LETTER MUST INCLUDE:	
	Total number of dwellings:	
	Dwelling units per acre:	
	Zero lot line setbacks YES () IDENTIFY NO (<input checked="" type="checkbox"/>)	
	<input checked="" type="checkbox"/> Water Provider:	
	<input checked="" type="checkbox"/> Method of Sewage Disposal:	
	PRELIMINARY PLAT SPECIFICATIONS:	
	Scale of not more than 100' to the inch. (Or written approval from the director)	
	Limits extending 300' beyond the boundaries of the proposed development.	
	Subdivision boundary based on actual field survey, stamped by a licensed professional land surveyor.	
	Name of owner.	
	Name of person or firm responsible for the drawing.	
	Name of the proposed subdivision.	
	Date, graphic scale, true north arrow, vicinity map, section, township, and range.	
	Ties to all controlling corners.	
	Names of neighboring subdivisions, according to the Assessor's files.	
	Names and boundaries of owners of neighboring properties, according to the Assessor's files.	
	Name, location, width, direction of slope, centerline and right of way of all <i>existing</i> and <i>proposed</i> public streets and private roads.	
	Proposed off-site improvements pertaining to streets, water supply, sanitary sewer systems, storm water systems, fire protection facilities, and proposed utilities.	
	Street sections and pathway sections.	
	Lot layout with lot and block numbers, lot dimensions, and lot area in sq. ft.	
	Graphically depict the minimum setbacks. (describe in legend)	
	Areas of special interest labeled. (parks, schools, etc.)	
	Identify zero lot line properties.	
	Standard Subdivision: Table with number of lots and acreage for residential, commercial, industrial, Common (Landscape, utility, or other), Open Space lots and the total of all.	
	PLANNED UNIT DEVELOPMENT	
	Density bonus requested. YES () EXPLAIN NO ()	
	Commercial Uses. YES () LIST NO ()	
	Industrial Uses YES () LIST NO ()	
	Deviation of Dimensional Standards. YES () LIST NO ()	
	Dedicated open space shall abut any lots that have been reduced below the minimum property size and shall abut multi-family development.	
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS	
	What Airport Influence District is the property is located in?	
	WILDLAND-URBAN FIRE INTERFACE	
	All non-farm subdivisions shall provide fire flow as adopted by the fire authority. Submit a written statement approving such fire flow. YES () NO ()	
	FLOOD HAZARD	
	Flood zone.	
	Floodway YES () NO ()	
	Foothill or other hillside tributary floodways. YES () NO ()	

OK

OK

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ADA COUNTY DEVELOPMENT SERVICES

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ZONING ORDINANCE MAP AMENDMENT CHECKLIST (ACC 8-7-3)

Zoning Ordinance Map Amendment request require a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	One paper copy and one electronic copy of all required submittals.	
dy	Completed and signed Master Application	
dy	✓ DETAILED LETTER by the applicant fully describing the request or project and address the following:	✓
dy	Reason for request	
dy	Explain compliance with the appropriate Comprehensive Plan.	
dy	Existing Zoning:	
dy	Proposed Zoning:	
dy	Total acreage to be re-zoned:	
dy	✓ NEIGHBORHOOD MEETING CERTIFICATION	✓
dy	✓ PRE-APPLICATION CONFERENCE NOTES	✓
CK	✓ METES AND BOUNDS LEGAL DESCRIPTION of the property to be subdivided including a Microsoft Word® electronic Word document.	✓
dy	✓ DEVELOPMENT AGREEMENT CHECKLIST	✓
dy	✓ DEED or evidence of proprietary interest.	✓
dy	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
dy	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORM ARE SUBMITTED.

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EXHIBIT #2 7 OF 7
STAFF REPORT
201400166 S-ZC-DA, Moonridge Sub No. 13
Moonridge Development LLC



Providing Value That Stands Above The Rest

January 31, 2014

Ada County Development Services
200 W. Front Street
Boise, ID 83702

Re: Moonridge No. 13 Subdivision Project Narrative

To Whom It May Concern:

This letter is to inform the Ada County Development Services Department that Dave Yorgason with Tall Timber Consulting, LLC is an agent acting on behalf of the Moonridge Development, LLC that is requesting a zoning map amendment, a preliminary plat and development agreement approval for the Moonridge No.13 Subdivision. The following is a narrative to accompany the applications for this subdivision.

Moonridge Development, LLC was the original developers of the Moonridge subdivision. Lot 14 Block 1 in Moonridge Subdivision No. 12 was originally intended to be a neighborhood commercial site. Due to the market downturn and the continuing long recovery of the commercial market in this area, Moonridge Development, LLC is requesting to change the use of this site (Lot 14 Block 1 phase 12) to residential.

The site is approximately 0.48 acres and is located on the south-east corner of Lake Hazel Road and Zither Avenue. After discussing some different options of residential development for this site with the neighbors and considering current and future market conditions, we concluded the best alternative for this site is three (3) residential lots and the proposed zoning will be the same zone as the other units just south of this site. The property is currently zoned C-1 and it is our desire to have this property re-zoned to R-12. We are proposing to construct three (3) residential lots, and two (2) common lots. We are not requesting any modifications to the standards in this zone.

We have not determined if we will build these homes ourselves or sell the lots to a different builder. Though our plan is to have detached single family units on each lot, we want to maintain the flexibility to allow either single-family detached units or a duplex/townhome on each lot, as allowed in the R-12 zone. Nearly all the units to the south of this site on Zither Avenue are attached townhome units. Building either detached units or attached townhomes on our site would be compatible to the existing home sites.

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Page 1 of 2

EXHIBIT #3 1 OF 2
STAFF REPORT
201400166 S-ZC-DA, Moonridge Sub No. 13
Moonridge Development LLC

The comprehensive plan for this site is Planned Community or Compact Designation according to the City of Boise. As this site is in the City of Boise's Area of Impact, we discussed with the City's staff to identify their desired uses and density for this site. According to Boise City staff, the Compact Designation is defined as residential use with a density between 6 and 15 dwelling units per acre. If we construct one dwelling unit per lot, the total density for this site would be 6.25 du/acre (3 units / 0.48 acre = 6.25). If townhomes are built on each lot, as allowed according to the code, the total density for this site would be 12.5 du/acre (2 units per lot x 3 lots / 0.48 acres = 12.5). Both scenarios fit within the allowed density range for this site.

As Moonridge No. 13 is a redevelopment of a site within the existing Moonridge Subdivision, we will install two common lots, and both lots are an extension of existing common lots from the east in Moonridge. The northern common lot will provide a landscape buffer along Lake Hazel Road. The southern common lot will include a pathway so that the existing pathway will be extended as previously planned. All common areas will be owned and maintained by the existing Moonridge Neighborhood Association.

Each lot in this development is proposed to be served by irrigation from the New York Irrigation District and/or Boise Project Board of Control. We will provide separate services to each lot from the existing pressure irrigation lines that run along the east side of this site. The building lots will receive domestic water from United Water from an existing line in the street fronting this site. Sewer service will come from the City of Boise from an existing sewer line in the street. Since no additional streets will be installed in this development and based on conversations with the staff at the Ada County Highway District, the existing storm drainage facilities currently owned and maintained by the Ada County Highway District are adequate.

The CC&Rs for Moonridge No. 13 will be similar to those in Moonridge No. 12. For your reference, the recording instrument number for the Moonridge No. 12 CC&Rs is 105073864. The plan is to develop the Moonridge No. 13 Subdivision in one phase.

As this site was previously approved by Ada County under the Moonridge Subdivision, this Moonridge No.13 application is not required to do an additional natural features analysis or an open space management plan. Additionally, this site is in the Southwest Planning overlay district, however, as this site is a part of the previously approved Moonridge Subdivision, it is determined that this site already complies with this overlay district and additional analysis is not required.

We are pleased to bring these applications for a Zoning Ordinance Map Amendment, Preliminary Plat and Development Agreement for Moonridge No. 13 Subdivision to Ada County for consideration and approval.

If there are any questions, please do not hesitate to contact me.

Thank you,



Dave Yorgason, President
Tall Timber Consulting, LLC

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8801 Lake Hazel



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

0 200 400 ft.

Map datum: 43° 32' 43.4" N, 116° 45' 30.9" W



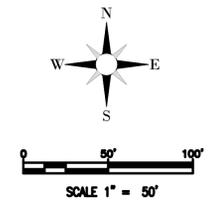
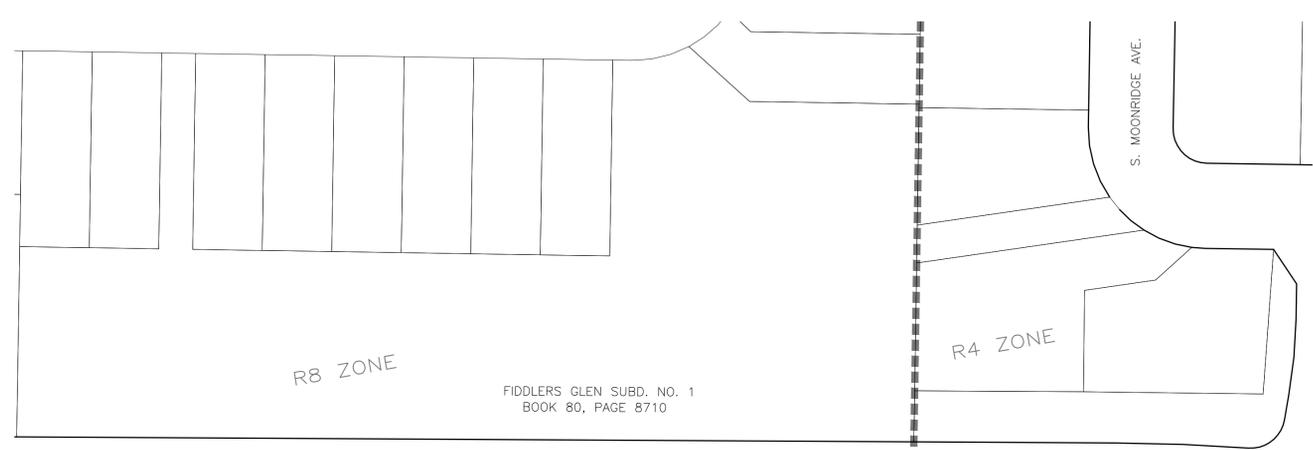
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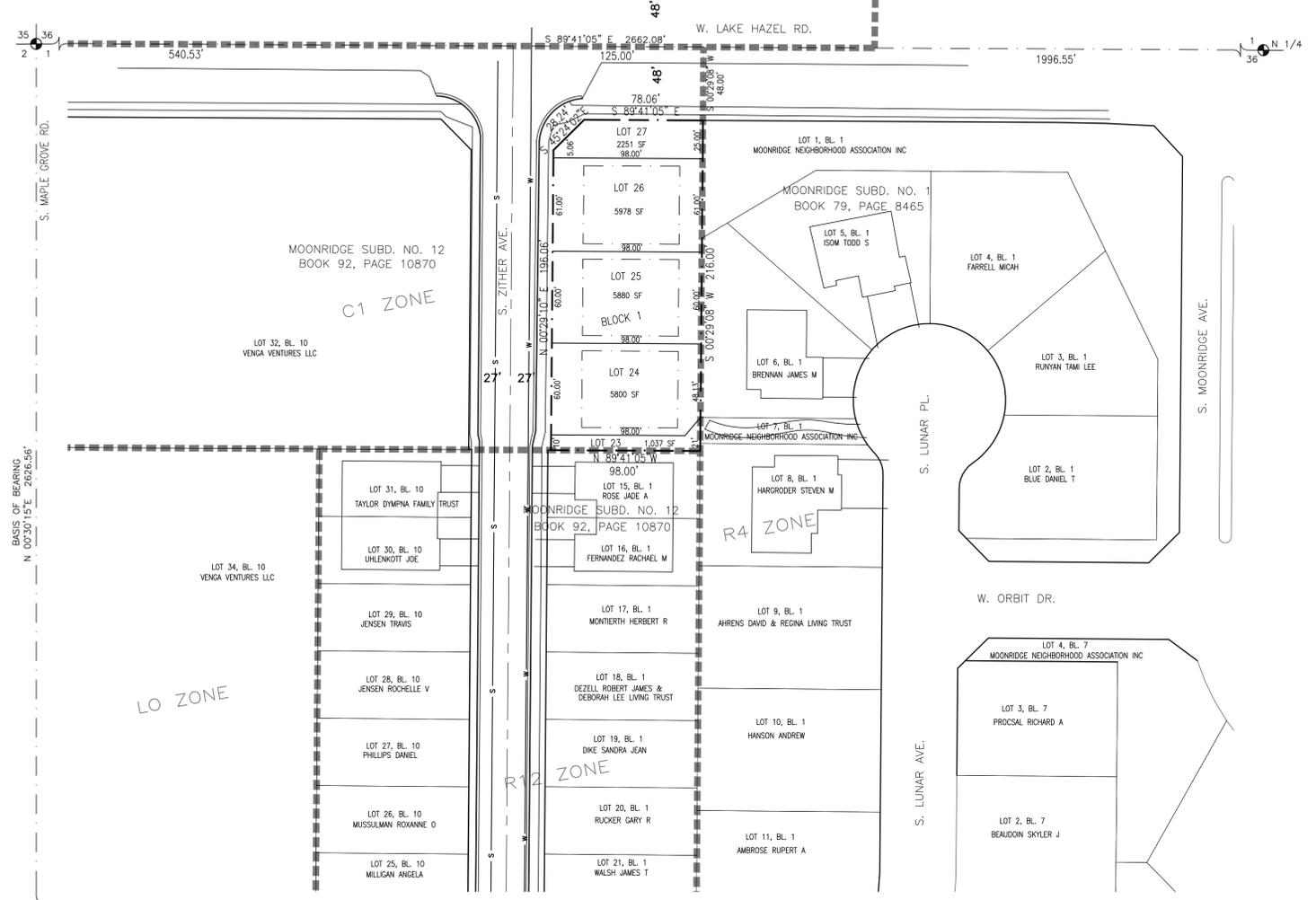
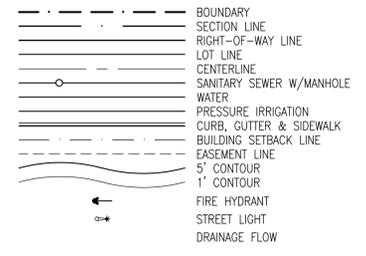
Scale: 1:3,586

- Legend**
- Major Streets
 - Minor Arterial
 - Collector
 - SECTION
 - PRINCIPAL Arterial
 - INTERSTATE
 - Other
 - Minor Streets
 - LOCAL
 - PARKS
 - PRIVATE
 - RESIDENTIAL
 - Other
 - Street Names (minor)
 - Parcels
 - Sections
 - Ada-002010
 - Parks
 - City Limits
 - Kuna
 - Boise
 - Garden City
 - Eagle
 - Star
 - Meridian



VICINITY MAP
1"=500'

LEGEND



PRELIMINARY DEVELOPMENT FEATURES

TOTAL SITE AREA:	0.481 ACRES
RESIDENTIAL LOTS:	3 0.406 ACRES
COMMON/OPEN SPACE LOTS:	2 0.075 ACRES
ARTERIAL STREET BUFFER (1):	0.0517 ACRES
PATHWAY/UTILITY (1):	0.0238 ACRES
% COMMON/OPEN SPACE:	15.73%
DENSITY:	6.25 DU/ACRE
EXISTING ZONING:	C1
PROPOSED ZONING:	R12
MINIMUM LOT SIZE:	5,000 SF
MINIMUM PROPOSED LOT SIZE:	5,800 SF
R12 BUILDING SETBACKS:	
FRONT:	20'
REAR:	15'
INTERIOR SIDE:	5'
STREET SIDE:	20'

PROPERTY ADDRESS:
8801 W. LAKE HAZEL RD.

