CITY OF EAGLE COMPREHENSIVE PLAN

ORDINANCES, RESOLUTIONS AND AMENDMENTS

ADA COUNTY ORDINANCE 88 (1983)

ADA COUNTY RESOLUTION 500 (1987)

ADA COUNTY ORDINANCE 199 (1989)

ADA COUNTY ORDINANCE 437 (2001)

ADA COUNTY ORDINANCE 541 (2004)

CITY OF EAGLE RESOLUTION 04-15 (2004)

AMENDMENT TO EAGLE COMPREHENSIVE PLAN (2004)

ADA COUNTY ORDINANCE 623 (2006)

ADA COUNTY ORDINANCE 718 (2008)

ADA COUNTY ORDINANCE 765 (2010)

ADA COUNTY RESOLUTION 1720 (2010)

SOARING 2025 WESTERN SUB-AREA PLAN

ORDINANCE NO. 88

AN ORDINANCE OF THE CITY OF EAGLE, IDAHO, PROVIDING FOR THE REGULATION OF SUBDIVISIONS WITHIN THE CITY OF EAGLE; SETTING FORTH GENERAL PROVISIONS REGARDING ADMINISTRATION OF THE ORDINANCE; DEFINING CERTAIN WORDS AND PHRASES; SETTING FORTH A PROCEDURE FOR OBTAINING APPROVAL OF A SUBDIVISION; SETTING FORTH DESIGN STANDARDS, INCLUDING LOCATION AND SPECIFICATIONS FOR STREETS, INTERSECTIONS AND PEDESTRAIN WALKWAYS AND PROVIDING FOR PUBLIC SITES AND OPEN SPACES; SETTING FORTH IMPROVEMENT STANDARDS AND REQUIREMENTS, HYDROLOGIC CONTROLS; REQUIRING A SUBDIVIDER TO PROVIDE A FINANCIAL GUARANTEE IN LIEU OF ACTUAL INSTALLATION OF IMPROVEMENTS, PROVIDING FOR PENALTIES FOR FAILURE TO COMPLETE CONSTRUCTION; ALLOWING AND PROVIDING FOR SPECIAL DEVELOPMENT CERTIFICATES, INCLUDING HILLSIDE SUBDIVISIONS, PLANNED UNIT AND CONDOMINUM SUBDIVISIONS WITHIN FLOOD PLAINS AND SUBDIVISIONS WITHIN AREAS OF CRITICAL CONCERN; PROVIDING FOR VACATIONS, DEDICATIONS AND VARIANCES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR AMENDMENT PROCEDURES; PROVIDING A SEVERABILITY CLAUSE AND FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE:

SECTION 1. That Chapter XVII of Ordinance No. 1 of the City of Eagle be and the same hereby is repealed.

SECTION 2. That the Ordinances of the City of Eagle, Idaho, be and the same are hereby amended by addition thereto of a NEW ORDINANCE, to be known and designated as Ordinance No. ____, and to read as follows:

CHAPTER 1
GENERAL PROVISIONS

SECTION 1. SHORT TITLE. This ordinance shall be known and may be cited as the "Subdivision Ordinance of the City of Eagle, Idaho."

SECTION 2. AUTHORITY. These regulations are authorized by Title 50, Chapter 13 of the Idaho Code; Title 67, Chapter 65 of the Idaho Code; and Article 12, seciton 2 of the Idaho Constitution, as amended or subsequently codified.

SECTION 3. PURPOSE. The purposes of these regulations are to promote the public health, safety and general welfare, and to provide for:

(a) The harmonious development of the City of Eagle and its area of impact;

(b) The coordination of streets and roads within a subdivision with other existing or planned streets and roads;

(c) Adequate open space for travel, light, air and recreation;

(d) Adequate transportation, water drainage and sanitary facilities;

(e) The avoidance of the scattered subdivision of land that would result in either of the following:

(1) The lack of water supply, sewer service, drainage, transportation or other public services; or

(2) The unnecessary imposition of an excessive expenditure of public funds for the supply of such services;

(f) The requirements as to the extent and the manner in which:

(1) Roads shall be created, improved and maintained;

(2) Water and sewer and other utility mains, piping connection, or other facilities shall be installed;

(g) The manner and form of making and filing of any plats; and

(h) The administration of these regulations by defining the powers and duties of approving authorities.

SECTION 4. JURISDICTION. These regulations shall apply to the subdivision of land within the corporate limits of Eagle, including the property outside the corporate limits of Eagle as defined by Eagle and Ada County under the requirements of Section 50-1306, Idaho Code, as amended, and 67-6526, Idaho Code, as amended.

SECTION 5. INTERPRETATION. All subdivisions as herein defined shall be submitted for approval by the council and shall comply with the provisions of these regulations. These regulations shall supplement all other regulations, and where at variance with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply.

SECTION 6. ADMINISTRATION. The council shall appoint an administrator to carry out the provisions as herein specified and to serve at the pleasure of the council. The administrator shall receive and process all subdivision applications.

CHAPTER 2
DEFINITIONS

SECTION 1. INTERPRETATION OF TERMS OR WORDS. Terms or words used herein shall be interpreted as follows:

(a) The present tense includes the past or future tense, the singular includes the plural and the plural includes the singular;

(b) The word "shall" is mandatory; "may" is permissive; and the word "should" is preferred; and

(c) The masculine shall include the feminine.

SECTION 2. DEFINITIONS. As used in this ordinance:

(a) "Administrator" means an official, having knowledge in the principles and practices of subdividing, who is appointed by the city council to administer this ordinance.

(b) "Alley" means a minor street providing secondary access at the back or side of a property otherwise abutting a street.

(c) "Arterial" means a street designated for the purpose of carrying fast and/or heavy traffic.

(d) "Block" means a group of lots, tracts or parcels within well-defined boundaries, usually streets.

(e) "Building" means a structure designed or used as the living quarters for one or more families, or a structure designed for use as an accessory to a structure used for living quarters or a structure designed for commercial or industrial uses.

(f) "Building set line" means an imaginary line established by a zoning ordinance that requires all buildings to be set back a certain distance from lot lines.

(g) "Building site" means an area proposed or provided and improved by grading, filling, excavation or other means for erecting pads for buildings.

(h) "Cemetery" means a lot that has been platted for the selling of sites for the burial of animal or human remains.

(i) "City" means the City of Eagle, Idaho.

(j) "City Council" means the City Council of Eagle, Idaho.

(k) "Collector Street" means a street designated for the purpose of carrying traffic from minor streets to other collector streets and/or arterial streets.

(l) "Commission" means the planning and zoning commission of the city.

(m) "Comprehensive plan" means an adopted document that herein may be referred to as a comprehensive plan or comprehensive development plan.

(n) "Condonimium" means an estate consisting of an undivided interest in common in real property, in an interest or interests in real property, or in any combination thereof; together with a separate interest in real property, in an interest or interests in real property or in any combination thereof.

(o) "County Recorder" means the office of the Ada County Recorder.

(p) "Covenant" means a written promise or pledge.

(q) "Cul-de-Sac" means a street connected to another street at one end only and provided with a turnaround space at its terminus.

(r) "Culvert" means a drain that channels water under a bridge, street, road or driveway.

(s) "Dead end street" means a street connecting to another street at one end only and not having provision for vehicular turn around at its terminus.

(t) "Dedication" means the setting apart of land or interests in land for use by the public by ordinance, resolution or entry in the official minutes as by the recording of a plat. Dedicated land becomes public upon the acceptance by the city.

(u) "Developer" means authorized agent(s) of a subdivider or the subdivider himself.

(v) "Dwelling unit" means any building or other structure proposed or built for occupancy by people.

(w) "Easement" means a grant by a property owner to specific persons or to the public to use land for specific purposes. Also, a right acquired by prescription.

(x) "Engineer" means any person who is licensed in the State to practice professional engineering.

(y) "Flood plain" means the relatively flat area or low land adjoining the channel of a river, stream, lake or other body of water which has been or may be covered by water of a flood of one hundred (100) year frequency. The flood plain includes the channel, floodway or

floodway fringe, as established pursuant to engineering practices of the U.S. Army Crops of Engineers, as follows:

(1) "Flood of one hundred (100) year frequency" means a flood magnitude which has a one percent (1%) chance of being equalled or exceeded in any given year;

(2) "Flood" means the temporary inundation of land adjacent to and inundated by overflow from a river, stream, lake or other body of water;

(3) "Channel" mans a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water;

(4) "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

(5) "Floodway fringe" means that part of the flood plain which is beyond the floodway. Such areas includes those portions of the flood plain which will be inundated by a flood of one hundred (100) year frequency.

(z) "Frontage street" means a minor street, parallel to and adjacent to an arterial street to provide access to abutting properties.

(aa) "Governing body" means the City Council of the City of Eagle, Idaho.

(bb) "Highway" means a street designated as a highway by an appropriate State or Federal agency.

(cc) "Hillside subdivision" means any subdivision, or portion thereof, having an average slope of ten percent (10%) or more.

(dd) "Improvement" means any alteration to the land or other physical construction's associated with subdivision and building site developments.

(ee) "Large scale development" means a subdivision, the size of which consists of fifty (50) or more lots or dwelling units.

(ff) "Loop" means a minor street in both terminal points on the same street of origin.

(gg) "Lot" means a parcel, plot, tract or other land area of suitable size as required in these regulations and the existing zoning ordinance; and created by subdivision for sale, transfer or lease.

(hh) "Lot area" means the area of any lot shall be determined exclusive of street, highway, alley, road or rights of way of record.

(ii) "Lot types" as used in these regulations, lot types are as as follows:

(1) "Corner lot" means a lot located at the intersection of two (2) or more streets.

(2) "Interior lot" means a lot other than a corner lot with frontage on only one (1) street other than a corner lot.

(3) "Through lot" means a lot with frontage on more than one (1) street other than a corner lot.

(jj) "Major subdivision" means any subdivision not able to qualify as a minor subdivision, including but not limited to subdivisions of two (2) or more lots, or any size subdivision requiring any new street or extension of the local government facilities, or the creation of any public improvements.

(kk) "Minor street" means a street which has the primary purpose of providing access to abutting properties.

(ll) "Minor subdivision" means any subdivision containing not more than ten (10) lots fronting on an existing street. Not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the comprehensive plan, official map, zoning ordinance, or this ordinance.

(mm) "Mobile home" means a detached single-family dwelling unit with all of the following characteristics:

(1) Designed for long-term occupancy and contained sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems;

(2) Designed to be transported after fabrication on its own wheels, or on flatbed or other trailers, or detached wheels; and

(3) Arrived at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities and the like.

(nn) Mobile home subdivision" means a subdivision designed and intended for exclusive mobile home residential use.

(oo) Monument" means any permanent marker either of concrete, galvanized iron pipe, or iron or steel rods, used to identify any tract, parcel, lot or street lines, as specified in Section 50-1303, Idaho Code.

(pp) "Open space" means an area open to the sky for outdoor recreation activity exclusive of streets, buildings or other covered structures.

(qq) "Original parcel of land" means a lot or tract as recorded on any plat or record on file in the office of the county recorder, or any unplatted contiguous parcel of land held in one ownership as of the effective date of this ordinance.

(rr) "Owner" means an individual, firm, association, syndicate, partnership or corporation having any interest, legal or equitable, in the land to be subdivided.

(ss) "Partial right of way" means a dedicated right-of-way providing only a portion of the required street width, usually along the edge of a subdivision or tract of land.

(tt) "Performance bond" means an amount of money or other negotiable security paid by the subdivider or his

surety to the city clerk which guarantees that the subdivider will perform all actions required by the governing body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of an approved plat, the subdivider or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approved plat.

(uu) "Planned unit development" means a subdivision designed as a combination of residential, commercial and industrial uses or any combination thereof planned for a tract of land to be developed as a unit under single ownership or control, which is developed for the purpose of selling individual lots or estate, whether fronting on private or dedicated streets, which may include two or more principal buildings.

(vv) "Plat" means the drawing, mapping or planning of a subdivision, cemetery, townsite or other tract of land or a re-platting of such including certifications, descriptions and approvals including the following:

(1) "Preliminary plat" means the first formal presentation by drawings of a proposed subdivision; and

(2) "Final plat" means the final and formal presentation by drawings of an approved subdivision development, the original and one (1) copy of which is filed with the County Clerk and Recorder.

(ww) "Private street" means a street that is not accepted for public use or maintenance which provides vehicular and pedestrial access.

(xx) "Reserve strip" means a strip of land between a partial street and adjacent property, which is reserved or held in public ownership for future street extension or widening.

(yy) "Right-of-way" means a strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks and other public utilities or service areas.

(zz) "Standard specifications" means the specifications as specified in this ordinance or as officially adopted by the city.

(aaa) "State" means the State of Idaho.

(bbb) "Street" means a right of way which provides access to adjacent properties, the dedication of which has been officially accepted. The term "street" also includes the terms highway, thoroughfare, parkway, road, avenue, boulevard, lane, place and other such terms.

(ccc) "Subdivided" means the individual, firm, corporation, partnership, association, syndicate, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this ordinance. The subdivider need not be the owner of the property; however, he shall be an agent of the owner or have sufficient proprietory rights in the property to represent the owner.

(ddd) "Subdivision" means the result of an act of dividing an original lot, tract or parcel of land into more than two (2) parts for the purpose of transfer of ownership or development; which shall also include the dedication of a public street and the addition to, or creation of, a cemetery. Subdivisions shall be divided into minor subdivisions, major subdivisions and large scale developments, as those terms are defined in this ordinance. However, this ordinance shall not apply to any of the following:

(1) An adjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width, depth or building set-back lines of each building site below the minimum zoning requirements, and does not change the original number of lots in any block of the recorded plat;

(2) An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property;

(3) The unwilling sale of land as a result of legal condemnation as defined and allowed in the Idaho Code;

(4) Widening of existing streets to conform to the Comprehensive Plan;

(5) The acquisition of street rights-of-way by a public agency in conformance with the Comprehensive Plan; and

(6) The exchange of land for the purpose of straightening property boundaries which does not result in the change of the present land useage.

(eee) Surveyor" means any person who is licensed in the state as a public land surveyor to d professional surveying.

(fff) "Utilities" means installations for conducting water, sewage, gas, electricity, television, storm water and similar facilities providing service to and used by the public.

(ggg) "Variance" means a modification of the requirements of this ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and the variance is not in conflict with the public interest.

(hhh) "Vicinity map" means a small-scale map showing the location of a tract of land in relation to a larger area.

CHAPTER 3
PROCEDURE FOR SUBDIVISION APPROVAL

SECTION 1. SUBDIVISION APPROVAL REQUIRED. Any person desiring to create a subdivision as herein defined shall submit all necessary applications to the administrator. No final plat shall be filed with county recorder or improvements made on the property until the plat has been acted upon by the commission and approved by the city council. No lots shall be sold until the plat has been recorded in the office of the county recorder.

SECTION 2. PRE-APPLICATION PROCEDURE PERMITTED.

(a) Application. The subdivider may submit a pre-application to enable the administrator to review and comment on the proposed subdivision. The pre-application shall include at least one (1) copy of a sketch plan. The sketch plan shall include the entire developmental scheme of the proposed subdivision, in schematic form and including the following:

(1) The general layout and approximate dimensions of streets, blocks and lots in sketch form;

(2) The existing conditions and characteristics of the land on and adjacent to the proposed subdivision site; and

(3) The areas set aside for schools, parks and other public facilities.

(b) Fee. None required.

(c) Administrator Action. The administrator shall notify the subdivider within fifteen (15) days from the date of receipt of an acceptable pre-application as to the general conformance or nonconformance of the proposal with this ordinance, shall provide the necessary forms and check lists and shall comment on the following:

(1) Compliance of the proposed development with existing local or state governmental goals and objectives or comprehensive plans;

(2) Determination if additional special permits or ordinance conflicts, such as rezone, special development permit or variance, are needed and the manner of coordinating such permits;

(3) Consideration of any unique environmental features or hazardous concerns that may be directly or indirectly associated with the subject property, such as areas that have been designated by the State of Idaho as areas of critical environmental concern, unique plant or animal life, flood plain, airport flight pattern and the like;

(4) Consideration of other local and state governmental agencies that the subdivider should contact before preparing a preliminary plat.

SECTION 3. PRELIMINARY PLAT.

(a) Application. The subdivider shall file with the administrator a complete subdivision application form and preliminary plat data as required in this ordinance.

(b) Combining Preliminary and Final Plats In Minor Subdivisions. The applicant may request that the subdivision application be processed as both a preliminary and final plat if all the following exist:

(1) The proposed subdivision does not exceed ten (10) lots;

(2) No new street dedication or street widening are involved;

(3) No major special development considerations are involved such as development in a flood plain, hillside development or the like;

(4) All required information for both preliminary and final plat is complete and in an acceptable form; and

(5) The proposed subdivision is not in conflict with the comprehensive plan or any provision of the zoning ordinance of the City of Eagle.

A request to combine both preliminary plat and final plat into one application shall be acted upon by the commission upon recommendation of the zoning administrator.

(c) Contents of Preliminary Plat. The contents of the preliminary plat and related information shall be in such a form as stipulated by the city council; however, any additional maps or data deemed necessary

by the administrator may also be required. The subdivider shall submit to the administrator at least the following:

(1) Six (6) copies of the preliminary plat of the proposed subdivision, drawn in accordance with the requirements hereinafter stated: Each copy of the preliminary plat shall be on good quality paper, shall have dimensions of not less than twenty-four (24) inches by thirty-six (36) inches, shall be drawn to a scale of not less than one (1) inch to one hundred (100) feet, shall show the drafting date, and shall indicate thereon, by arrow, the generally northerly direction;

(2) Six (6) sets of preliminary engineering plans (not meant to be cross sections or detailed designs) for streets, water sewers, sidewalks and other required public improvements; however, such engineering plans shall contain sufficient information and detail to make a determination as to conformance of the proposed improvements to applicable regulations, ordinances and standards.

(3) A written application requesting approval of the preliminary plan; and

(4) Appropriate information that sufficiently detail the proposed development within any special development area, such as hillside, planned unit development, flood plain, cemetery, mobile home, large-scale development, hazardous and unique areas of development.

(d) Requirement of Preliminary Plats. The following shall be submitted separately:

(1) The name of the proposed subdivision;

(2) The name, address and telephone numbers of the subdivider or subdividers and the engineer or surveyor who prepared the plat;

(3) The name and address of all adjoining owners of property and residents within three hundred (300) feet of the external boundaries of the land being considered, whether or not bisected by a public right-of-way as shown on record in the county assessor's office;

(4) The legal description of the subdivision;

(5) The statement of the intended use of the proposed subdivision, such as residential single-family, two (2) family and multiple housing, commercial, industrial, recreational or agricultural and a designation of any sites proposed for parks, playgrounds, schools, churches or other public uses;

(6) A map of the entire area scheduled for development if the proposed subdivision is a portion of a larger holding intended for subsequent development. A map shall be submitted showing the location of existing buildings, water bodies or courses, and the location of currently dedicated streets at the point where they adjoin and/or are immediately adjacent, provided that actual measured distances shall not be required;

(7) A vicinity map showing the relationship of the proposed plat to the surrounding area (one-half mile minimum radius, scale optional);

(8) The land use and existing zoning of the proposed subdivision and the adjacent land;

(9) Streets, street names, rights-of-way and roadway widths, including adjoining streets or roadways;

(10) Lot lines and blocks showing the dimensions and numbers of each;

(11) Contour lines, shown at five (5) foot intervals where land slope is greater than ten percent (10%) and at two (2) foot intervals where land slope is ten percent (10%) or less, referenced to an established bench mark, including location and elevation;

(12) A site report as required by the appropriate health district where individual wells or septic tanks are proposed;

(13) Any proposed or existing utilities, including, but not limited to, storm and sanitary sewers, irrigation laterals, ditches, drainages, bridges, culverts, water mains, fire hydrants, and their respective profiles;

(14) Any dedications to the public and/or easements, together with a statement of location, dimensions and purpose of such;

(15) Any additional required information for special developments as specified in chapter 6 of this ordinance; and

(16) A statement as to whether or not a variance, as specified in chapter 8 of this ordinance, will be requested with respect to any provision of this ordinance describing the particular provision, the variance requested, and the reasons therefor.

(e) Fee. At the time of submission of an application for a preliminary plat a fee as established in the official fee schedule of the City of Eagle shall be paid. There shall be no additional fee for the combining of the preliminary and final plats.

(f) Administrator Review.

(1) Certification. Upon receipt of the preliminary plat and all other required data as provided for herein, the administrator shall certify the application as complete and shall affix the date of application acceptance thereon. The administrator shall schedule a public hearing before the planning and zoning commission which hearing shall be held within 45 days of the date of certification of a complete application.

(2) Review by Other Agencies. The administrator shall refer the preliminary plat and application to as many governmental agencies as deemed necessary. Such agencies may include the following:

(i) Other governing bodies having joint jurisdiction;

(ii) The appropriate utility companies, irrigation companies or districts and drainage districts;

(iii) The superintendant of the school district; and

(iv) Other agencies having an interest in the proposed subdivision.

(3) The zoning administrator shall provide that any transmittal as provided in subparagraph (f)(2) above will be returned within 15 days. At the end of the 15-day period, the administrator shall prepare a recommendation to the commission. All agency responses shall be supplied by the zoning administrator to the planning and zoning commission.

(g) Public Notice.

(1) Notice to Property Owners. The administrator shall notify all adjoining property owners whose names and addresses have been provided by the subdivider. Such written notice shall be mailed by first-class mail at least fifteen (15) days prior to the commission meeting.

(2) Failure to Notify. The administrator's failure to comply with the notice provision shall not invalidate the commission's action, provided the spirit of the procedure is observed.

(h) Commission Action.

(1) Commission's Findings. In determining the acceptance of a proposed subdivision the commission shall consider the objectives of this ordinance and at least the following:

(i) The conformance of the subdivision with the comprehensive development plan;

(ii) The availability of public services to accommodate the proposed development;

(iii) The continuity of the proposed development with the capital improvement program;

(iv) The public financial capability of supporting services for the proposed development; and

(v) The other health, safety or environmental problems that may be brought to the Commission's attention.

(2) Action on Preliminary Plat. The commission may recommend approval, conditional approval, disapproval, or tabling for a period not to exceed thirty-five (35) days. Such action shall occur within thirty-five (35) days of the date of the

regular meeting at which the plat is first considered by the commission. The action, and the reasons for such action shall be stated in writing by the administrator, and forwarded to the applicant. The administrator shall also forward a statement of the action taken and the reasons for such action together with a copy of the preliminary plat to the council for their action. Upon granting or denying a preliminary plat the commission shall specify:

(i) The ordinance and standards used in evaluating the application;

(ii) The reasons for recommending approval or denial; and

(iii) The actions if any, that the applicant could take to obtain a permit.

(3) Action on Combined Preliminary and Final Plat. If the commission's conclusion is favorable to the subdivider's request for the subdivision to be considered as both a preliminary plat and final plat, then a recommendation shall be forwarded to the city council in the same manner as herein specified for a final plat. The commission may recommend that the combined application be approved, approved conditionally or disapproved.

(i) Council Action. Within forty-five (45) days after receipt of the commission's recommendation and following the notice and hearing requirements as set forth in section 3, subparagraphs (f) and (g) of this chapter, the city council shall make findings as required in section 3, subparagraph (h)(2) of this chapter. The city council shall approve, approve conditionally or disapprove the preliminary plat within thirty (30) days of the public hearing conducted to consider the commission's recommendation.

(j) Approval Period.

(1) Failure to file with and obtain the certification of the acceptance of the final plat application by the administrator within one (1) year after action by the city council shall cause all approvals of said preliminary plat to be null and void, unless an extension of time is applied for by the subdivider and granted by the city council.

(2) In the event that the development of the preliminary plat is made in successive contiguous segments in an orderly and reasonable manner, and conforms such segments, if submitted within successive intervals for one (1) year may be considered for final approval without resubmission for preliminary plat approval.

SECTION 4. FINAL PLAT.

(a) Application. After the approval or conditional approval of the preliminary plat, the subdivider may cause the total parcel or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. The subdivider shall submit to the administrator the following:

(1) Three (3) copies of the final plat; and

(2) Three (3) copies of the final engineering construction drawings for streets, water, sewers, sidewalks and other public improvements.

(b) Content of Final Plat. The final plat shall include and be in compliance with all items required under Title 50, Chapter 13 of the Idaho Code and shall be drawn at such a scale and contain lettering of such size as to enable the same to be placed on one (1) sheet of eighteen (18) inch by twenty-four (24) inch drawing paper, with no part of the drawing nearer to the edge than one (1) inch. The reverse of said sheet shall not be used for any portion of the drawing, but may contain written matter as to dedications, certifications or other information. The final plat shall include at least the following:

(1) A written application for approval of such final plat as stipulated by the city council;

(2) Proof of current ownership of the real property included in the proposed final plat;

(3) Such other information as the administrator or city council may deem necessary to establish whether or not all proper parties have signed and/or approved said final plat;

(4) Conformance with the approved preliminary plat and meeting all requirements or conditions thereof;

(5) Conformance with all requirements and provisions of this ordinance;

(6) Acceptable engineering practices and local standards; and

(7) The plat shall show building sites on each lot adjusted to set-back requirements.

(c) Fee. At the time of submission of an application for a final plat, a fee as established in the official Fee Schedule of the City of the City of Eagle shall be paid.

(d) Administrator Review.

(1) Acceptance. Upon receipt of the final plat, and compliance with all other requirements as provided for herein, the administrator shall certify the application as complete and shall affix the date of acceptance thereon.

(2) Resubmission of Final Plat. The administrator shall review the final plat for compliance with the approved or conditionally approved preliminary plat. If the administrator determines that there is substantial difference in the final plat than that which was approved as a preliminary plat or conditions which have not been met, the administrator may require that the final plat be submitted to the commission and city council in the same manner as required in the preliminary plat process.

(3) Submission to the City Council. Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the administrator shall place the final plat on the city council agenda within forty-five (45) days from the date that an acceptable final plat application was received and acknowledged by the administrator.

(e) Agency Review. The administrator may transmit one (1) copy of the final plat, or other documents submitted, for review and recommendation to the departments and agencies as he deems necessary to insure compliance with the preliminary approval and/or conditions of preliminary approval. Such agency review shall also include the construction standards of improvements, compliance with health standards, the cost estimate for all improvements and the legal review of the performance bond.

(f) City Council Action. The city council at its next meeting following receipt of the administrator's report shall consider the commission's finding, and comments from concerned persons and agencies to arrive at a decision on the final plat. The city council shall approve, approve conditionally, disapprove or table the final plat for additional information within thirty (30) days of the date of the first regular meeting at which the plat is considered. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the city council shall specify:

(1) The ordinance and standards used in evaluating the application;

(2) The reasons for approval or denial; and

(3) The actions, if any, that the applicant could take to obtain a permit.

(g) Approval Period. The final plat shall be filed with the county recorder within one (1) year after written approval by the city council. Otherwise such approval shall become null and void unless the subdivider, prior to said expiration date, applies for an extension of time and such extension is granted by the city council.

(h) Method of Recording. Upon approval of the final plat by the city council, the subdivider's prepayment of recording fees, posting of surety bond or other acceptable guarantee and the inclusion of those certifications and signatures on the final plat as set forth in section 4 (i) below, the subdivider shall furnish proof to the administrator that the final plat has been recorded.

(i) The following certifications and signatures shall be included on the final plat prior to recording by the county recorder:

(1) Certification and signature of the city council verifying that the subdivision has been approved;

(2) Certification and signature of the city clerk and the city engineer verifying that the subdivision meets the requirements of the City of Eagle and has been approved by the city council; and

(3) Certification of the sanitation restriction on the face of the plat in accordance with the provisions of section 50-1326, Idaho Code.

CHAPTER 4
DESIGN STANDARDS

SECTION 1. MINIMUM DESIGN STANDARDS REQUIRED. All plats submitted pursuant to the provisions of this ordinance, and all subdivision, improvements and facilities done, constructed or made in accordance with said provisions shall comply with the minimum design standards set forth in this chapter; provided, however, that any higher standards adopted by any highway district, the Idaho Transportation Department or health agency shall prevail over those set forth herein.

SECTION 2. DEDICATION. Within a proposed subdivision, arterial and collector streets, as shown on the comprehensive plan, shall be dedicated to the public in all cases; in general, all other streets also shall be dedicated to public use.

SECTION 3. LOCATION. Street and road location shall conform to the following standards:

(a) Street Location and Arrangements. When an official street plan or comprehensive development plan has been adopted, subdivision streets shall conform to such plans;

(b) Minor Streets. Minor streets shall be so arranged as to discourage their use by through traffic;

(c) Stub Streets. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall be such that said streets extend to the boundary line of the tract to make provisions for the future extension of said streets into adjacent areas, and shall have a cul-de-sac or temporary cul-de-sac. A reserve street may be required and held in public ownership.

