



**TO: BOARD OF ADA COUNTY COMMISSIONERS**

**HEARING DATE: June 3, 2015**

**STAFF: Diana Sanders, Associate Planner**

**PROJECT NO.: 201500265 ZOA**

**APPLICANT: Ada County Development Services**

### **INTRODUCTION**

A zoning ordinance text amendment to Ada County Code Section 8-7-7A(2) to amend the process for judicial review to comply with state law and amend Ada County code Section 8-7E-5 to address reconsiderations required by Idaho Code 67-6535 as a precursor to a petition for judicial review.

### **EXECUTIVE SUMMARY**

The proposed ordinance amendment will bring Section of the Ada County Code into compliance with State Code 67-6535.

The new ordinance will amend the following sections of the Ada County Code:

Amending Ada County Code Section 8-7-7A (2) to include Idaho Code section 67-6535 concerning the process for appeals.

Repealing ACC 8-7E-5 and adding reconsideration to comply with the language from Idaho Code section 67-6535.

State Code 67-6595 explains that any applicant or affected person seeking judicial review must first seek reconsideration of the final decision and identifies the specific timeline. The process for reconsideration is clarified in the proposed code. The proposed zoning text amendment concerning ACC 8-7E-5 will use the language from the state code for reconsideration instead of reopening the record.

At the time this staff report was written the following agencies have provided comments:

Boise Public Works, Eagle Fire, Ada County Building Official, Ada County Engineer, Nampa & Meridian Irrigation District, ITD and Central District Health Department have stated that they either have no comment or no objection to the proposed amendment.

## **RECOMMENDATION**

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Board as set out in the proposed Findings of Fact and Conclusions of Law attached hereto. Based upon the evidence in the record, the Ada County Planning & Zoning Commission voted to recommend approval of the application to the Board at their April 9, 2015 hearing.

The Board should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.

### **EXHIBIT LIST – PROJECT NO.: 201500265 ZOA**

- 1 Master Application and checklist (3 pages)
- 2 Applicant's Detailed Letter (1 page)
- 3 Summary of Ordinance (2 pages)
- 4 Ordinance (4 pages)
- 5 Comment from Ada County Building Official received February 23, 2015 (1 page)
- 6 Comment from Eagle Fire Department received February 25 & April 16, 2015 (2 pages)
- 7 Comment from Ada County Engineer received February 26, 2015 (1 page)
- 8 Comment from Nampa & Meridian Irrigation District received March 10, 2015 (1 page)
- 9 Comment from Central District Health Department received March 19, 2015 (1 page)
- 10 Comment from Boise City Public Works received April 22, 2015 (1 page)
- 11 Comment from Idaho Transportation Department received April 22, 2015 (1 page)



# MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702. www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

### TYPE OF ADMINISTRATIVE APPLICATION:

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

### TYPE OF HEARING LEVEL APPLICATION:

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

### TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

### TYPE OF ADDENDA:

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

**RECEIVED**

**FEB 18 2015**

ADA COUNTY  
DEVELOPMENT SERVICES

### REQUIRED SUBMITTALS:

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

### SITE INFORMATION: N/A

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Total Acres: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: \_\_\_\_\_ City: \_\_\_\_\_

Tax Parcel Number(s): \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Area of City Impact: \_\_\_\_\_ Overlay District(s) \_\_\_\_\_

### OFFICE USE ONLY

Project #: <b>201500265-ZOA</b>	Planning Fees/GIS: <b>N/A</b>	Engineering Fees: <b>N/A</b>
Received By: <b>MAP</b> Date: <b>2/18/15</b> Stamped <input checked="" type="checkbox"/>		

<b>APPLICANT/AGENT: (Please print)</b>	<b>ADDITIONAL CONTACT if applicable: (Please Print)</b>
Name: <u>Ada County Development Services</u>	Name: _____
Address: <u>200 W Front St</u>	Address: _____
City: <u>Boise</u> State: <u>ID</u> Zip: <u>83702</u>	City: _____ State: _____ Zip: _____
Telephone: <u>287-7900</u> Fax: _____	Telephone: _____ Fax: _____
Email: _____	Email: _____
I certify this information is correct to the best of my knowledge.	<b>ENGINEER/SURVEYOR if applicable: (Please Print)</b>
	Name: _____
	Address: _____
	City: _____ State: _____ Zip: _____
	Telephone: _____ Fax: _____
	Email: _____
Signature: (Applicant) _____	
Date _____	

<b>OWNER (S) OF RECORD: (Please Print)</b>	<b>OWNER (S) OF RECORD: (Please Print)</b>
Name: _____	Name: _____
Address: _____	Address: _____
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Telephone: _____	Telephone: _____
Fax: _____	Fax: _____
Email: _____	Email: _____
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.
Signature: All Owner (s) of Record _____	Signature: All Owner (s) of Record _____
Date _____	Date _____

**ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)**

**If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.**



# ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, ID 83702. www.adaweb.net phone: (208)287-7900 fax: (208)287-7909



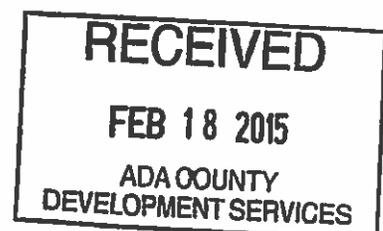
## ZONING ORDINANCE TEXT AMENDMENT CHECKLIST (ACC 8-7-3)

A Zoning Ordinance Text Amendment request requires a public hearing.

### GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
X	One paper copy and one electronic copy of all required submittals.	
X	Completed and signed Master Application	
X	<b>DETAILED LETTER</b> by the applicant fully describing the request or project and addressing the following:	
X	X Proposed change to the Ordinance.	
	X Reason for request	
	X Compliance with Comprehensive Plan.	
	X Compliance with base district purpose statement.	
	X Zoning Ordinance Sections to be amended.	
	X Specific proposed language and existing language.	
	X All applicable or cross-referenced Sections from the Zoning Ordinance.	
	X Other pertinent plans or ordinances.	
N/A	<b>PRE-APPLICATION CONFERENCE NOTES</b>	
N/A	<b>PLANNED COMMUNITY SUPPLEMENTAL INFORMATION</b>	
N/A	Land Use Districts	
N/A	Dimensional Standards	
N/A	Land Use Regulations (allowed, conditional, etc.)	
N/A	Additional Service Standards	
N/A	Community Design (if applicable)	
N/A	<b>APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net</b>	

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





ADA COUNTY  
Development Services Department

February 12, 2015

Board of Ada County Commissioners  
200 W Front Street  
Boise, ID 83702

Dear Honorable Commissioners,

Ada County Development Services is requesting a Zoning Ordinance Text Amendment in order to amend Sections 8-7-7A(2) and 8-7E-5 of the Ada County Code pertaining to judicial review and reconsiderations.

It is proposed that Section 8-7-7A(2) of the Ada County Code be amended to include reference to Idaho State Code 67-6535 in order to comply with State Law regarding the judicial review process.

It is also proposed that Section 8-7E-5 of the Ada County Code be repealed and replaced with new language regarding reconsiderations required as a precursor to a petition for judicial review. The new language will bring the Ada County Code into conformance with Idaho State Code 67-6535.

Sincerely,

A handwritten signature in black ink that reads "Mark A. Perfect".

Mark A. Perfect  
Planning & Zoning Administrator  
Ada County Development Services

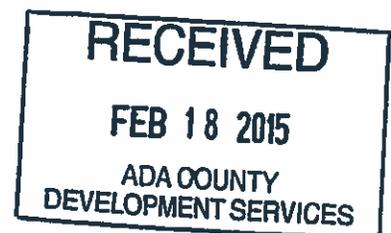


EXHIBIT 2  
201500265 ZOA  
ADA COUNTY

Megan M. Leatherman, MCRP  
Director

Ada County Courthouse  
200 West Front Street  
Boise ID 83702  
208.287.7900  
Fax 208.287.7909  
www.adacounty.id.gov

Department Divisions  
Building  
Engineering & Surveying  
Permitting  
Planning & Zoning

Ada County Commissioners  
Jim Tibbs, First District  
Rick Yzaguirre, Second District  
David L. Case, Third District

**SUMMARY OF ADA COUNTY ORDINANCE NO. \_\_\_\_**

AN ORDINANCE AMENDING ADA COUNTY CODE SECTION 8-7-7A(2) TO AMEND THE PROCESS FOR JUDICIAL REVIEW TO COMPLY WITH STATE LAW AND AMENDING ADA COUNTY CODE SECTION 8-7E-5 TO ADDRESS RECONSIDERATIONS REQUIRED BY IDAHO CODE § 67-6535 AS A PRECURSOR TO A PETITION FOR JUDICIAL REVIEW.

ORDINANCE NO. \_\_\_\_ SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

**Board of Ada County Commissioners**

By: \_\_\_\_\_  
Jim Tibbs, Commissioner

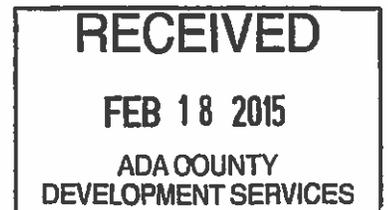
By: \_\_\_\_\_  
Rick Yzaguirre, Commissioner

By: \_\_\_\_\_  
David L. Case, Commissioner

ATTEST:

\_\_\_\_\_  
Christopher D. Rich, Ada County Clerk

PUBLISHED: \_\_\_\_\_



SUMMARY OF ADA COUNTY ORDINANCE NO. \_\_\_\_\_  
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EXHIBIT 3  
201500265 ZOA  
ADA COUNTY

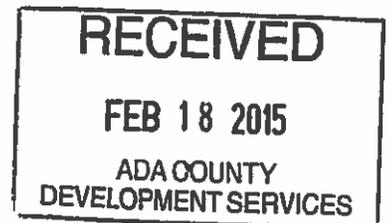
STATEMENT OF APPROVAL

I, Christopher D. Rich, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. \_\_\_\_\_ is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