NOTES

- BOISE CITY SEWER AND UNITED WATER SERVICE SHALL BE EXTENDED TO ALL LOTS FROM EXISTING MAINS IN S. ZITHER AVE.
- NO PART OF THIS DEVELOPMENT FALLS WITHIN THE FEMA 100 YEAR FLOOD HAZARD ZONE. REFERENCE FIRM PANEL 16001C0270 H, DATED FEBRUARY 19, 2003.
- ALL LOT SHALL HAVE A PERMANENT EASEMENT FOR PUBLIC UTILITIES, BOISE CITY STREET LIGHTS, IRRIGATION AND LOT DRAINAGE OVER THE 10 (TEN) FEET ADJACENT TO ANY PUBLIC STREET OR SUBDIVISION BOUNDARY. THERE SHALL BE A 5 (FIVE) FOOT PUBLIC UTILITY, IRRIGATION AND LOT DRAINAGE EASEMENT ADJACENT TO ANY LOT LINE NOT ADJACENT TO A PUBLIC STREET.
- LOT 23, BLOCK 1 IS COVERED BY AN EXISTING PUBLIC UTILITIES AND IRRIGATION EASEMENT.
- THE DEVELOPER SHALL PROVIDE IRRIGATION WATER TO EACH LOT FROM THE EXISTING PRESSURE IRRIGATION SYSTEM IN MOONRIDGE SUBDIVISION NO. 1. ALL LOTS IN THIS SUBDIVISION WILL BE SUBJECT TO ASSESSMENTS OF THE NEW YORK IRRIGATION DISTRICT.
- STORM DRAINAGE SHALL BE ROUTED TO THE EXISTING SYSTEM APPROVED AND CONSTRUCTED FOR MOONRIDGE SUBDIVISION NO. 12.
- LOTS 23 & 27, BLOCK 1 ARE COMMON LOTS TO BE OWNED AND MAINTAINED BY THE MOONRIDGE HOMEOWNER'S ASSOCIATION OR ITS ASSIGNS.
- THIS DEVELOPMENT FALLS WITHIN THE SOUTHWEST PLANNING AREA.

REVISIONS:

PLANNER:
TALL TIMBER CONSULTING
14254 W. BATTENBERG DRIVE
BOISE, ID 83713
208-850-1070

OWNER/DEVELOPER:
MOONRIDGE DEVELOPMENT LLC
2025 E. CHATEAU DR.
MERIDIAN, ID 83642

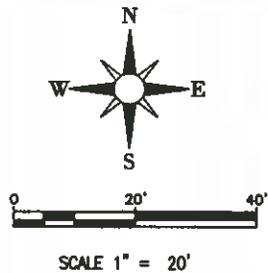
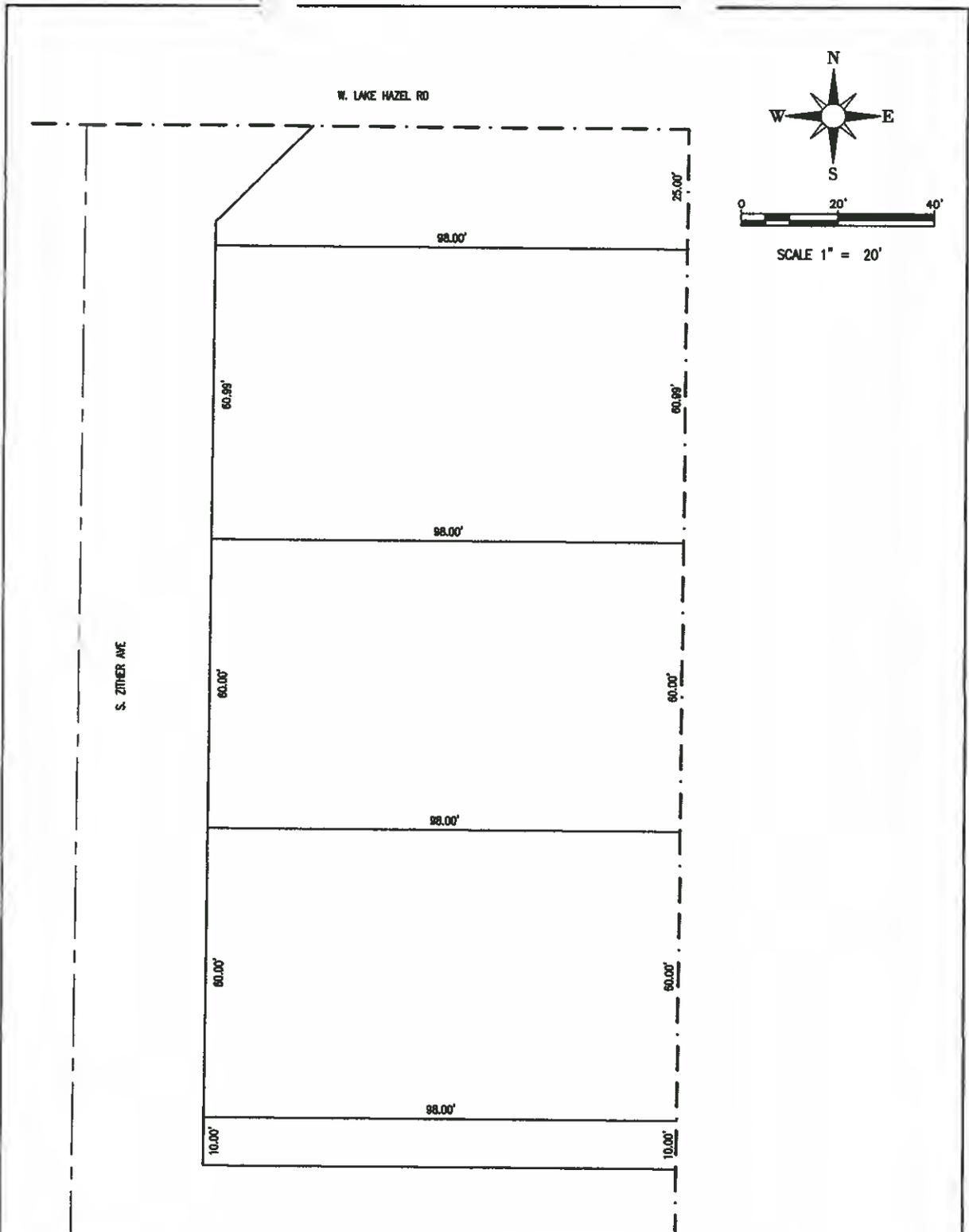
MOONRIDGE SUBDIVISION NO. 13
A RESUBDIVISION OF LOT 14, BLOCK 1,
MOONRIDGE SUBDIVISION NO. 12
LOCATED IN GOVT. LOT 4 OF SECTION 1,
T.2N., R.1E., B.M., ADA COUNTY, IDAHO

CK ENGINEERING
860 HEADWATERS DR.
EAGLE, ID 83616
PHONE 208-869-0590

DRAWN BY: BRB
CHECKED BY: CSK
DATE: 04/17/24
FILE: MOONRIDGE ID P-PLANNING
DR: P



SHEET



RECEIVED
 JAN 31 2014
 ADA COUNTY
 DEVELOPMENT SERVICES



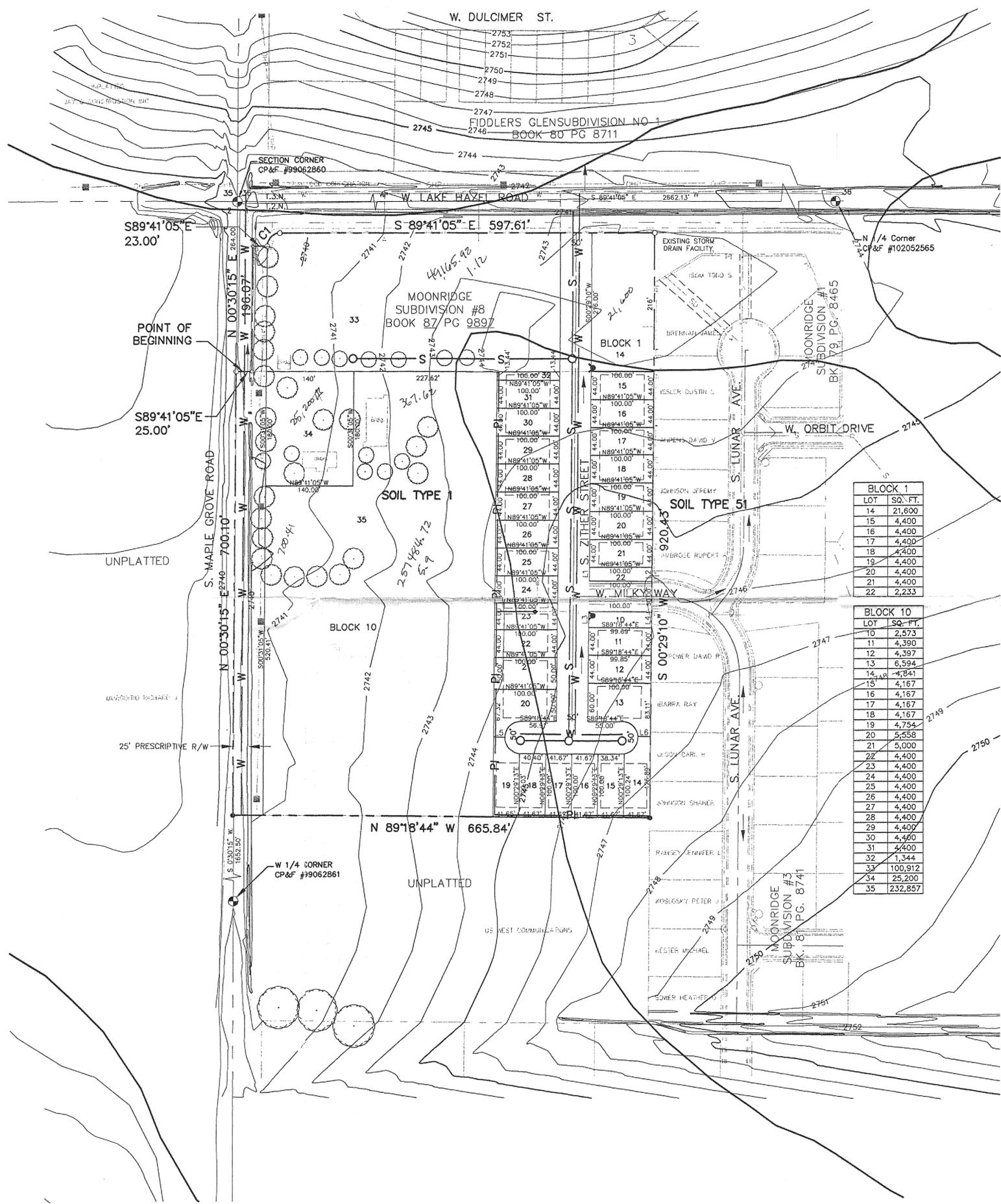
MOONRIDGE SUB #12,
 LOT 14 BLK 1,
 RESIDENTIAL LAYOUT 1

REVISIONS:

DRAWN BY: CSK
 CHECKED BY: CSK
 DATE: 10/10/13
 FILE: APLEX LAYOUT 1.DWG
 DIR: P:\MOONRIDGE SUBDIVISIONS\LOT 14.BLA1

CK ENGINEERING
 860 HEADWATERS DR.

EXHIBIT #5 2 OF 2
 STAFF REPORT
 201400166 S-ZC-DA, Moonridge Sub No. 13
 Moonridge Development LLC



HYDROLOGY
NO STREAMS
NO NATURAL DRAINAGE SWALES
NO PONDS OR LAKES
NO WETLANDS
NO FLOOD PLAINS
NO POORLY DRAINED AREAS
NO PERMANENT OR SEASONAL HIGH GROUNDWATER
NO GROUNDWATER WAS ENCOUNTERED IN THE TEST PITS, WHICH EXTENDED TO THE BASALT ROCK SURFACE AT A DEPTH OF 4.5 TO 9.0 FEET BENEATH THE GROUND SURFACE IN MAY 2002.
THERE IS NO INDICATION OF GROUND WATER TO THE DEPTH EXCAVATED

GEOLOGY
NO SHALLOW BEDROCK AREAS
NO UNSTABLE ROCK FORMATIONS
NO LANDSLIDES
THE GENERAL SUBSURFACE PROFILE IN THE PROJECT AREA IS COMPRISED OF 0.5 TO 2.5 OF SILTY CLAY OVER VARIABLE CEMENTED SILT (HARDPAN). THE VARIABLY CEMENTED SILT EXTENDS TO A DEPTH OF 4.5 TO 6.0 FEET BELOW LAND SURFACE. BENEATH THE CEMENTED SILT IS WEATHERED BASALT AND BASALT ROCK (SEE PLANS). THE TOPOGRAPHY OF UPPER SURFACE OF THE BASALT IS HIGHLY IRREGULAR AND VARIED FROM 4.5 TO 9.0 FEET BELOW LAND SURFACE.

SOILS
PRIME AG SOILS - SHOWN
NO AQUIFER RECHARGE SOIL AREAS
NO UNSTABLE SOILS
ALL SOILS SUITABLE FOR DEVELOPMENT
THE SITE SOILS ARE GENERALLY CLASSIFIED INTO TWO AREAS ACCORDING TO THE "SOIL SURVEY OF ADA COUNTY", BY THE SOIL CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE AND ARE GENERALIZED AS FOLLOWS:

(#1) ABO SILT LOAM - TYPE IIw (IRRIGATED) - POTENTIAL GROUNDWATER IN THE 3'-5" RANGE.
(#51 -52) ELIJAH SILT LOAM - TYPE IIe AND TYPE IIs (IRRIGATED) - POSSIBLE SHALLOW HARDPAN.

THE APPROXIMATE SOIL TYPE BOUNDARIES ARE DELINEATED FROM THE SCS MAPS FOR REFERENCE ONLY.

TYPE II SOIL IS CONSIDERED "PRIME AGRICULTURAL" SOIL BY ADA COUNTY.

TOPOGRAPHY
THE MAXIMUM SLOPE FOR THE SITE IS LESS THAN 2%.