(d) Relation to Topography. Streets shall be arranged in proper relation to topography so as to result in usable lots, safe streets and acceptable gradients;

(e) Alleys. Alleys shall be provided in multiple dwelling or commercial subdivisions unless other provisions are made for service access and off-street loading and parking. Dead-end alleys shall be prohibited in all cases;

(f) Frontage Roads. Where a subdivision abuts or contains an arterial street, it shall be required that there

be frontage roads approximately parallel to and on each side of such arterial street; or, such other treatment as is necessary for the adequate protection of residential properties and to separate through traffic from local traffic;

(g) Cul-de-Sac Streets. Cul-de-sac streets shall not be more than five hundred (500) feet in length and shall terminate with an adequate turnaround having a minimum radius of fifty (50) feet for right-of-way;

(h) Half Streets. Half streets shall be prohibited except where unusual circumstances make such necessary to the reasonable development of a tract in conformance with this ordinance and where satisfactory assurance for dedication of the remaining part of the street is provided. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract; and

(i) Private Streets. Private streets and roads shall be prohibited.

SECTION 4. SPECIFICATIONS.

(a) Street and road right-of-way widths, grade, alignment, and so forth, shall conform to the adopted major street plan or comprehensive plan and the rules of the Idaho Transportation Department and the Ada County Highway District or other agency having jurisdiction.

(b) Notwithstanding section 4(a) above, access from a frontage road onto an arterial street shall be limited to 1500 feet between points.

SECTION 5. STREET NAMES. The naming of streets shall conform to the following standards:

(a) A street name shall not duplicate any existing street name within the county except where a new street is a continuation of an existing street. Street names that may be spelled differently but sound the same as existing street names shall not be used; and

(b) All new streets shall be named as follows: streets having predominately north-south direction shall be

named "avenue" or "road;" streets having a predominately east-west direction shall be named "street" or "way;" meandering streets shall be named "drive," "lane," "path" or "trail," and cul-de-sacs shall be named "circle," "court" and "place."

SECTION 6. INTERSECTIONS. Intersections shall conform to the following standards:

(a) Angle of Intersection. Streets shall intersect at ninety (90) degrees or as closely thereto as possible, and in no case shall streets intersect at less than seventy (70) degrees;

(b) Sight Triangles. Minimum clear sight distance at all minor street intersections shall permit vehicles to be visible to the driver of another vehicle when each is one hundred (100) feet from the center of the intersection;

(c) Number of Streets. No more than two (2) streets shall cross at any one (1) intersection;

(d) "T" Intersections. "T" intersections may be used wherever such design will not restrict the free movement of traffic.

(e) Centerline Offsets. Street centerlines shall be offset by a distance of at least one hundred twenty-five (125) feet; and

(f) Vertical Alignment of Intersection. A nearly flat grade with appropriate drainage slopes is desirable within intersections. This flat section shall be extended a minimum of one hundred (100) feet each way from the intersection. An allowance of two percent (2%) maximum intersection grade in rolling terrain, and four percent (4%) in hilly terrain, will be permitted.

SECTION 7. PEDESTRAIN WALKWAYS. Right-of-way for pedestrain walkways in the middle of long blocks may be required where necessary to obtain convenient pedestrain circulation to schools, parks or shopping areas; the pedestrain easement shall be at least ten (10) feet wide.

SECTION 8. EASEMENTS. Unobstructed utility easements shall be provided along front lot lines, rear lot lines and

side lot lines when deemed necessary; total easement width shall not be less than twelve (12) feet. Unobstructed drainage way easements shall be provided as required by the city council. All natural drainage courses shall be left undisturbed or be improved in a manner which will improve the hydraulics and ease of maintenance of the channel.

SECTION 9. BLOCKS. Every block shall be so designed as to provide two (2) tiers of lots, except where lots back onto an arterial street, natural feature or subdivision boundary. Blocks shall not be less than five hundred (500) feet long in all cases.

SECTION 10. LOTS. Lots shall conform to the following standards:

(a) Zoning. Lots within any subdivision shall comply in all respects with the Official Height and Area Regulations as set forth in Article VII, Ordinance No. 40 of the City of Eagle.

(b) Future Arrangements. Where parcels of land are subdivided into unusually large lots (such as when large lots are approved for septic tanks), the parcels shall be divided, where feasible, so as to allow for future resubdividing into smaller parcels. Lot arrangements shall allow for the ultimate extension of adjacent streets through the middle of wide blocks. Whenever such future subdividing or lot splitting is contemplated the plan thereof shall be approved by the city council prior to the taking of such action; and

(c) Sufficient Area for Septic Tank. Where individual septic tanks have been authorized sufficient area shall be provided for a replacement sewage disposal system.

SECTION 11. PLANTING STRIPS AND RESERVE STRIPS. Planting strips and reserve strips shall conform to the following standards:

(a) Planting Strips. Planting strips shall be required to be placed next to the incompatible features such as highways, railroads, commercial or industrial uses to screen the view from residential properties. Such screening shall be a minimum of twenty (20) feet wide, and shall not be a part of the normal street right-of-way or utility easement; and

(b) Reserve Strips.

(1) Private Reserve Strips. Privately held reserve strips controlling access to streets shall be prohibited; and

(2) Public Reserve Strips. A one (1) foot reserve may be required to be placed along half streets which are within the subdivision boundaries and shall be deemed in fee simple to the city for future street widening.

SECTION 12. PUBLIC SITES AND OPEN SPACES. Public sites and open spaces shall conform to the following standards:

(a) Public Uses. Where it is determined that a proposed park, playground, school or other public use as shown on the future acquisition map, as authorized in section 67-6517, Idaho Code, is located in whole or in part within a proposed subdivision the city council shall notify the appropriate public agency concerning the land proposed to be acquired. Within thirty (30) days of the date of notice, the public agency may request the governing body to suspend consideration on the subdivision for sixty (60) days. If an agreement is not reached within sixty (60) days the city council shall resume consideration of the subdivision;

(b) Natural Features. Existing natural features which add value to residential development and enhance the attractiveness of the community (such as trees, watercourses, historic spots and similar irreplaceable assets) shall be preserved in the design of the subdivision; and

(c) Special Developments. In the case of planned unit developments and large scale developments the city council may require sufficient public and/or private park or open space facilities of acceptable size, location and site characteristics that may be suitable for the proposed development.

CHAPTER 5
IMPROVEMENT STANDARDS

SECTION 1. RESPONSIBLITY FOR PLANS. It shall be the responsibility of the subdivider of every proposed subdivision to have prepared by a registered engineer, a complete set of construction plans, including profiles, cross-section, specifications and other supporting data, for all required public streets, utilities and other facilities. Such construction plans shall be based on preliminary plans which have been approved with the preliminary plat, and shall be prepared in conjunction with the final plat. Construction plans are subject to approval by the responsible public agencies. All construction plans shall be prepared in accordance with the public agencies' standards or specifications.

SECTION 2. REQUIRED PUBLIC IMPROVEMENT. Every subdivider shall be required to install the following public and other improvements in accordance with the following conditions and specifications:

(a) Monuments. Monuments shall be set in accordance with section 50-1303, Idaho Code.

(b) Streets and Alleys. All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the Ada County Highway District;

(c) Curbs and Gutters. Vertical curbs and gutters shall be constructed on collector and arterial streets. Rolled curbs and gutters shall be required on minor streets. All construction shall be in accordance with the standards and specifications adopted by the Ada County Highway District;

(d) Bicycle Pathways. A bicycle pathway shall be provided within all subdivisions, as part of the public right-of-way or separate easement, as may be specified by the city council;

(e) Installation of Public Utilities. Underground utilities are required;

(f) Driveways. All driveway openings and curbs shall be as specified by the Ada County Highway District or the Idaho Transportation Department;

(g) Storm Drainage. An adequate storm drainage system shall be required in all subdivisions. The requirements

for each particular subdivision shall be established by the Ada County Highway District. Construction shall follow the specifications and procedures established by the Ada County Highway District;

(h) Public Water Supply and Sewer Systems.

(1) All public water supply or sewer systems (serving two (2) or more separate premises or households) shall be constructed in accordance with any adopted local plans and specifications. All new public water supply or sewer systems shall be an extension of an existing public system whenever possible. In the event that the proposed public water supply or sewer system is not an extension of an existing public system there shall be a showing by the subdivider that the extension is not feasible and not in the best interest of the public.

(2) All water and sewer plans be submitted to the Idaho Department of Health and Welfare or its authorized agent for approval in accordance with the provisions of section 50-1326, Idaho Code.

(i) Hydrologic Controls.

(1) Interceptor ditches shall be established above all cut/fill slopes, and the intercepted water conveyed to a stable channel or natural drainageway with adequate capacity.

(2) Curb, gutter and pavement design shall be such that water on raodways is prevented from flowing off the roadway.

(3) Natural drainageways shall be riprapped or otherwise stabilized below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion.

(4) Runoff from areas of concentrated impervious cover (for example, roofs, driveways and roads) shall be collected and transported to a natural drainage with sufficient capacity to accept the discharge without undue erosion.

(5) Waste material from construction, including soil and other solid materials, shall not be deposited within the 100 year flood plain.

(6) Drainageways or hydraulic structures in major waterways (defined as draining a basin area of ten acres or more) shall be designed for the 100 year flood or to accommodate the runoff projected in the Soil Conservation Service Hydrology Guide for Residential Development of the Boise Front, whichever is greater. In minor waterways (defined as draining a basin area of less than ten acres) such structures shall be designed for the 50 year flood or to accommodate the runoff projected in the Soil Conservation Service Hydrology Guide for Residential Development of the Boise Front, whichever is greater.

(7) With the exception of road crossings, approved drainage structures and recreation and open space uses which do not involve the destruction of vegetal cover, development shall be prohibited within the 100 year flood plain for major waterways, and the 50 year flood plain for minor waterways.

(8) Sediment cathment ponds shall be constructed and maintained downstream from each development, unless sediment retention facilities are otherwise provided. Any facility used shall provide for the removal of surface debris and contaminants, as well as sediment retention.

(9) The overall drainage system shall be completed and made operational at the earliest possible time during construction.

(10) Alterations of major drainageways shall be prohibited except for approved road crossings and drainage structures.

(11) Natural or improved open channel drainageways shall be preserved or provided for in major waterways, except that at road crossings, conduits may be permitted. Minor waterways shall be permitted to be enclosed in conduits.

(12) The Board reserves the right to install hydrologic measuring devices in drainageways within any development at public expense.

(j) Fire Hydrants and Water Mains. Adequate fire protection shall be required in accordance with the appropriate Fire District standards;

(k) Street Name Signs. Street name signs shall be installed in the appropriate locations at each street intersection in accordance with the local standards. A per street sign fee shall be paid by the subdivider;

(l) Sidewalks and Pedestrain Walkways. Sidewalks shall be required on both sides of the street, except that where the average width of lots, as measured at the street frontage line or at the building setback line, is over one hundred (100) feet. Sidewalks on only one (1) side of the street may be allowed. Pedestrain walkways, when required, shall have easements at least ten (10) feet in width and include a paved walk at least five (5) feet in width. Sidewalks and cross walks shall be constructed in accordance with the standards and specifications of the Ada County Highway District;

(m) Greenbelt. Greenbelts or landscaping screening may be required for the protection of residential properties from adjacent major arterial streets, waterways, railroad rights-of-way or other features. Subdivision plats shall show the location of any greenbelt areas; and

(n) Street Lighting. Street lights may be required to be installed at intersections throughout the subdivision. A subdivider shall conform to the requirements of the city and the public utility providing such lighting.

SECTION 3. GUARANTEE OF COMPLETION OF IMPROVEMENTS.

(a) Financial Guarantee Arrangements. In lieu of the actual installation or required public improvements before filing of the final plat, the city council may permit the subdivider to provide a financial guarantee of performance in one (1) or a combination of the following arrangements for those requirement which are over and beyond the requirements of any other agency responsible for the administration, operation and maintenance of the applicable public improvement;

(b) Performance Bond.

(1) Accrual. The bond shall accrue to the City of Eagle covering construction, operation and maintenance of the specific public improvement;

(2) Amount. The bond shall be in an amount equal to the one hundred ten percent (110%) of the total estimated cost for completing construction of the specific public improvements, as estimated by the city engineer and approved by the city council;

(3) Term Length. The term length in which the bond is in force shall be for a period to be specified by the city council for the specific public improvement;

(4) Bonding for Surety Company. The bond shall be with a surety company authorized to do business in the State of Idaho, acceptable to the city council; and

(5) Escrow Agreement. The escrow agreement shall be drawn and furnished by the city council.

(c) Cash Deposit, Certified Check, Negotiable Bond, or Irrevocable Bank Letter of Credit.

(1) Treasurer, Escrow Agent or Trust Company. A cash deposit, certified check, negotiable bond or an irrevocable bank letter or credit acceptable by the city council shall be deposited with an escrow agent or trust company;

(2) Dollar Value. The dollar value of the cash deposit, certified check, negotiable bond or an irrevocable bank letter of credit shall be equal to one hundred ten percent (110%) of the estimated cost of construction for the specific public improvement, as estimated by the city engineer and approved by the city council;

(3) Escrow Time. The escrow time for the cash deposit, certified check, negotiable bond or irrevocable bank letter of credit shall be for a period to be specified by the city council; and

(4) Progressive Payment. In the case of cash deposits or certified checks, an agreement between the city council and the subdivider may provide for progressive payment out of the cash deposit or reduction of the certified check, negotiable bond or irrevocable bank letter of credit, to the extent of the cost of the completed portion of the public improvement, in accordance with a previously entered into agreement.

(d) Conditional Approval of Final Plat. With respect to financial guarantees, the approval of all final subdivision plats shall be conditioned on the accomplishment of one (1) of the following:

(1) The construction of improvements required by this ordinance shall have been completed by the subdivider and approved by the city council; or

(2) Surety acceptable to the city council shall have been filed in the form of a cash deposit, certified check, negotiable bond, irrevocable bank letter of credit or surety bond.

(e) Inspection of Public Improvements Under Construction. Before approving a final plat and construction plans and specification for public improvements, an agreement between the subdivider and the city council shall be made to provide for checking or inspecting the construction and its conformity to the submitted plans.

(f) Penalty in Case of Failure to Complete the Construction of a Public Improvement. In the event the subdivider shall, in any case, fail to complete such work within the period of time as required by the conditions of the guarantee for the completion of public improvements, it shall be the responsibility of the city council to proceed to have such work completed. In order to accomplish this, the city council shall reimburse itself for the cost and expense thereof by appropriating the cash deposit, certified check, irrevocable bank letter of credit, or negotiable bond which the subdivider may have deposited in lieu of a surety cond, or may take such steps as may be necessary to require performance by the bonding or surety company, and as included in a written agreement between the city council and the subdivider.

CHAPTER 6
SPECIAL DEVELOPMENT SUBDIVISIONS

SECTION 1. PURPOSE. The purpose of this chapter is to identify various types of developments that normally pose special concerns to the elected officials when reviewing and acting upon subdivision requests. This chapter outlines the plan submittal requirements and design standards that shall be taken into consideration when acting on special developments. The provisions of this chapter are in addition to the plan requirements, design standards and improvement standards that are required by chapters 3, 4 and 5 of this ordinance.

SECTION 2. HILLSIDE SUBDIVISION -- APPEARANCE AND PRESERVATION. In order to preserve, retain, enhance and promote the existing and future appearance, natural topographic features, qualities and resources of hillsides, special consideration shall be given to the following:

(a) Skyline and ridge tops;

(b) Rolling grassy land forms, including knolls, ridges and meadows;

(c) Tree and shrub masses, grass, wild flowers and top soil;

(d) Rock outcroppings;

(e) Stream beds, draws and drainage swales, especially where tree and plant formations occur; and

(f) Characteristic vistas and scenic panaromas.

SECTION 3. HILLSIDE SUBDIVISION -- DEVELOPMENT EVALUATION.

(a) All development proposals shall take into account and shall be judged by the way in which land use planning, soil mechanics, engineering geology, hydrology, civil engineering, environmental and civil design, architectural and landscape design are applied in hillside areas, including but not limited to:

(1) Planning of development to fit the topography soils, geology, hydrology and other conditions existing on the proposed site;

(2) Orientation of development on the site so that grading and other site preparation is kept to an absolute minimum;

(3) Shaping of essential grading to blend with natural land forms and to minimize the necessity of padding and/or terracing of building sites;

(4) Division of large tracts into smaller workable units on which construction can be completed within one (1) construction season so that large areas are not left bare and exposed during the winter-spring runoff period;

(5) Completion of paving as rapidly as possible after grading;

(6) Allocation of areas not well suited for development because of soil, geology or hydrology limitations for open space and recreation uses;

(7) Minimizing disruption of existing plant and animal life; and

(8) Consideration of the view from and of the hills.

(b) Areas having soil, geology or hydrology hazards shall not be developed unless it is shown that their limitations can be overcome; that hazard to life or property will not exist; that the safety, use or stability of a public way or drainage channel is not jeopardized; and that the natural environment is not subjected to undue impact.

SECTION 4. HILLSIDE SUBDIVISION -- ENGINEERING PLANS. The developer shall retain a professional engineer(s) to obtain the following information:

(a) Soils Report. For any proposed hillside development a soils engineering report shall be submitted with the preliminary plat. This report shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, design criteria for corrective measures, and opinions and recommendations covering the adequacy of sites to be developed;

(b) Geology Report.

(1) For any proposed hillside development a geology report shall be submitted with the preliminary

plat. This report shall include an adequate description of site geology and an eveluation of the relationship between the proposed development and the underlying geology and recommendations for remedial remedies; and

(2) The investigation and subsequent report shall be completed by a professional geologist registered in the state of Idaho.

(c) Hydrology Report. Foor any proposed hillside development a hydrology report shall be submitted with the preliminary plat. This report shall include an adequate description of the hydrology, conclusions and recommendations regarding the effect of hydrologic conditions on the proposed development, and opinions and recommendations covering the adequacy of sites to be developed.

SECTION 5. HILLSIDE DEVELOPMENT -- GRADING PLAN.

(a) A preliminary grading plan shall be submitted with each hillside preliminary plat proposal and shall include the following information:

(1) Approximate limiting dimensions, evaluations or finish contours to be achieved by the grading, including all cut and fill slopes, proposed drainage channels and related construction;

(2) Preliminary plans and approximate locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed; and

(3) A description of methods to be employed in disposing of soil and other material that is removed from the grading site, including the location of the disposal site.

(b) A final grading plan shall be submitted with each final plat and shall include the following information:

(1) Limiting dimensions, evaluations or finish contours to be achieved by the grading, including all proposed cut and fill slopes, and proposed drainage channels and related construction;

(2) Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs and other protective devices to be constructed; and

(3) A schedule showing when each stage of the project will be completed, including the total area of soil surface which is to be disturbed during each stage together with estimated starting and completion dates. In no event shall the existing natural vegetative ground cover be destroyed, removed or disturbed more than fifteen (15) days prior to grading.

SECTION 6. HILLSIDE SUBDIVISIONS -- DEVELOPMENT STANDARDS.

(a) Soils.

(1) Fill areas shall be prepared by removing organic material, such as vegetation and rubbish, and any other material which is determined by the soils engineer to be detrimental to proper compaction or otherwise not conducive to stability; no rock or similar irreducible material with a maximum dimension greater than eight (8) inches shall be used as fill material in fills that are intended to provide structural strength.

(2) Fills shall be compacted to at least ninety-five percent (95%) of maximum density, as determined by AASHOT99 and ASTM D698.

(3) Cut slopes shall be no steeper than two (2) horizontal to one (1) vertical; subsurface drainage shall be provided as necessary for stability.

(4) Fill slopes shall be no steeper than two (2) horizontal to one (1) vertical; fill slopes shall not be located on natural slopes two to one (2:1) or steeper, or where fill slopes toes out within twelve (12) feet horizontally of the top of an existing or planned cut slope.

(5) Tops and toes of cut and fill slopes shall be set back from property boundaries a distance of three (3) feet plus one-fifth (1/5) of the height of the cut or fill but need not exceed

a horizontal distance of ten (10) feet; tops and toes of cut and fill slopes shall be set back from structures a distance of six (6) feet plus One-fifth (1/5) the height of the cut or fill, but need not exceed ten (10) feet.

(6) The maximum horizontal distance of disturbed soil surfaces shall not exceed seventy-five (75) feet.

(b) Roadways.

(1) Road alignments should follow natural terrain and no unnecessary cuts or fills shall be allowed in order to create additional lots or building sites.

(2) One-way streets shall be permitted and encouraged where appropriate for the terrain and where public safety would not be jeopardized. Maximum width shall be seventeen (17) feet between the backs and curbs.

(3) The width of the graded section shall extend three (3) feet beyond the curb back or edge of pavement on both the cut and fill sides of the roadway. If sidewalk is to be installed parallel to the roadway, the graded section shall be increased by the width of the sidewalk plus one (1) foot beyond the curb back.

(4) Standard six (6) inch vertical curb and gutter shall be installed along both sides of all paved roadways.

(c) Driveways and Parking. Combinations of collective private driveways, cluster parking areas and on-street parallel parking bays shall be used to attempt to optimize the objectives of minimum soil disturbance, minimum impervious cover, excellence of design and aesthetic sensitivity.

SECTION 7. HILLSIDE SUBDIVISION -- VEGETATION AND REVEGETATION.

(a) The developer shall submit a slope stabilization and revegetation plan which shall include a complete description of the existing vegetation, the vegetation to be removed and the method of disposal, the vegetation to be planted,

and slope stabilization measures to be installed. The plan shall include an analysis of the environmental effects of such operations, including the effects on slope stability, soil erosion, water quality and fish and wildlife.

(b) Vegetation sufficient to stabilize the soil shall be established on all disturbed areas as each stage of grading is completed. Areas not contained within lot boundaries shall be portected with perennial vetetal cover after all construction is completed. Efforts shall be made to plant those species that tend to recover from fire damage and do not contribute to a rapid rate of fire spread.

(c) The developer shall be fully responsible for any destruction of native vegetation proposed for retention. He shall carry the responsibility both for his own employees and for all subcontractors from the first day of construction until the notice of completion is filed. The developer shall be responsible for replacing such destroyed vegetation.

SECTION 8. MAINTENANCE AND UTILITIES.

(a) The owner of any private property on which grading or other work has been performed pursuant to a grading plan approved or a building permit granted under the provisions of this ordinance shall continuously maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures or means, and other protective devices, plantings and ground cover installed or completed.

(b) All new service utilities shall be placed underground.

SECTION 9. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- GENERAL -- MINIMUM AREA.

(a) Planned unit and condominium developments shall be subject to requirements set forth in the zoning ordinance of the City of Eagle and also subject to all provisions of this ordinance.

(b) A planned unit development shall contain an area as specified in the zoning ordinance of the City of Eagle.

SECTION 10. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- SITE DEVELOPMENT PLAN. The developer shall provide a colored rendering to adequate scale to show the completed development that will include at least the following:

(a) Architectural style and building design;

(b) Building materials and color;

(c) Landscaping;

(d) Screening;

(e) Garbage areas;

(f) Parking; and

(g) Open space.

SECTION 11. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- PRIVATE STREETS. Private streets shall be prohibited in any planned unit and condominium subdivision subject to the provisions of this ordinance.

SECTION 12. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- STORAGE AREAS. Storage areas shall be provided for the anticipated needs of boats, campers and trailers. For typical residential development, one (1) adequate space shall be provided every two (2) living units. This may be reduced by the city council if there is a showing that the needs of a particular development are less.

SECTION 13. PARKING SPACES. One (1) additional parking space beyond that which is required by the zoning ordinance may be required for every three (3) dwelling units to accommodate visitor parking.

SECTION 14. MAINTENANCE BUILDING. A maintenance building shall be provided of such size and in such location as is suitable for the service needs that are necessary for the repair and maintenance of all common areas.

SECTION 15. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- OPEN SPACE. The location of open space shall be appropriate to the development and shall be of such shape and area to be usable and convenient to the residents of the development.

SECTION 16. PLANNED UNIT AND CONDOMINIUM SUBDIVISIONS -- CONTROL DURING DEVELOPMENT. Single ownership or control during

development shall be required and a time limit may be imposed to guarantee the development is built and constructed as planned.

SECTION 17. LARGE-SCALE DEVELOPMENT SUBDIVISION -- REQUIRED INFORMATION. Due to the impact that a large-scale development would have on public utilities and services, the developer shall submit the following information along with the preliminary plat:

(a) Identification of all public services that would be provided to the development (including but not limited to fire protection, police protection, central water, central sewer, road construction, parks and open space, recreation, maintenance, schools and solid waste collection);

(b) Estimate of the public service costs to provide adequate service to the development;

(c) Estimate the tax revenue that will be generated from the development; and

(d) Suggested public means of financing the services for the development if the cost for the public services would not be offset by tax revenue received from the development.

SECTION 18. CEMETERY SUBDIVISIONS.

(a) Function. The developer of any cemetery subdivision shall provide the commission with written documentation that will sufficiently explain the functions of the proposed cemetery for either human or animal remains.

(b) Compliance with Idaho Code. The developer of any cemetery subdivision shall submit a written statement that has been prepared by an attorney that adequately assures the compliance of the proposed cemetery with the procedural management requirements that are outlined in Title 27, Idaho Code.

SECTION 19. SUBDIVISION WITHIN A FLOOD PLAIN. In addition to the provisions of this ordinance, any subdivision within the designated flood plain of the City of Eagle shall comply with all applicable provisions of the floodplain ordinance of the City of Eagle as now in effect or as may hereafter be amended.

SECTION 20. SUBDIVISION WITHIN AN AREA OF CRITICAL CONCERN -- GENERAL. Hazardous or unique areas may be designated as an

area of critical concern by the city council or by the state of Idaho. Special consideration shall be given to any proposed development within an area of critical concern to assure that the development is necessary and desirable and in the public interest in view of the existing unique conditions. Hazardous or unique areas that may be designated as areas of critical concern are as follows:

(a) Earthquake locations;

(b) Unstable soils;

(c) Unique animal life;

(d) Unique plant life;

(e) Scenic areas;

(f) Historical significance;

(g) Flood plain;

(h) Center city;

(i) Areas within the area of city impact but outside city boundaries; and

(j) Other areas of critical concern.

SECTION 21. SUBDIVISION WITHIN AN AREA OF CRITICAL CONCERN -- PLAN SUBMISSION. The developer shall prepare and submit an environmental assessment along with the preliminary plat application for any development that is proposed within an area of critical concern.

SECTION 22. SUBDIVISION WITHIN AN AREA OF CRITICAL CONCERN -- CONTENT OF ENVIRONMENTAL ASSESSMENT. The content of the environmental assessment shall be prepared by an interdisciplinary team of professionals that shall provide answers to the following questions:

(a) What changes will occur to the area of environmental concern as a result of the proposed development?

(b) What corrective action or alternative development plans could occur so as not to significantly change the area of environmental concern?

(c) What changes in the area of environmental concern are unavoidable? and

(d) What beneficial or detrimental affect would the development have on the environment (including but not limited to animal life, plant life, social concerns, economic noise, visual, available farm land and other)?

CHAPTER 7
VACATIONS AND DEDICATIONS

SECTION 1. APPLICATION PROCEDURE.

(a) Application. Any property owner desiring to vacate an existing subdivision, public right-of-way or easement, or desiring to dedicate a street right-of-way or easement shall complete and file an application with the administrator These provisions shall not apply to the widening of any street which is shown in the comprehensive plan, or the dedication of streets, rights-of-way or easements to be shown on a recorded subdivision.

(b) Administrator Action. Upon receipt of the completed application, the administrator shall affix the date of application acceptance thereon. The administrator shall place the application on the agenda for consideration at the next regular meeting of the commission which is held not less than fifteen (15) days after the date of acceptance.

SECTION 2. ACTION.

(a) Commission Recommendation. The commission shall review the request and all agency responses and within thirty (30) days of the meeting at which the issue was on the agenda shall make a recommendation to the city council for either approval, conditional approval or denial.

(b) Council Action.

(1) When considering an application for vacation procedures, the city council shall establish a date for a public hearing and give such public notice as required by law. The city council may approve, deny or modify the application. Whenever public rights-of-way or lands are vacated, the city council shall provide adjacent property owners with a quit claim deed for the vacated rights-of-way in such proportions as are prescribed by law.

(2) When considering an application for dedication procedures, the city council may approve, deny or modify the application. When a dedication is approved, the required street improvements shall be constructed or a bond furnished assuring the construction, prior to acceptance of the

dedication. To complete the acceptance of any dedication of land, the owner shall furnish to the city council a deed describing and conveying such lands to be recorded with the county recorder.

(3) The council shall review the request and all agency responses and commission recommendation and within thirty (30) days of the meeting at which the issue was on the agenda either approve, conditionally approve or deny the request.

CHAPTER 8
VARIANCES

SECTION 1. PURPOSE. The commission may recommend to the city council, a variance from the provisions of this ordinance on a finding that undue hardship results from the strict compliance with specific provisions or requirements of the ordinance or that application of such provisions or requirement is impracticable.