HAZARDOUS AREAS
NO FLOOD HAZARD AREAS
NO HIGH GROUND WATER
NO POORLY DRAINED AREAS
NO BURIED PIPELINES
THE SITE DESIGN MINIMIZES IMPACT ON THE NATURAL FEATURES OF THE SITE BY LOCATING ALL REQUIRED UTILITIES IN A LOGICAL & EFFICIENT MANNER THEREBY MINIMIZING GRADING

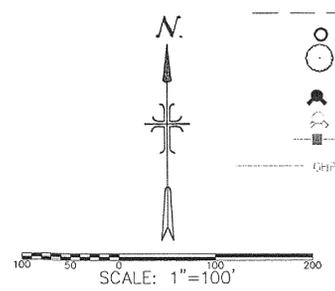
VEGETATION
THE PROPERTY IS CURRENTLY BEING UTILIZED FOR A RESIDENCE AND PASTURE. THERE IS NO SIGNIFICANT NATURAL VEGETATION ON SITE. EXISTING VEGETATION CONSISTS OF PASTURE GRASSES, ORNAMENTAL TREES AND SOD AS INDICATED ON THE DRAWING. ALL TREES INDICATED ON THIS DRAWING WILL BE MAINTAINED AS ALLOWED BY THE DESIGN.

HISTORIC RESOURCES
THE ADA COUNTY HISTORIC RESOURCES INVENTORY DOES NOT IDENTIFY ANY HISTORIC RESOURCES ON THIS SITE.

SENSITIVE PLANT AND WILDLIFE
THE IDAHO CONSERVATION DATA CENTER DOES NOT IDENTIFY ANY SENSITIVE PLANTS OR WILDLIFE ON THIS SITE.

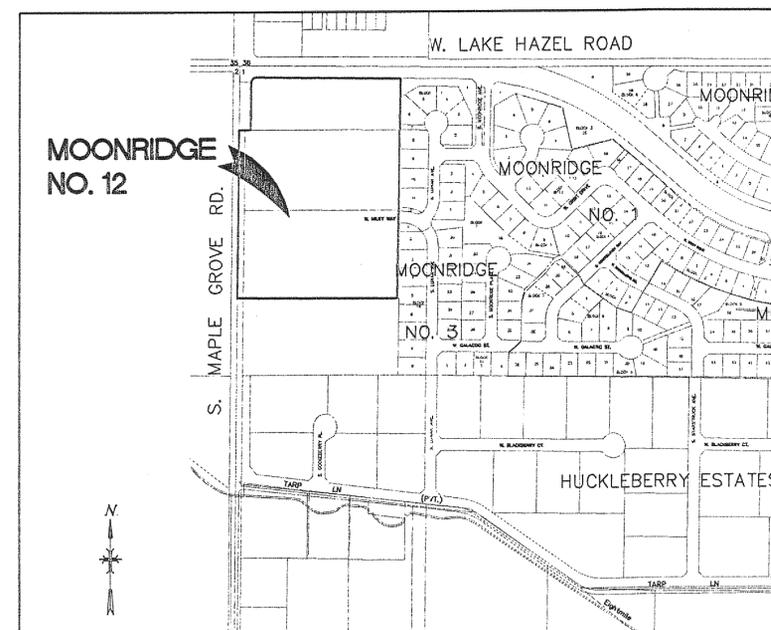
LEGEND

	Found Brass Ccp Monument
	Found 5/8" Iron Pin, PE/LS 3260 unless otherwise noted
	Found 1/2" Iron Pin, PE/LS 3260 unless otherwise noted
	Set 5/8"x 30" Iron Pin with Plastic Cap, PE/LS 3260
	Boundary Line
	Centerline of Public Street
	Lot Line
	Public Utilities, Irrigation, and Drainage easement dimensioned as shown.
	Proposed Water
	Proposed Sewer
	Existing Pressure Irrigation
	Existing Sewer
	Existing Water
	Building Setback
	Proposed Manhole
	Existing Tree
	Existing Tree
	Proposed Fire Hydrant
	Existing Fire Hydrant
	Power Pole
	Overhead Power Line



CERTIFICATE OF SURVEYOR
I, Ronald M. Hodge, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys,





VICINITY MAP
N.T.S.

NOTES

- Minimum building setback lines shall be in accordance with the zoning ordinances at the time of issuance of the building permit. All lot, parcel and tract sizes shall meet dimensional standard as established in the zoning ordinance.
- Any re-subdivision of this plat shall comply with the applicable regulations in effect at the time of the re-subdivision.
- All lot lines common to public right-of-ways, and exterior boundaries of Moonridge Subdivision No. 12 shall have a 10-foot wide permanent public utilities, lot drainage, and irrigation easement, unless otherwise dimensioned. However, this shall not preclude the construction of proper hard surfaced driveways for access to each individual lot.
- A 10-foot wide permanent public utilities, lot drainage and irrigation easement is designated to be centered on interior lot lines, unless dimensioned otherwise.
- The Owner shall comply with Idaho Code, Section 31-3805 pertaining to irrigation rights.
- All lot lines common to public rights-of-way have a 10-foot wide street light easement for the benefit of the City of Boise.
- This subdivision recognizes Section 22-4503 of the Idaho Code, Right-to-Farm Act which states: "No agricultural operation or appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or appurtenance to it."
- Refer to Record of Survey No. 5014 filed as Instrument No. 100044989 for additional survey information.
- Annexation to the City of Boise has been requested and the City of Boise may annex this subdivision at any time in the future.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED BY G.P.S., PROJECTED TO THE IDAHO WEST ZONE COORDINATE SYSTEM, NAD83 DATUM, REFERENCED TO ADA COUNTY H.A.R.N. DENSIFICATION SURVEY JUNE, 1997. ALL BEARINGS SHOWN ON GRID AZIMUTH. THE CONVERGENCE ANGLE -22°22'30" WAS CALCULATED AT THE NORTHWEST CORNER OF SECTION 1.

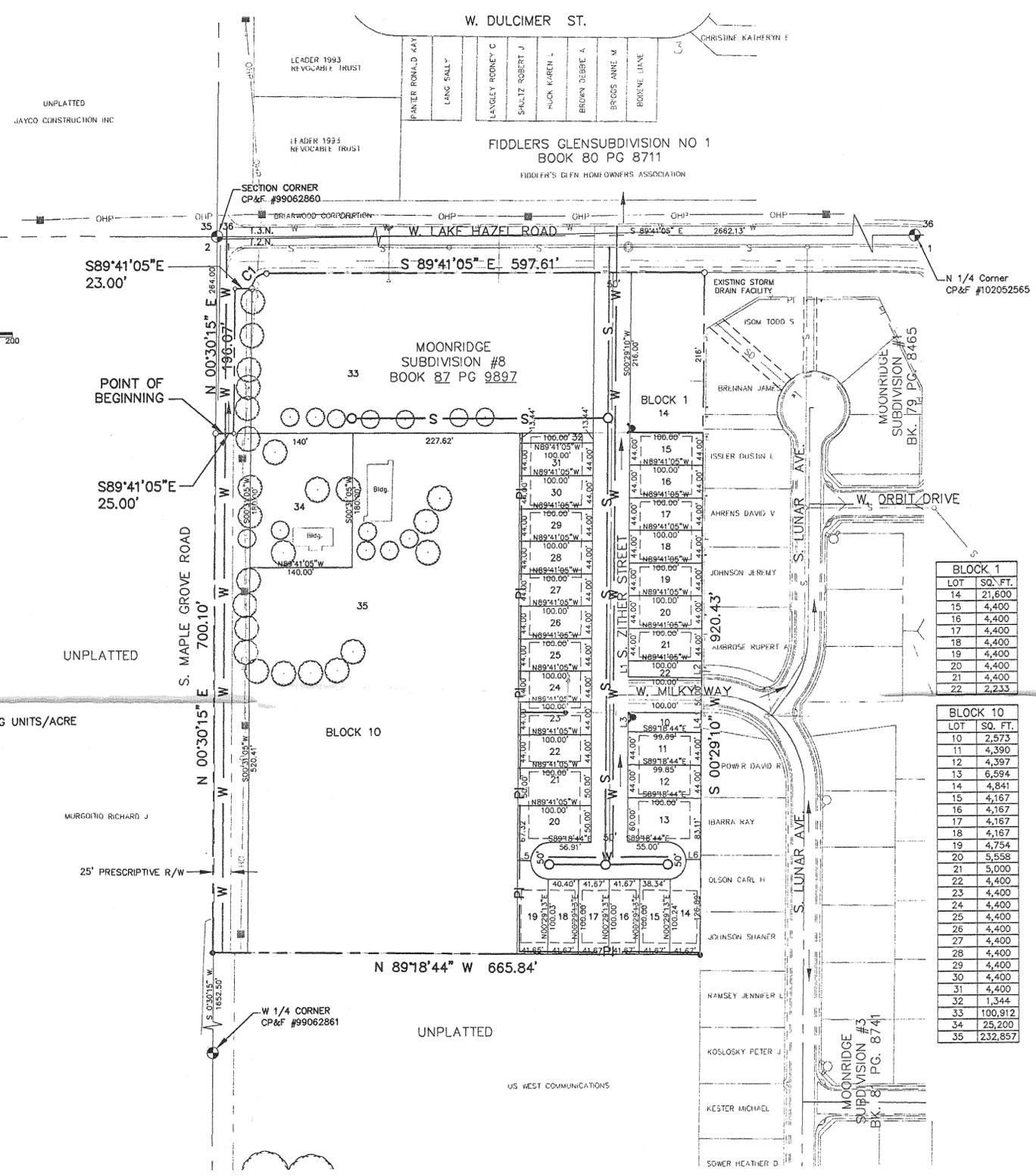
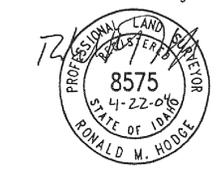
ALL DISTANCES SHOWN ARE AT GROUND.

LEGEND

- Brass Cap Monument
- Found 5/8" Iron Pin, PE/LS 3260 unless otherwise noted
- Found 1/2" Iron Pin, PE/LS 3260 unless otherwise noted
- Set 5/8"x 30" Iron Pin with Plastic Cap, PE/LS 3260
- Boundary Line
- Centerline of Public Street
- Lot Line
- Public Utilities, Irrigation, and Drainage easement dimensioned as shown.
- W Proposed Water
- PI Proposed Pressure Irrigation
- S Proposed Sewer
- PI Existing Pressure Irrigation
- S Existing Sewer
- W Existing Water
- Building Setback
- Proposed Manhole
- Existing Tree
- Proposed Fire Hydrant
- Existing Fire Hydrant
- Direction of Slope
- SD Existing Storm Drain
- OHP Overhead Power Line

CERTIFICATE OF SURVEYOR

I, Ronald M. Hodge, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys,



BLOCK 1

LOT	SQ. FT.
14	21,600
15	4,400
16	4,400
17	4,400
18	4,400
19	4,400
20	4,400
21	4,400
22	2,233

BLOCK 10

LOT	SQ. FT.
10	2,573
11	4,390
12	4,397
13	6,594
14	4,841
15	4,167
16	4,167
17	4,167
18	4,167
19	4,754
20	5,558
21	5,000
22	4,400
23	4,400
24	4,400
25	4,400
26	4,400
27	4,400
28	4,400
29	4,400
30	4,400
31	4,400
32	1,344
33	100,912
34	25,200
35	232,857

LINE TABLE

LINE	LENGTH	BEARING
L1	22.00'	N00°29'10"E
L2	22.65'	N00°29'10"E
L3	25.77'	N00°29'10"E
L4	25.77'	N00°29'10"E
L5	18.01'	N89°18'44"W
L6	20.07'	S89°18'44"E

CURVE TABLE

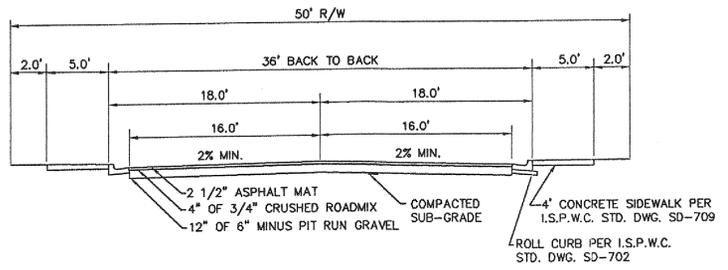
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	31.35	20.00	19.93	28.24	S45°24'35"W	89°48'40"

SITE DATA

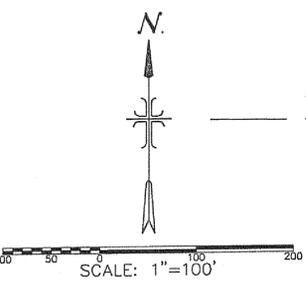
RESIDENTIAL LOTS: 28
AREA: 4.04 ac
MIN. AREA: 4,167 S.F.
MAX. AREA: 6,594 S.F.
AVERAGE AREA: 4,583 S.F.
GROSS DENSITY: 6.93 DWELLING UNITS/ACRE

COMMON LOTS: 3
COMMON LOT AREA: 4,806 S.F.

COMMERCIAL LOTS: 4
GROSS AREA: 9.15 ACRES



INTERIOR STREET - TYPICAL SECTION
50' RIGHT-OF-WAY



Legal Description
Moon Ridge Subdivision – Lot 14, Block 1

A parcel being Lot 14 of Block 1 of Moonridge Subdivision No. 12, as shown in Book 92 of Plats at Page 10870, records of Ada County, Idaho, and being further located in the Government Lot 4 of Section 1, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northwest corner of said Government Lot 4, from which a Brass Cap monument marking the southwest corner of the NW ¼ of said Section 1 bears S 0°30'15" E a distance of 2616.56 feet;

Thence S 89°41'05" E along the northerly boundary of said Government Lot 4 a distance of 665.53 feet to a point;

Thence leaving said northerly boundary S 0°29'08" W a distance of 48.00 feet to a 5/8 inch diameter iron pin marking the northeast corner of said Lot 14 and the **POINT OF BEGINNING**;

Thence S 0°29'08" W along the easterly boundary of said Lot 14 a distance of 216.00 feet to a 5/8 inch diameter iron pin marking the southeast corner of said Lot 14;

Thence N 89°41'05" W along the southerly boundary of said Lot 14 a distance of 98.00 feet to a 1/2 inch diameter iron pin marking the southwest corner of said Lot 14;

Thence N 0°29'10" E along the westerly boundary of said Lot 14 a distance of 196.06 feet to a 1/2 inch diameter iron pin;

Thence continuing along said westerly boundary N 45°24'02" E a distance of 28.24 feet to a 1/2 inch diameter iron pin marking the northwest corner of said Lot 14;

Thence S 89°41'05" E along the northerly boundary of said Lot 14 a distance of 78.06 feet to the **POINT OF BEGINNING**.

This parcel contains 20,969 square feet (0.48 acres) and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
Revised: February 20, 2014



RECEIVED

By Ada County Development Services at 12:49 pm, Feb 24, 2014

Legal Description

Moon Ridge Subdivision – Lot 14, Block 1 – Re-Zone

A parcel for Re-Zone purposes containing Lot 14 of Block 1 of Moonridge Subdivision No. 12, as shown in Book 92 of Plats at Page 10870, records of Ada County, Idaho, and portions of W. Lake Hazel Road and S. Zither Ave. right-of-way, being further located in the Government Lot 4 of Section 1, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northwest corner of said Government Lot 4, from which a Brass Cap monument marking the southwest corner of the NW ¼ of said Section 1 bears S 0°30'15" E a distance of 2616.56 feet;

Thence S 89°41'05" E along the northerly boundary of said Government Lot 4 a distance of 665.53 feet to the **POINT OF BEGINNING**;

Thence S 0°29'08" W along the easterly boundary of said Lot 14 and the prolongation thereof a distance of 264.00 feet to a 5/8 inch diameter iron pin marking the southeast corner of said Lot 14;

Thence N 89°41'05" W along the southerly boundary of said Lot 14 and the prolongation thereof a distance of 125.00 feet to a point on the centerline of S. Zither Ave.;

Thence N 0°29'10" E along said centerline a distance of 264.00 feet to a point on the northerly boundary of said Government Lot 4;

Thence S 89°41'05" E along said northerly boundary a distance of 125.00 feet to the **POINT OF BEGINNING**.