SECTION 2. FINDINGS. No variance shall be favorably acted upon by the city council unless there is a finding upon recommendation by the commission, as a result of a public hearing, that all of the following exist:

(a) That there are such special circumstances or conditions affecting the property that the strict application of the provisions of this ordinance would clearly be impracticable or unreasonable; in such cases, the subdivider shall first state his reasons in writing as to the specific provision or requirement involved;

(b) That strict compliance with the requirements of this ordinance would result in extraordinary hardship to the subdivider because of unusual topography, other physical conditions or other such conditions which are not self-inflicted, or that these conditions would result in inhabiting the achievement of the objectives of this ordinance;

(c) That the granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in wich the property is situated;

(d) That such variance will not violate the provisions of the Idaho Code;

(e) That such variance will not have the effect of nullifying hte interest and purpose of this ordinance and the comprehensive plan.

CHAPTER 9
DETECTION OF VIOLATION, ENFORCEMENT AND PENALTIES

SECTION 1. ENFORCEMENT. No subdivision plat required by this ordinance or the Idaho Code shall be admitted to the public land records of Ada County or recorded by the county recorder, until such subdivision plat has received final approval of the city council. No public board, agency, commission, official or other authority shall proceed with the construction of or authorize the construction of any of the public improvements required by this ordinance until the final plat has received the approval by the city council. No permits for construction of any structure shall be issued on any parcel or lot until it has been determined such parcel or lot meets the requirements of this ordinance. The city attorney shall, in addition to taking whatever criminal action deemed necessary, take steps to civilly enjoin any violation of this ordinance.

SECTION 2. PENALTIES. Violation of any of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense. The land owner, tenant, subdivider, builder, public official or any other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense. Nothing herein contained shall prevent the city council or any other public official or private citizen from taking such lawful action as is necessary to restrain or prevent any violation of this ordinance or of the Idaho Code.

CHAPTER 10
AMENDMENT PROCEDURES

SECTION 1. COMMISSION TO RECOMMEND CHANGES TO THIS ORDINANCE. The city council may, from time to time, amend, supplement or repeal the regulations and provisions of this ordinance upon recommendation from the commission, in the following manner:

(a) The commission, prior to recommending an amendment, supplement, or repeal of the ordinance, shall conduct at least one (1) public hearing in which interested persons shall have an opportunity to be heard. At lease fifteen (15) days prior to the hearing, notice of the time and place and a summary of the plan to be discussed shall be published in the official newspaper or paper of general circulation within the jurisdiction. The commission shall also make available a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement. Following the commission hearing, if the commission makes a material change in the ordinance other than that published for the present hearing, further notice and hearing shall be provided before the commission forwards its recommendation to the council. A record of the hearings, findings made and actions taken shall be maintained; and

(b) The city council, prior to adopting an amendment, supplement or repeal of the ordinance, shall conduct at least one (1) public hearing using the same notice and hearing procedures as the commission. The city council shall not hold a public hearing, give notice of a proposed hearing nor take action until recommendations have been received from the commission. Following the hearing, further notice and hearing shall be provided before the council adopts the amendment, supplement or repeal.

SECTION 3. SEVERABILITY. The provisions of this ordinance are hereby declared to be severable and if any provisions of this ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon its passage, approval and publication in the manner provided by law.

PASSED by the City Council and APPROVED by the Mayor this 15th day of November, 1983.

Carol Haley
Carol Haley
Mayor

ATTEST: Bonnie Krasowski
Bonnie Krasowski
City Clerk

CITY OF EAGLE/ADA COUNTY REFERRAL PROCESS AGREEMENT

Section 1.0 AMENDMENT OF CITY COMPREHENSIVE PLAN AND ORDINANCES

1.1 All proposed amendments to the Eagle Comprehensive Plan, the Eagle Subdivision Ordinance and shall be forwarded to the Ada County Department of Development Services by the Eagle City Clerk at least fifteen (15) days prior to any public hearing on any such proposed amendment(s), whether said amendment(s) is before the Eagle Planning and Zoning Commission or the Eagle City Council. The Ada County Department of Development Services shall determine whether or not such amendment(s) is in conflict with one or more of the Comprehensive Plan or the Ada County Zoning Ordinance. The Ada County Department of Development Services shall notify the Eagle Planning and Zoning Commission, or the Eagle City Council, as the case may be, of such determination in writing prior to or at such public hearing. Such input from the County shall not be binding or controlling on the City of Eagle, but shall be treated as documentary evidence.

1.2 When the Eagle City Council has rendered a final decision to adopt an amendment to the Eagle City Comprehensive Plan, the Eagle City Subdivision Ordinance, or the Eagle City Zoning Ordinance, the Eagle City Clerk shall, within fifteen (15) days forward a copy of the final document to the Ada County Department of Development Services and the Board of Ada County Commissioners, along with a notice as to when the amendment will take effect in the City. Within thirty (30) days after the receipt of the amendment, the Board of Ada County Commissioners shall either protest the amendment and request renegotiation of the area of city impact ordinances, or if necessary, shall direct the Ada County Planning and Zoning Commission to schedule the amendment for public hearing as an amendment to the area of city impact ordinance.

Section 2.0 AMENDMENT OF COUNTY COMPREHENSIVE PLAN AND ZONING ORDINANCE.

2.1 All proposed amendments to the County Comprehensive Plan and/or the Ada County Zoning Ordinance shall be forwarded by the Ada County Department of Development Services to the Eagle City Clerk at least forty-five (45) days prior to any public hearing on any such proposed amendment(s). The Eagle City Council and/or the Eagle Planning and Zoning Commission shall determine whether or not such amendment is in conflict with one or more of the goals, objectives, policies or provisions of the Eagle City Comprehensive Plan, the Eagle City Subdivision Ordinance, or the Eagle City Zoning Ordinance. The Eagle City Council shall notify the Ada County Department of Development Services of such determination in writing prior to or at such public hearing. Such input from the City shall not be binding or controlling on the County, but shall be treated as documentary evidence.

2.2 The Board of Ada County Commissioners shall notify the City of Eagle, in writing, of the County's action on such amendment(s) within fifteen (15) days following a final decision on such matter along with notice as to when the amendment(s) will take effect in the County. Within forty-five (45) days after the receipt of the amendment(s), the Eagle City Council shall either protest the amendment(s) and request renegotiation of the Area of City Impact Ordinances, or if necessary, shall direct the Eagle City Planning and Zoning Commission to schedule the amendment for public hearing as an amendment to the Area of City Impact Ordinance.

Section 3.0 PROCESSING OF LAND USE APPLICATIONS IN THE EAGLE AREA OF CITY IMPACT

3.1 The Ada County Department of Development Services shall send to the Eagle City Clerk all county applications for planned developments, subdivisions, rezones, and conditional use permits located within the Eagle Area of City Impact, forty-five (45) days prior to any county public hearing on such application. The Eagle Planning and Zoning Commission or the Eagle City Council shall make recommendations to the Director of the Ada County Department of Development Services on such application, in writing, and shall cite those Eagle Subdivisions Ordinance or Eagle Comprehensive Plan policies, goals, objectives or provisions supporting such recommendation. Such recommendation shall be received by the Director of the Ada County Department of Development Services no later than thirty (30) days after the Eagle City Clerk has received such application. Such input from....

3.2 Neither the Board of Ada County Commissioner nor the Ada County Planning and Zoning Commission shall hold a public hearing on such application until the recommendation of Eagle City Council or Eagle Planning and Zoning Commission, as the case may be, has been received, or the date the County should have received said Counsel's or Commission's recommendations, specified above, has passed.

3.3 The Ada County Department of Development Services will notify the Eagle City Clerk in writing of the County's action on land use applications located within the Eagle Area of City Impact but outside the Eagle City Limits within fifteen (15) days following final decision by the appropriate County agency on such matter.

Resolution # 500

AT A DULY CONVENED MEETING OF THE BOARD OF ADA COUNTY COMMISSIONERS, THE FOLLOWING RESOLUTION WAS ADOPTED, TO-WIT:

WHEREAS, the 1975 Local Planning Act requires that Ada County and each of its cities establish Area of City Impact boundaries for each city and designate plans and ordinances to apply within such Areas of City Impact; and,

WHEREAS, Idaho Code 66-6526A establishes procedures and deadlines for establishing such Area of City Impact Agreement; and,

WHEREAS, Ada County and the City of Eagle did adopt an Area of City Impact Agreement which became effective October 3, 1980; and,

WHEREAS, Idaho Code Section 67-6526D provides that Areas of City Impact shall remain fixed until both governing boards agree to negotiate; and,

WHEREAS, Ada County and the City of Eagle have renegotiated their Area of City Impact pursuant to the requirements of Idaho Code; and,

WHEREAS, The proposed Area of City Impact Agreement calls for a referral process agreement to be adopted establishing procedures for amending plan policies and ordinances and for the processing of zoning applications;

NOW, THEREFORE, BE IT RESOLVED that the Board of Ada County Commissioners hereby adopt the Eagle Area of City Impact Agreement, the terms of which are spelled out by reference to Ada County Ordinance # 181, Eagle City Ordinance # 121, which documents are attached hereto and incorporated herein; and,

THE BOARD OF ADA COUNTY COMMISSIONERS hereby further adopts the Eagle City/Ada County Referral Process Agreement, attached hereto and incorporated herein.

APPROVED AND ADOPTED by the Board of Ada County Commissioners this 24th day of September, 1987.

BOARD OF ADA COUNTY COMMISSIONERS

By: Michael L. Johnson
Michael L. Johnson, Chairman

By: (ABSENT)
Judy M. Peavey, Commissioner

By: Vernon L. Bisterfeldt
Vernon L. Bisterfeldt, Commissioner

RECEIVED
OCT 8 1987
ADA COUNTY
DEVELOPMENT SERVICES

ATTEST:

John Bastida
John Bastida, Ada County Clerk

ADA COUNTY ORDINANCE CHECKLIST

ORDINANCE NO.: 199 - Cagle Area of City Impact

1. Submitted By: Sheri Freemuth DATE _____
2. Reviewed by P.A. 5-89
3. BOCC Hearing & Adoption 5-25
4. Published in Idaho Statesman 6-13
5. File sent to P.A.'s Office 6-19

Ordinance No. 199

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE 9, CHAPTER 2, THE EAGLE AREA OF CITY IMPACT; PROVIDING A REFERENCE DATE FOR THE EAGLE AREA OF CITY IMPACT BOUNDARY MAP; AND PROVIDING FOR A NEW EFFECTIVE DATE OF FEBRUARY 28, 1989 FOR THE EAGLE COMPREHENSIVE PLAN.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE FOLLOWING SECTIONS OF THE ADA COUNTY CODE BE REVISED TO READ AS FOLLOWS:

Section 9-2-1 (A) shall be amended to read as follows:

A. 1. Eagle Area of City Impact Map: The Eagle Area of City Impact is the area designated on the Eagle Area of City Impact Boundary Map, fully incorporated by reference, copies of which are available for inspection at the Ada County Development Services Department.

2. Amendments to the map are as follows:

a. Ordinance No. 199, May 25,1989.

Section 9-2-3 (A) shall be amended to read as follows:

A. The Eagle Comprehensive Plan, as adopted and amended by the City of Eagle on February 9,-1988 28, 1989 by Resolution 2-88 1-89, shall apply within the Eagle Area of City Impact.

APPROVED AND ADOPTED THIS 25th DAY OF May, 1989.

BOARD OF ADA COUNTY COMMISSIONERS

By: Vernon L. Bisterfeldt
Vernon L. Bisterfeldt, Chairman

By: Michael L. Johnson
Michael L. Johnson, Commissioner

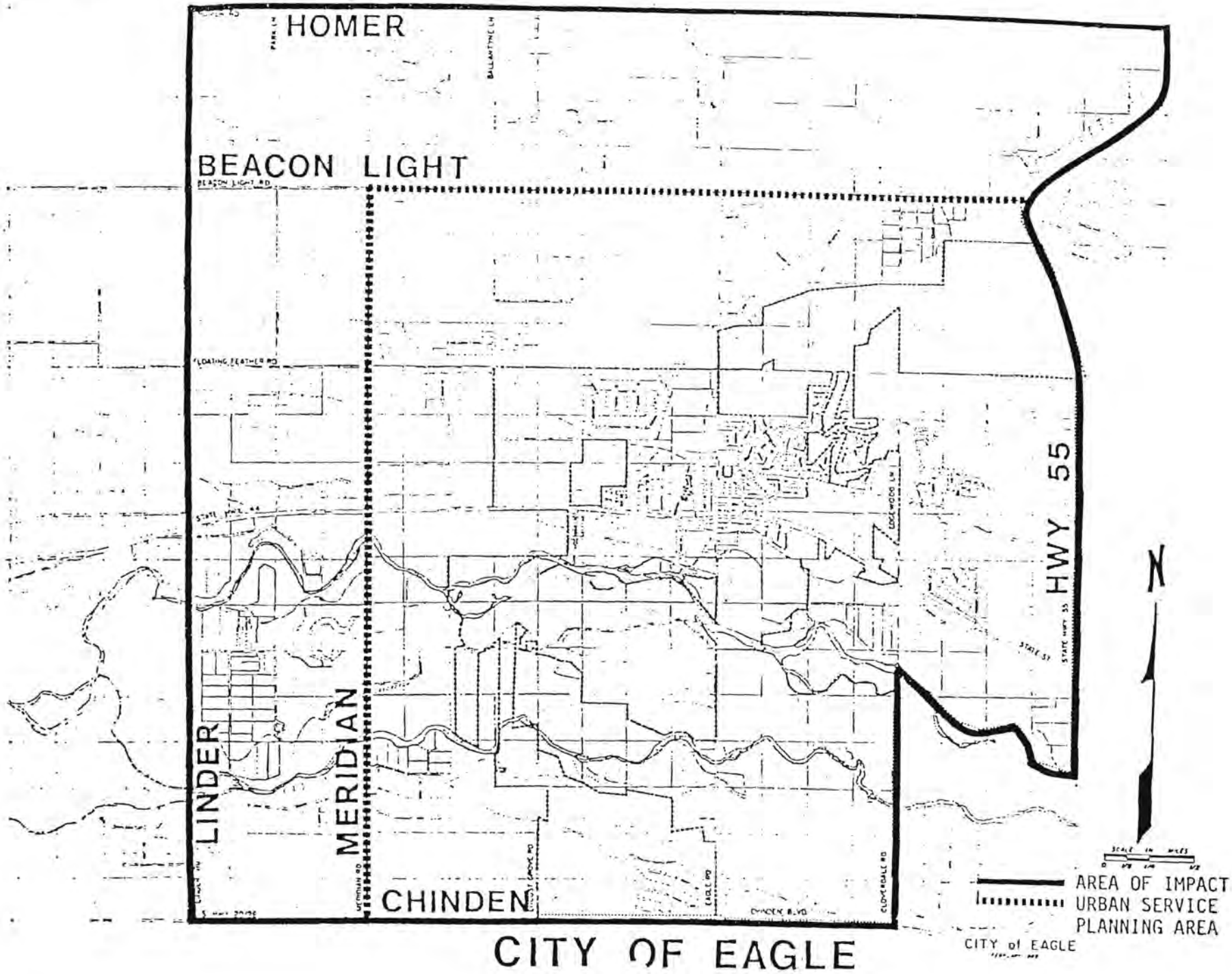
By: Judy M. Peavey
Judy M. Peavey, Commissioner

ATTEST:

John Bastida
John Bastida, Ada County Clerk

PUBLISHED: 6-13-89

(See text)



CITY OF EAGLE

ORDINANCE NO. 199

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE 9, CHAPTER 2, THE EAGLE AREA OF CITY IMPACT; PROVIDING A REERENCE DATE FOR THE EAGLE AREA OF CITY IMPACT BOUNDARY MAP; AND PROVIDING FOR A NEW EFFECTIVE DATE OF FEBRUARY 28, 1989 FOR THE EAGLE COMPREHENSIVE PLAN.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE FOLLOWING SECTIONS OF THE ADA COUNTY CODE BE REVISED TO READ AS FOLLOWS:

Section 9-2-1 (A) shall be amended to read as follows:

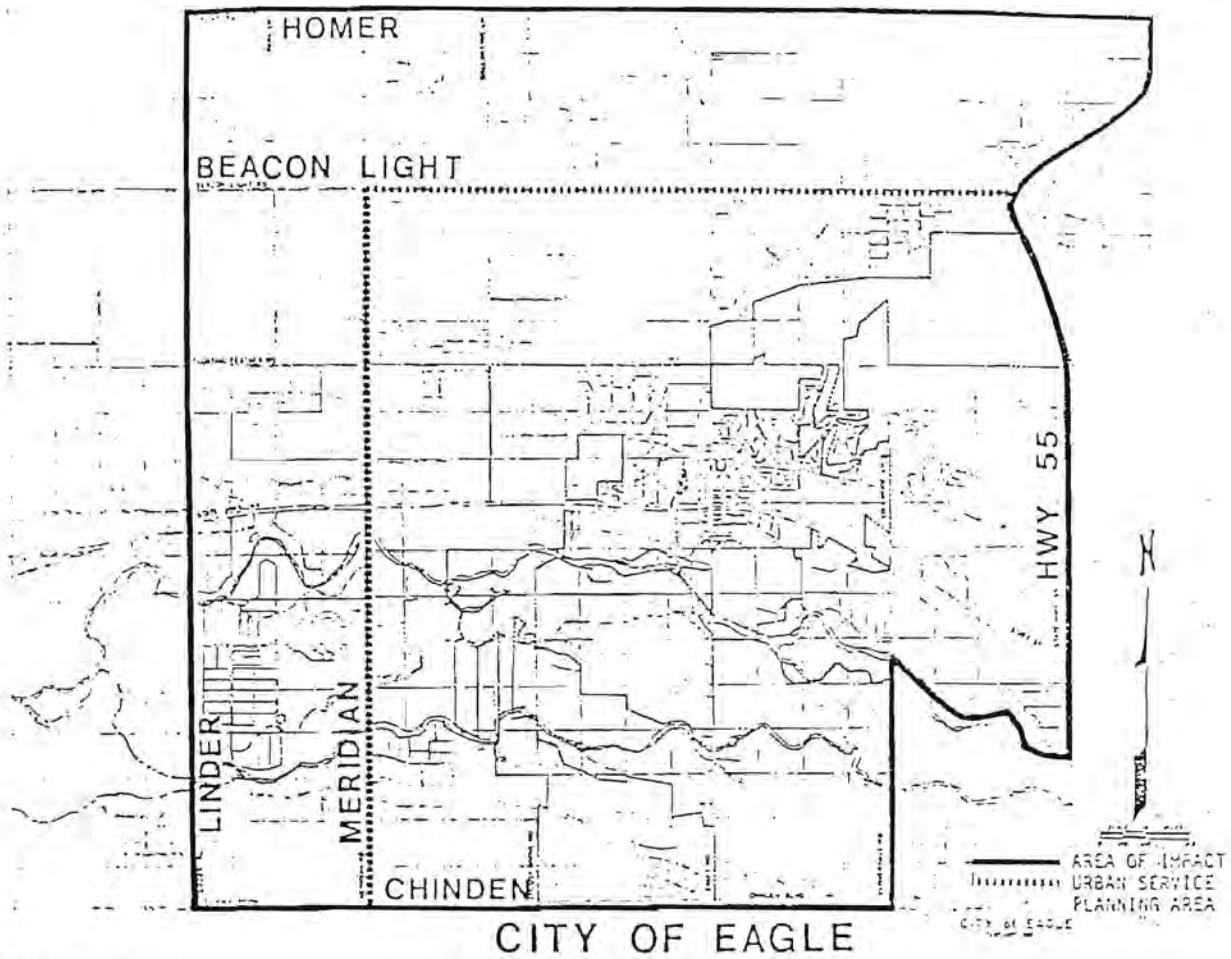
A. 1. Eagle Area of City Impact Map: The Eagle Area of City Impact is the area designated on the Eagle Area of City Impact Boundary Map, fully incorporated by reference, copies of which are available for inspection at the Ada County Development Services Department.

2. Amendments to the map are as follows:

a. Ordinance No. 199, May 25, 1989.

Section 9-2-3 (A) shall be amended to read as follows:

A. The Eagle Comprehensive Plan, as adopted and amended by the City of Eagle on February ~~9, 1988~~ 28, 1989 by Resolution ~~2-88~~ 1-89, shall apply within the Eagle Area of City Impact.



APPROVED AND ADOPTED THIS 25TH DAY OF MAY, 1989.

BOARD OF ADA COUNTY COMMISSIONERS
VERNON L. BISTERFELDT
Chairman
MICHAEL L. JOHNSON
Commissioner
JUDY M. PEAVEY
Commissioner
ATTEST:
JOHN BASTIDA
Ada County Clerk

Pub. Jun. 13, 1989

RECEIVED
JUN 1 1989
ADA COUNTY
DEVELOPMENT SERVICES

01-02-20A

ORDINANCE NO. 437

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE NINE, CHAPTER TWO, SECTION THREE, THE EAGLE AREA OF CITY IMPACT BY PROVIDING FOR THE ADOPTION OF THE EAGLE CITY COMPREHENSIVE PLAN ADOPTED BY THE CITY OF EAGLE ON JULY 18, 2000, AND AMENDING THE REQUIREMENT FOR EAGLE CITY APPROVAL OF SUBDIVISION PLATS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT TITLE NINE, CHAPTER TWO, SECTION THREE, ADA COUNTY CODE, EAGLE AREA OF CITY IMPACT IS HEREBY AMENDED AS FOLLOWS:

~~Ada County Code~~ Section **9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES** shall be amended to read as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle Comprehensive Plan, as amended by the City of Eagle ~~on May 11, 1993~~ July 18, 2000, by Resolution ~~4-93~~ 00-6, shall apply within the Eagle area of City impact.

B. Applications for subdivision development in the Eagle area of City impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle City code, title 9, chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of City impact shall be submitted to the City of Eagle for ~~approval, in addition to Ada County approval, as provided in Idaho Code 50-1306~~ their recommendation.

D. The Ada County Zoning Ordinance shall be used to implement this Chapter.

APPROVED AND ADOPTED THIS 18th DAY OF December, 2001.

Board of Ada County Commissioners

By: _____
Roger D. Simmons, Chairman

By: _____
Sharon M. Ullman, Commissioner

By: _____
G. P. Kingsford, Commissioner

ATTEST:

_____
J. David Navarro, Ada County Clerk

PUBLICATION DATE: 12/18/01

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 8, CHAPTER 2, ARTICLE B, SECTION 6 PARAGRAPH B TO EXCLUDE PROPERTY WITHIN EAGLE AREA OF CITY IMPACT BOUNDARY TO BE ELIGIBLE FOR CLUSTER SUBDIVISIONS; AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, SECTION 3 AS TO CALCULATING DENSITY OF RESIDENTIAL DEVELOPMENTS WITHIN THE EAGLE AREA OF CITY IMPACT BOUNDARY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 8, CHAPTER 2, SECTION 6 PARAGRAPH B, AND TITLE 9, CHAPTER 2, SECTION 3 BE AMENDED AS FOLLOWS:

Section 1: Ada County Code § 8-2B-6B is amended as follows with the rest of Ada County Code § 8-2B-6 remaining the same.

8-2B-6: RUT AND RSW CLUSTER SUBDIVISION:

B. Applicability: This regulation shall apply to any property that meets the following criteria <u>with the exception of property located within the Eagle area of city impact boundary.</u>

1. The property is within the rural-urban transition district or southwest community residential district;

2. The qualifying property has a minimum of two hundred fifty feet (250') of frontage along a public street; and

Section 2: Ada County Code § 9-2-3, is amended as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle comprehensive plan, as amended by the city of Eagle ~~July 18, 2000, by resolution 00-6,~~ <u>February 16, 2004 by resolution, No. 04-01,</u> shall apply within the Eagle area of city impact.

B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9 chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of Residential development: the total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle Comprehensive Plan Land Use Map will not be allowed except where the Eagle Comprehensive Plan details a fractional density and then the density shall not exceed the number described in the Eagle Comprehensive Plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 7th day of June, 2004.

Board of Ada County Commissioners

By: Judy Peavey-Derr
Judy Peavey-Derr, Chairman

By: Rick Yzaguirre
Fred Tilman, Commissioner

By: Fred S. Tilman
Rick Yzaguirre, Commissioner

ATTEST:

David Navarro
J. David Navarro, Ada County Clerk

PUBLISHED: 6/14/04

LEGAL NOTICE
SUMMARY OF
ADA COUNTY ORDINANCE NO. 541

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 8, CHAPTER 2, ARTICLE B, SECTION 6 PARAGRAPH B TO EXCLUDE PROPERTY WITHIN EAGLE AREA OF CITY IMPACT BOUNDARY TO BE ELIGIBLE FOR CLUSTER SUBDIVISIONS; AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, SECTION 3 AS TO CALCULATING DENSITY OF RESIDENTIAL DEVELOPMENTS WITHIN THE EAGLE AREA OF CITY IMPACT BOUNDARY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 8, CHAPTER 2, SECTION 6 PARAGRAPH B, AND TITLE 9, CHAPTER 2, SECTION 3 BE AMENDED AS FOLLOWS:

Section 1: Ada County Code § 8-2B-6B is amended as follows with the rest of Ada County Code § 8-2B-6 remaining the same.

8-2B-6: RUT AND RSW CLUSTER SUBDIVISION:

B. Applicability: This regulation shall apply to any property that meets the following criteria with the exception of property located within the Eagle area of city impact boundary.

1. The property is within the rural-urban transition district or southwest community residential district;

2. The qualifying property has a minimum of two hundred fifty feet (250) of frontage along a public street; and

Section 2: Ada County Code § 9-2-3, is amended as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle comprehensive plan, as amended by the city of Eagle July 18, 2000, by resolution 00-6, February 16, 2004 by resolution, No. 04-01, shall apply within the Eagle area of city impact.

B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9 chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of Residential development: the total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle Comprehensive Plan Land Use Map will not be allowed except where the Eagle Comprehensive Plan details a fractional density and then the density shall not exceed the number described in the Eagle Comprehensive Plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 7th day of June, 2004.
Board of Ada County Commissioners
By: Judy Peavey-Derr, Chairman
By: Fred Tilman, Commissioner
By: Rick Yzaguirre, Commissioner
ATTEST: J. David Navarro,
Ada County Clerk

Pub. Jun. 14, 2004 19671

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SEP 29 2004
ADA COUNTY
DEVELOPMENT SERVICES

RESOLUTION No. 04-15

A RESOLUTION OF THE EAGLE CITY COUNCIL, EAGLE, ADA COUNTY, IDAHO REPEALING ANY AND ALL EXISTING COMPREHENSIVE PLANS, AND ADOPTING THE AMENDED 2000 COMPREHENSIVE PLAN; AFFIRMING THAT PRESCRIBED NOTICE AND HEARING REQUIREMENTS WERE MET IN ACCORDANCE WITH TITLE 67, CHAPTER 65, IDAHO CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On April 18, 1978, the Eagle City Council passed Resolution #4-78 adopting the 1978 Comprehensive Plan: and

WHEREAS, On May 26, 1981, the Eagle City Council passed Resolution #5-81 amending the 1978 Comprehensive Plan; and

WHEREAS, On May 24, 1983, the Eagle City Council passed Resolution #3-83 again amending the 1978 Comprehensive Plan; and

WHEREAS, On April 30, 1985, the Eagle City Council passed Resolution #2-85 adopting the 1985 Comprehensive Plan; and

WHEREAS, On August 12, 1986, the Eagle City Council passed Resolution #5-86 amending the 1985 Comprehensive Plan; and

WHEREAS, On February 10, 1987, the Eagle City Council passed Resolution #1-87 again amending the 1985 Comprehensive Plan; and

WHEREAS, On February 9, 1988, the Eagle City Council passed Resolution #2-88 amending the 1987 Comprehensive Plan and adopting the 1988 Comprehensive Plan; and

WHEREAS, On February 28, 1989, the Eagle City Council passed Resolution #1-89 amending the 1988 Comprehensive Plan adopting the 1989 Comprehensive Plan; and

WHEREAS, On March 27, 1990, the Eagle City Council passed Resolution #2-90 amending the 1989 Comprehensive Plan adopting the 1990 Comprehensive Plan; and

WHEREAS, On May 11, 1993, the Eagle City Council passed Resolution # 4-93 repealing any and all previous Comprehensive Plans and Land Use Designation Maps and adopting the 1993 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, In 1995, the Eagle City Council amended the 1993 Comprehensive Plan and adopted the 1995 Comprehensive Plan; and

WHEREAS, On October 14, 1997, the Eagle City Council amended the 1995 Comprehensive Plan and Land Use Designation Map and adopted the 1997 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, after sending mailings, holding public workshops, providing legal notice, transmitting notice to other jurisdictions, agencies, and entities, holding public hearings of the

Planning and Zoning Commission and City Council, the City Council, on November 9, 1999, unanimously voted to approve the 2000 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, On April 25, 2000, the Eagle City Council amended the 2000 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, On April 9, 2002, the Eagle City Council amended the 2000 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, On February 25, 2003 (part 1) and on August 12, 2003 (part 2), the Eagle City Council amended the 2000 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, On February 16, 2004, the Eagle City Council amended the 2004 Comprehensive Plan text; and

WHEREAS, after sending mailings, holding public workshops, providing legal notice, transmitting notice to other jurisdictions, agencies, and entities, holding public hearings of the Planning and Zoning Commission and City Council, the City Council, on September 14, 2004, approved the Soaring 2025 Western Sub-Area Plan an amendment to the 2000 Comprehensive Plan and Land Use Designation Map; and

WHEREAS, The City Council hereby finds that the proposed Amended 2000 Comprehensive Plan and sub-area plan comply with the provisions of Section 67-6508 of the Idaho Code; and

WHEREAS, Section 67-6509(b) of the Idaho Code, provides that the City Council may adopt, amend or repeal a Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE, IDAHO.

The Eagle City Council hereby repeals any and all existing Comprehensive Plans, and adopts the Amended 2000 Comprehensive Plan, the Soaring 2025 Western Sub-area Plan, and the Future Land Use Designation Map, heard and adopted by the Council at its September 14, 2004, meeting.

This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Council of the City of Eagle, Idaho, this 14th day of September, 2004.

CITY OF EAGLE
Ada County, Idaho

NANCY C. MERRILL,
MAYOR

ATTEST:

Sharon K Bergmann

SHARON K. BERGMANN
CITY CLERK/TREASURER
(SEAL)

NOV-10-04 08:40A City of Star* 208 286 7569 P.02

NOTICE OF HEARING ON PETITION FOR THE ANNEXATION OF PROPERTY TO EAGLE SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the petition of the following listed property owners for the annexation of certain areas into the Eagle Sewer District, subject to conditions imposed by the District's Board of Directors, will be heard by the Board on the 8th day of November 2004, at 6:30 p.m. at the office of the Eagle Sewer District, 44 North Palmetto, Eagle, Idaho.

Any person, or persons, opposing this annexation shall show cause, in writing, if any they have, why the petition should not be granted. Written comments will be accepted during the regular working hours of Eagle Sewer District until 4:00 p.m. on November 8, 2004.

The failure of any such person to show cause, in writing, shall be deemed as an assent to the annexation of such lands into the District as prayed in the petition. The Board shall have full discretion to determine if the petition shall be granted. The proposed annexation agreement is with:

Harold, H. & Marcelene C. Westover
2267 S. Eagle Road
Eagle, Idaho 83616

The real property that has been petitioned for inclusion and annexation into Eagle Sewer District, situated in Ada County, Idaho, is described more particularly as follows, to wit:

SEE ATTACHED EXHIBIT "A"

Exhibit "A" consists of one parcel with a total acreage of 25.32 acres. This property is locateed on the south side of the South Channel of the Boise River and west of Eagle Road. The proposed use for this property is for 26 single-family residential lots.

Lynn Moser, General Manager
Publish: October 26, 2004 & November 2, 2004

Exhibit "A"
PROPERTY DESCRIPTION

A parcel of land being a portion of Government Lot 1 of Section 20, Township 4 North, Range 1 East, Boise Meridian, City of Eagle, Ada County, Idaho, mopre particularly described as follows:

Commencing at the NE corner of said Government Lot 1 (section corner common to Sections 16, 17, 20 and 21), said corner monumented with a 3-inch-diameter brass disk;

Thence S. 88 degrees 45'24" W., a distance of 1339.31 feet along the northerly boundary of said Government Lot 1 to the NW corner of said Government Lot 1, said corner being the NE boundary corner of Streamside Subdivision as on file in Book 75 of Plats at Pages 7750 through 7754 in the Office of the Recorder of Ada County, Idaho, said corner also being the POINT OF BEGINNING and is monumented with a found 5/8-inch diameter iron pin;

Thence N. 88 degrees 45'24" E. (formerly East) a distance of 133.98 feet along the northerly boundary of said Government Lot to a point;

Thence S. 73 degrees 48'07" (formerly S. 72 degrees 35' E.) a distance of 137.28 feet to a point;

Thence S. 57 degrees 58'07" E. (formerly S. 56 degrees 45' E.) a distance of 290.40 feet to a point;

Thence S. 41 degrees 18'07" E. (formerly S. 40 degrees 05' E.) a distance of 198.00 feet to a point;

Thence S. 32 degrees 23'07" E. (formerly S. 31 degrees 10' E.) a distance of 287.10 feet to a point;

Thence S. 37 degrees 58'07" E. (formerly S. 36 degrees 45' E.) a distance of

Commencing at the NE corner of said Government Lot 1 (section corner common to Sections 16, 17, 20 and 21), said corner monumented with a 3-inch-diameter brass disk;

Thence S. 1 degree 12'27" W. a distance of 1150.05 feet along the easterly boundary of said Government Lot 1 to a point on the northerly boundary of said Instrument No. 72610;

Thence along the northerly boundary of said Instrument No. 72610 the following courses and distances;

Thence S. 89 degrees 09'27" W. (formerly S. 87 degrees 57' W.) a distance of 51.75 feet to a point on the westerly right-of-way of State Highway 55 (Eagle Road), per Project No. NH-F 3271(037), highway survey as shown on the plans thereof, now on file in the office of the Idaho Transportation Department and recorded as Warranty Deed Instrument No. 96008689 in the Office of the Recorder of Ada County, Idaho, said point lying 70.00 feet lest (westerly) of station 315+95.32 of said highway survey and being the POINT OF BEGINNING;

Thence leaving said westerly right-of-way and continuing S. 89 degrees 9'27" W. (formerly S. 87 degrees 57' W.) a distance of 314.55 feet to a point;

Thence S. 79 degrees 39'27" W. (formerly S. 52 degrees 37' W.) a distance of 204.60 feet to a point;

Thence S. 69 degrees 29'27" W. (formerly S. 71 degrees 17' W.) a distance of 79.20 feet to a point;

Thence S. 72 degrees 29'27" W. (formerly S. 71 degrees 17' W.) a distance of 99.00 feet to a point;

Thence S. 63 degrees 29'27" W. (formerly S. 61 degrees 40' W.) a distance of 118.80 feet to a point;

Thence S. 62 degrees 29'27" W. (formerly S. 64 degrees 17' W.) a distance of 118.80 feet to a point;

Thence S. 62 degrees 52'27" W. (formerly S. 61 degrees 40' W.) a distance of 185.21 feet to a point on the northerly boundary of a parcel of land described in Judgment for Quiet Title recorded as Instrument No. 8245559 in the Office of the Recorder of Ada

portation Department and recorded as Warranty Deed Instrument No. 96008689 in the Office of the Recorder of Ada County, Idaho, said point lying 70.00 feet left (westerly) of station 315+76.93 of said highway survey and is monumented with a found 5/8-inch-diameter iron pin;

Thence along said westerly right-of-way a distance of 18.28 feet along the arc of an 11,389.16-foot-radius nontangent curve left with a central angle of 0 degrees 05'31", and tangents of 103.79 feet, the long chord of which bears N. 1 degree 58'01" E. a distance of 18.28 feet to the POINT OF BEGINNING.

This parcel contains 0.58 acre, more or less.

Also, the above-described parcels are SUBJECT TO all easements and rights-of-way of record or implied.

(End of legal notice)

PUBLIC HEARING
CITY OF EAGLE

Legal notice is hereby given that the EAGLE PLANNING AND ZONING COMMISSION will hold a public hearing November 15, 2004, at 6:30 P.M. at Eagle City Hall to consider the following:

APPLICATION #: A-7-04 & RZ-12-04

APPLICATION BY: The City of Eagle

PROJECT SUMMARY: The City is proposing an annexation and rezone from RR (Residential) to A-R (Agricultural-Residential).

PROJECT LOCATION: The 575+/- acre area is generally located west of Linder Road, east of State Highway 16, south of Floating Feather Road and approximately 1000-feet north of State Highway 44.

Application materials and a specific legal description are on file for public inspection at Eagle City Hall, 310 E. State Street. Public testimony is encouraged at the public hearing and written comments will be accepted no later than five (5) working days prior to the public hearing. Auxiliary aids or services for persons with disabilities can be made available by calling the City Clerk (939-6813) at least three days prior to the public hearing.

The Ada County Highway District may also conduct public meetings regarding this application. If you have questions about the traffic that this development may generate or the impact of that traffic on streets in the area, please contact the Ada County Highway District at 387-6170. In order to expedite your request, please have ready the file number indicated in this notice.

Publish on November 1, 2004

City of Meridian
NOTICE OF HEARING

NOTICE IS HEREBY GIVEN pursuant to the Ordinances of the City of Meridian and the Laws of the State of Idaho that the City Council of the City of Meridian will hold a public hearing at the Meridian City Hall, 33 East Idaho Street, Meridian, Idaho, at the hour of **7:00 p.m. on Tuesday, November 9, 2004**, for the purpose of reviewing and considering the applications of:

Steve Wensel for Preliminary Plat approval for 8 commercial building lots and 1 common lot on 3.86 acres in a C-G zone for **Central Valley Corporate Park No. 6** located at 929 South Industry Way;

Fairview Lakes, LLC for a request to modify the existing **Conditional Use Permit (PD)** approval for the construction of a 96-unit apartment complex to a 65-unit assisted living retirement facility in an R-40 zone for **Devon Park II (Fairview Lakes)** located at 824 East Fairview Avenue;

Lombard Conrad Architects for a **Miscellaneous** request to amend the

RECEIVED
SEP 29 2004
ADA COUNTY
DEVELOPMENT SERVICES

CPA-2-04

Changes to Chapter 6
2000 Comprehensive Plan

EXHIBIT
2
04-006-2CPA
04-026-2C

CHAPTER 6 – LAND USE

6.1 Background and Existing Conditions

Managing growth and channeling it into orderly community development is the key element of land use planning. Unplanned growth results in undesirable land use patterns. Areas within the City and within the Impact Area are given land use designations which are depicted on the Comprehensive Plan Land Use Map, hereinafter referred to as the "Land Use Map".

The Land Use Map is an integral part of the Comprehensive Plan. It serves as a planning policy document and planning tool that will assist the City in sustaining responsible growth and development to ensure that evolving land use patterns remain consistent with goals, objectives and strategies of the Plan.

Land use designations as reflected on the Land Use Map are based on the existing land use pattern, existing natural physical features such as the Boise River, Dry Creek and the foothills, floodplain areas, capacity of existing community facilities, projected population and economic growth, compatibility with other uses of the land, transportation systems, and the needs of local citizens.

6.2 Land Use Issues

Residents of Eagle and its Impact Area have a strong desire to maintain the rural "feel" of the community.

In order to ensure the quality of life that is desired by Eagle residents, it is necessary to maintain a tax base that is adequate for providing expected public services.

6.3 Land Use Designations

The land use designations on the Comprehensive Plan Land Use Map, and as may be referred to within the text of the Comprehensive Plan, are defined on the Land Use Designation Matrix, Table 6-1, and the Zoning Compatibility Matrix, Table 6-2

Development density shall be calculated by project. Unused density for undeveloped or underdeveloped land adjacent to or within the same land use designation will not be transferred or used to "balance" or "maximize" densities with in an area. Clustering will only be allowed as specified in the "Parks, Recreation, and Open Spaces" chapter of the Comprehensive Plan.

For the purposes of this comprehensive plan the Density shall be defined as the ratio of the total number of dwelling units within a project divided by the total project area. Should that number be a fraction, it shall

be rounded up to the nearest whole number, expect where the comprehensive plan details a fractional density and then the density shall not exceed the number described in the comprehensive plan.

Residential Rural

Suitable primarily for single family residential development on large acreages which may be in transition from agricultural to residential use or may combine small scale agricultural uses with residential uses.

Residential Estates

Suitable primarily for single family residential development on acreages may be in transition from agricultural to residential use or may combine small scale agricultural uses with residential uses.

Residential One

Suitable primarily for single family residential development within areas that are rural in character.

Residential Two

Suitable primarily for single family residential development within areas that are rural in character.

Residential Three

Suitable primarily for single family residential development within an urbanized setting.

Residential Four

Suitable primarily for single family residential development within an urbanized setting.

Residential Six Plus

Suitable primarily for multi–family housing including apartments, town homes and duplexes within the urbanized setting adjacent to designated transit corridors.

Residential Transition: Residential development that provides for a transition of density within the planning area while keeping in context the density, scaling and lot sizes of existing or proposed uses. Commonly requires changes in lot dimensions and scaling, see specific planning area text for a complete description.

Mixed Use

Suitable primarily for a variety of uses such as limited office, limited commercial, and residential developments. Uses should complement uses within the Central Business District (CBD). Development within this land use designation should be required to proceed through the PUD and/or Development Agreement process, see specific planning area text for a complete description.

Commercial

Suitable primarily for the development of a wide range of commercial activities including offices, retail and service establishments. Uses should complement uses within the Central Business District (CBD).

Central Business District

Suitable primarily for development that accommodates and encourages further expansion and renewal in the downtown core business area of the community. A variety of business, public, quasi-public, cultural, residential and other related uses are encouraged. The greatest possible concentration of retail sales and business is to occur in this land use designation. Pedestrian friendly uses and developments are encouraged. Land within this district requires a CBD zoning designation upon any rezone.

Village Center

Suitable for development that accommodates the development of an employment center with supporting residential, commercial, quasi-public, and business uses. All uses should be within walking distance from the employment center and are intended to service the immediate area not to distract from the central business district.

Professional Office

Suitable for professional office uses. Retail may be permitted as an ancillary use within the office project. Smaller medical uses such as dentist offices and other outpatient clinics are encouraged.

Business Park

Suitable primarily for the development of technical park/research and development facilities, offices and office complexes, and limited manufacturing activities, including small-scale production, distribution, and storage of goods. Support activities may also be permitted.

All development within this land use shall be designed to be within a landscaped setting and be free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. Such development should be

operated entirely within enclosed structures and generate minimal industrial traffic. Development within this land use designation should be required to proceed through the PUD process.

Industrial

Suitable primarily for heavy and light manufacturing, warehousing, mini-storage and open storage, multi-tenant industrial park and similar uses. Limited office and commercial uses may be permitted as ancillary uses.

All development within this land use shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare.

Public/Semi Public

Suitable primarily for the development of such uses as golf courses, parks, recreation facilities, greenways, schools, cemeteries, and public service facilities such as government offices. Support activities may also be permitted.

All development within this land use is encouraged to be designed to accommodate the different needs, interests, and age levels of residents in matters concerning both recreation and civil activities.

The public/semi public land use designation is not a residential land use designation. When a project or development is designed that contains or is adjacent to land holding a public/semi public land use this land will not be included when calculating the allowable residential density. Projects that hold a residential designation that want to provide amenities similar to those allowed in the public/semi public designation may transfer density within the development only when using the standards established in the Planned Unit Development as defined in the comprehensive plan.

Head of Eagle Island – Special Use Area

The head of the Eagle Island possesses a recognized function as a wildlife habitat, floodway and scenic natural resource reflective of

Eagle's rural character. This area is to remain open to the sky to protect the unique environmental and natural features, wildlife habitat and natural lay of the land. The development of streets, buildings and other covered structures within this area should be prohibited.

Floodway

Floodway areas are defined as specifically shown on the newest edition of the Federal Emergency Management

Administration maps along the Boise River and Dry Creek (Generally shown on the Land Use Map which is a part of this Plan). These areas are to remain open space because of the nature of the floodway which can pose significant hazards during a flood event. Also, the floodway areas shall not be considered as a part of the minimum area of open space required (as required within the zoning ordinance) unless developed as noted within this paragraph.~~,~~ Floodway areas shall be excluded from being used for calculating permitted residential densities. Any portion of the floodway developed as a substantially improved wildlife habitat area open to the public, or useable public open space, such as a pathways, ball fields, parks, or similar amenities as may be approved by the City Council, may be credited toward the minimum open space required for a development.

When discrepancies exist between the floodway boundary shown on the Land Use Map and the floodway boundary shown on the Federal Emergency Management Administration maps such that the floodway area is smaller than that shown on the Land Use Map the adjacent land use designation show shall be considered to abut the actual floodway boundary.

When new floodway boundaries are approved by FEMA and/or the City, the floodway area on the Comprehensive Plan Land Use Map should be revised to reflect any new floodway line.

Scenic Corridor

An Overlay designation that is intended to provide significant setbacks from major corridors and natural features through the city. These areas may require berming, enhanced landscaping, detached meandering pathways and appropriate signage controls.

Table 6-1

Eagle City Zoning Compatibility Matrix[1]

	Land Use Designations								
City Zones	Residential Rural	Residential Estates	Residential One	Residential Two	Residential Three	Residential Four	Mixed Use	Commerical[2]	Central Business
Agricultural (A)	X	X	X	X	X	X			
Agricultural Residential (A-R)	X	X	X	X	X	X			
Residential Estate (R-E)		X	X	X	X	X			
Residential Districts			X	X	X	X			
R-1			X	X	X	X			
R-2				X	X	X			
R-3					X	X			
R-4						X			
R-5									
R-6 to R-25							X		
Limited Office (L-O)							X	X	
Commercial Airport (C-A)								X	
Neighborhood Business (C-1)								X	
General Business (C-2)								X	
Highway Business (C-3)								X	
Central Business (CBD)									X
Light Industrial (M-1)									
Buisness Park (BP)									
Heavy Industrial (M-2)									
Extractive Industrial (M-3)									
Public/Semi-Public (PS)								X	
Mixed Use (MU)							X	X	
County Zones									
Rural Preservation									
RUT Standard	X	X	X	X	X	X	X	X	X
RUT Cluster[3]									
Estate Residential (R1)		X[4]	X	X	X	X	X		
Low Density residential (R2)				X	X	X			
Medium Low Density Residential (R4)						X			
Medium Density Residential (R6)							X		
Medium High Density Residential (R8)							X		
High Density Residential (R12)							X		
Very High Density Residential (R20)							X		

NOTE:

1: See Land Use policies for further clarification of these uses

2: May require annexation prior to development

3: Prohibited under Title 6 of ACC

4: May develop in the R1 zone with development agreement requiring lots to be a minimum of 1.6 acres. If municipal services are not available alternative sewer treatment may be allowed if approved by the Central District Health Department.

Table 6-1

Eagle City Zoning Compatibility Matrix[1]

City Zones	Central Business	Business Park[2]	Industrial[2]	Public/Semi Public	Eagle Island[1]
Agricultural (A)					X
Agricultural Residential (A-R)					
Residential Estate (R-E)					
Residential Districts					
R-1					
R-2					
R-3					
R-4					
R-5					
R-6 to R-25					
Limited Office (L-O)		X			
Commercial Airport (C-A)			X		
Neighborhood Business (C-1)					
General Business (C-2)					
Highway Business (C-3)					
Central Business (CBD)	X				
Light Industrial (M-1)			X		
Buisness Park (BP)		X	X		
Heavy Industrial (M-2)		X	X		
Extractive Industrial (M-3)			X		
Public/Semi-Public (PS)				X	
Mixed Use (MU)					
County Zones					
Rural Preservation					X
RUT Standard	X	X	X	X	
RUT Cluster[3]					
Estate Residential (R1)					
Low Density residential (R2)					
Medium Low Density Residential (R4)					
Medium Density Residential (R6)					
Medium High Density Residential (R8)					
High Density Residential (R12)					
Very High Density Residential (R20)					

NOTE:
1: See Land Use policies for further clarification of these uses
2: May require annexation prior to development
3: Prohibited under Title 8 of ACC
4: May develop in the R1 zone with development agreement requiring lots to be a minimum of 1.8 acres. If municipal services are not avalible alternative sewer treatment may be allowed if approved by the Central Disrtict Health Department.

Table 6-2
Definitions of Land Use Designations

Land Use	Description	Allow Uses and/or Limitations
Residential Rural	Transition from agricultural to rural residential uses may contain active agricultural uses.	4.7 acre lots, maximum density of one unit per five acres, mixture of large lot residential and agricultural uses with ancillary commercial uses.
Residential Estates	Slightly higher transitional density with limited agricultural uses.	1.8 acre lots, maximum density of one unit per two acres, mixture of large lot residential and agricultural uses. Some ancillary agricultural commercial is appropriate.
Residential One	Primarily single family development.	37,000 square foot lots, maximum density of 1 unit per acre, single family residential uses with clustering allowed through the Planned unit development process.
Residential Two	Transitional density from rural residential to urban areas, primarily single family residential.	17,000 square foot lots, maximum density of 2 units per acre, PUD's may allow higher densities on specific project within the city's jurisdiction.
Residential Three	Standard urban density, primarily applies to areas north and east of the central business district.	10,000 square foot lots, maximum density of 3 units per acre, PUD's may allow higher densities on specific project within the city's jurisdiction.
Residential Four	Moderately higher urban density primarily located north and east of the central business district.	8,000 square foot lots, maximum density of 4 units per acre, PUD's may allow higher densities on specific project within the city's jurisdiction.
Mixed Use	Suitable for a variety of uses that are implemented through the planned unit development code.	Provides a mixture of uses similar to the central business district with an increased residential presences that compliments the central business district.
Commercial	Standard retail commercial development.	A variety of retail and commercial development that compliments the central business district.
Central Business	A variety of use intended to provide expansion and renewal of the central business district.	Variety of uses including business, governmental, office, retail, residential, and cultural that compliments and preserves the historic character of the district and promote pedestrian circulation.
Business Park	Variety of office and commercial uses.	Professional office uses that include technical and business uses that have limited hazardous and object ional elements.
Industrial	Standard industrial land uses.	Includes heavy and light manufacturing, mini-storage, open storage, warehousing and extraction.
Public/Semi Public	Public service facilities including parks and Government offices.	Allowed uses include government offices/services, park and recreation facilities and golf courses.
Head of Eagle Island	Protection of wildlife habitat and recreational opportunities associated with Eagle Island.	Limited development. Structures and site obscuring development prohibited. Allowed use include parks, habitat and floodway protection.

6.5 Goal

To preserve the rural transitional identity.

6.6 Objectives

a. To encourage the preservation of open spaces.

b. To encourage development with decreasing density radiating out from the CBD as shown on the Land Use Map.

c. To discourage lot splits in approved platted subdivisions.

6.7 Implementation Strategies

a. Preserve the natural features and resources of Eagle.

b. Establish land use patterns and zoning districts that do not exhaust available services such as sewer, water, police, fire, recreational areas, highways and transportation systems.

c. Provide for a broad spectrum of housing types including apartments, townhouses, condominiums, single family attached, manufactured homes, affordable and subsidized housing and large acreage developments.

d. Discourage strip commercial type development.

e. Encourage the development of technical park/research and development facilities, offices and office complexes, and limited manufacturing activities.

f. Higher density residential development should be located closest to the Central Business District (CBD) as shown on the Comprehensive Plan Land Use Map.

g. The mixed use area shown along both sides of Eagle Road between Ranch Drive and Floating Feather Road is to allow development such as higher density residential dwelling units and/or facilities such as senior assisted housing, nursing homes and convalescent homes. Commercial uses in this mixed use area are not permitted.

h. Residential subdivisions outside the City limits but within the Impact Area should comply with the Land Use Map. Cluster developments located outside the City limits but within the Impact Area shall not be permitted. Furthermore, residential subdivisions outside the City limits but within the Impact area shall be developed with lot sizes consistent with the respective land use designation as stated in Section 6.3 within this Chapter.

i. Cluster development shall only be allowed once properties are annexed into the city.

j. The City shall provide a PUD ordinance to facilitate and regulate cluster development.

k. Protect gravity flow irrigation systems including canals, laterals and ditches to assure continued delivery of irrigation water to all land serviced by such systems, to protect irrigation systems as a long range economical method for water delivery and to coordinate surface water drainage to be compatible with irrigation systems.

l. Farm related uses and activities should be protected from land use conflicts or interference created by residential, commercial, or industrial development. The Idaho Right To Farm Act should be promoted.

m. Promote commercial service and retail development within the Central Business District that contributes to pedestrian friendly environment.

n. Preclude industrial developments that may overburden public services and facilities causing increased public expenditures.

o. Encourage the development of technical park/research and development facilities, offices and office complexes, and limited manufacturing activities.

p. Support City of Eagle flood and storm drainage regulations to achieve protection of property rights, environmental protection and flood damage reduction for community residents.

q. From time to time the City should consider annexing any parcels of land allowed to be annexed by Idaho Code 50-222.

r. Encourage a verity of housing through such mechanisms as PUD's in subdivisions including large lot subdivisions.

s. If the existing intersections of State Highway 44 and Ballantyne Lane and State Highway 44 and State Street are eliminated and a new intersection is constructed approximately 800-feet west of the existing State Highway 44/Ballantyne Lane intersection then the mixed use area shown along the north side of State Highway 44 from Van Engelen Estates to the Mixed Use area's west boundary may be developed with uses which will be controlled by the City with a Development Agreement upon rezoning. High density residential units will be encouraged in this area (up to 20 dwelling units per acre). However, if the existing intersection modifications outlined above are not completed, the Mixed Use area referenced above shall be developed as residential with densities of up to a maximum of two dwelling units per acre.

ORDINANCE NO. 623

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, SECTION 2 AND 3, PROVIDING FOR THE ADOPTION OF AN AMENDED CITY OF EAGLE COMPREHENSIVE PLAN AS ADOPTED BY THE CITY OF EAGLE ON SEPTEMBER 14, 2004.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO THAT TITLE 9, CHAPTER 2, SECTION 9-2-3 OF THE ADA COUNTY CODE BE AMENDED AS FOLLOWS, WITH THE TEXT OF THE FOOTNOTES IDENTIFIED HEREIN REMAINING UNCHANGED:

Section 1: Ada County Code Sections 9-2-1 is amended as follows:

9-2-1: AREA OF CITY IMPACT BOUNDARY:

A. Eagle Area Of City Impact And Urban Service Planning Area Boundary Map:

1. The Eagle area of city impact and urban service planning area are the areas designated on the Eagle area of city impact and urban service planning area boundary map, fully incorporated by reference, copies of which are available for inspection at the Ada County development services department.

2. Amendments to the map are as follows:

a. Ordinance 199, May 25, 1989.

b. Ordinance 309, June 25, 1996.

c. Ordinance 355, March 25, 1998.

d. Ordinance 367, December 2, 1998.

e. Ordinance 539, April 28, 2004.

f. Ordinance 602, December 28, 2005.

g. Ordinance 623, June 28, 2006.

B. Division By Boundary Line: In case a property under single ownership is divided by the boundary line of the Eagle area of city impact, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Section 2: Ada County Code Section 9-2-3 is amended as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle comprehensive plan, as amended by the city of Eagle ~~February 16, 2004, by resolution 04-01~~September 14, 2005 by Resolution 04-15, shall apply within the Eagle area of city impact.

B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9, chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of residential development: the total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle comprehensive plan land use map will not be allowed except where the Eagle comprehensive plan details a fractional density and then the density shall not exceed the number described in the Eagle comprehensive plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 28th day of June, 2006.

Board of Ada County Commissioners

By: _____
Rick Yzaguirre, Chairman

By: _____
Judy M. Peavey-Derr, Commissioner

By: _____
Fred Tilman, Commissioner

ATTEST:

_____
J. David Navarro, Ada County Clerk

PUBLISHED: 7/13/06

LEGAL NOTICE
ORDINANCE NO. 623

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, SECTION 2 AND 3, PROVIDING FOR THE ADOPTION OF AN AMENDED CITY OF EAGLE COMPREHENSIVE PLAN AS ADOPTED BY THE CITY OF EAGLE ON SEPTEMBER 14, 2004.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO THAT TITLE 9, CHAPTER 2, SECTION 9-2-3 OF THE ADA COUNTY CODE BE AMENDED AS FOLLOWS, WITH THE TEXT OF THE FOOTNOTES IDENTIFIED HEREIN REMAINING UNCHANGED:

Section 1: Ada County Code Sections 9-2-1 is amended as follows:

9-2-1: AREA OF CITY IMPACT BOUNDARY:

. A. Eagle Area Of City Impact And Urban Service Planning Area Boundary Map: 1. The Eagle area of city impact and urban service planning area are the areas designated on the Eagle area of city impact and urban service planning area boundary map, fully incorporated by reference, copies of which are available for inspection at the Ada County development services department. 2. Amendments to the map are as follows: a. Ordinance 199, May 25, 1989.

b. Ordinance 309, June 25, 1996.
c. Ordinance 355, March 25, 1998.
d. Ordinance 367, December 2, 1998.
e. Ordinance 539, April 28, 2004.
f. Ordinance 602, December 28, 2005.
g. Ordinance 623, June 28, 2006.

B. Division By Boundary Line: In case a property under single ownership is divided by the boundary line of the Eagle area of city impact, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Section 2: Ada County Code Section 9-2-3 is amended as follows:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle comprehensive plan, as amended by the city of Eagle February 16, 2004, by resolution 04-01September 14, 2005 by Resolution 04-15, shall apply within the Eagle area of city impact.