This parcel contains 33,000 square feet (0.76 acres) and is subject to any easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
February 20, 2014



Dave Yorgason

From: Jerry Hastings <jhastings@adaweb.net>
Sent: Thursday, December 12, 2013 4:37 PM
To: Dave Yorgason
Subject: RE: Moonridge sub

Hi Dave, hope you are staying where it is warm. The next phase would be fine, just call it Moonridge Sub No 13, a replat of Lot 14 Block 1 of Moonridge Sub No 12. That will work. Who do anticipate will be preparing the plat? Hope you have a very Merry Christmas. Thanks, Jerry.

Jerry Hastings, P.L.S.
County Surveyor
Ada County, Idaho
208-287-7912
208-287-7909 Fax
jhastings@adaweb.net

From: Dave Yorgason [<mailto:dyorgason6@gmail.com>]
Sent: Wednesday, December 11, 2013 2:57 PM
To: Jerry Hastings
Cc: 'Dave Yorgason'
Subject: Moonridge sub

Hi Jerry,

Hope all is well with you. I am working with someone to re-subdivide a lot in Moonridge Sub located near Lake Hazel and Maple Grove. We are re-subdividing Lot 14 Block 1 Moonridge Phase 12. With that, the owner is the same as the original owner of Moonridge (Moonridge Development, LLC).

Per County Development Services, this will be a new pre-plat, so I'm thinking I need a name for the plat. This will be 3 residential lots. So do I name this new plat "Moonridge Subdivision No. 13" (though could be an unlucky number). Or I could call it a little something else – like "Moonridge 3 Lots Sub".

What do you recommend / What can you approve?

Thanks,
Dave Yorgason
850-1070

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JAN 31 2014
ADA COUNTY
DEVELOPMENT SERVICES

Neighborhood Meeting Certification

ADA COUNTY DEVELOPMENT SERVICES, 200 W. Front Street, Boise, Idaho 83702

www.adaweb.net (208) 287-7900

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Ada County Code or ask one of our planners for more information on neighborhood meetings.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes all involved Neighborhood Associations and property owners within **300, 1,000, or 2,640 feet** of the subject property boundary need to be invited to your meeting. See ACC 8-7A-5C (1) & (2) for uses and districts requiring the 1000' or 2,640' notification.

Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Description of proposed project: 3 residential building lots in R-12 zone

Date and time of neighborhood meeting: November 21, 2013 7:00PM

Location of neighborhood meeting: Risen Christ Community Church Room #2
11511 Lake Hazel Rd, Boise

SITE INFORMATION:

Location: Quarter: NW Section: 1 Township: 2N Range: 1E Total Acres: .481

Subdivision Name: Moonridge Sub. No 12 Lot: 14 Block: 1

Site Address: 9801 W Lake Hazel Rd.
Boise, ID 83709

Tax Parcel Number(s): R5793840010

APPLICANT:

Name: Dave Yorgason w/ Tall Timber Consulting

Address: 14254 W Bottenberg Drive

City: Boise State: ID Zip: 83713

Telephone: (208) 850-1070 Fax: (208) 331-6765

Email: dyorgason6@gmail.com

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 8-7A-3 of the Ada County Code.

Dave Yorgason
Signature: (Applicant)

1-15-2014
Date

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JAN 31 2014
ADA COUNTY
DEVELOPMENT SERVICES

OFFICE USE ONLY			
File No.:	Received By:	Date:	Stamped:

8/4/11

EXHIBIT #11 1 OF 3
STAFF REPORT
201400166 S-ZC-DA, Moonridge Sub No. 13
Moonridge Development LLC

November 12, 2013

Re: Neighborhood Meeting request for proposed subdivision by Moonridge Development, LLC.

Dear neighbor,

We invite you to attend a neighborhood meeting to discuss an application to re-zone the site located at 8801 W. Lake Hazel Road, (also known as Moonridge Sub No. 12, Lot 14 Block 1). The site is located on the southeast corner of Zither Avenue and Lake Hazel Road, Boise, Idaho (see map on back of this notice). The site is current zoned for a commercial use. The applicant is Moonridge Development, LLC and the application will change the allowed use to residential and will include a re-zone to the R-12 zone, which is the same zone as the properties to the south of this site. They are considering building either two 4-plex units or 3 or 4 single family homes.

The neighborhood meeting will be held at the Risen Christ Community Church, Room #2, at 11511 Lake Hazel Road, Boise, Idaho on November 21, 2013 at 7:00 pm. The meeting location is approximately 1.5 miles west of this site between Five Mile and Cloverdale Roads.

The purpose of this meeting is to review the proposed project and give the surrounding neighbors an opportunity to ask questions and express their concerns or support.

If you are unable to attend and would like additional information, or if you have any additional questions, I can be reached at: dyorgason6@gmail.com or 208-850-1070.

We hope you are able to attend.

Sincerely,



Dave Yorgason, applicant's representative
Tall Timber Consulting, LLC

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JAN 31 2014
ADA COUNTY
DEVELOPMENT SERVICES

Neighborhood Meeting sign-in sheet - Moonridge No. 12 Lot 14 Block 1 from Commercial to Residential
 Re-zone, Preliminary Plat and Development Agreement
Date: Nov 21, 2013 **Time:** 7:00 **Location:** River Christ Community Church - 11511 Lake Hazel, Boise

Printed Name	Date/Time	Address	Phone Number
1. Dave Yorgeson	11/21 7pm	14254 W. Battersburg Boise	850-1070
2. DAVID SLETTEN	11/21 7pm	6486 S. Constellation Blvd	866-3640
3. Steve Hargroder	11/21 7PM	6277 S. Lunar Ave	562-1462
4. Dave Turner	11/21 7	5450 W. Coeur D'Al	362-6152
5. Jade Rose	11/21/13	6294 S. Zither Ave	208-801-9330
6. Symona Taylor	11/21/13	6295 S. ZITHER AVE	208-362-2760
7.			
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 JAN 31 2014
 ADA COUNTY
 DEVELOPMENT SERVICES



DECLARATION OF ANNEXATION OF

**LOTS 15 thru 22, BLOCK 1;
and
LOTS 10 thru 31, Block 10**

MOONRIDGE SUBDIVISION NO. 12

**TO THAT DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
MOONRIDGE SUBDIVISION**

This Declaration of Annexation of **LOTS 15 thru 22, BLOCK 1; and LOTS 10 thru 31, Block 10, Moonridge Subdivision No. 12** is made effective by Moonridge Development, LLC, an Idaho Limited Liability Company (hereinafter collectively "Grantor" or "Declarant") whose address is c/o Daniel A. Wood, 2025 E. Chateau Street, Meridian, Idaho 83642. This Declaration only effects those Lots enumerated above in Moonridge Subdivision No. 12.

ARTICLE 1 ANNEXATION

1.1 PROPERTY AFFECTED AND ANNEXED BY THIS DECLARATION: PROPERTY EXCLUDED FROM THIS DECLARATION: USE OF EXCLUDED PROPERTY. This Annexation Declaration affects only **LOTS 15 thru 22, BLOCK 1; and LOTS 10 thru 31, Block 10, Moonridge Subdivision No. 12**. These Lots may be referred to herein as the "Annexed Lots". These annexed Lots are all for single family residential structures as set out in this Declaration.

Lot 14, Block 1; and Lots 32, 33, and 34, Block 10 in Moonridge Subdivision No. 12 are referred to herein as "business lots" and these business lots excluded from this Declaration. These business lots are not annexed into the original Moonridge Subdivision CC&R's referred to below. Each Owner of

**DECLARATION OF ANNEXATION
MOONRIDGE SUBDIVISION NO. 12 (6-7-2005)**

RECEIVED

JAN 31 2014
Page 1 of 17

ADA COUNTY
CLERK OF COURTS
RECORDS SERVICES

an Annexed Lot is hereby notified that these four business lots are lots that may be developed and used for any retail, commercial, office, storage unit, multi-family, or any other use sought by the owner thereof and approved by governmental agencies.

1.2 NOTICE OF FUTURE ANNEXATION INTO CITY OF BOISE.

Each Buyer of an Annexed Lot referred to above in Moonridge Subdivision No. 12 is notified that the recording of the plat to this Subdivision shall be deemed and construed as a request for, and the consent to, the annexation of the property in this Subdivision into the corporate limits of Boise City. This request for, and consent to, annexation shall be continuing and each Owner of any Annexed Lot in this Subdivision shall be bound by this request and consent to annexation. This shall also bind all subsequent purchasers or Owners of any Annexed Lot in this Subdivision.

1.3 NOTICES REGARDING W. LAKE HAZEL ROAD: AREA AGRICULTURAL OPERATIONS: COMPACTED FILL.

1.3.1 W. Lake Hazel Road. Ada County Highway District may in the future turn W. Lake Hazel Road (which lies adjacent to a portion of Moonridge Subdivisions) into an arterial road which would result in additional traffic counts for that road.

1.3.2 Agricultural Operations. There are agricultural operations in the vicinity of this Subdivision. Owners are hereby given notice that farm odors, dust or flying insects may result from the proximity to farming operations. Reference is made to section 22-4503 of the Idaho Code, commonly called the "Right to Farm Act" which is set out in the notes to the plat of this Subdivision. Roughly paraphrased, this act provides that an agricultural operation is not a nuisance to incoming developments if that agricultural operation was there first.

1.3.3 Compacted Fill; Underlying Lava Rock. Due to the topography of the land in this Subdivision, all Owners are advised that some of the Annexed Lots have compacted or engineered fill on the Annexed Lot and that some Annexed Lots have lava rock close to the surface in some locations. It shall be the duty of each builder and Owner to ascertain where these

DECLARATION OF ANNEXATION
MOONRIDGE SUBDIVISION NO. 12 (6-7-2005)

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conditions occur on each Annexed Lot. Care should be taken in planning drainage and planting of trees with the compacted fill and lava rock in mind.

1.4 ANNEXATION OF THE ANNEXED LOTS INTO MASTER CC&R'S FOR MOONRIDGE SUBDIVISION:

1.4.1 Property Annexed. The Annexed Lots are owned by the Declarant. Each Annexed Lot Owner, by accepting a deed to any Annexed Lot in Moonridge Subdivision No. 12 agrees that such Annexed Lot is subject to the Master CC&R's referred to herein and to this Declaration of Annexation.

1.4.2 Existing Property and CC&R's to Which Property is Annexed: This annexed property is hereby annexed into that Declaration of Covenants, Conditions and Restrictions for Moonridge Subdivision (No. 1) which Declaration was recorded the 3rd day of December 1999, in Ada County as Instrument No. 99115870 (the "Master CC&R's"). The Master CC&R's are incorporated herein as if set forth in full. The legal description of Moonridge Subdivision No. 1 is attached to the Master CC&R's.

Moonridge Subdivision No. 2 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 27th day of June, 2000 as Instrument No. 100049930. The legal description of the property in Moonridge Subdivision No. 2 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 3 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 19th day of September, 2000 as Instrument No. 100074886. The legal description of the property in Moonridge Subdivision No. 3 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 4 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 21st day of October, 2001, as Instrument No. 101097060. The legal description of the property in Moonridge Subdivision No. 4 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 5 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 28th day of May, 2002, as Instrument No. 102059854. The legal description of the property in Moonridge Subdivision No. 5 is attached to that Declaration of Annexation.

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Moonridge Subdivision No. 6 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 22nd day of January, 2003, as Instrument No.103011328. The legal description of the property in Moonridge Subdivision No. 6 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 7 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 16th day of May, 2003, as Instrument No.103081912. The legal description of the property in Moonridge Subdivision No. 7 is attached to that Declaration of Annexation.

(Moonridge Subdivision No. 8 is a commercial development, not a residential development, and was not, and will not be annexed into the CC&R's for Moonridge Subdivisions.)

Moonridge Subdivision No. 9 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 17th day of November, 2003, 2003, as Instrument No. 103193425. The legal description of the property in Moonridge Subdivision No. 9 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 9 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 17th day of November, 2003, as Instrument No. 103193425. The legal description of the property in Moonridge Subdivision No. 9 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 10 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 23 day of January, 2004, as Instrument No. 104007765. The legal description of the property in Moonridge Subdivision No. 10 is attached to that Declaration of Annexation.

Moonridge Subdivision No. 11 was annexed into the Master CC&R's by that Declaration of Annexation recorded in Ada County on the 30 day of June, 2004, as Instrument No. 104082686. The legal description of the property in Moonridge Subdivision No. 11 is attached to that Declaration of Annexation.

1.4.3 Master CC&R's and Declaration of Annexation Run With Annexed Land: The Master CC&R's referred to above and the provisions of this Declaration of Annexation for Moonridge Subdivision No. 12 shall run with the annexed land described herein. The Master CC&R's for Moonridge Subdivision (No. 1) and all Declarations of Annexation for Moonridge Subdivisions No. 2, 3, 4, 5, 6, 7, 9, 10, 11 and this portion of No. 12 shall be read together and

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construed as one document, governing all Subdivisions together as if they were all one Subdivision and as if all had been done at the same time.

1.4.4 Authority: Consent to Annexation: This Declaration of Annexation is made pursuant to the Master CC&R's which provide for this annexation, and for annexation of subsequent phases of Moonridge Subdivision.

1.4.5 Effect: The effect of this Declaration of Annexation shall be that Moonridge Subdivisions No. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and the annexed portion of No. 12 shall be treated as one Subdivision and shall be subject to the Master CC&R's and shall be governed by the Moonridge Neighborhood Association, Inc., as set out in the Master CC&R's. All Annexed Lots in Moonridge Subdivision No. 12 (and any future annexations to Moonridge Subdivision) shall be subject to all provisions of the Master CC&R's; Provided, however, that the provisions in Article 2 and 3 of this Declaration of Annexation (set out below) which are specific to the Annexed Lots in Moonridge Subdivision No. 12, shall apply to the Annexed Lots in Moonridge Subdivision No. 12. Other than the provisions specifically set out in Article 2 and 3 below for the Annexed Lots, the Master CC&R's govern all Annexed Lots in all Moonridge Subdivisions and the Association shall manage all Common Area Lots in all Moonridge Subdivisions as if all were one Subdivision.