B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9, chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of residential development: the total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle comprehensive plan land use map will not be allowed except where the Eagle comprehensive plan details a fractional density and then the density shall not exceed the number described in the Eagle comprehensive plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 28th day of June, 2006.
Board of Ada County Commissioners
By: Rick Yzaguirre, Chairman
By: Judy M. Peavey-Derr, Commissioner
By: Fred Tilman, Commissioner
ATTEST: J. David Navarro, Ada County Clerk

Pub. July 13, 2006 26164

ORDINANCE NO. 718

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF TITLE 8, ADA COUNTY CODE: TO REMOVE PROPERTY FROM THE CITY OF EAGLE AREA OF CITY IMPACT AND THE CITY OF STAR AREA OF CITY IMPACT; TO ADD PROPERTY TO THE CITY OF MERIDIAN AREA OF CITY IMPACT; AND TO CHANGE THE ZONING DESIGNATIONS OF PROPERTIES WITHIN THE EXPANDED CITY OF MERIDIAN AREA OF CITY IMPACT TO RURAL URBAN TRANSITIONAL EXCEPT FOR THOSE PROPERTIES EXEMPTED OUT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE OFFICIAL ZONING MAP OF ADA COUNTY CODE, TITLE 8 BE AMENDED TO REMOVE PROPERTY FROM THE CITY OF EAGLE AREA OF CITY IMPACT AND CITY OF STAR AREA OF CITY IMPACT; TO ADD PROPERTY TO THE CITY OF MERIDIAN AREA OF CITY IMPACT AND TO REZONE THOSE PROPERTIES ADDED TO THE CITY OF MERIDIAN AREA OF CITY IMPACT TO RURAL URBAN TRANSITIONAL (RUT) EXCEPT FOR THOSE PROPERTIES EXEMPTED OUT AS FOLLOWS:

SECTION 1: The following property is removed from the City of Eagle Area of City Impact:

In Township 4 North, Range 1 West, Boise Meridian:

Those properties in the S ½ of Section 14 lying south and west of the southern edge of the south channel of the Boise River and lying south of Duck Island.

All of Section 15 lying south of the southern edge of the south channel of the Boise River.

That portion of the E ½ of the E ½ of Section 16 lying south of the southern edge of the south channel of the Boise River.

That portion of the E ½ of the E ½ of Section 21 lying north of the southern boundary of the Phyllis Canal.

All of Section 22, less those areas annexed to the City of Meridian.

All of Section 23, less those areas annexed to the City of Meridian, and excluding those properties located in the N ½ of the N ½ lying north of the southern edge of the south channel of the Boise River, and excluding all lots of Almaden Acres Subdivision, and that portion of the E ½ of the E ½ of Section 23 lying West of Lots 7, 8 & 9 of the original Almaden Acres Subdivision and lying North of Lots 1 & 7 of the original Almaden Acres Subdivision and lying South of the southern boundary of the Phyllis Canal.

SECTION 2: The following property is removed from the City of Star Area of City Impact:

In Township 4 North, Range 1 West, Boise Meridian:

All of Section 21, except the E ½ of the E ½, and except those properties located north of the southern boundary of the Phyllis Canal or north of the southern right-of-way line for W. Joplin Road where said road lies north of the Phyllis Canal.

SECTION 3: The following property is added to the City of Meridian Area of City Impact:

In Township 2 North, Range 1 West, Boise Meridian:

The N ½ of the NE ¼ of Section 1, plus the SE ¼ of the NE ¼ of Section 1.

In Township 2 North, Range 1 East, Boise Meridian:

The W ½ of Section 4 and the W ½ of the E ½ of Section 4, except all lots within Umpqua Subdivision #1 and #2, and except all lots within Medalist Subdivision #1 & # 3.

All of Section 5.

All of Section 6, except the SW ¼ of the SW ¼.

The NE ¼ of Section 8.

The N ½ of Section 9, except the E ½ of the NE ¼, with the addition of all of Lot 3 of Carrico Subdivision.

In Township 3 North, Range 1 East, Boise Meridian:

All of Section 31, except the N ½ of the N ½.

All of Section 32, except the N ½ of the N ½.

All of Section 33, except the N ½ of the N ½, and excepting Rockhampton Subdivisions #3 through #20.

In Township 3 North, Range 1 West, Boise Meridian:

All of Sections 21, 28, 33, 34, 35 and 36.

The W ½ of Section 22.

The S ½ and the S ½ of the N 1/2 of Section 26, less that portion of the NE corner of the W ½ of Section 26 that is already within Meridian's Area of City Impact.

All of Section 27, except the N ½ of the NE ¼.

In Township 4 North, Range 1 West, Boise Meridian:

Those properties in the S ½ of Section 14 lying south and west of the southern edge of the south channel of the Boise River and lying south of Duck Island.

That portion of Section 15 lying south of the southern edgeof the south channel of the Boise River, excluding all of Government Lot 4 as depicted in Record of Survey A093.

The SE ¼ of the SE ¼ of Section 16, except all of Government Lot 1 as shown in the original survey of January 17, 1868.

All of Section 21, except the E ½ of the E ½, and except those properties located north of the southern boundary of the Phyllis Canal or north of the southern right-of-way line for W. Joplin Road where said road lies north of the Phyllis Canal.

That portion of the NE ¼ of the NE ¼ of Section 21 lying north of Government Lot 1 as shown in the original survey of January 17, 1868.

All of Section 22, less those areas annexed to the City of Meridian.

All of Section 23, less those areas annexed to the City of Meridian, and excluding those properties located in the N ½ of the N ½ lying north of the southern edge of the south channel of the Boise River, and excluding all lots of Almaden Acres Subdivision, and that portion of the E ½ of the E ½ of Section 23 lying West of Lots 7, 8 & 9 of the original Almaden Acres Subdivision and lying North of Lots 1 & 7 of the original

Almaden Acres Subdivision and lying South of the southern boundary of the Phyllis Canal.

All of Sections 29, 30, 31, and 32.

SECTION 4: The following property located within the City of Meridian Area of City Impact is rezoned to Rural Urban Transitional (RUT) except for those properties exempted out:

In Township 2 North, Range 1 East, Boise Meridian:

The W ½ of Section 4 and the W ½ of the E ½ of Section 4, except all lots within Umpqua Subdivision #1 and #2, and except all lots within Medalist Subdivision #1 & # 3.

All of Section 5.

All of Section 6, except the SW ¼ of the SW ¼.

The NE ¼ of Section 8, except a portion of the NE ¼ of the NE ¼, further described as follows:

Commencing at the NE corner of Section 8, thence westerly along the north section line of Section 8 a distance of approximately 230 feet, thence southerly and parallel to the east section line of Section 8 a distance of approximately 200 feet, then easterly and parallel to the north section line of Section 8 to the point of intersection with the east section line of Section 8, then northerly along said section line to the point of beginning.

The NW 1/4 of Section 9, plus the SW ¼ of the NE ¼ of Section 9 and all of Lot 3 Carrico Subdivision, except a portion of the NW ¼ of the NW ¼ of Section 9, further described as follows:

Commencing at the NW corner of Section 9, thence southerly along the west section line of Section 9 a distance of approximately 350 feet, thence easterly and parallel to the north section line of Section 9 a distance of approximately 1,250 feet, thence northerly and westerly to the point of beginning.

In Township 2 North, Range 1 West, Boise Meridian:

The N ½ of the NE ¼ of Section 1, plus the SE ¼ of the NE ¼ of Section 1.

In Township 3 North, Range 1 East, Boise Meridian:

All of Section 31, except the N ½ of the N ½, and further excepting the following described properties:

Commencing at the intersection of the northern boundary of the Farr Lateral and the east section line of Section 31, thence northerly and westerly along the northern boundary of the Farr lateral to the intersection with the western sixteenth section line of the SE quarter of the NE quarter of Section 31, thence northerly along said line to the intersection with the southern boundary of East Mary Lane, thence southerly and easterly a distance of approximately 415 feet along the southern boundary of E. Mary Lane, thence due north to the northern boundary of East Mary Lane, thence southerly and easterly along the northern boundary of East Mary Lane to the point of intersection with a line parallel to and 402 feet to the west of the east section line of Section 31, thence northerly along said parallel line to the point of intersection with the north line of the S ½ of the NE ½ of Section 31, thence easterly along said line to the point of intersection with the east section line of Section 31, thence southerly along said section line to the point of beginning, and including the following described portion of the SE ¼ of the NE ¼ of Section 31:

Commencing at the intersection of the west quarter section line of the NE ¼ of Section 31 with the north line of the S ½ of the NE ¼ of Section 31, thence easterly approximately 800 feet along said north line, thence southerly and parallel with the west quarter section line of the NE ¼ of Section 31 to the point of intersection with the centerline of the Farr Lateral, then westerly and northerly along said centerline a distance of approximately 618 feet, thence due north to the north boundary of the Farr Lateral, thence westerly and northerly along the northern boundary of the Farr Lateral to the point of intersection with the west quarter section line of the NE ¼ of Section 31, thence northerly along said line to the point of beginning.

All of Section 32, except the N ½ of the N ½, except a portion of the NW ¼ of the NW ¼, further described as follows:

Commencing at the intersection of the south line of the N ½ of the N ½ of Section 32 with the western section line of Section 32, thence southerly approximately 300 feet along the western section line of Section 32, thence easterly approximately 320 feet along a line parallel to the north section line of Section 32, thence northerly approximately 300 feet along a line parallel to the west section line of Section 32, thence westerly approximately 320 feet to the point of beginning.

All of Section 33, except the N ½ of the N ½, and excepting Rockhampton Subdivisions #3 through #20.

In Township 3 North, Range 1 West, Boise Meridian:

All of Sections 21, 28, and 36.

The W ½ of Section 22.

The S ½ of the S ½ of the N ½ of Section 26, less that portion of the NE corner of the W ½ of Section 26 that is already within Meridian's Area of City Impact.

All of Section 27, except the N ½ of the NE ¼.

All of Section 33, except the following described property:

Commencing at the NE corner of the SE ¼ of the SE ¼ of the SW ¼ of Section 33, thence westerly and parallel to the south section line of Section 33 a distance of approximately 208.71 feet, thence northerly and parallel to the eastern quarter section line of the SW ¼ of Section 33 a distance of approximately 208.71 feet, thence easterly and parallel to the southern section line of Section 33 a distance of approximately 500 feet, thence southerly and parallel to the eastern quarter section line of the SW ¼ of Section 33 a distance of approximately 208.71 feet, thence westerly and parallel to the southern section line of Section 33 a distance of approximately 291.29 feet to the point of beginning.

All of Section 34, except the easternmost approximately 275 feet of the SE ¼ of the SW ¼ of Section 34.

All of Section 35, except a portion of the SW ¼ of the SW ¼, further described as follows:

Commencing at the SW corner of Section 35, then easterly along the south section line of Section 35 approximately 207 feet, thence northerly and westerly along the south boundary of the Mason Creek Feeder to the point of intersection with the west section line of Section 35, thence southerly along said section line approximately 272 feet to the point of beginning.

In Township 4 North, Range 1 West, Boise Meridian:

All of Sections 29 & 30.

All of Section 31, except a portion of the NE ¼ of the NE ¼, further described as follows: Commencing at the NE corner of Section 31, thence westerly along the north section line of Section 31 a distance of 352 feet, thence southerly and parallel to the east section line of Section 31 a distance of 247.5 feet, then easterly and parallel to the north section line of Section 31 a distance of 352 feet, thence northerly along the east section line of Section 31 to the point of beginning.

All of Section 32, except a portion of the NW ¼ of the NW ¼, further described as follows: Commencing at the NW Corner of Section 32, thence east approximately 300 feet along the north section line of Section 32, thence southerly and perpendicular to said line a distance of 573 feet, thence westerly N74°31'52"W to a point of intersection with the west section line of Section 32, thence northerly along said section line to the point of beginning.

ADOPTED this 17 day of December, 2008.

Board of Ada County Commissioners

By: _____
Fred Tilman, Chairman

By: _____
Paul R. Woods, Commissioner

ABSENT

By: _____
Rick Yzaguirre, Commissioner

ATTEST:

_____
J. David Navarro, Ada County Clerk

PUBLISHED: 12/24/08

LEGAL NOTICE ORDINANCE NO. 718 AN ORDINANCE AMEN

LEGAL NOTICE ORDINANCE NO. 718 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF TITLE 8, ADA COUNTY CODE: TO REMOVE PROPERTY FROM THE CITY OF EAGLE AREA OF CITY IMPACT AND THE CITY OF STAR AREA OF CITY IMPACT; TO ADD PROPERTY TO THE CITY OF MERIDIAN AREA OF CITY IMPACT; AND TO CHANGE THE ZONING DESIGNATIONS OF PROPERTIES WITHIN THE EXPANDED CITY OF MERIDIAN AREA OF CITY IMPACT TO RURAL URBAN TRANSITIONAL EXCEPT FOR THOSE PROPERTIES EXEMPTED OUT. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE OFFICIAL ZONING MAP OF ADA COUNTY CODE, TITLE 8 BE AMENDED TO REMOVE PROPERTY FROM THE CITY OF EAGLE AREA OF CITY IMPACT AND CITY OF STAR AREA OF CITY IMPACT; TO ADD PROPERTY TO THE CITY OF MERIDIAN AREA OF CITY IMPACT AND TO REZONE THOSE PROPERTIES ADDED TO THE CITY OF MERIDIAN AREA OF CITY IMPACT TO RURAL URBAN TRANSITIONAL (RUT) EXCEPT FOR THOSE PROPERTIES EXEMPTED OUT AS FOLLOWS: SECTION 1: The following property is removed from the City of Eagle Area of City Impact: In Township 4 North, Range 1 West, Boise Meridian: Those properties in the S 1/2 of Section 14 lying south and west of the southern edge of the south channel of the Boise River and lying south of Duck Island. All of Section 15 lying south of the southern edge of the south channel of the Boise River. That portion of the E 1/2 of the E 1/2 of Section 16 lying south of the southern edge of the south channel of the Boise River. That portion of the E 1/2 of the E 1/2 of Section 21 lying north of the southern boundary of the Phyllis Canal. All of Section 22, less those areas annexed to the City of Meridian. All of Section 23, less those areas annexed to the City of Meridian, and excluding those properties located in the N 1/2 of the N 1/2 lying north of the southern edge of the south channel of the Boise River, and excluding all lots of Almaden Acres Subdivision, and that portion of the E 1/2 of the E 1/2 of Section 23 lying West of Lots 7, 8 & 9 of the original Almaden Acres Subdivision and lying North of Lots 1 & 7 of the original Almaden Acres Subdivision and lying South of the southern boundary of the Phyllis Canal. SECTION 2: The following property is removed from the City of Star Area of City Impact: In Township 4 North, Range 1 West, Boise Meridian: All of Section 21, except the E 1/2 of the E 1/2, and except those properties located north of the southern boundary of the Phyllis Canal or north of the southern right-of-way line for W. Joplin Road where said road lies north of the Phyllis Canal. SECTION 3: The following property is added to the City of Meridian Area of City Impact: In Township 2 North, Range 1 West, Boise Meridian: The N 1/2 of the NE 1/4 of Section 1, plus the SE 1/4 of the NE 1/4 of Section 1. In Township 2 North, Range 1 East, Boise Meridian: The W 1/2 of Section 4 and the W 1/2 of the E 1/2 of Section 4, except all lots within Umpqua Subdivision #1 and #2, & except all lots within Medalist Subdivision #1 & # 3. All of Section 5. All of Section 6, except the SW 1/4 of the SW 1/4. The NE 1/4 of Section 8. The N 1/2 of Section 9, except the E 1/2 of the NE 1/4, with the addition of all of Lot 3 of Carrico Subdivision. In Township 3 North, Range 1 East, Boise Meridian: All of Section 31, except the N 1/2 of the N 1/2. All of Section 32, except the N 1/2 of the N 1/2. All of Section 33, except the N 1/2 of the N 1/2, and excepting Rockhampton Subdivisions #3 through #20. In Township 3 North, Range 1 West, Boise Meridian: All of Sections 21, 28, 33, 34, 35 and 36. The W 1/2 of Section 22. The S 1/2 and the S 1/2 of the N 1/2 of Section 26, less that portion of the NE corner of the W 1/2 of Section 26 that is already within Meridian's Area of City Impact. All of Section 27, except the N 1/2 of the NE 1/4. In Township 4 North, Range 1 West, Boise Meridian: Those properties in the S 1/2 of Section 14 lying south and west of the southern edge of the south channel of the Boise River and lying south of Duck Island. That portion of Section 15 lying south of the southern edgeof the south channel of the Boise River, excluding all of Government Lot 4 as depicted in Record of Survey A093. The SE 1/4 of the SE 1/4 of Section 16, except all of Government Lot 1 as shown in the original survey of January 17, 1868. All of Section 21, except the E 1/2 of the E 1/2, and except those properties located north of the southern boundary of the Phyllis Canal or north of the southern right-of-way l ine for W. Joplin Road where said road lies north of the Phyllis Canal. That portion of the NE 1/4 of the NE 1/4 of Section 21 lying north of Government Lot 1 as shown in the original survey of January 17, 1868. All of Section 22, less those areas annexed to the City of Meridian. All of Section 23, less those areas annexed to the City of Meridian, and excluding those properties located in the N 1/2 of the N 1/2 lying north of the southern edge of the south channel of the Boise River, and excluding all lots of Almaden Acres Subdivision, and that portion of the E 1/2 of the E 1/2 of Section 23 lying West of Lots 7, 8 & 9 of the original Almaden Acres Subdivision and lying North of Lots 1 & 7 of the original Almaden Acres Subdivision and lying South of the southern boundary of the Phyllis Canal. All of Sections 29, 30, 31, and 32. SECTION 4: The following property located within the City of Meridian Area of City Impact is rezoned to Rural Urban Transitional (RUT) except for those properties exempted out: In Township 2 North, Range 1 East, Boise Meridian: The W 1/2 of Section 4 and the W 1/2 of the E 1/2 of Section 4, except all lots within Umpqua Subdivision #1 and #2, & except all lots within Medalist Subdivision #1 & # 3. All of Section 5. All of Section 6, except the SW 1/4 of the SW 1/4. The NE 1/4 of Section 8, except a portion of the NE 1/4 of the NE 1/4, further described as follows: Commencing at the NE corner of Section 8, thence westerly along the north section line of Section 8 a distance of approximately 230 feet, thence southerly and parallel to the east section line of Section 8 a distance of approximately 200 feet, then easterly and parallel to the north section line of Section 8 to the point of intersection with the east section

line of Section 8, then northerly along said section line to the point of beginning. The NW 1/4 of Section 9, plus the SW 1/4 of the NE 1/4 of Section 9 and all of Lot 3 Carrico Subdivision, except a portion of the NW 1/4 of the NW 1/4 of Section 9, further described as follows: Commencing at the NW corner of Section 9, thence southerly along the west section line of Section 9 a distance of approximately 350 feet, thence easterly and parallel to the north section line of Section 9 a distance of approximately 1,250 feet, thence northerly and westerly to the point of beginning. In Township 2 North, Range 1 West, Boise Meridian: The N 1/2 of the NE 1/4 of Section 1, plus the SE 1/4 of the NE 1/4 of Section 1. In Township 3 North, Range 1 East, Boise Meridian: All of Section 31, except the N 1/2 of the N 1/2, and further excepting the following described properties: Commencing at the intersection of the northern boundary of the Farr Lateral and the east section line of Section 31, thence northerly and westerly along the northern boundary of the Farr lateral to the intersection with the western sixteenth section line of the SE quarter of the NE quarter of Section 31, thence northerly along said line to the intersection with the southern boundary of East Mary Lane, thence southerly and easterly a distance of approximately 415 feet along the southern boundary of E. Mary Lane, thence due north to the northern boundary of East Mary Lane, thence southerly and easterly along the northern boundary of East Mary Lane to the point of intersection with a line parallel to and 402 feet to the west of the east section line of Section 31, thence northerly along said parallel line to the point of intersection with the north line of the S 1/2 of the NE 1/2 of Section 31, thence easterly along said line to the point of intersection with the east section line of Section 31, thence southerly along said section line to the point of beginning, and including the following described portion of the SE 1/4 of the NE 1/4 of Section 31: Commencing at the intersection of the west quarter section line of the NE 1/4 of Section 31 with the north line of the S 1/2 of the NE 1/4 of Section 31, thence easterly approximately 800 feet along said north line, thence southerly and parallel with the west quarter section line of the NE 1/4 of Section 31 to the point of intersection with the centerline of the Farr Lateral, then westerly and northerly along said centerline a distance of approximately 618 feet, thence due north to the north boundary of the Farr Lateral, thence westerly and northerly along the northern boundary of the Farr Lateral to the point of intersection with the west quarter section line of the NE 1/4 of Section 31, thence northerly along said line to the point of beginning. All of Section 32, except the N 1/2 of the N 1/2, except a portion of the NW 1/4 of the NW 1/4, further described as follows: Commencing at the intersection of the south line of the N 1/2 of the N 1/2 of Section 32 with the western section line of Section 32, thence southerly approximately 300 feet along the western section line of Section 32, thence easterly approximately 320 feet along a line parallel to the north section line of Section 32, thence northerly approximately 300 feet along a line parallel to the west section line of Section 32, thence westerly approximately 320 feet to the point of beginning. All of Section 33, except the N 1/2 of the N 1/2, and excepting Rockhampton Subdivisions #3 through #20. In Township 3 North, Range 1 West, Boise Meridian: All of Sections 21, 28, and 36. The W 1/2 of Section 22. The S 1/2 of the S 1/2 of the N 1/2 of Section 26, less that portion of the NE corner of the W 1/2 of Section 26 that is already within Meridian's Area of City Impact. All of Section 27, except the N 1/2 of the NE 1/4. All of Section 33, except the following described property: Commencing at the NE corner of the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 33, thence westerly and parallel to the south section line of Section 33 a distance of approximately 208.71 feet, thence northerly and parallel to the eastern quarter section line of the SW 1/4 of Section 33 a distance of approximately 208.71 feet, thence easterly and parallel to the southern section line of Section 33 a distance of approximately 500 feet, thence southerly and parallel to the eastern quarter section line of the SW 1/4 of Section 33 a distance of approximately 208.71 feet, thence westerly and parallel to the southern section line of Section 33 a distance of approximately 291.29 feet to the point of beginning. All of Section 34, except the easternmost approximately 275 feet of the SE 1/4 of the SW 1/4 of Section 34. All of Section 35, except a portion of the SW 1/4 of the SW 1/4, further described as follows: Commencing at the SW corner of Section 35, then easterly along the south section line of Section 35 approximately 207 feet, thence northerly and westerly along the south boundary of the Mason Creek Feeder to the point of intersection with the west section line of Section 35, thence southerly along said section line approximately 272 feet to the point of beginning. In Township 4 North, Range 1 West, Boise Meridian: All of Sections 29 & 30. All of Section 31, except a portion of the NE 1/4 of the NE 1/4, further described as follows: Commencing at the NE corner of Section 31, thence westerly along the north section line of Section 31 a distance of 352 feet, thence southerly and parallel to the east section line of Section 31 a distance of 247.5 feet, then easterly and parallel to the north section line of Section 31 a distance of 352 feet, thence northerly along the east section line of Section 31 to the point of beginning. All of Section 32, except a portion of the NW 1/4 of the NW 1/4, further described as follows: Commencing at the NW Corner of Section 32, thence east approximately 300 feet along the north section line of Section 32, thence southerly and perpendicular to said line a distance of 573 feet, thence westerly N74°31'52"W to a point of intersection with the west section line of Section 32, thence northerly along said section line to the point of beginning. ADOPTED this _17th_ day of ___December__, 2008. Board of Ada County Commissioners By: Fred Tilman, Chairman By: Paul R. Woods, Commissioner By: Rick Yzaguirre, Commissioner ATTEST: J. David Navarro, Ada County Clerk Pub. Dec. 24, 2008

Appeared in: ***Idaho Statesman***

ORDINANCE NO. 765

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 2, SECTION 3 TO AMEND THE COMPREHENSIVE PLAN APPLICABLE IN THE EAGLE AREA OF CITY IMPACT TO AMEND THE RIM VIEW PLANNING AREA LANGUAGE AND THE LAND USE MAP TO ALLOW FOR THE EAGLE ISLAND MARKETPLACE COMMERCIAL DEVELOPMENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 2, SECTION 3 BE AMENDED AS FOLLOWS:

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

A. The Eagle comprehensive plan, as amended by the city of Eagle on September 14, 2005, by resolution 04-15, <u>and as further amended by Ada County Resolution 1720</u>, shall apply within the Eagle area of city impact.

B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9, chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12.

C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.

D. The Ada County zoning ordinance shall be used to implement this chapter.

E. Ada County shall use the following standard in calculating density of residential development: The total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle comprehensive plan land use map will not be allowed except where the Eagle comprehensive plan details a fractional density, and then the density shall not exceed the number described in the Eagle comprehensive plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation.

ADOPTED this 16 day of November, 2010.

Board of Ada County Commissioners

By: ABSTAINED*
Rick Yzaguirre, Chairman

By: Sharon M. Ullman
Sharon M. Ullman, Commissioner

By: Fred S. Tilman
Fred Tilman, Commissioner

ATTEST:

J. David Navarro
J. David Navarro, Ada County Clerk
by Phil McGrane
Chief Deputy

*Abstention due to absence from November 10, 2010, Public Hearing.

PUBLISHED: Nov 20, 2010

LEGAL NOTICE ORDINANCE NO. 765 AN ORDINANCE AMEN

LEGAL NOTICE ORDINANCE NO. 765 AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 2, SECTION 3 TO AMEND THE COMPREHENSIVE PLAN APPLICABLE IN THE EAGLE AREA OF CITY IMPACT TO AMEND THE RIM VIEW PLANNING AREA LANGUAGE AND THE LAND USE MAP TO ALLOW FOR THE EAGLE ISLAND MARKETPLACE COMMERCIAL DEVELOPMENT. BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 2, SECTION 3 BE AMENDED AS FOLLOWS: 9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES: A. The Eagle comprehensive plan, as amended by the city of Eagle on September 14, 2005, by resolution 04-15, and as further amended by Ada County Resolution 1720, shall apply within the Eagle area of city impact. B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, title 9, chapter 3, and in chapter 4, sections 9-4-1-1 through 9-4-1-12. C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation. D. The Ada County zoning ordinance shall be used to implement this chapter. E. Ada County shall use the following standard in calculating density of residential development: The total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle comprehensive plan land use map will not be allowed except where the Eagle comprehensive plan details a fractional density, and then the density shall not exceed the number described in the Eagle comprehensive plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation. ADOPTED this 10th day of __November, 2010. BOARD OF COUNTY COMMISSIONERS By:Rick Yzaguirre, Chairman By:Sharon M. Ullman, Commissioner By:Fred Tilman, Commissioner ATTEST: J. David Navarro, Ada County Clerk Pub. Nov. 20, 2010

Appeared in: ***Idaho Statesman***

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RESOLUTION NO. 1720

RESOLUTION OF THE BOARD OF ADA COUNTY COMMISSIONERS ADOPTING AND AMENDING THE COMPREHENSIVE PLAN APPLICABLE IN THE CITY OF EAGLE AREA OF CITY IMPACT

At a meeting of the Board of Ada County Commissioners, State of Idaho, on the 16 day of November, 2010, the following Resolution was adopted, to-wit:

WHEREAS, pursuant to Idaho Code Section 67-6526, the Board of Ada County Commissioners ("Board") adopted via Ordinance 541, the City of Eagle ("Eagle") Comprehensive Plan ("Plan") as applicable in the Eagle Area of City Impact ("AoCI") boundary;

WHEREAS, Ada County Development Services ("ACDS") held a pre-application conference with the Lazy P Partnership to amend the Plan, apply for a zone change, a subdivision, and master site plan for property owned by the Lazy P Partnership in order to allow for commercial development of the property located in the AoCI on March 10, 2010;

WHEREAS, representatives for the Lazy P Partnership held a neighborhood meeting regarding its proposed development on May 27, 2010;

WHEREAS, representatives for the Lazy P Partnership submitted a petition to amend the Plan and application for a zone change, subdivision and master site plan (ACDS File # 201000571 S-ZC-CPA-MSP-DA) (collectively hereinafter "Application") on June 22, 2010;

WHEREAS, ACDS scheduled a public hearing on the Application in front of the Ada County Planning and Zoning Commission ("Commission") for September 9, 2010;

WHEREAS, ACDS notified other agencies of the Application on July 14, 2010;

WHEREAS, on August 9, 2010, property owners within 1,000 feet were notified of the September 9, 2010 public hearing by mail; a public service announcement was issued on August 24, 2010; legal notices were published in the newspaper on August 24 and 31, 2010; notices of the public hearing were posted on the property by August 30, 2010; and the certification of the posted notices was received by September 2, 2010;

WHEREAS, the Commission recommended approval of the Application to the Board at the September 9, 2010 public hearing;

WHEREAS, ACDS scheduled a public hearing on the Application in front of the Board for November 10, 2010;

WHEREAS, ACDS notified other agencies of this Application on September 13, 2010;

WHEREAS, on October 12, 2010, property owners within 1,000 feet were notified of the November 10, 2010 public hearing by mail; a public service announcement was issued on October 27, 2010; legal notices were published in the newspaper on October 26 and November 2, 2010; notices of the public hearing were posted on the property by October 31, 2010; and the certification of the posted notices was received by November 3, 2010; and

WHEREAS, on November 10, 2010, the Board approved the Application.

BE IT THEREFORE RESOLVED that the Board adopts the Plan as set forth in Ada County Ordinance 541, and the Board further amends the Plan text relating to the Rim View Planning Area section of the Plan by deleting the currently adopted text and replacing it with the text attached as Exhibit A. The Board further amends the Plan by deleting the currently adopted land use map and replacing it with the map attached as Exhibit B.

APPROVED AND ADOPTED this 16 day of November, 2010.

Board of Ada County Commissioners

By: ABSTAINED*
Rick Yzaguirre, Chairman

By: Sharon M. Ullman
Sharon M. Ullman, Commissioner

By: Fred Tilman
Fred Tilman, Commissioner

ATTEST:

J. David Navarro
J. David Navarro, Ada County Clerk
by Phil McGrane
Chief Deputy

*Abstention due to absence from November 10, 2010, Public Hearing.

EXHIBIT A

6.4I Rim View Planning Area

The Rim View Planning Area contains a large amount of existing residential uses that have been developed as one-acre and five-acre lots through the Ada County development process. The future land uses in the area are predicated on Linder Road being the only Eagle City river crossing between Eagle Road and Star Road, the need to buffer and preserve the existing residential developments, and the need to provide commercial opportunities along the regional transportation corridors south of the Boise River. Because of the alignment of the State Highway 16 crossing moving further to the west (to McDermott), no clear funding option or timeline for the SH 16 crossing, and recent changes in nearby city limit boundaries (Meridian), the previously planned regional commercial area at Black Cat no longer is a viable location for the City of Eagle.

A. Uses

The land use and development policies specific to the Rim View Planning Area include the following:

1. A forty-acre commercial area located at the northeast corner of the intersection of Chinden Boulevard and Linder Road is to be designed and developed as a unit. This commercial area is intended to serve the Eagle community as a gateway into town before crossing the river.

2. Areas designated as Transitional Residential should have a residential density of up to one (1) unit per acre. Units may be clustered to provide for transitional lot sizes to ensure compatibility of new residential uses to existing residential uses and the commercial and office uses located at Linder Road and Chinden.

3. Patio home styles and alternative lot sizes may be allowed in conjunction with existing open space and recreation areas located in the Rim View Area. The patio homes and townhouses may be located near the commercial area.

B. Access

1. Access to the area should focus on new internal linkages.

2. Primary access should be on Linder Road with limited access onto Chinden Boulevard only in accordance with ITD's access management policies. All accesses should be designed to allow traffic to flow through the area connecting Meridian Road to Linder Road may provide the opportunity of future east/west residential collector linkage within the planning area. Cross-access and local stub streets should be used to allow the planning area to be interconnected without the need to access the arterial and state highway network.

3. Internal and interconnected circulation should be used to move traffic within the non-residential area, helping to mitigate the number of local vehicle trips entering State Highway 20/26 to access commercial/services use along Linder Road.

4. Chinden Boulevard should be recognized as a gateway corridor to the City of Eagle and development should adhere to proper berming, landscaping, and appropriate setbacks to prevent the encroachment of abutting uses into future corridor improvements. This would protect the

viability of the regional transportation corridor as well as buffer the abutting uses from the impacts of the corridor.

C. Design

1. This area is recognized as a gateway to the City of Eagle, to be integrated with appropriate landscaping, entry features, and place-making features in the design of the area.

2. Design of this area should be compatible to the existing residential and recreational uses currently present in the area.

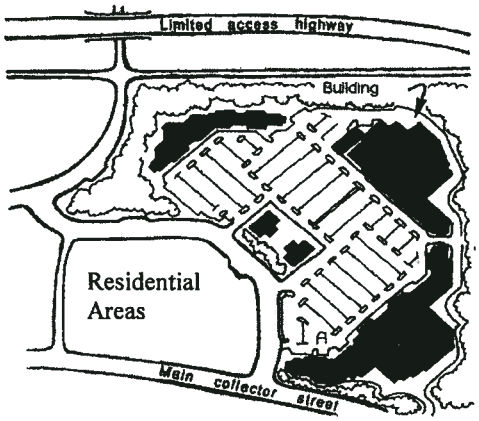
3. Design of commercial and office uses should be compatible with the existing residential uses and contain significant landscaped buffers to reduce impacts and appealing building design elements to promote a cohesive character. Commercial development should provide for pedestrian linkages to the residential areas adjacent to the site. (See Illustration 6.7)

4. Both Chinden Boulevard and Linder Road should be developed with a detached sidewalk and planting strip adjacent to the back of curb, further solidifying the purpose and character of the gateway corridor of Chinden Boulevard.

5. Signage for all non-residential uses should be designed to be consistent and complimentary, with place-making being the primary objective and identification of uses being secondary.

6. Non-residential areas should be designed with features and materials intended to compliment and buffer residential uses and to avoid creating a tunnel or wall effect along the backside of the large buildings.

Illustration 6.7: Regional Commercial Center Layout



D. Issues

1. One of the main concerns in the development of this area is the ability to properly balance the commercial uses with residential uses. New uses should be designed in a manner that provides a cohesive transition between the commercial and residential uses, incorporating elements that will provide a common and complimentary identity between the two.

2. Considering the large amount of undeveloped or underdeveloped land within the planning area, each proposed project should be evaluated for the potential to provide linkages and connectivity to adjacent parcels. This is necessary to establish a functioning local and collector roadway system to supports the regionally significant roadways at the south and west of this area.

3. As this area develops, consideration should be made of the transitory uses that have been approved by Ada County which may be nearing their end.

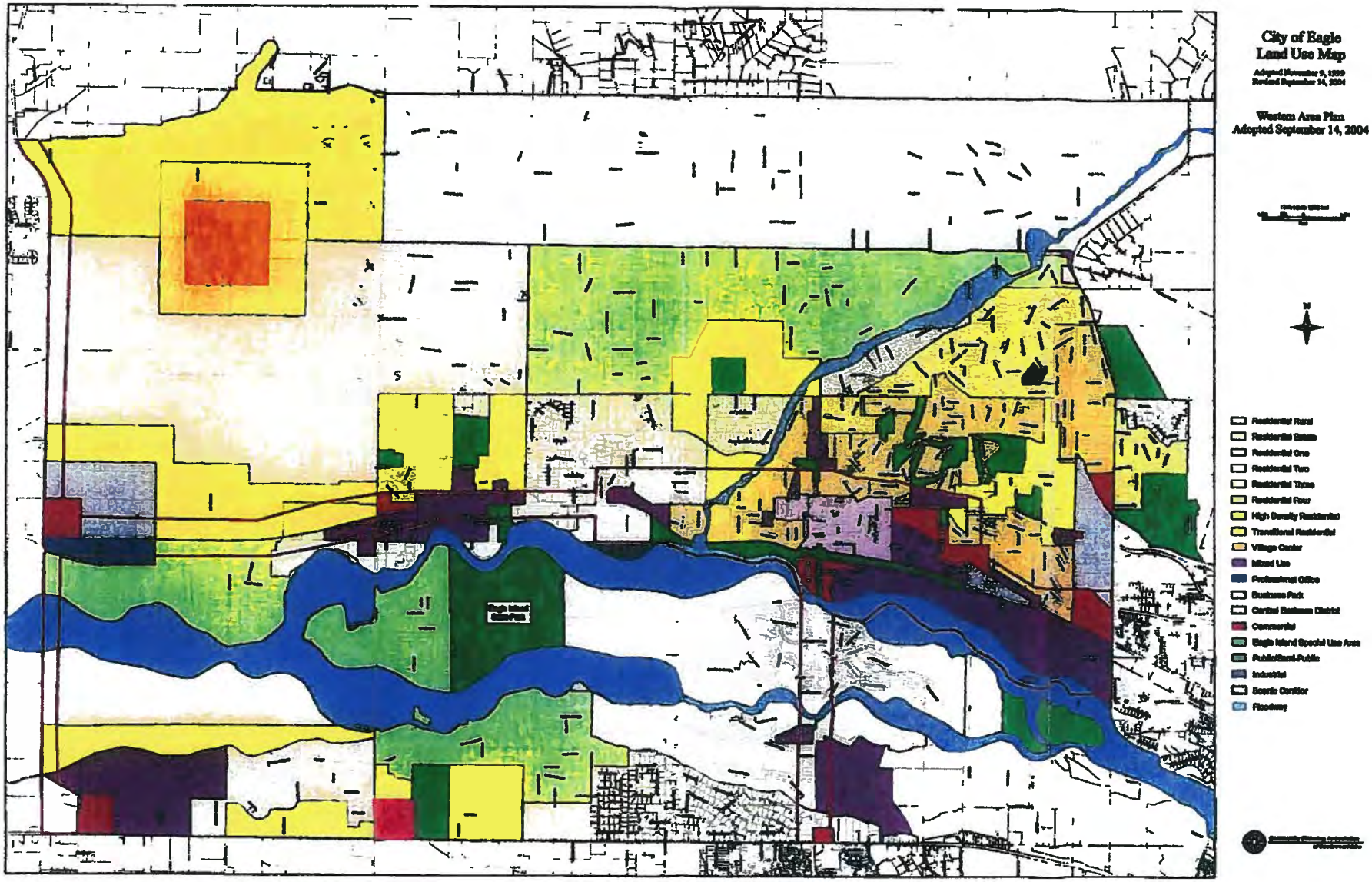

City of Eagle
Land Use Map
Adopted November 9, 1999
Revised September 14, 2004
Western Area Plan
Adopted September 14, 2004
N
Residential Rural
Residential Estate
Residential One
Residential Two
Residential Three
Residential Four
High Density Residential
Transitional Residential
Village Center
Mixed Use
Professional Office
Business Park
Central Business District
Commercial
Eagle Island Special Use Area
Public/Semi-Public
Industrial
Scenic Corridor
Floodway

EXHIBIT
B

CPA-2-04

RECEIVED
SEP 29 2004
ADA COUNTY
DEVELOPMENT SERVICES

City of Eagle
Soaring 2025
Western Area Plan

Adopted by the Eagle City Council on
September 14, 2004

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CHAPTER 1

INTRODUCTION

1.1: WHY PLAN?

From the year 2000 to 2002, the population of the City of Eagle grew by 17%, increasing the City's population by more than 1,000 residents per year. This rate of growth resulted in the development of over 900 acres of land within the City and the area of city impact (AOI) in just 3 years. Understanding the need for the City to look forward and plan for the next 20-years, City leaders began a review of the 2000 Comprehensive Plan and future development areas to the west of the existing AOI and city limits realizing that planning for additional growth to the south and east was limited by the existing Meridian City limits and Boise City limits. Urban development to the north of the existing AOI was severely constrained by the Boise Foothills and groundwater limitations.

As a part of the review of the 2000 Comprehensive Plan by the City of Eagle, a full scale review of the economic sustainability of the existing area of city impact and future growth areas for the city was completed. This study found that the City of Eagle, though stable and solidified in its vision to develop a city with a uniquely rural character, did not look at the long term sustainability of the city as it approached build out.

The 2000 Comprehensive Plan detailed the following uses for the incorporated City and AOI:

Table 1.1

Distribution of Land Uses

Land Use	% of 2000 Plan	% of 2025 Plan	% of total
Commercial	4%	2%	4%
Mixed Use	6%	8%	7%
Mixed Use Village	0%	10%	5%
Business/Tech	1%	2%	1%
Industrial	1%	0%	3%
Residential	87%	60%	75%
Parks/open space	1%	17%	5%

Nearly 90% of the City's 2000 AOI was designated for residential uses. This coupled with the third lowest tax levy rate in the State of Idaho severely limits the long-term

sustainability of the City of Eagle. The land capacity analysis further outlined that over 50% of the residential land within the existing AOI was developed to the density described in the 2000 Comprehensive Plan. The analysis also showed that only 20% of the developable residential land is vacant and available for uncomplicated development. From an extrapolation based upon the current rate of development (300 acres per year) the City will run out of vacant land in approximately 6 years, though residential build out could be longer if underdeveloped property became available for redevelopment. A significant factor in determining the successful redevelopment of vacant land within the City is the cost a availability of vacant land in adjacent cities and the county. Unless these land supplies are constrained it is likely that high levels of redevelopment will not occur. (The entire land capacity analysis is available at City Hall.)

Idaho Code:

Understanding the constraints of the existing AOI the City of Eagle began to look at the requirements for establishing an expanded area of city impact. Under Idaho Code §67-6526(b) three following factors are paramount in establishing and area of city impact:

Trade Area:

Trade area can be defined as the area needed to provide a city an economic base in which to support itself. This economic base is comprised not only the city limits and the AOI but also includes the areas surrounding a city that brings people into the city for services.

Historically the City of Eagle has been directly associated with a large trade area including properties extending into Gem County to the north and west into eastern Canyon County. Further, ACHD traffic counts and the existing transportation network support the claim of this area being within the City of Eagles economic trade area.

Geographic Boundaries:

The Idaho Transportation Department (ITD) has released plans to improve State Highway 16 from a two (2) lane roadway to at least a nine (9) lane system (including right-of-way) in excess of one quarter (1/4) mile wide. This creates an enormous and significant landmark or geographic boundary separating the properties east of State Highway 16 from those on the western side. This new transportation corridor will be a significant east west barrier between Eagle and Star. There can be no doubt that it will create an impediment for pedestrians, bicyclists, youth and the elderly or anyone unable to use motorized transportation. In addition, it is unlikely that property owners east of the new highway corridor will feel identified with a city center that is entirely cut off to the west. **(See Map 1.1)**

Historically in Ada County, state highways have been used as area of impact boundaries. For example, State Highway 44 forms portions of the respective common boundaries

between Boise and Garden City. State Highway 55 forms portions of the respective common boundaries between Meridian and Boise as well as Boise and Eagle. State Highway 20/26 forms a boundary between Meridian and Eagle.

Annexation in the Future:

At the time of this planning effort, the City of Eagle had received numerous requests for annexation from properties reaching to the State Highway 16 corridor. If these applications are approved, Eagle's city limits would be extended west to State Highway 16 north of State Highway 44 and south of Beacon Light Road substantiating the City's ability to annex into and across this area.

City Visioning:

In preparation for this sub-area plan the City held three public visioning sessions to discuss potential growth areas and goals to guide the long term development of the City. From these visioning sessions the four broad goals were identified for the western AOI:

- **Sustainability at build out (2025):** Ensure the ability for the city to continue to fund, improve and support itself, including infrastructure and parks, without the use of building permit fees, impact fees and zoning fees.

- **Identify "Activity Centers":** Identify areas that due to the nature of existing uses, future uses and/or transportation corridors will lend themselves to increased activity and non-residential use so to preserve larger areas as primarily residential neighborhoods.

- **Preserving Regional Transportation Corridors (State Highway 16 & 44):** Preserve the function of regionally significant roadways through the City while ensuring compatibility with land uses and design standards of the City.

- **Increased Employment Opportunities:** Identify areas that will provide significant employment opportunities to the residents of the City of Eagle thereby allowing the City to be a place to live, work, and recreate.

These goals combined with the current growth rate and the factors set forth in Idaho Code §67-6526(b), have led the City of Eagle to establishing an expanded planning area west of Linder Road to the centerline of State Highway 16, south of the Farmers Union Canal, and north of the centerline of Chinden Boulevard/State Highway 20-26, Ord. 475. **(See Map 1.2)**

Population:

The 2000 Comprehensive Plan forecasted a build out population of 35,000. The Soaring 2025 Plan would provide an increase of an additional 22,000 people within the City of Eagle by 2030.

TABLE 1.2

Total Households & Population for 2000 and 2025 Plans (combined)

	2002	2005	2010	2015	2020	2025	2030
Total Households	5744	6442	7923	10883	13889	16708	20662
Total Population	15853	17781	21867	30038	38332	46113	57027

**Numbers extrapolated from COMPASS Data*

The City of Eagle believes that as the area east of State Highway 16 transitions from rural to urban a clear vision and plan must be in place that deals with not only land use but the provision of basic services as it relates to the enterprise of the existing City. Further, a sense of stewardship is needed to ensure that development is self sufficient and to limit the impacts on the existing regional transportation system.

1.2: Plan Organization

This plan serves as a sub-area plan to the existing 2000 Comprehensive Plan. Though it contains many of the same components it is not a stand alone document and it requires reference and integration with the existing plan. This sub-area plan focuses on the planning areas west of Meridian Road and provides site specific visions, goals, and policies for these areas and provides limited updates to elements as required under Idaho Code §67-6508.

1.3: Relationship to the Eagle City Zoning Ordinance:

Idaho Code §67-6511 states that "zoning districts shall be in accordance with the adopted plan". In general this means that zoning must be "in keeping" with a comprehensive plan if one exists. Further the Eagle City Zoning code requires consistency between the plan and zone at the time of rezoning. Additional zoning classifications may be needed to ensure the accurate implementation of this sub-area plan.

1.4 Relationship to Ada County Planning

The goals and policies of this plan are intended to be applied within the Eagle City limits and the negotiated Eagle Area of City Impact. The City acknowledges that the county may not have all the tools and codes necessary to implement this plan and will upon

transmittal and review recommend to the county which county codes and appropriate conditions should be implemented to best implement and meet the intent of the Eagle Comprehensive Plan. It is the desire of the City of Eagle to have the majority of the urban development occur under the jurisdictional authority of the City and connected to municipal services.

CHAPTER 2

COMMUNITY DESIGN

2.1 Background

As a part of the review of the 2000 Comprehensive Plan the City of Eagle, held three public visioning sessions that asked the public to evaluate the "Built City" or tell the City well they were doing in managing a guiding development in the 2000 AOI. This study found that the City of Eagle, though stable and solidified in its vision to develop a city with a uniquely rural character, did not look to integrate alternative housing options within the AOI. This section will discuss the goals, objectives and implementation strategies related to Community Design, Neighborhoods and housing options.

2.2 Future Conditions

Over the next 20 years the City of Eagle is forecasted to experience high growth rates that without proper management and planning will impact the quality of life and housing options available to its residents. Rather than ignore the growth pressures that are currently shaping most Treasure Valley communities the City of Eagle is look at option to embrace housing alternatives and transit density while preserving the rural nature of the City.

2.3 Goals

Sustainability at build out (2025): Ensure the ability for the city to continue to fund, improve and support itself, including infrastructure and parks, without the use of building permit fees, impact fees and zoning fees.

Preserving Regional Transportation Corridors (State Highway 16 & 44): Preserve the function of regionally significant roadways through the City while ensuring compatibility with land uses and design standards of the City.

Identify "Activity Centers": Identify areas that due to the nature of existing uses, future uses and/or transportation corridors will lend themselves to increased activity and non-residential use so to preserve larger areas as primarily residential neighborhoods.

2.4 Objectives

Work to accommodate the projected Eagle Planning Area population and the portion of the Northwest Rural Demographic population, located in the Eagle AOI, by 2025.

Provide residents of the City of Eagle and the Area of City impact opportunities to seek housing in a neighborhood of their choice.

Create a clearly identifiable community.

2.5 Implementation Strategies

a. Provide increase residential density along the State Highway 44 and State Highway 20/26 corridors when accompanied by alternative access plans.

b. Maintain a Vision Map that encapsulates the intent and opportunities contained in the Comprehensive Plan. **(See Map 2.1)**

c. Provide housing opportunities within walking distance of future transit corridors.

d. Create a City composed of neighborhoods in which basic amenities (schools, utilities, parks, and services) are accessible, visually pleasing, and properly integrated to encourage walking and cycling.

e. Ensure that all commercial uses are designed to be compatible and context sensitive to residential uses and environmentally sensitive areas.

f. Encourage the preservation and public access to open space through developments and as a rural design element of urbanizing areas.

g. Ensure that commercial development is scaled appropriately to the intended user regional, community and neighborhood.

h. Non-residential uses should be limited to designated areas and scaling and intensity of use should be paramount to the approval of these uses.

i. Ensure that gateways are properly delineated and incorporated into development with landscaping, entry markers and place making features.

j. Provide a variety of housing opportunities ranging from large lot residential to multi-family apartment uses.

k. State Highway 44, State Highway 20/26, State Highway 16 and the proposed east west collector are designed as scenic corridors requiring landscaped setback and separated meanderings sidewalks.

Illustration 2.1

Berming along Eagle Road (State Highway 55)

l. Require that private and public open space be included in new multi-family developments and that they area larger enough to be used by all residents.

m. Recognize the following gateways:

   a. State Street and State Highway 16
   b. Chinden Boulevard and the future State Highway 16 extension
   c. State Highway 16 and the proposed east/west collector
   d. Chinden Boulevard and Linder Road

n. Elementary and middle schools should be located in residential neighborhood to facilitate walking and reduce busing costs for the district. Elementary and Middle schools may be located on collector roadways as defined by the Regional Functional Classification Map, High School maybe located on arterials.

o. Prohibit the development of schools on sites that present a hazard, nuisance or other limitation on normal functions of the school.

p. Establish a policy requiring annexation or a consent to annexation by the City of Eagle prior to development within the Eagle area of city impact.

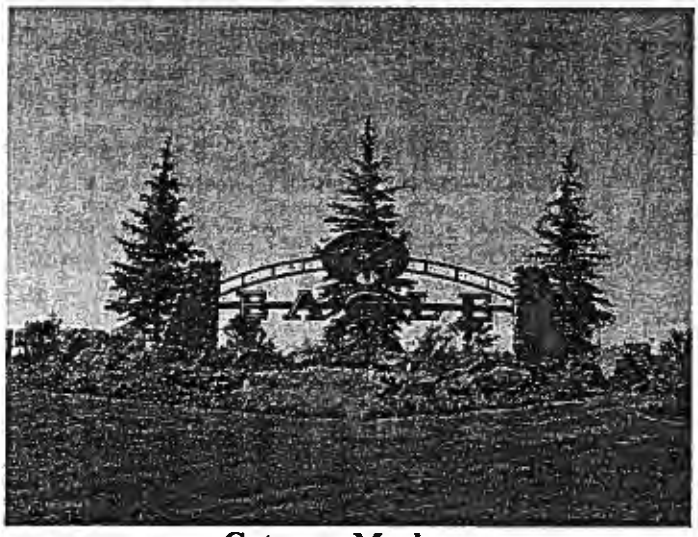
q. Identify a utility transmission corridor for all above ground utility

transmission lines in the City of Eagle and its Impact Area. Utility agencies shall be encouraged to relocate existing above ground transmission lines to the utility transmission line corridor. New substations should be encouraged to be within the corridor. **(See Map 2.2)**

r. All non-transmission utility distribution within the City of Eagle should be underground.

s. All urban development shall occur under the jurisdictional authority of the City and be connected to municipal services.

Illustration 2.2



Gateway Markers

CHAPTER 3

ECONOMIC DEVELOPMENT

3.1 Background

The City of Eagle has taken great care in preserving the downtown and central business district as the economic hub of the city. The 2000 Eagle Comprehensive Plan designated 1930 acres (11%) of the AOI with commercial, mixed use, business or industrial uses. In 2002, Eagle had .57 jobs per household compared to Boise at 1.7 and Meridian at 1.2, as calculated by COMPASS. Though businesses are developing in Eagle, the City is an employment exporter sending nearly ½ of the total employable population of Eagle to either Boise or Meridian.

3.2 Future Conditions

Employment in Eagle is projected to grow at a higher rate than the population 65% over the next 20 years. By 2025 the City is estimated to have .86 jobs per household, lessening the exporting of employment but still resulting in the limited capturing of expanding and new industries in the Treasure Valley. The expansion of the AOI to State Highway 16 provides additional opportunities to expand the employment options and capture the additional tax base associated with these uses. The distribution of land uses within the western impact area will shift the non-residential uses from 11% to 25% of the City's AOI and will provide additional land to promote employment options within the City.

3.3 Goals

Ensure the ability for the City to continue to fund, improve and support itself, including infrastructure, without the use of building permit fees, impact fees and zoning fees.

Identify areas that will provide significant employment opportunities to the residents of the City of Eagle thereby allowing the City to be a place to live, work, and recreate.

Identify areas that, due to the nature of existing uses, future uses and/or transportation corridors, will lend themselves to increased activity and non-residential use so as to preserve larger areas as primarily residential neighborhoods.

3.4 Objectives

Provide additional economic sustainability to the City of Eagle by encouraging the location of stable employment based industries that bring a balance of residential, recreational and economic values to the City.

Protect the economic viability of the existing downtown and CBD area.

3.5 Implementation Strategies

a. Encourage the balancing of commercial uses throughout the City and the western planning area to avoid overloading key intersections and individual planning areas.

b. Enforce the sizing and scaling of commercial and mixed use areas as specified in the land use chapter.

c. Encourage the interconnectivity of residential and nonresidential areas within the western planning area to the existing CBD and greenbelt system.

d. Discourage isolated or strip commercial uses.

e. Promote and recruit additional employment opportunities that allow Eagle residents to live and work within the City of Eagle.

f. Excessively large single entity businesses that would jeopardize the competitive business environment of the downtown and CBD should be located only within the regional commercial centers planned for the northeast corner of U.S. Highway 20-26 (Chinden Boulevard) and the future extension of State Highway 16.

g. Encourage the location of corporate and business uses to the Village and the Moon Valley & State Planning Areas.

h. Encourage context sensitive design of business and employment centers so to complement Eagle's rural identity.

CHAPTER 4

PUBLIC FACILITIES AND SERVICES

4.1 Background

As the City of Eagle develops westward it is important to understand the variety and availability of services within the area. Numerous special districts combine with City services to protect and enhance the health safety and welfare of the Eagle community.

4.2 Schools

The Western Planning Area is located completely within the Meridian School District and currently attends the following schools:

Eagle High School
Eagle Middle School
Sawtooth Middle School
Star Elementary School
Andrus Elementary School
Eagle Elementary School

4.2.1 School Goals

Support the safe maintenance and construction of the public school system emphasizing quality school facilities that serve as a focal point for family and community activities.

4.2.2 Objectives

Support the effort of the school district to ensure adequate school sites are provided and the intended capacity of the schools is not exceeded.

4.2.3 Implementation Strategies:

Request the school district prepare a future facilities map based on the City's Land Use Plan and include it in the Comprehensive Plan. **(See Map 4.1)**

a. Work co-operatively to develop student generation factors to be considered when analyzing the impact of new projects on the school district.

b. Prohibit the development of schools on sites that present a hazard, nuisance or other limitation on normal functions of the school.

c. Elementary and middle schools shall be located in residential neighborhood to facilitate walking and reduce busing costs for the district. Elementary and Middle schools may be located on collector roadways as defined by the Regional Functional Classification Map, High School maybe located on arterials.

d. Work with the school district, ACHD and developers to establish access options for Eagle Schools via pathways and/or streets.

e. Encourage the joint siting of schools and parks whenever possible.

f. Encourage High Schools to reduce traffic impacts by providing limited/reduce student parking, developing alternative transportation, and/or establishing closed campuses.

g. Encourage the school district to continue to make schools available for civic functions when classes are not in session.

h. Encourage regular communication and meetings between City and School District Officials.

4.3 Police

The Western Planning Area is currently served by the Ada County Sheriff. As the area develops and annexes into the City of Eagle police protection will continue to be provided by the Ada County Sheriff under a community policing contract with the city of Eagle.

4.4 Fire Protection

The Western Planning Area is currently serviced by the Eagle and Star Fire Districts. It is the desire that as the area develops that cross service agreements are used to ensure the best fire protection possible for the City of Eagle residents.**(See Map 4.2)**

4.5 Library

The City of Eagle currently funds and operates a municipal library district serving the incorporated City limits. The library board has identified the need for a branch library by 2015.

4.5.1 Library Goal

Support the safe the maintenance and construction of the public library system emphasizing quality library facilities that serve as a focal point for family and community activities.

4.5.2 Objective

Support the effort of the library to ensure adequate facilities are provided to the citizenry of Eagle.

4.5.3 Implementation Strategies:

Work with the library board to identify future needs and servicing areas.

Identify locations within the Village Center to locate a branch library facility.

Work with land owners, developers and the city to fund site acquisition and construction of library system expansions.

4.6 Domestic Water

Eagle Water Company, United Water Idaho (UWI) and the City of Eagle are the major domestic water providers in and around the City. A few residential subdivisions own and operate their own water systems and individual domestic wells are used in the City. The City contracts with UWI for the operation of the City's water system. A new contract with UWI is in the process of approval that provides for the continued contract operation of the City's water system. The City also has an agreement with UWI and approved by the Public Utilities Commission for UWI to provide fire and emergency storage.

In 2002, the City adopted a Water System Master Plan that defined existing and future service areas. That plan is currently undergoing revisions to meet the expanding service area and to include storage and major trunk lines from Linder Road to Highway 16, and from Homer Road to Highway 20/26.

4.6.1 Domestic Water Goals

Ensure a safe, reliable and cost-efficient water supply, distribution system and storage reservoir to support water demands of current users and projected demands of land development in accordance with the Eagle Comprehensive Plan.

Develop a groundwater supply and water storage system to provide for domestic, emergency, and fire flows that meet federal, state and local standards and the service demands of development. **(See Map 4.3)**

4.6.2 Objectives

Develop an interconnected water system owned and operated by the City.

Protect groundwater quality and conserve the natural groundwater resource.

Ensure water service shall provide a minimum of 40 psi and a maximum of 85-90 psi, and fire flows of 1,500 gallons per minute, in accordance with state requirements.

Promote the utilization and reuse of surface water sources for non-potable uses such as irrigation and water amenities.

Ensure that the cost of new and upgraded water facilities is borne by those who benefit from them.