**SPECIFIC PROVISIONS APPLYING TO
THE ANNEXED LOTS IN MOONRIDGE SUBDIVISION NO. 12**

**ARTICLE 2
BUILDING RESTRICTIONS**

2.1 Architectural Control: Prior Plan Approval. No improvement or obstruction shall be placed or permitted to remain upon any part of the Annexed Lots unless a written request for approval, containing the plans, specifications, and exterior color scheme, has been approved by the Board or persons designated by the Board to approve same. The approval will not be unreasonably withheld if the plans and specifications comply with these CC&R's, government ordinances, and are in general in harmony with the existing structures located on the Annexed Lots. Provided, however, The duties of architectural control for all of the initial structures on the Annexed Lots shall be performed by Declarant. All initial such requests shall be given to Declarant c/o Daniel A. Wood whose address is 2025 E. Chateau Street, Meridian, Idaho

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83642. After the last dwelling has been constructed in Moonridge Subdivision No. 12, the duties of architectural control shall thereafter be performed by the Board of Directors of the Association as set out in the Master CC&R's.

2.2 Association Assessments: All initial Assessments to Moonridge Neighborhood Association, Inc. for each of the Annexed Lots (whether single family or Townhouse Lot) in Moonridge Subdivision No. 12 for the year 2005 shall be as follows:

\$150.00 Initial Regular Assessment,
(pro-rated as of date of
closing);
\$ 50.00 Transfer Assessment;
\$175.00 Start-up Fee Assessment.

Twenty-five dollars (\$25) of the Start-up assessment shall be distributed by the Association to the management company managing the Subdivision for the purposes of setting up the books to include all of the Annexed Lots in Moonridge Subdivision No. 12 into the Association. All Assessments to the Moonridge Neighborhood Association thereafter shall be governed by the Master CC&R's for Moonridge Subdivision.

2.2.1 Assessments Partly Used for Maintenance of ACHD Drainage Facilities. Each Owner of an Annexed Lot is put on notice that the some storm drainage from this Subdivision is diverted to ACHD storm water facilities in other phases of Moonridge Subdivisions. The Association maintains some of those drainage facilities as set out in the Master CC&R's and the other Declaration of Annexations set out above. All of the Association costs of that maintenance is assessed against all Owners of Building Lots in Moonridge Subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and the Annexed Lots in Moonridge Subdivision No. 12. The Operation and Maintenance Manual for all drainage facilities is on file with ACHD.

2.3 Single Family Annexed Lots. Lot 21, Block 1 and Lot 11, Block 10 shall be used only for single-family residential purposes with a minimum 1,200 square feet of floor area. For purposes of determining square footage, eaves, steps, open porches, garages, and patios shall be excluded. Split-entry homes shall not be permitted.

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2.4 Townhouse Annexed Lots. The following Annexed Lots in this Subdivision are designated and shall be used only for Townhouse Units. The following Annexed Lots which are listed together shall have one Townhouse Unit built on each of the two adjacent Annexed Lots with the common party wall on the lot line between the two listed Annexed Lots:

Lots 15 and 16	Block 1
Lots 17 and 18	Block 1
Lots 19 and 20	Block 1

Lots 12 and 13	Block 10
Lots 14 and 15	Block 10
Lots 16 and 17	Block 10
Lots 18 and 19	Block 10
Lots 20 and 21	Block 10
Lots 22 and 23	Block 10
Lots 24 and 25	Block 10
Lots 26 and 27	Block 10
Lots 28 and 29	Block 10
Lots 30 and 31	Block 10
Lots 29 and 30	Block 10

Each of the Townhouse Units shall be a single family "home". Each Unit shall contain at least 1,200 square feet. (Eaves, steps, open porches, garages and patios shall not be included in the computation of square footage.)

2.4.1 Townhouse Zero Lot Line Party Walls. Each Owner on each side of a Townhouse Unit shall be subject to the following:

A) General Rules of Law Apply. Each zero lot line party wall which is built as a part of the construction of any of the Townhouse Units, and which is placed on the dividing line between the lots, shall constitute a party wall, and to the extent not inconsistent with the provisions of this Section, the general rules of law regarding party walls and liability for property damage due to negligence or wilful acts or omissions shall apply thereto. Except for repairs after a casualty, no Owner shall be allowed to penetrate any party wall.

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B) **Sharing of Repair and Maintenance.** The cost of reasonable structural repair and maintenance of a party wall shall be shared equally by the owners who make use of the wall. Each owner shall be solely responsible for maintenance and repairs to the interior surface of the wall in each Owner's own Unit, provided, however, that in the event an Owner's interior surface is damaged by the other Owner to the party wall or the other Owner's occupants, then the other Owner shall be liable for the repairs.

C) **Destruction by Fire or Other Casualty.** If a party wall is destroyed or damaged by fire or other casualty, any Owner who has used the wall may restore it, and if the other Owners thereafter make use of the wall, they shall contribute to the cost of restoration thereof in proportion to such use, without prejudice, however, to the right of any such Owners to call for a larger contribution from the others under any rule of law regarding liability for negligent or wilful acts or omissions.

D) **Weatherproofing.** Notwithstanding any other provisions of this Section, an Owner who by his negligent or wilful act causes the party wall to be exposed to the elements shall bear the whole cost of repair to such party wall and the furnishing of the necessary protection against such elements.

E) **Utilities.** Any utilities or utility services located within the party walls shall be maintained by each Owner using the utility.

F) **Right to Contribution Runs With Land.** The right of any Owner to contribution from any other Owner under this Article shall be appurtenant to the land and shall pass to such Owner's successors in title.

2.5 **Basements.** Basements are prohibited.

2.6 **Accessory Structures.** Accessory structures shall first be approved by the Declarant and any changes shall be approved by the Board.

2.7 **Setbacks: Special Easements.** All setbacks shall comply with the pertinent local government ordinances; Provided, however, certain Annexed Lots may have special easements along the boundary lines which are larger than the local setbacks. These special easements are identified on the plat or described herein. For those Annexed Lots with these special easements, no

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permanent structures or buildings shall encroach on that easement area, and that easement area shall be the minimum required setback.

2.8 Garages. All residential homes and each Townhouse Unit shall have an attached enclosed garage which holds no less than two cars and shall be constructed of the same materials and colors as the main building or as approved. Garages shall not to be used as living quarters nor to be used primarily as storage. Garages are primarily for the parking of vehicles. In no case shall a garage be used for storage leaving no room therein for the parking of vehicles.

2.9 Exterior: Appearance. No vinyl or metal siding shall be allowed for the exterior of any dwelling. Bay windows, broken roof lines, gables, hip roofs, etc. are encouraged as are brick, stone or stucco for the full height columns on the sides of the garage. Also encouraged are brick, stone or stucco full wainscoting on the front exposure. Each set of Townhouse Units shall be of the same color as approved. Any change in a Townhouse Unit color shall require the approval of the Board AND the written approval of the other Townhouse Unit Owner.

2.10 Solar Covenants. Because Boise City has repealed its Solar Ordinances, no Solar Covenants apply to Annexed Lots in Moonridge Subdivision No. 12.

2.11 Commercial Activity. Except for an at home office or a once a year garage sale, no part of the property and no structures thereon shall be used for any type of commercial purposes. Specifically prohibited uses shall include, but are not limited to; a) any sales or retail facilities (except Grantor's Lot sales offices), b) day-care or child care, c) animal care, kennels, or animal breeding.

2.12 Driveways. All Annexed Lots shall have a paved concrete driveway and a minimum of two paved concrete car parking spaces within the boundaries of each Lot. No driveway or parking area shall be asphalt, dirt, rock or gravel.

2.13 Roofs: Colors. Roofing materials shall be composition shingles. Approval of exterior colors must be obtained from the Declarant, and any future changes to colors or exterior must be approved by the Board. Dark roof colors shall be encouraged.

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2.14 Photo Lights on Garages. Each home and each Townhouse Unit shall have two (2) photo-sensitive lights installed on each side of each garage, with a minimum bulb power of 40 watts in each bulb. These lights shall be designed to switch on automatically at sunset and off at sunrise. Installation is the specific responsibility of the builder constructing the home.

2.15 Landscaping. Landscaping shall be completed within thirty (30) days after occupancy of the home and such landscaping shall be the responsibility of each respective Owner. Landscaping, at a minimum, shall include sod and at least one tree of 2" caliper in the front yard.

2.16 Fences.

2.16.1 Subdivision Perimeter Fences. Grantor may construct a perimeter fence around portions of the exterior of this Subdivision property. After Grantor has transferred title to any Annexed Lot which contains a portion of this perimeter fence it shall be the responsibility thereafter of the Owner of that Annexed Lot to maintain, repair and/or replace as needed that portion of the perimeter fence on that Owner's Annexed Lot. The maintenance, repairs and/or replacement shall be performed so as to keep the perimeter fencing uniform, attractive and harmonious. The Association may, in its sole discretion, maintain some or all of the perimeter fencing as a Common Area expense.

2.16.2 Other Owner Fences. Other Owner fences are not required. If a fence is desired, plans for it shall be approved prior to construction. Fences shall be of good quality and workmanship and shall be properly finished and maintained. Fences may be built of wood, such as a 6-foot, dog-eared cedar. Chain link fences are not allowed except along ditches, canals or water retention areas and then only after approved.

2.17 Construction. No pre-existing, mobile home or prefabricated home shall be moved onto any Annexed Lot. All homes in this Subdivision must be constructed on the Annexed Lot. Once construction has begun, completion of each building or other improvement shall be diligently pursued and completed within 12 months.

2.18 Antennae. For general aesthetic reasons and the benefit of the entire Subdivision, antennae or satellite dishes are to be located, where

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practical, to the rear of the structure and reasonably screened from view. The installation plan and the location shall be first reviewed by the Declarant.

2.19 No Further Subdivision. No Annexed Lot may be split or subdivided.

2.20 Nuisances. No rubbish, grass clippings or other debris of any kind shall be placed on, dumped on, or allowed to accumulate anywhere on the Property, including Common Areas, or adjacent property. No unsanitary, unsightly, or offensive conditions shall be permitted to exist on any part of the Property. Noise or other nuisances in violation of local ordinances are prohibited. No Owner shall permit any noise, party or other activity in the Common Area which unreasonably interfere with the peace and quiet of the other Owners or occupants.

2.21 Exterior Maintenance: Owner's Obligations. All Improvements, especially the exterior appearance of the home, lawn, trees, fencing and landscaping shall be kept in good condition and repair. In the event an Owner permits an Improvement to fall into disrepair, or to create a dangerous, unsafe, hazardous, unsightly or unattractive condition, then the Board or Grantor, after thirty (30) days prior written notice to the offending Owner, shall have the right to enter upon that Owner's property to correct such condition. Owner shall be obligated to reimburse the Board or Grantor for all of the costs of the corrective action as set out in the Master CC&R's.

2.22 Unsightly Articles. No unsightly articles shall be permitted to remain on any property so as to be visible from any other Owner's property. Trash is to be kept in containers and areas approved by the Board. Clothing or fabrics are not to be hung or aired in such a way as to be visible to other property. No equipment, containers, lumber, firewood, grass, shrub or tree clippings, metals, bulk material, disabled vehicles, or scrap shall be kept, stored or allowed to accumulate on any property except within an enclosed structure or screened from view. Vacant residential structures shall not be used for storage.

2.23 No Temporary Structures. No house trailer, mobile home, tent, shack or other temporary building, improvement or structure shall be placed upon any portion of the Property or on any streets. Temporary construction structures are permitted only during the time of construction.

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2.24 No Unscreened Boats, Campers and Other Vehicles. No boats, trailers, campers, all-terrain vehicles, motorcycles, recreational vehicles, motor homes, bicycles, dilapidated or unrepaired and unsightly vehicles or similar equipment shall be placed upon any portion of the Property (including, without limitation, streets, parking areas and driveways) unless enclosed by a concealing structure approved by the Declarant. No vehicles taller than nine feet or longer than 25 feet shall be allowed to be stored on any portion of the property. Notwithstanding anything contained herein, a boat, camper, trailer or motor home may be parked in a driveway or in the street in front of the Owners property (if permitted by local ordinances) for a temporary time not to exceed forty eight (48) hours.

2.25 Removal of Vehicles: Warning: Costs. The Board or its representatives may remove any vehicles in violation of this section at any time after giving the Owner fifteen (15) days written notice of its intent to do so. For any such vehicles removed, the Owner shall reimburse the Board, as a limited assessment, the costs thereof plus a management fee equal to ten percent (10%) of the costs.

2.26 Animals/Pets. No farm animals, animals creating a nuisance, or animals in violation of governmental ordinances shall be kept on any Property. Chronic dog barking shall be considered a nuisance. No more than two domestic cats and no more than two domestic dogs shall be allowed to inhabit any one residential structure. All dogs outside the home or outside the fence must be leashed. Pets shall not be allowed in the Common Areas unless leashed. Any kennel or dog run shall be screened from view of adjacent lots, and must be approved by the Declarant and changes by the Board.

2.27 Signs. No sign shall be displayed to public view without the approval of the Board except: (1) signs used by Grantor in connection with the development and sale of the Property; (2) signs identifying the development; (3) informational signs by the Board displayed on Common Areas; (4) one sign of less than 12 square feet displayed by an Owner (other than Grantor) on that Owner's property advertising the home for sale or lease; and (5) signs required by the governing authorities. No signs other than Grantor's shall be placed in the Common Area without the written approval of the Board.

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ARTICLE 3
OTHER PROVISIONS

3.1 Common Areas: In Moonridge Subdivision No. 12, the following Lots are designated as Common Lots, Common Areas or common landscaped areas:

Lot 22	Block 1	Landscape Buffer Lot
Lot 10	Block 10	Landscape Buffer Lot

These Common Area Lots in Moonridge No. 12 shall be deeded to, managed by, and maintained by Moonridge Neighborhood Association, Inc., as set out in the Master CC&R's and herein. The maintenance responsibilities relating thereto shall not be dissolved or vacated without the express written permission of the City of Boise.

3.3 Pressurized Irrigation System. Irrigation water, when seasonally available, will be supplied through New York Irrigation District and/or Boise Project Board of Control (hereinafter "District") via a pressurized urban irrigation system (PUIS) constructed for Moonridge Subdivision No. 12, and connecting with that PUIS built for all other Moonridge Subdivisions. Other subdivisions may also be connected to the PUIS. This entire pressurized irrigation system shall be owned by District. All main lines, pumping works, irrigation facilities and the like shall be maintained and operated by District and each Owner shall pay pro-rata (with all the other Lots served by the PUIS) for all of the costs associated with the maintenance, repair, replacement and operation of the PUIS.

Each Owner shall be responsible for his or her own irrigation sprinkler system. An Owner shall be responsible for any damage done to the main system by that owner or that owner's agent or contractors.

3.3.1 Water Costs. All irrigation water costs shall be paid by the Lot Owners either from individual assessments against each Lot by District or other water suppliers; or, if the water supplier provides one billing to the Association for all of Moonridge Subdivisions, then the water costs shall be paid as part of the Association's pro-rata regular assessments to Lot Owners. Each such Lot Owner shall pay an equal pro-rata share of all the commonly billed water costs regardless of actual water used. Each Lot Owner shall use all reasonable efforts to conserve and not waste irrigation water.

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3.3.2 Rotation: Rules. The Moonridge Neighborhood Association Board may establish a water rotation schedule for all Lots and common areas in Moonridge Subdivisions and general rules for the times and use of irrigation water. All Lot Owners and occupants shall follow said water rotation schedules and any rules promulgated relative to the use of irrigation water. Failure to adhere to the rotation schedule or rules may, following notice from the Board, result in suspension of the right to use the pressurized system and irrigation water.