4.6.3 Implementation Strategies

a. Update the Water System Master Plan to delineate the requirements for trunk line, booster stations, pressure reducing stations, and storage system.

b. Acquire additional lands sufficient for the construction of two 1.5-million-gallon water storage tanks.

c. Develop well construction standard and guidance to assist developers with a cost-effective means of meeting water demands for individual systems. Assist with funding options to provide developers with various means of meeting standards for water supply systems.

d. Require a separate water system for use of non-potable water, where available, for landscape irrigation and water amenities and to minimize reliance on groundwater for these uses.

e. Work with other water service providers to maintain a safe and sufficient water supply across jurisdictional boundaries.

f. Establish and maintain a Water Department and trained staff to meet the demands of water system operation in accordance with the State of Idaho, Department of Environmental Quality requirements and applicable federal law.

g. Protect current residents from paying for service that principally benefits new development.

h. Ensure all new development with in the Western Planning Area connects to municipal water services.

4.7 Irrigation Water

The City of Eagle sets in an irrigated river valley partitioned by several major irrigation systems operated by irrigation districts or companies. These entities and the water resource they manage are an integral element in the development of greenscape that typifies the Boise River Valley. This resource and distribution network also provides significant recharge to the shallow ground water zone upon which many wells and water amenities depend.

4.7.1 Goals

Protect the existing irrigation system and increase use or reuse of the surface water resource for park, residential and commercial landscape irrigation and water amenities.

Maintain irrigation standards that promote the conservation and reuse of surface water.

4.7.2 Objective

Ensure that new development incorporates existing irrigation water for landscape irrigation and water amenities when water rights are available on-site or by means of appropriation or transfer.

Maintain surface water rights within general areas of use to ensure adequate supply for the enjoyment of amenities such as city parks and greenbelts.

4.7.3 Implementation Strategies

a. Encourage policies such as the lining of ponds to maximize the use of water resources.

b. Develop an irrigation water policy and standards for construction for guidance in the preparation of pressurized irrigation plans.

c. Pursue the acquisition and development of surface water rights for use in parks and greenbelts.

d. Communicate with irrigation districts and companies to provide adequate protection of canals to ensure future access and operation of canal system for domestic irrigation.

e. Establish water rates for potable water used for irrigation that encourage use of surface water as the first alternative for development.

f. Set up a program with land owners for a "first right of refusal" to acquire unused water shares to keep and utilize those shares in the City.

4.8 Storm Drainage/Flood Control

Storm Drainage

With the continued construction of impermeable surfaces such as rooftops, asphalt streets, and concrete drives, storm water run-off has become a matter requiring increased control and management. Receiving streams abundant with fish and other aquatic life must be protected from the pollutants that may become concentrated in storm water. The City of Eagle has made significant progress in setting standards for storm water discharge by developing standards for surface and subsurface discharge that are protective of receiving waters and assure long-term reliance of subsurface treatment facilities.

Flood Control

River front property provides a unique setting for homeowners and is a highly sought after amenity for Eagle residents. The construction of homes abutting rivers along this fragile but sometimes dangerous location presents challenges for the City. Continued development and infill of the floodplain decreases the response time and increases the intensity of flood events to downstream residents. The City of Eagle has taken the lead in establishing "no net loss" and set-back standards for protection of residents so that the continued development of these areas will not be at the expense of safety of property owners.

4.8.1 Goals

Define efficient, cost effective and environmentally sound storm water, storm drain, and flood control measures to protect existing and future land uses, preserve public safety, protect surface and groundwater quality, and insure compliance with federal and state requirements.

Support and promote water quality standards for surface and groundwater protection.

4.8.2 Objective

Establish a standard for storm water design that will be protective over the life of the facility.

Ensure that adequate flood control facilities are provided and maintained to protect citizens from a 100-year storm event as defined by the National Flood Insurance Program.

Protect major investments in infrastructure by requiring that vulnerable assets such as roads and sewer facilities are constructed above the designated base flood elevation.

Ensure that the cost of improvements to storm drain and flood control facilities are borne by those who benefit from them.

4.8.3 Implementation Strategies

a. Require that adequate on-site treatment, storm drain and flood-control facilities be constructed coincident with new development.

b. Periodically review ordinances and standards for adequacy as development intensifies and densities increase in critical areas.

c. Routinely inspect constructed active and passive facilities for continued maintenance where such maintenance is vital for the function of the facility. Pursue enforcement of protective covenants or jurisdictional responsibilities to carry out maintenance activities.

d. Continue to support public education in matters of pollution control, sensitive habitat, and public safety along receiving streams.

4.9 Sewer

Background

The Eagle Sewer District (ESD), established in 1963, is a public entity separate from the City of Eagle, the service area of which generally corresponds to the area within the Eagle City limits. Extensions of the ESD service area are accomplished by actions of the ESD Board of Directors, and for the most part match annexations to the City. However, they do not have to match annexations to the City either in location or in time. ESD serves all of the residential and commercial users in the City that are receiving central sewer service. In addition to users served by central sewer, many homes in the District's service area have disposal by septic tanks and drain fields. The District currently provides for wastewater treatment to secondary standards with ultimate disposal through facilities of the City of Boise, under a long-term agreement between the District and the City of Boise. **(See Map 4.4)**

Future Conditions

Due to total pollutant loading limitations for the Boise Rive, wastewater effluent discharges to the Boise River may become far more stringent in the future than they are at present. Additional development may at some time require alternatives to stream discharge.

ESD will continue to plan for consequences of such potential intensification of stream discharges to meet the needs for central sewer in areas within the City.

ESD is committed to providing central sewer service to areas within the City of Eagle.

It is the City of Eagle's policy to accommodate orderly and appropriate development at a pace that does not unreasonably impede or burden the development process. Timely extension of sewer service is an essential feature of orderly development. Hence, in the future the City of Eagle will take an active interest in sewerage and wastewater issues.

4.9.1 Goals

Ensure that sewerage and effluent disposal utilities expansion and extension will keep pace with and be available in a timely manner to development projects within the City.

Ensure that sewerage and disposal facilities development will not through insufficiency foster impediments to orderly and appropriate development of the City as set forth in other sections of this Comprehensive Plan.

4.9.2 Objectives

Provide assurance of Eagle's capability to sustain orderly and appropriate growth by maintaining awareness of Eagle Sewer District's plans for expansion and schedules for extension, and reviewing how these plans fit with the known plans of the development community in Eagle.

4.9.3 Implementation Strategies

a. Consult at regular interval with Eagle Sewer District regarding its expansion and extension plans.

b. Compare what is known of ESD expansion plans with City's information regarding planned development within the City and Impact Area.

c. In the event that ESD is unwilling to provide central sewer service the City should maintain knowledge of alternatives available to the City to take action that might expedite necessary sewerage and disposal expansion and extension, if needed to accommodate orderly and appropriate development in a timely manner.

4.10 Other Services and Utilities

4.10.1 Electricity

Idaho Power Company (IPC) provides electrical service throughout the city and AOI. IPC is a public service company regulated by the Idaho Public Utilities Commission (IPUC). **(See Map 4.5)**

Appropriate placement of electrical facilities within the City of Eagle and the AOI should be a cooperative discussion between city officials, residents and IPC representatives.

IPC facilities should be sited before development and should provide sufficient buffers and setbacks from residential use. Context sensitive setback should be discussed and utilized. Preference will be given to facilities located outside of scenic corridors, the Central Business District, and the Village Center and facilities may be considered within other commercial areas.

4.10.2 Chevron Pipeline

The Chevron Pipeline is a portion of the gasoline transport system across the United States from Alaska and crosses from northwest to southeast through the western planning area. **(See Map 4.5)** At the time of construction most of the Eagle area was rural and the depth of the pipe was shallow, less than 20 feet. As the are develops it is important to identify the Chevron right-of-way, provide significant seatbacks and buffers and encourage inspection of the line to ensure development is not encroaching on this facility.

CHAPTER 5

TRANSPORTATION

5.0 Background

The Western Planning Area contains very few local or collector roads and relies on section line roads for the primarily agricultural uses. Currently roads within the planning area are designated as follows by the 2025 Functional Classification Map by COMPASS:

Table 5.1

Eagle 2025 Functional Classification Map	
Street	**Classification**
Beacon Light Road	Minor Arterial (rural)
Floating Feather Road	Urban Collector
Homer Road	Urban Collector
Linder Road	Minor Arterial
Park Lane	Urban Collector
State Highway 16	Principal Arterial
State Highway 16 Extension	Proposed Minor Arterial
State Highway 20/26	Principal Arterial
State Highway 44	Principal Arterial

5.1 Goals

Maintain the function and connectivity of the street system for current users, emergency response efforts, and for use by future generations.

Using sound land use and transportation relationships, develop alternate routes or corridors for ACHD planners to evaluate that best emphasize the needs of developing areas while lessening the potential for congestion.

5.2 Objectives

Coordinate with Community Planning Association (COMPASS), Ada County Highway District (ACHD) and Idaho Transportation Department (ITD) to ensure consistency between street improvements and the land use plans and decisions of the City of Eagle and surrounding city and county governments.

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.

Encourage completion of the existing street system and creation of new links, within reasonable constraints, as the transportation system develops.

Promote land use policies that limit access as necessary to maintain safe and efficient operation of the existing street system while allowing reasonable access to individual development parcels.

Maintain safe and comfortable neighborhoods by minimizing speeding and cut-through traffic.

Promote alternative forms of transportation when feasible.

5.3 Implementation Strategies

a. Continue to participate in regional transportation planning (as is currently done through the Community Planning Association) to develop and update long-range transportation plans and provide a foundation for major project selection by ACHD and ITD in City of Eagle and Ada County.

b. The most recent Regional Transportation Plan for Ada County of record is adopted by reference as part of the City of Eagle Comprehensive Plan.

c. Periodically review the street classification system and work with ACHD and the Community Planning Association to amend the street classification system as needed. Any street reclassifications shall be contingent upon an analysis of existing street configuration, existing land uses, lotting patterns, location of structures, impact on neighborhoods and area-wide transportation needs. Upgrading of residential streets to collector and arterial status shall be discouraged and shall only occur where a significant community-wide need can be identified as part of the adopted Regional Transportation Plan. **(See Map 5.1)**

d. When review land use amendments, zone changes, master plans, conditional uses and other significant entitlement requests, take into consideration the impact of the project on street levels of service. The City's preferred standards shall be those identified for new streets in ACHD's Development Policy manual, or its successor. Service level impacts shall be minimized through project modifications, traffic management plans, street improvement plans or other means.

e. Historic district streets shall be managed in such a manner that the flavor and character of the historic districts are preserved and enhanced while maintaining the livability of these neighborhoods and preserving the functionality of the street system. The use of traffic management strategies as described above shall be given priority over street widenings, land additions and removal of on-street parking as a means of resolving traffic flow problems

f. The City shall work with ACHD and COMPASS to establish legally defensible standards relating to traffic impacts of new development on existing residential streets

g. "Cut-through" traffic or "traffic routed through" a neighborhood on local streets from arterial streets shall be discouraged through the development review process, through the provision of an adequate arterial and collector system and through the use of appropriate traffic calming and traffic control strategies.

h. Motorized traffic may have to experience some inconvenience in order to preserve neighborhoods.

i. New developments shall be required to stub access to adjacent underdeveloped parcels, where appropriate.

j. All new developments shall be reviewed for appropriate opportunities to connect to local roads and collectors in adjacent developments.

k. Develop transit friendly corridors along State Highway 20/26 and State Highway 44.

l. Encourage the development of park and ride facilities within the Village Center.

m. A collector street system shall be pursued within each square mile of development adequate to serve the density of development. Suggestions shall be forwarded to ACHD for planning and adoption in the TIP.

n. Support the access restriction policies of the Ada County Highway District.

o. Discourage direct lot access to parcels abutting collector streets.

p. Limit access to all arterial streets.

q. Develop grid systems at commercially zoned arterial intersections, where feasible, in order to support increased traffic.

r. Improve access control on existing streets through the review of new developments

s. Alley abandonment shall be discouraged.

t. Develop methods, such as cross-access agreements, frontage and backage roads, to reduce the number of existing access points onto arterial streets.

u. Work with adjacent jurisdictions to develop more restrictive access limitations than presently exist for arterials and highways of regional transportation importance.

v. Work with Ada County Highway District, local developers and neighborhoods in the operation of a local traffic-calming policy.

w. Encourage traffic-calming in a way that minimizes adverse effects on adjacent streets.

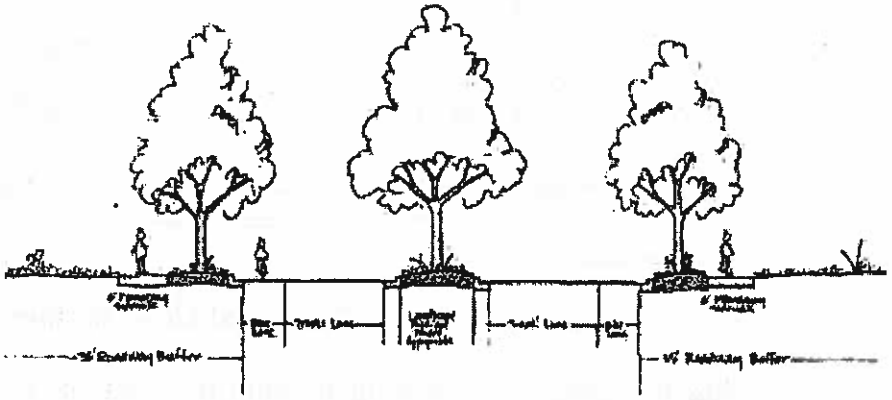
x. Implement, in conjunction with ACHD and the City of Eagle Fire Department, alternative street standards related to new urbanism, including narrower local streets and tighter curb radii. Allow use of these standards in conjunction with the City's alternative zoning code for new urbanism as described in the Community Quality chapter.

y. The City, ACHD and ITD shall resolve responsibility for design and installation of sidewalks.

z. Work with the development community, ACHD and COMPASS to construct the following roadway projects:

<u>East/ West Boulevard</u>- Connect State Highway 16 to Linder Road (existing bridge crossing) north of Floating Feather. Design is to be a "Park Center" style road with planted medians and meandering alignment. This road will serve as the main minor arterial through the Village Center and Planning Area. The Village planning is designated to accommodate nearly 5,000 housing units and approximately 600 acres of civic, corporate, retail and office uses. This road should include significant landscaping and a detached meandering pathway.

Illustration 5.1



East/ West Boulevard Concept Cross Section (In Village Center)

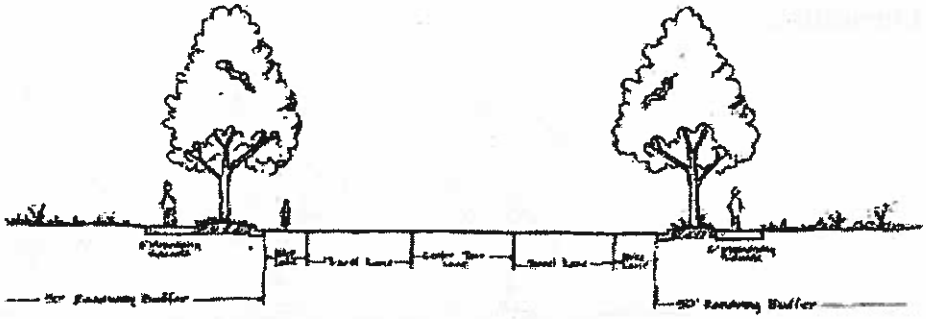
Homer Road Extension- Extension of Homer Road south and west to connect with the east/west boulevard near the village center. This is a lower priority project. The extension is located urban/rural transition area as density begin to decrease as development approached Farmers Union Canal and the Foothills.

State Highway 16 Extension: An extension of State Highway 16 across the Boise River aligning with Black Cat and Chinden. This extension will provide access to the Chinden Planning Area and the River Plan Residential Area. This extension will provide access to over 1,700 housing units.

Old Valley North: This is a developer built road that provides internal circulation for high density residential uses located north of State Street. The intent is to direct this traffic to Linder Road, a signalized intersection or a alignment with moon Valley Road oppose to creating a new high impact access point along State Street.

State & Highway 16 Ring Road: A new access road to primarily serve the commercial and business park use proposed at the intersection of State Highway 16 and State Highway 44. Transitional residential uses to the north and east of this road will also access from this road. This road provides an alternative to the frontage roads proposed by ITD along hwy 16. This road should include significant landscaping and a detached meandering pathway.

Illustration 5.2

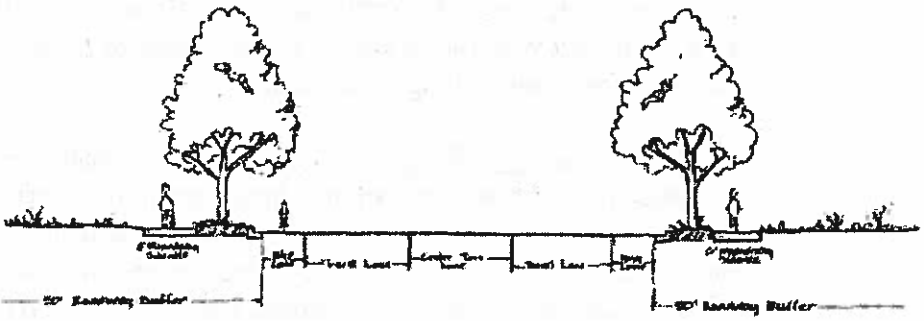


Proposed Ring Road Cross Section

Beacon Light: Proposed realignment of Beacon Light Road through the Village Center. During our visioning and out reach great concerns from residents was expressed about the intensity of traffic moving along Beacon Light Road through the existing residential development east of Linder Road. This was a proposal to reduce this through traffic. Further, a desire was expressed to provide a "greener" feel to this road way through the city. The proposed cross section includes planting strips and a detached meandering trail.

Floating Feather: This is a proposal to smooth out the alignment of Floating Feather at Palmer Road. The city has heard from developers south of this intersection looking to abandon Palmer Road south of Floating Feather that may help facilitate this realignment. Similarly to Beacon Light Road, a desire was expressed to provide a "greener" feel to this road way through the city. The proposed cross section includes planting strips and a detached meandering trail.

Illustration 5.3



Beacon Light/Floating Feather Cross Section

Or a similar cross section as warranted by future transportation volumes or determined appropriate by ACHD

CHAPTER 6

LAND USE

6.0 Background

As a part of the review of the 2000 Comprehensive Plan, a land capacity analysis of the economic sustainability of the existing area of city impact (AOI) and future growth areas for the City was completed. This study found that the City of Eagle, though stable and solidified in its vision to develop a city with a uniquely rural character, did complete survey at the long term sustainability of the City as it approached build out.

The 2000 Comprehensive Plan detailed the following uses for the incorporated City and the AOI:

Table 1.1

Distribution of Land Uses

Land Use	% of 2000 Plan	% of 2025 Plan	% of total
Commercial	4%	2%	4%
Mixed Use	6%	8%	7%
Mixed Use Village	0%	10%	5%
Business/Tech	1%	2%	1%
Industrial	1%	0%	3%
Residential	87%	60%	75%
Parks/open space	1%	17%	5%

Nearly 90% of the City's 2000 AOI was designated for residential uses which, coupled with the third lowest tax levy rate in the State of Idaho, severely limits the long-term sustainability of the City of Eagle. The land capacity analysis further outlined that over 50% of the residential land within the existing AOI was developed to the density described in the 2000 Comprehensive Plan. The analysis also showed that only 20% of the land available for residential development is vacant and suitable for uncomplicated development. Understanding the current rate of development (300 acres per year), the city will run out of vacant land in approximately 6 years. However, residential build-out could be extended if underdeveloped property became available for redevelopment in the future. A

significant factor in determining the successful redevelopment of vacant land within the City is the cost and availability of vacant land both in adjacent cities and the county, and unless these land supplies are constrained it is likely that high levels of redevelopment will not occur. (The entire land capacity analysis is available at City Hall for review.)

6.1 Existing and Future Conditions

The Western Planning Area is primarily rural in nature, with the eastern portion between Meridian Road and Linder Road seeing the first urban development in the area. The majority of the area is currently divided into 10+ acre tracts and limited 1 acre lots developed within the County. The visioning plan for the area focused on identifying activity centers and the regional transportation corridors while preserving the rural character of the City of Eagle. These areas are the final development area for the City as lands to the east, south and west begin to be incorporated into other municipalities.

6.2 Goals

Sustainability at build-out (2025): Ensure the ability for the city to continue to fund, improve and support itself (including infrastructure) without the use of building permit fees, impact fees and zoning fees.

Identify "Activity Centers": Identify areas that, due to the nature of existing uses, anticipated uses, and/or transportation corridors, will lend themselves to increased activity and non-residential use while preserving larger areas as residential neighborhoods.

Preserving Regional Transportation Corridors (State Highway 16 & 44): Preserve the function of regionally significant roadways traveling through the City while ensuring compatibility with land uses and design standards of the City.

Increased Employment Opportunities: Identify areas that will provide significant employment opportunities to the residents of the City of Eagle, thereby supporting the City as a place to live, work, and recreate.

6.3 Objective

The land use map and associated policies shall be the official guide for development in the City of Eagle and shall be implemented through the zoning and development review process.

6.4 Implementation Strategies

6.4A General Strategies

a. Maintain a Vision Map that depicts opportunities for creating and enhancing activity centers and linkages between planning areas and the existing City. **(See Map 2.1)**

b. Maintain a Future Land Use Map that encourages higher densities around activity centers and transit routes but also provides for large residential areas that continue to promote the rural character of the City of Eagle**(See Map 6.1)**

c. Use smaller planning areas to help guide development in the western planning area. **(See Map 6.2)**

d. Non-residential uses should be limited to designated areas, with scaling and intensity paramount to the approval of these uses.

e. Special design treatments shall be required to provide compatibility of new development with existing development such as building orientation, increased setbacks, height limitations, size restrictions design requirements, fencing, landscaping or other methods as determined through the development review process.

f. Commercial and subdivision development within the City will be subject to Design Review.

g. The creation of single use commercial and office districts should be discouraged, while uses that serve a variety of uses shall be encouraged.

h. New mid-block commercial development should be discouraged along arterial and collectors unless it is specified in the plan and meets the principles of New Urbanism and/or provides cross access between adjacent commercial parcels. Existing mid-block commercial uses of a marginal nature shall be encouraged to convert to residential uses.

i. High-tech and research and development uses shall be encouraged to locate in the Moon Valley Planning Area with corporate, institutional uses encouraged to locate in the Village Planning Area.

6.4B Chinden Planning Area

The Chinden Planning Area is designated as mixed use combining regional commercial, retail, and transitional density residential uses. The vision for the area is to capitalize on the unique topography and vistas located along the rim while addressing the need to provide regional commercial opportunities along the regional transportation corridors.

6.4B.1 Uses

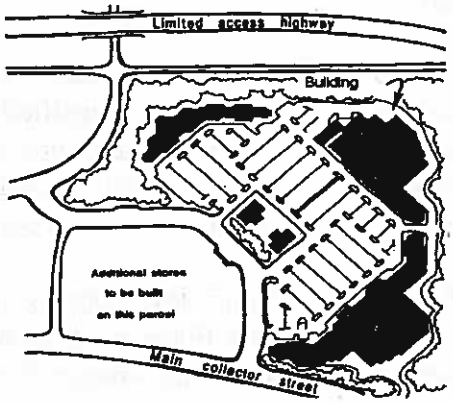
The land use and development policies specific to the Chinden Planning Area include the following:

A regional commercial area should be designated at the northeast corner of U.S. Highway 20/26 (Chinden Boulevard) and Black Cat Road, not to exceed 40 Acres. This commercial is intended to serve the communities of Eagle and Meridian and in the future Emmett, Star, and north Nampa areas as the State Highway 16 extension is completed.

Office and light retail should serve as a buffer between the commercial use located at Chinden Boulevard and Black Cat Road and the residential uses located along the rim.

Residential uses should focus on the rim area north of Chinden Boulevard with lot sizes ranging from ½-1 acres, ensuring compatibility with Spur Wing Country Club to the east. Use of transitional lot sizes, feathering and clustering of smaller lots adjacent to the office and larger rim property with similar transition as development approaches the Spur Wing property to the east.

Illustration 6.1



Prefer Building Oriented to Highway

6.4B.2 Design

This area is recognized as a gateway to the City of Eagle with appropriate landscaping, entry features and place-making features integrated into the design of the area.

6.4B.3 Access

Limited access to State Highway 16 and U.S. 20/26 (Chinden Boulevard) at mile and half-mile intervals in accordance with ITD's class four access restrictions.

Internal circulation roads should be constructed to serve the entire area utilizing limited access points to the State Highway 16 extension and to U.S. 20/26. Buildings should be setback from future right of ways to mitigate noise issues.

Individual site access should be limited to right in/right out with ½ mile access point east of the Black Cat Road and Chinden Boulevard intersection.

6.4B.4 Issues/ Concerns

Concerns about sizing and location of commercial uses at the intersection of U.S. 20/26 (Chinden Boulevard) and State Highway 16 extension exist and it is expected that the properties at this future intersection will attract commercial uses. The City will desire a clear concept of this development to limit the impacts to the regional roadway network and the possible expansion of the commercial use beyond that which the City deems necessary to assure appropriate area-wide planning. One section of the property requesting to be designated as Mixed Use is located west of Black Cat Road and, due to its size, location, and the alignment of the future State Highway 16 extension, may be an appropriate parcel for a commercial designation. This parcel is not in the Eagle area of impact, though it may be included in the future. Eagle recognizes the need to provide mass transit on regional roadway networks as the introduction of commercial use continues to support the development of this system on the Chinden Corridor.

6.4C Park Lane Planning Area

The Park Lane Planning Area is designated as mixed use combining community commercial, professional office, and a variety of residential densities. The vision for the area is to recognize the activity center created

by Eagle High School and existing development approved by Ada County and to provide compatible land uses at densities that accommodate pedestrian scale design and future mass transit.

6.4C.1 Uses

The land use and development policies specific to the Park Lane Planning Area include the following:

Parcel specific community commercial shall be allowed at the NE and SW corner of Linder Road and State Highway 44 as designated in the 2000 Comprehensive Plan.

The area located along Old Valley Road should be a mixture of residential and Professional Office with Limited Service Commercial. All uses along Old Valley should be designed to be oriented to take access from Old Valley Road and to encourage pedestrian movement through the area.

Flint Drive shall be preserved primarily as a residential street while properties abutting State Street should include a mix of residential uses, limited retail and office uses that promote trip capturing.

The roadway network along State Street east of Park Lane should be designed to provide internal circulation with no individual lot access to State Street. A cross access agreement with limited access points at Park Lane and at State Street, in alignment with the future Eagle Island State Park entrance, is necessary to provide access to the retail uses.

The land use for the properties north of Flint Estates and extending to Floating Feather Road is Transitional Residential to ensure compatible residential lot sizing adjacent to Colony subdivision. Extending from east to west, ensuring compatibility with the 1 acre lots in Colony Subdivision, densities in this area will increase to maximum of ~~6~~-3units per acre near Eagle High School.

The area located on the northwest corner of State Highway 44 and Park Lane is designated Mixed Use for the southern 17-acres, transitioning to residential - 3 units per acre - for the northern portion of the property. The transition area between the mixed use area and the residential area shall be reviewed and conditioned by the City through the use of a development agreement during the rezone process.

The area located west of Linder Road and north of State Highway 44 shall provide for high density residential including apartments, town homes and

patio homes, transitioning with decreasing density northward with 1-2 units per acre along northern perimeter. Internal circulation is essential to the development of this area; a loop/frontage road similar to Old Valley Road should be created. Uses should focus on this roadway (not State Street) with berming and wide setbacks to be used to buffer any residential use from the regional transportation network.

Residential Transition should be allowed south of the mixed use area along Old Valley Road and north of the Boise River with an overall density of 1 unit per acre.

6.4C.2 Design

Old Valley Road Area:
The design of this area should capitalize on the existing Old Valley Road and bring activities and uses closer to the road, creating a pedestrian friendly area that encourages walking as well as servicing auto traffic.

The Old Valley Road area should include street trees, benches and sidewalks.

Common parking areas should be encouraged at the sides of buildings and joint parking agreements so walking distances between buildings is minimized and provide a pedestrian scale to the area.

On street parking should be encouraged where sufficient right-of-way is available.

Signage for non-residential uses should be incorporated as a master sign plan rather than individual signs located along State Highway 44.

Flint Estates Area:
The Flint Estates area adjacent to State Highway 44 should be designed to provide limited retail uses that encourage pedestrian circulation from the residential and high school areas, and to compliment the existing mixed use areas at State Highway 44 and Park Lane (Camille Beckman).

Street trees, benches and sidewalks are encouraged within the Flint Estates Area as well as within the greater Park Lane Planning Area.

Common parking areas should be encouraged at the sides of buildings and joint parking agreements so walking distances between buildings is minimized and provide a pedestrian scale to the area.

Activity and building orientation should focus on internal circulation roads rather than the regional transportation network. Flint Drive is to remain primarily a residential roadway.

On street parking should be encouraged where sufficient right of way is available.