3.3.3 Supplemental Water. Supplemental water (in addition to the regular season irrigation water) for the irrigation system "may" be supplied by another entity or from another source. The costs relating to this supplemental water, if any, shall be paid pro-rata the same as for the other irrigation waters set out herein.

3.3.4 No Liability. Neither Declarant, nor District, or their agents, employees, officers, directors, or shareholders, nor the Association or its officers, directors, employees or agents, shall have any liability of any kind whatsoever to any Lot Owner or occupant for any claims or losses of any kind due to a failure of the water system or shortage of water for any reason. All such claims are specifically waived by any Lot Owner, occupant and any party recording a deed to a Lot in Moonridge Subdivisions.

3.3.5 Pressurized Irrigation System Ownership: Easements. Grantor will construct the pumping station and pressurized irrigation system for the Subdivision and any other Phases of the Subdivision which are annexed into the CC&R's. Following completion of each portion of the irrigation system, Grantor shall transfer title and ownership of that completed portion of the system to the District. A perpetual easement, as necessary for access to repair and maintain the common pressurized irrigation system and common irrigation lines, is reserved on each Annexed Lot in the Subdivision.

3.3.6 District Agreement. Each Annexed Lot in this Subdivision is subject to that Agreement generally entitled

"AGREEMENT FOR PRESSURIZED URBAN IRRIGATION SYSTEM (PUIS) WITH RESTRICTIVE COVENANTS RUNNING WITH THE LAND (MOONRIDGE SUBDIVISION NO. 12), and FOR CONSTRUCTION OF

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PUIS IN MOONRIDGE SUBDIVISION NO. 12 BY
DEVELOPER"

entered into between Declarant and New York Irrigation District, and recorded on the 8th day of June, 2005 in Ada County as Instrument No. 105073863. All of the terms and conditions of that Agreement are incorporated herein as if set out in full.

3.3.7 WARNING! IRRIGATION WATER IS NOT DRINKABLE. Notice is hereby given to each Owner in this Subdivision that the water in the pressurized irrigation system is NOT fit for human consumption. It contains untreated ditch water, which may contain dirt, hazardous wastes, dangerous farm chemicals or disease-causing organisms. Drinking of the irrigation water may make a person sick, and while less likely, may result in death or permanent disability.

**NEVER DRINK WATER
FROM THE PRESSURIZED IRRIGATION SYSTEM**

It is the duty of each Owner to:

- A) Educate all family members, guests, tenants and invitees that the water from the pressurized irrigation system is not drinkable;
- B) Ensure that ALL of the faucets and risers in the pressurized irrigation system are adequately marked, and if not marked to check with the local health department to determine what type of markings are required by that health department or agency;
- C) Not remove any existing tags or other warning markers from the pressure irrigation risers;
- D) Not install, or maintain the installation of, any cross connections between the pressurized irrigation system and the drinking water system unless the cross connection has been approved in writing by the Association AND the supplier of the irrigation water AND the supplier of the drinking water AND the cross connection back flow prevention device meets all relevant governmental and building code requirements.

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3.3.8 No Liability for Quality of Water. Neither the Association, the District nor the Declarant (or any members, employees, agents, officers, shareholders or directors thereof) shall have any liability OF ANY KIND to any Lot Owner, tenant, Association, member of the Association or any others for any losses, damages, or personal injuries relating in any respect to the quality of the irrigation water, or the ingestion of, or contact with, the irrigation water. Each Owner, tenant and occupant accepts the risk of using the irrigation water and waives any and all claims relating thereto.

3.4 Sewer Monthly Charges. Each Annexed Lot Owner shall connect to the Boise City public sewer system when a dwelling is constructed. A monthly sewer charge must be paid by each Annexed Lot Owner after connecting to that Boise City public sewer system, according to the ordinances and laws of Boise City.

3.5 Sewer Inspection. Each Annexed Lot Owner shall submit to inspection by either the Department of Public Works or the Department of Building whenever a Annexed Lot is to be connected to the Boise City public sewage system and a building sewer is constructed or installed on or within the Owner's property.

3.6 Sewer Collections: City Power. Boise City is hereby vested with the right and power to bring any and all actions against an owner of a Annexed Lot or any part thereof for collection of any sewer charges or to enforce any of the sewer conditions contained herein. Each Annexed Lot in this Subdivision shall be subject to these powers and these powers shall run with the land.

3.7 Street Lights. Any street lights installed by Declarant shall be maintained and operated by the Association as a common area expense until such time as the City of Boise or other governmental agency takes over the maintenance and operation thereof. Maintenance and operation shall include all repairs and costs of power.

3.8 ACHD Right of Way Landscape Areas. In addition to the Common Area Lots to be owned and maintained by the Moonridge Neighborhood Association in all Moonridge Subdivisions, the Association may also maintain the landscaping in the ACHD Right of Way (if any) lying between the Common Area Lots in Moonridge Subdivisions and the pavement of W. Lake Hazel Road. This maintenance may be done so long as ACHD continues to grant permission

DECLARATION OF ANNEXATION
MOONRIDGE SUBDIVISION NO. 12 (6-7-2005)

Page 16 of 17

RECEIVED

JAN

EXHIBIT #12 16 OF 17
STAFF REPORT
201400166 S-ZC-DA, Moonridge Sub No. 13
Moonridge Development LLC

ADA COUNTY

for this maintenance. At any time that ACHD may widen W. Lake Hazel or deny the right to maintain this Right of Way area then the maintenance thereof shall cease. In the meantime, this area shall be kept in lawn and shall be watered, fertilized and mowed regularly by the Moonridge Neighborhood Association and shall be a Common Area expense of all Moonridge Subdivisions subject to the Master CC&R's.

3.9 SEPARATE ASSOCIATION FOR MAINTENANCE OF ANNEXED LOTS LANDSCAPING. Declarant, or another Owner purchasing all of the Annexed Lots may establish a separate and new Association for the care and maintenance of all of the Owner's Landscaping on the individual Annexed Lots. Such a new Association may have any other name and may have its own By-laws and Articles of Incorporation and may assess all of the Annexed Lots as set out in the CC&R's for that Association. In the event that such a new Association is established and new CC&R's are adopted and recorded for that maintenance, then all Owners of the Annexed Lots shall be bound thereby.

MOONRIDGE DEVELOPMENT, LLC

By Daniel A. Wood Date: 6/7/05
Daniel A. Wood
Title: Managing Member

STATE OF IDAHO,)
(ss.
COUNTY OF ADA,)

On this 7 day of June, 2005, before me, a notary public in and for said State, personally appeared Daniel A. Wood, known or identified to me to be the Managing Member of Moonridge Development, LLC the limited liability company that executed the foregoing instrument and acknowledged to me that such LLC executed the same, and acknowledged to me that he executed the same on behalf of the limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Shannon Goodrich
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 12-4-07

DECLARATION OF ANNEXATION
MOONRIDGE SUBDIVISION NO. 12 (6-7-2005)

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RECEIVED

EXHIBIT #12 17 OF 17
STAFF REPORT
201400166 S-ZC-DA, Moonridge Sub No. 13
Moonridge Development LLC
IDAHO COUNTY
DEVELOPMENT SERVICES

ADA COUNTY DEVELOPMENT SERVICES



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

200 W. FRONT STREET, BOISE, IDAHO 83702-7300

BUILDING * ENGINEERING * PLANNING * ZONING

February 3, 2014

Dave Yorgason
Tall Timber Consulting
14254 West Battenbery Drive
Boise, ID 83713

RE: FILE #201400166 S-ZC-DA, Moonridge #13

Dear Mr. Yorgason;

This is to notify you that your application has been scheduled to be heard by the Ada County Planning and Zoning Commission on **March 13, 2014**. This hearing will begin at 6:00 p.m. and will be held in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID. You or your representative must be present.

A copy of the staff report will be sent to you (and available online) prior to the meeting. Please contact me if you have any questions or comments regarding this application, the staff report, or any conditions, which may be attached to the staff report. I can be reached at (208) 297- 7944 or via email at mbasham@adaweb.net.

In accordance with State law, "**Notice of Public Hearing**" must be posted on the site. Ada County recently amended the code to require the applicant to post the sign.

The sign is required to be posted ten (10) days in advance of the hearing. If the property is not posted correctly or the certification form is not submitted to Development Services at least seven (7) days prior to the public hearing, the application will be tabled until the next available hearing date. The certification form is available to download on our website at www.adaweb.net/DevelopmentServices. The sign is required to be taken down no later than three (3) days after the final decision. If there are multiple hearings on the application, the sign does not need to be taken down between hearings. However, the sign will need to be updated with the new hearing dates as the application goes through the hearing process.

Sincerely,

A handwritten signature in cursive script that reads "Megan Basham".

Megan Basham, AICP
Associate Planner

cc: Daniel Wood, Moonridge Development, LLC, 2035 East Chateau Drive, Meridian, ID 83646

Megan Basham

From: Megan Basham
Sent: Monday, February 03, 2014 11:30 AM
To: laurenboehlke@yahoo.com; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; dabo@cityofboise.org; jtomlinson@cityofboise.org; kyokom@cityofboise.org; tmills@cityofboise.org; velta@nyid.org; nap@q.com; clittle@achdidaho.org; syarrington@achdidaho.org; rross@clearwire.net; rgervais@cityofboise.org; Mark Fern; Angela Gilman; Jerry Hastings; Kelly Woodworth; Jean Schaffer
Cc: Megan Basham
Subject: Ada County Application Transmittal Notice.



Ada County Development Services Planning & Zoning Division Transmittal

File Number: 201400166-DA / S / ZC	X-Reference: NONE
Description: For a 5 lot subdivision.	
Reviewing Body: P AND Z	Hearing Date: 3/13/2014
Applicant: TALL TIMBER CONSULTING	P&Z Recommendation:
Property: The property contains .481 acres and is located at 8801 W LAKE HAZEL RD BOISE 83709, Section 1 2N 1E.	

Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please either click on the file number identified above, or visit the Ada County Development Service's Application Tracking System (ATS) web site at gisx.adaweb.net/acdsv2/ and search by file number. Hover over the pushpin that appears on the map with your mouse and select "Additional Info" from the pop-up box. You will then be able to review individual documents, drawings and other information detailing the request.

We request that you submit your comments or recommendations by 2/18/2014. When responding, please reference the file number identified above. If responding by email, please send comments to mbasham@adaweb.net.

To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.

Sincerely yours,
MEGAN BASHAM, ASSOCIATE PLANNER
200 W Front Street
Boise ID 83702
mbasham@adaweb.net
(208) 287-7944

 ADA COUNTY DEVELOPMENT SERVICES Planning & Zoning Division Transmittal	
To: BOISE PROJECT BOARD OF CONTROL	Date: 2/3/2014
File Number: 201400166-DA / S / ZC	X-Reference: NONE
Description: For a 5 lot subdivision.	
Reviewing Item: P AND Z	Hearing Date: 3/13/2014
Applicant: TALL TIMBER CONSULTING	P & Z Recommendation:
Property: The property contains 481 acres and is located at 8801 W LAKE HAZEL RD BOISE 83708, Section 1 2TH 1E.	
<p>Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please visit the Ada County Development Service's Application Tracking System (ATS) web site at gls.adacweb.net/ada/cd/ and search for the file number. Hover over the pushpin that appears on the map with your mouse and select 'Additional Info' from the pop-up box. You will then be able to review individual documents, maps and other information detailing the request.</p> <p>We request that you submit your comments or recommendations by 2/18/2014. When responding, please reference the file number identified above.</p> <p>To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.</p> <p>Sincerely yours,</p> <p>MEGAN BASHAM, ASSOCIATE PLANNER (208) 287-7844 mbasham@adacweb.net 200 W Front Street, Boise ID 83702</p>	

14 ADA COUNTY DEVELOPMENT SERVICES
 200 W FRONT ST RM 2125
 BOISE, ID 83702

BOISE PROJECT BOARD OF CONTROL
 ATT: BOB CARTER
 2485 OVERLAND RD
 BOISE ID 83705

MEMORANDUM



DATE: 2/4/2014

RE: 201400166-DA/S/ZC Moonridge #13

TO: Megan Basham, Associate Planner

FROM: Mark Ferm, Ada County Building Official

RECEIVED

By Ada County Development Services at 8:55 am, Feb 04, 2014

Summary of Project:

For a 5 lot subdivision located at 8801 W Lake Hazel Rd.

Findings and Conditions:

The Building Division has no objection to the proposed Development.

Conclusion:

Approved as submitted

Mark Ferm
Ada County Building Official
200 W Front Suite 2125
Boise Idaho 83702
Phone 287-7910

markf@adaweb.net

Megan Basham

BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

Date: February 5, 2014

To: Ada County Planning & Zoning

Re: 201400166/DA/S/ZC; 8801 W. Lake Hazel Road

CONDITIONS OF APPROVAL

SEWER CONDITIONS – MIKE SHEPPARD (384-3920)

Connection to central sewer is required. Sanitary sewers are available S. Zither Avenue.

Prior to granting final sewer construction plan approval, the Boise City Council recommendations of approval must be adopted.

DRAINAGE / STORM WATER CONDITIONS – BRIAN MURPHY (384-3752)

No comment.

STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)

No comment.

PERSON MAKING OTHER COMMENTS –

OTHER COMMENTS –




PUBLIC WORKS REPRESENTATIVE


PUBLIC WORKS REPRESENTATIVE

cc: Applicant



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:



- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # 201400166-DA/S/ZC

Conditional Use # _____

Preliminary / Final / Short Plat _____

Moonridge Sub No. 13

- 1. We have No Objections to this Proposal.
- 2. We recommend Denial of this Proposal.
- 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
 - high seasonal ground water
 - waste flow characteristics
 - bedrock from original grade
 - other _____
- 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- 8. After written approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - community sewage system
 - community water well
 - interim sewage
 - central water
 - individual sewage
 - individual water
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - community sewage system
 - community water
 - sewage dry lines
 - central water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - swimming pools or spas
 - child care center
 - beverage establishment
 - grocery store
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____ Reviewed By: _____
_____ Date: 2/6/14

Megan Basham

From: Jerry Hastings
Sent: Tuesday, February 11, 2014 3:54 PM
To: Megan Basham
Subject: RE: Moonridge No 13 preliminary plat
Attachments: Moonridge Sub Map.pdf; Moonridge Sub Desc.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Megan, I ran the description out. The second line after the commencing at a brass cap....., first word "1" should be a "4". It is referring to the Government Lot 4 that the subdivision is situated in. The math works for it but the reference to the Government Lot was a typo. They will need to go to the center of the road for your zoning description. Let me know if you need anything else. Thank you very much, Jerry.



Jerry L. Hastings, PLS 5359
County Surveyor
Ex Officio Recorder
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7912 office
(208) 287-7909 fax

From: Megan Basham
Sent: Tuesday, February 11, 2014 9:31 AM
To: Jerry Hastings
Subject: Moonridge No 13 preliminary plat

Hi Jerry-

Can you run this legal? I think it is for the preliminary plat itself and I'm assuming I will need another one that goes to the center of the road for the rezone but want to make sure before I tell the applicant. Thanks!