Signage should be done as a master sign plan rather than individual signs located along State Highway 44.

Transitional residential densities and design elements (berms, fences, etc.) should be used to provide buffering to residential areas to the east and north of the mixed use area.

6.4C.3 Access

Access to and through should be limited to existing roads (Old Valley Road, Park Lane and Linder Road); no direct access from State Highway 44 shall be permitted unless a new access point is designated by the State of Idaho for Eagle Island State Park.

The area to the north of State Highway 44 should require the construction of a frontage road (similar to Old Valley Road) that removes individual property access to State Highway 44, this high density area shall provide internal circulation and connectivity to the residential areas to the north.

Cross-access agreements and shared service roads should be encouraged throughout the area.

Linkage roads through the area east of Eagle High School should provide connectivity to Floating Feather Road to the north, Park Lane to the west, and Breanna Drive to the east.

Right-of-way should be preserved for a future connection to State Highway 44 in alignment with the future State Highway 44 entrance to Eagle Island State Park.

6.4C.4 Issues

If individual lot access is allowed to State Highway 44, the ability to function as a node, encouraging both pedestrian and vehicular traffic, will be lost. The City should establish a phasing criteria for the north and south portions of the mixed use area to ensure that they area not over

saturating the market before the supporting residential development occurs.

6.4 D Village Planning Area

The Village Planning Area is designed to provide flexibility of design while also ensuring compatibility to existing large lot residential uses and transitional density as development approaches Homer Road and the Foothills. This area is not intended to be master planned but does require great care in planning to ensure that uses are compatible and that the Village Center serves as an anchor of the area and is not taken over by residential uses.

6.4D.1 Uses/Design

The land use and development policies specific to the Village Planning Area include the following:

Residential, commercial, retail, civic, research and development park, corporate and/or educational campus, hospitality and office uses. Non-residential uses will be focused in the Village Center.

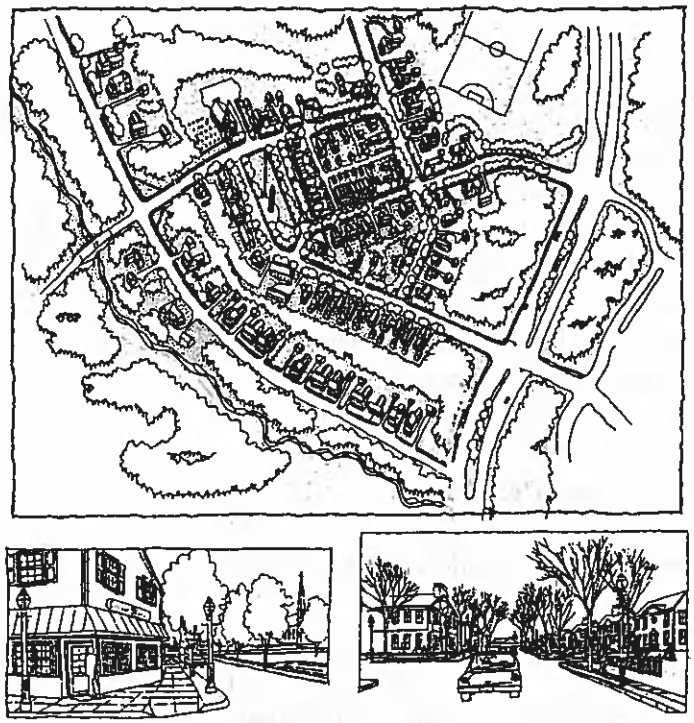
Village Center: The Village is approximately 600-acres bounded generally by Beacon Light Road to the north, Floating Feather Road to the south, Palmer Lane to the west and Lanewood Road to the east. Non-residential uses will be focused in the Village Center. This area is comprised of three key components:

1) A village center- providing retail commercial, hospitality and civic uses;

2) A research and development/educational campus and/or corporate park area designed to provide sufficient space for corporate headquarters in a park-like setting near ancillary commercial uses located in the Village Center;

3) A potential high school and/or middle school site located in close proximity to the Village Center and higher density residential areas. This location allows for the transfer of density into an appropriate residential area, minimizes busing costs and the traffic concerns of placing these uses in residential areas that are separated from services that would be a benefit to the student population.

Illustration 6.4



Village Center Concept

Residential Areas:

Areas within close proximity of the village center shall be encouraged to include apartments, town homes, condominiums, patio homes, bungalows and live/work units ranging in densities from 5 to 20 units per acre.

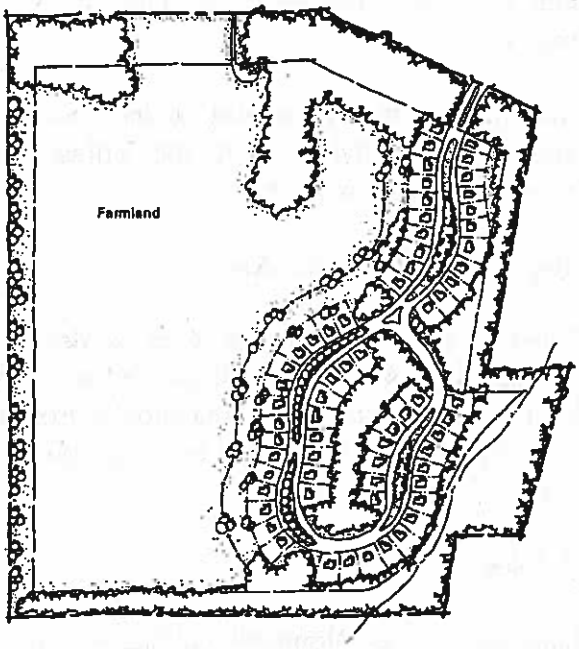
Densities shall decrease radiating away from the Village Center. The overall densities in the Village Planning Area outside of the Village Center shall average 1-2 units per acre to the south of Beacon Light Road. Residential densities north of Beacon Light should be 1-2 units per acre transitioning (feathering and clustering) to the north and east ensuring compatibility with existing residential and foothills development.

Lot sizing and compatibility will be paramount as residential development reaches the existing 2 and 5 acres lot areas east of Linder Road and north of Floating Feather Road.

Special care should be given to the feathering and clustering of residential units as development reaches the foothills/ Farmers Union Canal.

All Commercial use beyond Neighborhood Commercial should be directed to the commercial center at State Highway 16 & 44 or to the Village Center.

Illustration 6.5:



Farmland Cluster Example

6.4D.2 Access

The Village Planning Area will promote the construction of an east/west boulevard that will include planted medians, sidewalks and limited signalization. This road design shall be similar to Harrison Boulevard and Park Center Boulevard in Boise.

This area will also include the extension of Homer Road from Linder Road to the Village Center and the realignment of Beacon Light Road to slow the flow of traffic from Hwy 16 to Hwy 55.

The Village Planning Area will be dependent upon local road and interconnectivity as the area develops.

Access to the area from State Highway 16 should be limited to the mile in alignment with Beacon Light Road and Floating Feather.

Commercial and retail uses should be discouraged from fronting on State Highway 16. Non-residential uses should be focused internally to the

Village Center and the residential uses and located along local/collector roads.

Construction of frontage roads by ITD along the eastern side of State Highway should be discouraged and landscape berms should be used to continue a gateway feeling to the City along the eastern side of State Highway 16.

Non-motorized pathways should be incorporated into the design of the area linking residential areas to the Village Center, foothills, and the City's existing downtown area.

6.4 E Floating Feather Planning Area

The Floating Feather Planning Area is designated as residential with limited ancillary uses to be incorporated as allowed by the planned unit development standards. This area should provide trails, open space, and parks in conjunction with varied housing options. The overall density of the area is 1-2 units per acre.

6.4E.1 Uses

The land use and development policies specific to the Floating Feather Planning Area include the following: Integration of mixed residential lot sizes at a overall density of 1-2 units per acre;

Ancillary neighborhood commercial and retail uses that focus and serve the immediate Floating Feather Planning Area;

Setbacks from streams, irrigation and drains for trails and open space;

Use of transitional lot sizes and clustering when new development abuts existing subdivisions, business and office use to the south;

School siting in the area shall focus on areas with higher densities to decrease busing concerns, preference will be given to siting elementary schools in this area. Densities around school sites shall not exceed 3 to 4 units per acre.

6.4E.2 Access

Access to the area from State Highway 16 shall be limited to Floating Feather Road and the ½ mile ring road to be located to the south of the area.

All uses shall rely on internal local road circulation and a proper street hierarchy to safely and efficiently move traffic through the area without forcing local trips onto the regional roadway network.

Floating Feather Road is identified as an urban collector from State Highway 16 to Linder Road. Special consideration should be made for the improvement and realignment of Floating Feather Road, design standards should include separated sidewalks and street trees similar to Old State Street west of Eagle Road.

The State Highway 16 corridor should be designated as a scenic corridor requiring berming and landscaping within the City of Eagle.

At the western edge of this area, Linder Road will merge with the proposed east/west boulevard and should include street trees, separated sidewalks and landscaped medians; sufficient right-of-way and setbacks should be preserved to facilitate the construction of this roadway.

6.4E.3 Design

This area should be recognized as the signature residential area for the Western Planning Area. The integration of varying lot sizes and uses should be seamless with continuity of street design, open space, trails and housing through out that area.

Floating Feather Road and State Highway 16 should be designated as a minor gateway to the City of Eagle with appropriate landscaping, entry features, and place-making features should be integrated into the design of the area.

Lot configuration and housing sizes should be mixed throughout the area to provide a variety of housing options within a single neighborhood or development.

6.4E.4 Issues

The main concerns in the development of the area are the integration of varying lot sizes and housing styles. The vision for the area is contingent on the integration of uses and providing a flow of housing units throughout the area to avoid creating defined separation from estate areas and patio home areas, for example. Further, the provision of open space and trails through the area should be key to the development approval of the area.

6.4 F River Plain Planning Area

The River Plain Planning Area is designated as residential and open space. This area should provide trails, open space, and parks in conjunction with transitional residential densities. The overall density of the area ranges from 1 unit per 2 acres to the north of the Boise River to 2 units per acre south of the river with higher densities of 2-3 units per acre north of the rim transitioning into clustered large lot residential use (1 acre lots) adjacent to the river.

6.4F.1 Uses

The land use and development policies specific to the River Plain Residential Area include the following:

Overall residential density of 1-2 units per acre south of the Boise River.

Higher densities (2-3 units per acre) beneath (north) the rim transitioning into clustered large lot residential use (1-2 acres) adjacent to the river.

Open space and trail located adjacent to the river in conjunction with the continuation of the regional trail system;

Setbacks from streams, irrigation and drains for trails and open space;

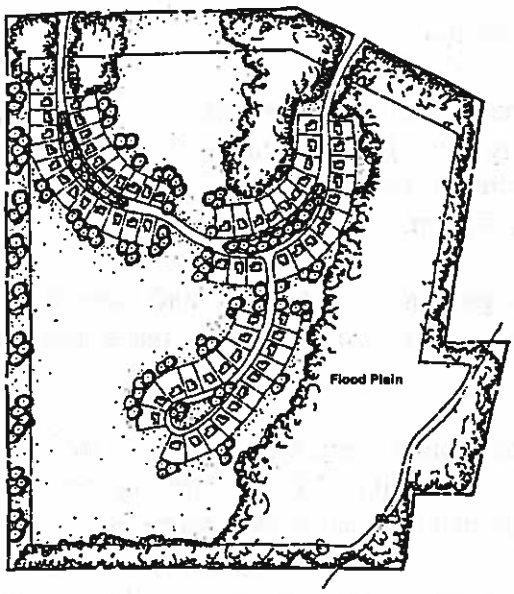
Use of transitional lot sizes and clustering when new development abuts existing subdivisions, business and office use to the north;

Feathering of lots sizes as densities transition north from the rim to the river;

North of the Boise River the lot patterns shall be a continuation of the large lot clusters found in Moon Valley Ranch; 1 unit/2 acres.

Cluster subdivisions should provide permanent dedicated open space.

Illustration 6.6



Floodplain Cluster Example

6.4F.2 Access

Access to the area from State Highway 16 shall be limited to 1 mile intervals with separated access points south of Moon Valley Road along the State Highway 16 extension.

All uses shall rely on internal circulation and a proper street hierarchy to safely and efficiently move traffic through the area without forcing local trips onto the regional roadway network.

A pathway and trails network should be encourage providing pedestrians/bicycle access along the Boise River corridor and from that corridor north into the Moon Valley Area and south into the higher density residential area.

The State Highway 16 corridor should be designated as a scenic corridor requiring berming and landscaping within the City of Eagle.

Moon Valley Road to the north of this area will be a mixed use pedestrian scale street and designed to include pedestrian and bicycle access from the River Plain Planning Area to the south.

6.4F.3 Design

This area should be recognized as uniquely "Eagle" residential area providing large lot residential uses (1-2 acres) with views of the Boise River combined with moderate density residential areas (2-3 units/ acre) north of the rim.

The integration of lot sizes and densities should be seamless with continuity of street design, open space, trails and housing throughout the area.

All access points along State Highway 16 should be designated as a minor gateway to the City of Eagle with appropriate landscaping, entry features and place-making features should be integrated into the design of the area.

Design of lots and homes sites should take into consideration the scenic, wildlife, and river corridor and provide sufficient setback and buffering to sensitive habitat and floodway areas.

The property east of Moon Lake Ranch, designated as Residential One, is to be developed with two acre lots adjacent to Moon Lake Ranch transitioning to the east with a density of 1 unit per acre.

6.4F.4 Issues

The main concerns in the development of the area are the integration of lot sizes and housing styles. The vision for the area is contingent on the integration of uses and providing a flow of housing units throughout the area to avoid creating defined separation from estate areas and moderate density area, for example. Furthering the flow and provision of open space and trails through the area should be key to development approval of the area. Commercial, retail and office uses within this residential should be greatly limited. Commercial, retail and office uses desiring to locate along the State Highway 16 corridor should be located in the Chinden Road Planning Area or the Moon Valley & State Planning Area. Special concern shall be made for the floodway and floodplain to limit uses that are not consistent with the delicate nature of these areas.

6.4 G Eagle Island Planning Area

The Eagle Island Planning Area is designated as open space, recreation, and limited residential. This area should provide trails, open space, and parks in conjunction with limited residential densities, 1 unit per 2 acres.

The visioning for this area is to complete a pathway and recreation connection across Eagle Island.

6.4G.1 Uses

The land use and development policies specific to the Eagle Island Planning Area include the following:

Residential uses:
Clustered large lot residential use: 1 unit per 2 acres;

Open space and trail located adjacent to the river in conjunction with the continuation of the regional trail system;

Setbacks from streams, irrigation and drains for trails and open space;

Large regional park and recreational presence;

6.4G.2 Access

The primary access to the Eagle Island Area is Linder Road, future access may be available from State Highway 44 through Eagle Island State Park.

Linder Road will continue to be the western Boise River crossing for the area until the State Highway 16 extension is completed. Consolidate access points along Linder Road will be promoted to help limit the impacts to the Linder Road river crossing.

Alignment of east/west access points along Linder Road, especially with the Eagle Island State Park entrance, will help to preserve the efficient flow of traffic along Linder.

A pathway and trails network should be encouraged to provide pedestrian access along the Boise River corridor and from that corridor north into the Park Lane Planning Area and south into the Chinden and Rim View Planning areas.

6.4G.3 Design

This area should be recognized as a uniquely "Eagle" residential area providing large lot residential uses (1 unit per 2 acres) with views of the Boise River, combined a high level of open space, trails and parks.

Design of lots and homes sites should take into consideration the scenic, wildlife, and river corridor, and provide sufficient setback and buffering to sensitive habitat and floodway areas.

The integration of lot sizes and densities should be seamless with continuity of street design, open space, trails and housing throughout the area.

6.4G.4 Issues

The main concem in the development of this area is the ability of the City to obtain funding to acquire additional park land as designated on the visioning plan map. If the City is unable to obtain this land, it should be allowed to develop with similar densities as adjacent residential lands in the planning area.

The City would like to acquire park land west of Linder Road on Eagle Island.

6.4H Moon Valley Planning Area

The focus of the Moon Valley Planning Area is to identify areas that by nature of the existing or proposed roadway and transportation network will support uses other than residential. The Moon Valley Planning area bounded on the west by the crossroads of two State Highways (State Hwy 16 and State Hwy 44). The intensity of the use of these roads and the regional scale of the transportation patterns dictates the area develop with some community commercial combined with a possible employment center through the placement and scaling of a business and technical park.

6. 4H.1 Uses

The land use and development policies specific to the Moon Valley Planning Area include the following:

Community Commercial area at the NE intersection of State Highway 44 and State Highway 16, not to exceed 15-20 acres. This Community Commercial is intended to primarily serve the community of Eagle and the western planning area.

This area may allow for a limited square foot grocery or retail component but not a big box development. Regional commercial uses should be directed to the Chinden Planning Area.

A business/technical park should be encouraged at the NE intersection of State Highway 44 and State Highway 16, south and west of the proposed ½ mile ring road. This area should be designed to capitalize on the existing drainage and irrigation canals in the area as amenities by providing trails and open space throughout the park. The piping of these waterways is discouraged.

Along Moon Valley Road, south of State Highway 44, a professional office use area should be established with a mixture of limited retail uses.

Along Moon Valley Road, uses should be designed to allow safe and efficient pedestrian and bicycle access in addition to vehicular circulation. These neighborhood uses should be scaled and designed to be compatible with the residential uses located south of Moon Valley Road in the River Plain Planning area.

6.4H.2 Access

Access to the Moon Valley Planning Area will be limited to the existing access points at the intersection of Moon Valley Road and State Highway 44, and the ½ mile ring road at both State Highway 44 and State Highway 16.

The business and commercial area to the north shall gain access from a ½ mile ring road connecting along State Highway 44 at Palmer Lane and looping north and west to connect with State Highway 16 ½ mile north of the intersection of State Highway 16 and State Highway 44. No other full-access points shall be allowed to the area.

Internal circulation shall be used to move traffic within the area.

Access to the Moon Valley Planning Area shall be at the intersection of State Highway 16 and Moon Valley Road and at the intersection of State Highway 44 and Moon Valley Road. All other access points should be eliminated during the development process.

A pathway and trails network should be encourage to link pedestrian access from the Boise River north to the Moon Valley Planning Area and across State Highway 44 to the commercial/business areas as well as the Village Center to the north.

6.4H.3 Design

Moon Valley Planning Area:
The design of the Moon Valley Planning Area should capitalize on the existing Moon Valley Road and bring activity and uses to the road creating a pedestrian friendly area that encourages walking as well as services auto traffic.

The area should include street trees, plazas, benches and sidewalks.

Common parking areas to the sides of buildings would be advised with joint parking agreements so the buildings minimize walking distance and give a welcoming feel to pedestrians and bicyclist entering the area from the Boise River pathway.

On street parking should be encouraged where sufficient right-of-way is available. Signage should be done as a master sign rather than individual signs located along State Highway 44.

State Highway 44 Business Area:
The design of the commercial/ business area should be designed to be internally focused, capturing some trips from State Highway 16 and State Highway 44 into the area from a ½ mile ring/loop road.

The design should provide interconnectivity of roadways and consistency of architectural design.

Parking should be cooperative when possible but on-street parking should be avoided along the loop road.

Signage should be regulated to ensure that the highway rights-of-way are not cluttered with individual and monument signs.

Landscape berms should be required along the loop road to provide a transition to the residential uses to the north and east.

The intersection of State Highway 44 and State Highway 16 should be identified as a gateway to Eagle with appropriate monuments and landscape designs.

6.4H.4 Issues

One of the main concerns in the development of this area is the ability to properly scale the commercial uses while keeping the business technical park functioning as a vibrant area without the overflow of the commercial area replacing the employment areas located in the business/technical

park. To ensure the integrity of the plan, combined commercial uses in the area must be limited to 15-20 acres in size and all regional scale commercial uses should be directed to the Chinden Planning Area. Another concern is the roadway access to the Moon Valley Planning Area; currently Palmer Lane crosses State Highway 44 and provides access to the Moon Valley Planning Area. If this access point is not removed, it is likely that development pressure may attempt force commercial uses to front on State Highway 44. This would create a strip commercial area north of Moon Valley and south of State Highway 44 that is not consistent with the intent of the plan – this type of strip development is prohibited.

6.4 I Rim View Planning Area

The Rim View Planning Area contains a large amount of existing residential uses that have been developed as one-acre and five-acre lots through the Ada County development process. The future land uses in the area are predicated on Linder Road being the only river crossing between Eagle Road and Star Road, as well as the need to buffer and preserve the exiting residential developments.

6.4I.1 Uses

The land use and development policies specific to the Rim View Planning Area include the following:

Community Commercial located at the northeast intersection of Chinden Boulevard and Linder Road is not to exceed 5 acres in size. This commercial area is intended to serve the Eagle community as a convenient stop on the way into town before crossing the river. Access to the site would not be signalized and would be limited to right in/right out turning movements from both Chinden Boulevard and Linder Road.

To the north and east the commercial area will be office uses that provide an effective buffer to residential areas.

The residential density for new residential uses in the area is 1 unit per acre providing for transitional lot sizes to ensure compatibility of new residential uses with existing residential uses and the commercial and office uses located at Linder Road and Chinden Boulevard.

All development in the Rim View Planning Area shall be completed as a planned unit development and/or development agreement.

Patio homes and town house uses that are connected to central services may be allowed in conjunction with exiting open space and recreation areas located in the Rim View Area. The patio homes and town homes are to be located within close proximity to Spur Wing Golf Course.

6.4I.2 Access

Access to the area should focus on new internal linkages.

Though ITD allows for access at ½ mile intervals along Chinden Boulevard these access points should only be granted if the internal roadway allows traffic to flow through the area. Connecting Meridian Road to Linder Road provides the opportunity of internal linkage to the Community Commercial area at the intersection of Linder Road and Chinden Boulevard.

Internal circulation shall be used to move traffic within the area, limiting the number of local vehicle trips entering State Highway 20/26 to access commercial/services use along Linder Road.

Chinden Boulevard should be recognized as a gateway corridor to the City of Eagle and proper berming, landscape and wide setbacks should be adhered to.

Proper setbacks and berming should be used to protect the regional transportation corridor, Chinden Boulevard, from increasing residential uses.

6.4I.3 Design

Design of this area should be compatible to the existing residential and recreational uses currently present in the area.

Design of commercial and office uses should be compatible with the existing residential uses and contain significant landscaped buffers and design elements. Scale of the commercial development should be similar to the Eagle Marketplace and provide for pedestrian linkages to the residential areas adjacent to the site.

Both Chinden Boulevard and Linder Road should be developed with a detached sidewalk and planting strip adjacent to the back of curb further solidifying the gateway corridor of Chinden Boulevard.

6.4I.4 Issues

One of the main concerns in the development of this area is the ability to properly scale the commercial uses to prevent the use from overpowering the office and residential uses. To ensure the integrity of the plan, regional scale commercial use should be directed toward the Chinden Road Planning Area.

6.4 J Eagle Middle School Planning Area

During the public visioning process, the densities around the Eagle Middle School site were reviewed and an increase in residential density was recommended. Though these changes are not contained within the Western Planning Area the ultimate development densities in this area will have impacts on the expansion of the City water system.

6.4J.1 Uses

The land use designation in the Eagle Middle School Planning Area is Transitional Residential, with an overall density for the area to be 1-unit per acre with a mix of open space combined with smaller lots located adjacent to the school site transitioning to compatible lot sizes and scaling adjacent to the large lots at the perimeter of the area.

6.4J.2 Access

Access to the area should focus on new internal linkages.

Proper setbacks and berming should be used to protect the arterials, from increasing residential uses.

6.4J.3 Design

Overall residential density of the area shall be 1 unit per acre transitioning into clustered and/or compatible lots adjacent to existing subdivisions at the perimeter.

Development in the Eagle Middle School Planning Area shall be submitted as a planed unit development and/or development agreement.

Open space and trails should be developed through out the development providing connectivity to the school site.

All uses shall be setbacks from streams, irrigation and drains for trails and open space;

Use of transitional lot sizes and clustering when new development abuts existing subdivisions, business and office uses.

The City would like to acquire approximately 15 acres of park land and/or floodway protection areas for Dry Creek northwest of the intersection of Floating Feather Road and Eagle Road.

6.4J.4 Issues

The main concerns in the development of the area are the integration of lot sizes and housing styles. The vision for the area is contingent on the integration of uses and providing a flow of housing units throughout the area to avoid creating defined separation from estate areas and moderate density area, for example. Further the flow and provision of open space and trails through the area should be key to development approval of the area. Special concern shall be made for the Dry Creek floodway and floodplain to limit uses that are not consistent with the delicate nature of these areas.

APPENDIX 1

GLOSSARY

Central Business District (CBD)

Land Use district located in downtown Eagle intended to serve as the primary economic base for the City Of Eagle.

Clustering

A provision under the planned unit development standards to allow reduced lot sizes in exchange for open space, floodway protection or buffering of less intensive uses.

Commercial

Neighborhood Commercial A moderate sized shopping area that features a grocery store but may also include a drug store or variety of services such as stationary, clothes, restaurants, dry cleaners, real estate, gardening and other similar uses . A neighborhood commercial area may have a total of 15,000 to 30,000 square feet but no single buildings in excess of 2,500 square feet.

Community Commercial A large shopping area that may feature a grocery store as well as department stores or volume discount retail outlet as an anchor. It may also include a variety of uses such as restaurants, office and entertainment. A community commercial area may have a total of 80,000-120,000 square feet but no single building in excess of 50,000 square feet.

Regional Commercial A very large shopping area that features a variety of major retailers as well as a variety of fast food, and full service restaurants, entertainment uses, hotels, office and similar uses. A regional commercial area may have a total of 250,000 square feet or more and occupy an area greater that 25 acres.

Context Sensitive Design

Context sensitive design (CSD) is a collaborative, interdisciplinary approach that involves all stakeholders to develop land uses and transportation facilities that fits its physical setting while preserving the scenic, aesthetic, historic, and environmental resources.

Cross Access Agreement
An agreement between adjacent property owners in which internal connections are provided between parking areas in order to improve traffic flow on the streets by minimizing the number of access points needed. Cross access agreements are typically incremental as a condition of approval for new development. The first one to develop will be required to make an irrevocable offer of cross access and design their site to accommodate future connections. When adjacent owner develop they will be conditioned to reciprocate with a similar cross access agreement.

Feathering The process of transitioning density within a development while providing compatible lots sizes and lot boundaries.

Gateway A major corridor or entry into the City of Eagle that will tend to create initial impression of the City for visitors. Gateway streets should be subject to enhanced design review standards such as signage, landscaping, architecture, and vehicular access.

Internal Circulation The movement of traffic into and out of properties and local roadway systems without the need to enter onto arterials and regional roadway networks.

Limited Service Commercial
Uses that accommodate retail sales and services for the daily self sufficiency of local communities, ensuring that the intensity of limited commercial development is compatible with the character of the area with special concern to adjacent residential uses.

Limited Retail Establishments providing retail services, occupying facilities of 10,000 square feet or less. Typical establishments provide for specialty retailing or retailing oriented to the surrounding vicinity.

Minor Gateway A collector or local street entering from an arterial into the City of Eagle that gives visitors a sense of place and feeling of entering Eagle. Minor gateways should provide limited elements to create a sense of place through landscaping, signage, or other design elements.

Municipal Services Services, such as sewer water and library, owned and/or managed by the City of Eagle to property owners within or adjacent to the city.

New Urbanism A form of development in which a range of housing product types and supporting commercial services are provided within close proximity to one another and designed to be pedestrian-oriented. Such developments typically feature, at least part; gridded local streets with alley loaded housing, narrow lot patterns, low to mod-rise commercial which are built up to the sidewalk with parking located behind them with residential uses built over commercial uses, narrow streets with tight turn radii, on street parking, sidewalks separated by landscape strips, and street furniture. New Urbanism projects do not exclude automobiles, rather, they place pedestrians on an equal basis in terms of priority.

Professional Office Uses providing for administration, professional services, and associated activities. These uses often invite public clientele but are more limited in external effects than commercial uses.

Regional Functional Classification
Functional classification is the grouping of highways, roads and streets by the character of service they provide and was developed for transportation planning purposes. Basic to this process is the recognition that individual routes do not serve travel independently in any major way. Rather, most travel involves movement through a network of roads.

Regional Transportation Corridors
Roadways that link communities across the region; normally these are state highways and major arterials but may include minor arterials in rural areas.

Street Hierarchy See Page 28-30 of the 2000 Eagle Comprehensive Plan

Strip Commercial A variety of unrelated retail, service and fast food use located at mid block, oriented to take advantage of passing automobile traffic. Connectivity between strip commercial is usually poor, and each use will tend to have its own curb cut onto the arterial.

Transitional Density The shifting of density within a development to allow compatibility with existing uses adjacent to or within a site.

Trip Capturing The design of transit, commercial, retail and office areas so that patrons are able to accomplish multiple daily tasks with one vehicle trip oppose to having to use multiple vehicle trips to go to several single use areas. This is opposite of trip generation which

is a use that creates new independent vehicle trip for a specific use or a use that is a single destination site.

APPENDIX 2

MAPS