Megan



Megan Basham, AICP
Associate Planner
Ada County Development Services
200 W. Front St., Boise, ID 83702
(208) 287-7944 office
(208) 287-7909 fax

ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST BOISE ID 83702



February 13, 2014

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Ada County Planning & Zoning Commission will hold a public hearing on **March 13, 2014** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

201400166 S-ZC-DA, Moonridge Subdivision No. 13: A request for a rezone from C1 to R12, a five (5) lot residential subdivision (3 residential, 2 common lots) and a development agreement for a 0.481-acre property at the southeast corner of West Lake Hazel Road and South Zither Avenue. This is a resubdivision of Lot 14, Block 1 of the Moonridge Subdivision No. 12. The property is located at 8801 West Lake Hazel Road; Section 01, T. 2N, R. 1E, Boise, ID.

Contact Megan Basham, AICP, Associate Planner, at 287-7944 or mbasham@adaweb.net for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **300'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

- 1 Type <http://gisx.adaweb.net/acdsv2/>
- 2 Enter "**201400166-S**" in search application by file number.
- 3 Hover over the pushpin that appears on the map with your mouse.
- 4 Select 'Additional Info' from the pop-up box.
- 5 Review documents by clicking on 'Supporting Documents.'

5 days prior to the hearing you can go to www.adaweb.net to view the agenda or staff report.



NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m. , as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.

Primary Owner	Mailing Address	Mailing Address City, State Zip
AHRENS DAVID & REGINA LIVING TRUST	6321 S LUNAR AVE	BOISE, ID 83709
AMBROSE RUPERT A	6377 S LUNAR AVE	BOISE, ID 83709
BEAUDOIN SKYLER J	6364 S LUNAR AVE	BOISE, ID 83709
BLUE DANIEL T	6298 S LUNAR PL	BOISE, ID 83709
BRENNAN JAMES M	6275 S LUNAR PL	BOISE, ID 83709
CHERRY VERNON B	8729 W FALLING STAR ST	BOISE, ID 83709
CHRISTENSEN REX E & MARIE H LIVING TRUST	855 E ALTA RD	ALTA, WY 83414-4526
CHRISTIE KATHRYN E	PO BOX 7691	BOISE, ID 83707
CUVALA LESLEY E	11741 W ARDYCE ST	BOISE, ID 83713
DEZELL ROBERT JAMES & DEBORAH LEE LIVING TRUST	120 E LAKE ST STE 209	SANDPOINT, ID 83864
DIKE SANDRA JEAN	7123 LAWNRIDGE ST NE	KEIZER, OR 97303
FARRELL MICAH	6260 S LUNAR PL	BOISE, ID 83709
FERNANDEZ RACHAEL M	6300 S ZITHER AVE	BOISE, ID 83709
FIDDLER'S GLEN HOMEOWNERS ASSOCIATION	PO BOX 140273	BOISE, ID 83714
GRINSTEAD CINDY L	16243 BAYWOOD CT	NAMPA, ID 83687-8357
GWYNN DREW	6276 S LUNAR PL	BOISE, ID 83709
HANSON ANDREW	1212 N 12TH ST	BOISE, ID 08307
HARGRODER STEVEN M	6297 S LUNAR PL	BOISE, ID 83709-7843
HUCK KAREN L	8861 W DULCIMER ST	BOISE, ID 83709
ISOM TODD S	6259 S LUNAR PL	BOISE, ID 83709
JENSEN ROCHELLE V	2137 S COLOMA WAY	BOISE, ID 83712
JENSEN TRAVIS	2137 S COLOMA WAY	BOISE, ID 83712
JOHNSON JEREME J	8685 W FALLING STAR ST	BOISE, ID 83709
MILLIGAN ANGELA	6495 S ZITHER PL	BOISE, ID 83709
MONTTERTH HERBERT R	6312 S ZITHER AVE	BOISE, ID 83709
MOONRIDGE DEVELOPMENT LLC	2025 E CHATEAU DR	MERIDIAN, ID 83646-5774
MOONRIDGE NEIGHBORHOOD ASSOCIATION INC	9601 W STATE ST STE 203	BOISE, ID 83703
MUSSULMAN ROXANNE O	6357 S ZITHER AVE	BOISE, ID 83709
PHILLIPS DANIEL	6341 S ZITHER AVE	BOISE, ID 83709
PROCSAL RICHARD A	6352 S LUNAR AVE	BOISE, ID 83709
PROFFITT FLOYD A	8675 W FALLING STAR ST	BOISE, ID 83709
ROSE JADE A	6294 S ZITHER AVE	BOISE, ID 83709
RUCKER GARY R	7598 W BRIGHT STAR ST	STAR, ID 83709
SEVY RANDALL W	8845 W DULCIMER ST	BOISE, ID 83709
TAYLOR DYMUNA FAMILY TRUST	2156 S DERRING PL	BOISE, ID 83709
UHLENKOTT JOE	2413 E TORREY PINES	CHANDLER, AZ 85249

2001400166 S-ZC-DA
Mailing List

VENGA VENTURES LLC
WALSH JAMES T
WATTS RENEE A

PO BOX 5763
6372 S ZITHER AVE
8883 W DULCIMER ST

KETCHUM, ID 83340
BOISE, ID 83709
BOISE, ID 83709

300' Radius
February 11, 2014



John S. Franden, President
Mitchell A. Jaurena, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

February 20, 2014

To: Dave Yorgason, via e-mail
Tall Timber Consulting
14254 W. Battenberg Dr.
Boise, ID 83713

RECEIVED

By Ada County Development Services at 8:08 am, Feb 24, 2014

Representative: Chad Kinkela, via e-mail
860 W. Headwaters Dr.
Eagle, ID 83616

Subject: Moonridge No. 13 Subdivision

This is a staff level approval of a preliminary plat for Moonridge No. 13 Subdivision. On February 4, 2014 the Ada County Highway District (ACHD) received an application to construct Moonridge No. 13 Subdivision, consisting of three residential lots and two common lots. In response to your request for comment, ACHD staff has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has one site-specific condition of approval (see below) for this application at this time.

Minor Improvements Policy: ACHD District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

Staff Comments/Recommendations: The applicant should be required to update the existing ramps located in the following locations so as to be ADA compliant:

- The intersection of West Lake Hazel Road and South Zither Avenue abutting the site.

The applicant will be required to pay all applicable platting and review fees prior to final approval.

If you have any questions, please contact me at (208) 387-6335.

Sincerely,

Austin Miller

Planning Review Intern
Development Services

CC: Project file,
Ada County, via e-mail
Moonridge Development LLC (Daniel Wood), via e-mail

Request for Appeal of Staff Decision

Appeal of Staff Decision: The Commission shall hear and decide appeals by an applicant of the final decision made by the ROWDS Manager when it is alleged that the ROWDS Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.

a) **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.

b) **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.

c) **Time to Reply:** The ROWDS Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.

d) **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the ROWDS Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.

e) **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.

MEMORANDUM



DATE: February 20, 2014

RE: Recommendation Regarding File 201400166 DA- A-S, Moonridge Sub NO. 13

TO: Megan Basham, Associate Planner

FROM: Angela Gilman, Ada County Engineer

CC:

RECEIVED

By Ada County Development Services at 8:10 am, Feb 24, 2014

Megan

Per your request I have reviewed the project referenced above. The documents reviewed include:

- Detailed Letter
- Master Application
- Preliminary Plat

My comments and Conditions are as follows.

I recommend approval of these documents. As this site is part of a previous subdivision that was previously approved, a Drainage Study does not need to be submitted. A site grading plan shall be submitted and the applicant shall confirm that the previously designed and approved stormdrain system is adequate for the proposed change in use for the site.

LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Ada County Planning and Zoning Commission will hold a public hearing on March 13, 2014 at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear a request for: 201302018-CU-MSP, Greg Grigsby.: A request for a conditional use and master site plan to allow for the construction of a church. The church will occupy 2600 square feet of the existing structure with a 5600 sq. ft. addition. The total square footage of the church will be 8,200 sq. ft. The maximum number of patrons is expected to be 76. The property is located 4495 S. Meridian Road; 3N 1W Sec. 25. Megan Basham 287-7944 201302032-S, Ethridge Square Subdivision: A preliminary plat application for a ten (10) lot residential subdivision. The property is located at 9414 W. Amity Road; 3N 1E Sec. 26. Brent Danielson 287-7913 201400069-S, Derry Subdivision: A preliminary plat application for a three (3) lot residential subdivision. The property is located at 7085 S. Eagle Road; 2N 1E Sec. 5. Brent Danielson 287-7913 201400166-S-ZC-DA, Moonridge Subdivision #13: A request for a rezone from C1 to R12, a five (5) lot residential subdivision (3 residential, 2 common lots) and a development agreement for a 0.481-acre property at the southeast corner of West Lake Hazel Road and South Zither Avenue. This is a resubdivision of Lot 14, Block 1 of the Moonridge Subdivision No. 12. The property is located at 8801 W. Lake Hazel Road; 2N 1E Sec. 1. Megan Basham 287-7944 Staff Reports Available On-Line 5 Days before Hearing Date - adaweb.net Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) by 5:00 p.m. three days prior to this public hearing so that arrangements can be made. ADA COUNTY PLANNING AND ZONING COMMISSION Mark Perfect Planning & Zoning Administrator Pub. Feb. 25, 2014 **Publish Dates:** 2/25/2014 -3/11/2014



Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3830
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

RECEIVED

By Ada County Development Services at 9:46 am, Feb 28, 2014

MEMORANDUM

TO: Ada County Board of Commissioners

FROM: Bruce Eggleston
Comprehensive Planning
Boise City Planning and Development Services

DATE: February 27, 2014

RE: Ada County Referral Zone Change/Development Agreement,
Preliminary Subdivision Plat SUB14-00008

At their worksession on February 24, 2014 the Boise City Council voted to recommend approval of the above listed application subject to conditions of approval outlined below.

Boise City is providing comment on the above-listed application relative to its consistency with the goals and policies of the Boise Comprehensive Plan and pursuant to the requirements of the Area of Impact Agreement. Ada County has not adopted Blueprint Boise in the Area of Impact; as such this project is being reviewed for compliance with the 1997 Comprehensive Plan.

The proposed development is located within the City of Boise Area of Impact. This is an application requesting a zoning map amendment to R12 with a development agreement, and a preliminary plat approval for the Moonridge No. 13 Subdivision, for three residential lots and two common lots on 0.48 acres in the C1 Zone, at 8801 West Lake Hazel Road, located within the Boise Area of Impact.

The Boise City Sewer Extension Policy reads in part:

For any development, prior to granting final sewer construction plan approval, the City will require the following:

Within the Area of Impact-A recommendation of approval by Boise City Council and confirmation of the County adopting the Boise City Council's recommended conditions of approval for any development.

The subject property will require sewer extension as defined in the Boise City Sewer Extension Policy and is subject to Resolution 18674, dated 6.21.05.

The Council forwards a recommendation of approval to Ada County with the following conditions:

1. The applicant should be required utilize the dimensional standards allowance in section 8-2B-2 of the Ada County Zoning ordinance which provides a 5 foot front yard setback reduction for homes where the garage is either side loaded, or located behind the front plane of the house.

2. The pathway on the southern common lot shall be designed according to the most current versions of the manuals noted below as the official policy guides for planning, design, construction and maintenance of pathways: Guide for the Development of Bicycle Facilities, American Association of State Highway and Transportation Officials; and The Bicycle Pedestrian Design Manual for Ada County, Ada County Highway District.

Comprehensive Plan Compliance

Boise City is providing comment on the above-listed application relative to its consistency with the goals and policies of the 1997 *Boise Comprehensive Plan* and pursuant to the requirements of the Area of Impact Agreement.

The subject property is located at 8801 West Lake Hazel Road in the Southwest Planning Area, and has been designated on the Land Use Map as Planned Community (Master Planned Densities) within the Boise Area of Impact.

This is an application for a zoning map amendment from C1 to R12 with a development agreement, and a preliminary plat approval for the Moonridge No. 13 Subdivision, for three residential lots and two common lots on 0.48 acres, at 8801 West Lake Hazel Road.

The following Comprehensive Plan chapter policies have applicability to this application:

Chapter 6-Transportation

Objective 2: Maintain a land use decision-making process that is supportive of the service level standards identified in the most recent Regional Transportation Plan for Ada County of record, and which is protective of living environments along streets.

Policy 2) The City shall advocate the use of traffic management strategies as a means of protecting service levels of streets from naturally increasing background traffic volumes, as well as mitigation for new development. Traffic management strategies may include but are not limited to: e) Capturing trips with service commercial centers in new projects.

Objective 2: Design safe and functional pathways.

Policy 1) Use the most current versions of the manuals noted below as the official policy guides for planning, design, construction and maintenance of pathways:

— Guide for the Development of Bicycle Facilities, American Association of State Highway and Transportation Officials

— The Bicycle Pedestrian Design Manual for Ada County, Ada County Highway District.

Chapter 7- Community Quality

Objective 7.6- Promote energy efficiency in new and existing housing.

Policy 7.6.1- Promote energy conservation features in the design of all new housing developments and encourage installation of conservation devices in existing equipment.

Residential Development

Objective 7.2- Ensure through urban design the development of new residential structures that are functional and aesthetically pleasing.

Policy 7.4- Require that residential street scenes provide variety and modulation in design and placement of homes.

Objective 7.4- Reinforce the development of functional and visually appealing neighborhoods.

Policy 7.4.4- Establish a continuous network of sidewalks, bicycle and/or pedestrian paths to establish internal and external linkage within the community.

Chapter 8- Land Use

Goal 8.0- Achieve a city that minimizes suburban sprawl that provides for a diverse mixture of lifestyles and atmospheres and a sense of place that varies throughout the different areas of the city, and that efficiently provides basic services and facilities in close proximity to where people live.

Objective 8.1- The land use map and attendant policies shall be the official guide for development of the planning area and shall be implemented through zoning and development review.

Policy 8.1.1- The Land use/Zoning Consistency Matrix shall identify the zoning districts that are permissible within each land-use designation. Conformance with the Land Use/Zoning Consistency Matrix shall be a necessary finding of approval for all zone changes and conditions uses, unless one or more of the forms of flexibility identified in the policies under Objective 2 are implemented.

**Table 8.1-1
Land Use / Zoning Consistency Matrix ¹⁾**

Land Use	A	U	R-1A	R-1B	R-1C	R-1M	R-2	R-3	N-O	L-O	R-O	C-1	C-2	C-3	C-4	C-5	PC	H-S	M-1	M-2	M-4	T-1	T-2
Planned Community ³⁾	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Footnotes: 3) May be most appropriately implemented with a Specific Plan.

Table 8.1-3 Definitions of Land Use Map Designations

Planned Community	Vacant areas larger than 100 gross acres	Accommodates maximum flexibility in project design, within pre-established parameters. Master Plan required by applicant for review and approval by Planning and Zoning Commission before processing of development entitlement. Master Plan must depict general location of proposed landuses, including roads, any shopping areas, schools, parks, fire stations or other facilities. Must follow area-specific policies in Comprehensive Plan Land Use Chapter for maximum densities, unit caps, type of land uses and other issues. Once the Master Plan is approved, development entitlement may proceed quickly. Master Plans may be amended by Planning and Zoning Commission	None
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		as necessary to react to changing markets and community needs. Specific plans may be developed, or standard zoning may be used.	
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Objective 8.6- Residential land uses shall be designated to provide a variety of housing densities, product types and affordable costs, and shall be located and distributed in a manner that is compatible with adjacent uses and promotes transit and pedestrian activity.

Chapter 10-Growth Management

Goal 10.0- Preserve, protect and enhance the overall quality of life in Boise and its Area of Impact by ensuring that growth occurs in an orderly manner and that public services are available along with development.

**Figure 10-1
Level of Service Standards for Community Services and Facilities**

Service Area	Service Standards	Service
TYPE I — CONCURRENT WITH THE ISSUANCE OF ANY DEVELOPMENT PERMIT		
Fire*	4 minute response, unless excepted by Fire Department	1.5 mile
Water	35 psi residential/1,500 gpm fire flow 40 psi non-residential/1,500 gpm fire flow	Community Community
Sewer **	Available to site Treatment: Federal Standards + capacity Collection: capacity	Community Community
Schools	System capacity	Community
Streets	Authorization by ACHD	Community
Police/Sheriff	Available	
Solid Waste	Weekly pick-up	Community
Electricity	Available	Community
Telephone	Available	Community
Storm Drainage	Approved on site or public system	Community

* Fire Station "set-a-side" shall be required within the City Area of Impact.

** See the exception for the Southwest Planning Area identified under Objective 2, Policy 2 in the Sewer Facilities section of the "Public Facilities, Utilities and Services" chapter of this plan.

Objective 10.1-Ensure that growth is planned and directed in a way that minimizes sprawl and creates a functional and pleasing community.

ANALYSIS

The proposed development consists of three residential and two common lots on 0.48 acres in a proposed R12 Zone with a maximum allowable density of 12 units per acre.

This area is designated on the land use map as Planned Community (Master Planned Densities). The proposed gross density of the project is 6.25 DU/acre.

Analysis of Compliance with Chapter 6-Transportation

The proposed development is located a block east of Maple Grove, on the south side of Lake Hazel Road. The only new entrance is from West Zither Avenue on the west of the parcel, a local street.

Chapter 6-Objective 2.2.e directs us to capture trips with service commercial in new developments. This site is designated for such commercial.

The parcel to the west is also zoned C1 and is vacant. There is a large tract of C2 Zoning on the northwest corner of the Lake Hazel and Maple Grove intersection that is also vacant. (See Zoning Map) The available commercial zoning should be adequate for trip service commercial capture in the vicinity.

Analysis of Compliance with Chapter 7-Community Quality

The Community Quality Chapter specifically calls for variety and modulation in residential street scenes in new development. In order to prevent a garage dominated street scene and to provide the variety and modulation called for in the *Comprehensive Plan*, the applicant should be required utilize the dimensional standards allowance in section 8-2B-2 of the Ada County Zoning ordinance which provides a 5 foot front yard setback reduction for homes where the garage is either side loaded, or located behind the front plane of the house.

Policy 7.4.4 calls for the creation of a continuous network of bicycle and pedestrian paths both within and connecting the development to the outside community. There are already sidewalks around the site. There is a bike/pedestrian path on the southern portion of this site that connects to the subdivision to the east.

Analysis of Compliance with Chapter 8-Land Use

The applicant would like the flexibility to allow either single family detached or attached townhomes similar to those in the adjoining subdivisions. This is in compliance with the land use policies for the area.

The proposed zone change and development agreement would change the site from C1 to R12 Zoning. The land use designation for the area is Planned Development, and the original entitlement was a mixed use planned development, with this being a service commercial component of that. As noted above, there remains a significant amount of commercial zoning both adjoining the site and within walking distance on the northwest corner of Lake Hazel and Maple Grove. The loss of .48 acres of commercial should not lessen the potential for service and general commercial for trip capture in this PUD.

Analysis of Compliance with Chapter 10-Growth Management

The proposed development is currently being served by the Whitney Fire Department Station 17 on Five Mile and McGlochin. In the future it would be served by the planned Whitney fire station west on Lake Hazel.

Summary of Comprehensive Plan Review

Does project comply with Land Use Policies? Yes

Does project comply with Pathway Policies? Yes

Does project comply with Street Policies? Yes

Does project comply with Growth Management Policies? Yes

RECOMMENDATION

Staff finds that the proposed development of the Moonridge No. 13 Subdivision can be consistent with the Comprehensive Plan and recommends forwarding a recommendation of approval to Ada County with the following conditions:

1. The applicant should be required utilize the dimensional standards allowance in section 8-2B-2 of the Ada County Zoning ordinance which provides a 5 foot front yard setback reduction for homes where the garage is either side loaded, or located behind the front plane of the house.
2. The pathway on the southern common lot shall be designed according to the most current versions of the manuals noted below as the official policy guides for planning, design, construction and maintenance of pathways: Guide for the Development of Bicycle Facilities, American Association of State Highway and Transportation Officials; and The Bicycle Pedestrian Design Manual for Ada County, Ada County Highway District.

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PW SUBDIVISION COMMENTS

REV 12/03/12

Date Due: 02/14/2014
Transmittal Date: 02/06/2014
Tentative Hearing Date: 03/11/2014
Subject: Moonridge Sub 12; SUB14-00008
Plat: Preliminary

RECEIVED

By Ada County Development Services at 9:45 am, Feb 28, 2014

Engineer/Surveyor/Planner: Tall Timber Consulting
Phone: 850-1070

When finished with comments, please type initials below.

To:					Initials
<input checked="" type="checkbox"/>	Public Works	Rob Bousfield	Drainage, Hillside, Misc. Engineering	384-3914	RJB
<input checked="" type="checkbox"/>	Public Works	Mike Hedge	Municipal Lighting	388-4719	MH
<input checked="" type="checkbox"/>	Public Works	Mike Sheppard	Sewer	384-3920	MS
<input checked="" type="checkbox"/>	Public Works	Mike Sheppard	Pressure Irrigation	384-3920	MS
<input checked="" type="checkbox"/>	Public Works	Peter McCullough	Solid Waste	384-3906	PJM

B.C.C 9-20-05.C.4, *Procedures; Preliminary Plat* of the Boise City Subdivision Ordinance provides that if no written recommendation from any agency listed herein is received within five (5) days after such notification, the approval of the Final Plat by such agency will be considered granted.

If you would like access to better resolution drawings (i.e., site and landscape drawings) please refer to: <http://pdsonline.cityofboise.org/pdsonline/CaseSearch.aspx> by using the case number.

1. STANDARD GRADING AND DRAINAGE CONDITIONS

REV 9/12/07

N/A (county subdivision)

2. STANDARD IRRIGATION CONDITIONS

REV 12/6/07

- a. Comply with B.C.C. 11-09-04.11 concerning pressure irrigation requirements prior to signing of the final plat by the Boise City Engineer.
 - i) The owner, person, firm or corporation filing the subdivision plat shall provide a pressurized irrigation system. The system must conform to the minimum design standards and specifications of Boise City, or of the entity that will operate and maintain the system, if that entity has published standards; or
 - ii) The owner, person, firm or corporation filing the subdivision plat shall provide written documentation that a valid waiver of the requirement to provide a pressure irrigation system and that Idaho Code 31-3805(1)(a) regarding transfer of water rights, has been complied with.
- b. Prior to either commencing construction or signing of the final plat by the Boise City Engineer, developer shall:
 - i) Submit for approval by the Department of Public Works, construction plans and specifications for the pressurized system, stamped by a registered engineer.
 - ii) Provide written assurance that provisions have been made for ownership, operation, and maintenance of the system.
 - iii) Delineate all necessary irrigation easements on the final plat (B.C.C. 11-09-03.6).
- c. Developer shall provide for an independent inspection of the installation of irrigation facilities and written certification by the design or project engineer that the system was installed according to the approved plans. In addition, the Department of Public Works must be present for the system pressure test and participate in a final inspection.
- d. Developer may construct prior to final platting or bond in the amount of 110% of the estimated construction costs based on the approved plans.
- e. **Fees:** Developer and/or owner shall pay the current inspection and plan review fees applicable to the proposed subdivision prior to signing of the final plat by the Boise City Engineer (B.C.C. 11-03-03.3.B.).

3. STANDARD SEWER CONDITIONS

REV 12/03/12

County Subdivision Conditions

- a. The developer and/or owner shall delineate all necessary Boise City sanitary sewer easements on the final plat prior to signing of the final plat by the Boise City Engineer (B.C.C. 11-09-03.6. *Design Standards; Easements*).
- b. Wetline sewers are required (B.C.C. 11-09-04.4., *Required Improvements; Sanitary Sewers*).
 - i) Plans shall be submitted to and approved by the Boise City Public Works Department prior to commencing with construction. Developer and/or owner may either construct improvements prior to final platting or execute a performance agreement and provide surety in the amount of 110% of the estimated costs. The developer and/or owner shall coordinate with the Public Works Department for construction inspection prior to and during construction. **Unless otherwise approved by the Public Works Department, all sewer construction shall be completed and accepted within 90 days of plat recordation or within 30 days of issuance of the first building permit within the subdivision, whichever comes first.**

NOTE: All bonding shall conform to Boise City Code 1-19, *Surety Bonds*.

- ii) Developer and/or owner shall pay the current sewer inspection fees for the proposed subdivision prior to signing of the final plat by the Boise City Engineer.
- iii) Developer and/or owner shall be responsible for repairs of any failures that occur within one (1) year of the project acceptance by the appropriate sewer entity (Boise City Code, *Improvements; Sanitary Sewers*).
- iv) All lots within this subdivision shall be subject to and restricted by the following recorded subdivision covenants:
 - (a) A monthly sewer charge must be paid after connecting to the Boise City public sewer system, according to the ordinances and laws of Boise City.
 - (b) Owner shall submit to inspection by either the Public Works Department or the Building Department whenever a subdivided lot is to be connected to the City's sewage system and a building is constructed or installed on or within the owner's property.
 - (c) The developer and/or owner of this subdivision or lot or lots therein shall and hereby does vest in Boise City the right and power to bring all actions against the owner of the premises hereby conveyed or any part thereof for the collection of any charges herein required and to enforce the conditions herein stated. This covenant shall run with the land.
 - (d) The recording of this plat by developer and/or owner shall be deemed and construed as a request for annexation of its property to the corporate limits of Boise City. Such request and consent shall be binding on all subsequent purchasers or owners of developer's property.
 - (e) Covenants to be approved by the Boise City Attorney.
- c. Unless previously paid, developer and/or owner shall pay a sewer assessment along W Lake Hazel Rd and S Zither Ave and/or as may be approved by the Boise City Public Works Commission prior to signing of the final plat by the Boise City Engineer. Contact the Department of Public Works for specific costs.

NOTE: All bonding shall conform to B.C.C. 11-09-04.2., *Filing of Plans and Bonding Surety*, which specifies that the improvements to be made shall be done in a time period not to exceed one year from the date of approval of the final plat.

- d. Developer and/or owner shall comply with all Boise City Sewer Ordinance provisions for tapping the City sewer system, Boise City Code 8-11-05.04, *Tap-Ins*.
 - i) Developer and/or owner may either construct prior to final platting or post bond/agreement in the amount of 110% of the estimated costs. Please contact the Public Works Department for specifications and inspections during construction.

NOTE: All bonding shall conform to B.C.C. 11-09-04.2 *Filing of Plans and Bonding Surety*, which specifies that the improvements to be made shall be done in a time period not to exceed one year from the date of approval of the final plat.

- e. Prior to granting final sewer construction plan approval, recommendation of approval by Boise City Council and confirmation of the county adopting these recommendations are required per Boise City's sewer extension policy.
- f. The recording of this plat by developer/owner shall be deemed and construed as a request for annexation of its property to the corporate limits of Boise City. Such request and consent shall be binding on all subsequent purchasers or owners of developer's property.

4. STANDARD STREET LIGHT CONDITIONS

REV 9/12/07

County Subdivision Conditions

- a. Developer shall delineate on the face of the final plat a Boise City street light easement, acceptable to the Boise City Department of Public Works, for the purpose of installing and maintaining city-owned street light fixtures, conduit, and wiring lying outside the dedicated public right-of-way (B.C.C.11-09-03.6.).
- b. The developer shall be required to install, at their expense, street lights in accordance with Boise City Public Works specifications and standards at locations designated by the Public Works Department (B.C.C. 11-03-03.3.B). Plans shall be reviewed and approved by the Boise City Public Works Department prior to commencement of construction, bonding or payment into a trust fund.
- c. **Fees:** Developer shall pay the current street light inspection and plan review fees on the proposed subdivision (B.C.C. 11-03-03.3.B.).
- d. The street lights shall be installed and accepted by the Boise City Public Works Department at the following locations. Unless otherwise noted, street lights shall be installed at a 25-foot minimum mounting height, , 50 watt class LED fixture (see Attachment A, Boise Standard Revisions for a list of approved fixtures)

- i) Light Locations:
 - No street lights required
- e. Provision shall be made for a Developer, Owner or Homeowners' Association to operate and maintain the street lights until annexation by the City of Boise, at which time the City of Boise will take over ownership, operation and maintenance.
- f. If approval for bonding is granted by the Boise City Public Works Department, developer may bond in the amount of 110% of the estimated street light costs. Street lights shall be installed within 90 days of the issuance of the first building permit in the development, if building permits are obtained prior to completion of street light improvements.
- g. As per Idaho Power requirements the lights along following street frontages must be installed on a metered service. Meter service cabinet location to be in the right of way or in a developer designated City Street Light Easement and shall meet the requirements of the Idaho Standards for Public Works Construction, Standard Drawings SD-1125 or SD-1126, and SD-1127, and the Boise City Standard Revisions for ISPWC Division 1102 Street Lights. See Attachment A, Boise Standard Revisions for a list of approved metered service cabinets.

Special Conditions:

5. STANDARD HILLSIDE CONDITIONS

REV 9/12/07

N/A

6. MISC. ENGINEERING CONDITIONS

REV 9/12/07

N/A

7. MISC. SOLID WASTE CONDITIONS

REV 3/11/11

Requirements for Residential Subdivisions

The following requirements for trash and/or recycling service apply to any residential subdivision or development in the City of Boise. Solid Waste collection vehicles utilize

mechanical arms to collect 48 to 95 gallon plastic wheeled carts which require certain space and access specifications. If the following conditions can not be met, commercial service or separate collection locations may be required.

a. General Requirements

- i) All streets must be designed so that collection vehicles are not forced to back up at any time. (Hammerhead drives may be permitted only with prior approval from Public Works, 384-3906)
- ii) All developments utilizing residential service, including, condominiums, town homes, and patio homes, must provide a minimum of 9 feet of curb space per dwelling unit for the carts to be placed at the curb for collection.
- iii) Cul-de-sacs must have an unobstructed 70' minimum diameter.
- iv) Alleyways and service drives designated for solid waste collection shall be a minimum of 16' (curb to curb) with no parking permitted.
- v) Trees, street lights, wiring and other overhead obstacles shall not impede trash or recycling collection and will be maintained to provide an 18' high clearance above the cart collection location(s).
- vi) Designated parking areas shall not impede curbside solid waste collection, including parking in cul-de-sacs.
- vii) Developers of gated subdivisions shall provide the solid waste hauler with access to the subdivision.

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**Finalized/Sent:
LR 02/19/14**