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Christopher D. Rich  
Ada County Clerk

[SEAL]



STATEMENT OF APPROVAL

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ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING ADA COUNTY CODE SECTION 8-7-7A(2) TO AMEND PROCESS FOR JUDICIAL REVIEW; AND AMENDING ADA COUNTY CODE 8-7E-5 TO ADDRESS RECONSIDERATIONS REQUIRED AS A PRECURSOR TO A PETITION FOR JUDICIAL REVIEW.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 8, CHAPTER 7, ARTICLE 7A AND TITLE 8, CHAPTER 7, ARTICLE 7E BE AMENDED AS FOLLOWS:

SECTION 1: Amending Ada County Code Section 8-7-7A(2) to amend the process for judicial review to comply with state law.

8-7-7A(2): APPEALS:

A. Application: Any decision or action may be appealed as set forth in this chapter. The appellant shall be an affected person as defined in Idaho Code section 67-6521(1)(a).

1. A person aggrieved by a final decision or action within the jurisdiction and authority of the director (see subsection 8-7-2A of this chapter), the hearings examiner (see subsection 8-7-2F of this chapter, or the commission (see subsection 8-7-2D of this chapter) may appeal to the board.

2. A person aggrieved by a final decision or action of the board may seek judicial review as provided by Idaho Code section 67-6521(1)(d) and section 67-6535, as they may be amended from time to time, and this Code.

SECTION 2: Amending Ada County Code Section 8-7E-5 to address reconsiderations required as a precursor to a petition for judicial review of a board decision.

8-7E-1: PURPOSE:

The purpose of this article shall be to provide a procedure by which the board or the commission shall conduct hearings in land use which, by federal, state, or county law, require the receipt of evidence, whether testimony, documents, or otherwise, and a response from the board in the form of a written decision, or a decision or recommendation from the commission, based on the record.

8-7E-2: DEFINITIONS:

For the purposes of this title, the following terms shall have the following meanings:

APPLICANT/APPELLANT: The person or entity seeking a decision from the board, or a decision or recommendation from the commission.

STAFF: Any Ada County officer or employee present during the hearing.

ORDINANCE NO. \_\_\_\_ - PAGE 1

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EXHIBIT 4  
201500265 ZOA  
ADA COUNTY

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ADA COUNTY  
DEVELOPMENT SERVICES

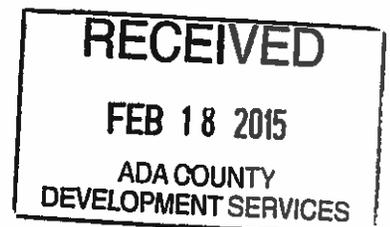
**8-7E-3: CONDUCT OF HEARING:**

Hearings before the board or the commission shall be conducted in general conformance with the following procedure:

- A. **Generally:** The board or the commission may require any person who will testify at a hearing to be sworn in before testifying. The board or the commission may place a time limit on verbal testimony. If there will be a time limitation, the limitation shall be announced at the beginning of the hearing.
- B. **Overview of the Application:** Hearings before the board or the commission shall commence with a very brief overview from staff and staff's submission of the written report to the board or the commission.
- C. **Applicant/Appellant Presentation of Application:** The applicant/appellant presents his or her application and shall be allowed an opportunity to present testimony, documents, and other evidence which supports the application.
- D. **Public Testimony:** The board or the commission shall take comments from the public. Those providing public testimony shall be provided an opportunity to present testimony, documents, or other evidence. In its discretion, the board or the commission may alternate between those supporting and those opposing a particular application.
- E. **Applicant/Appellant Rebuttal:** The applicant/appellant shall be allowed the opportunity for rebuttal. Such rebuttal shall be limited to responding to testimony, documents, or other evidence provided during the public testimony.
- F. **Clarification of Factual Questions:** When statements of fact in the written record appear to be in dispute from all of the testimony given, the board or the commission may ask the staff and/or the applicant/appellant to clarify whether the written record is in error.
- G. **Close Record:** After the board or the commission closes the record and begins its deliberation, no further comments or testimony may be taken from the applicant/appellant, staff or the public.

**8-7E-4: RECORD:**

The staff report shall automatically become part of the record as shall any documents submitted by the applicant/appellant and the public, as shall all testimony given at the hearing. At the conclusion of the hearing, the board or the commission shall close the record unless the board or the commission determines, in its discretion, additional evidence is required, in which event, it may proceed as follows: Close the record with the exception of allowing the submission of specifically requested information, leave the entire record open for the submission of additional evidence to a date certain at which time it will automatically be closed without further action of the board or the commission, or continue the hearing to a date certain for the purpose of



receiving additional evidence and conducting such further proceedings as may, in its discretion, be advisable.

~~8-7E-5: REOPENING THE RECORD BY THE BOARD RECONSIDERATION:~~

~~Prior to the board issuing a written decision, the board may, for good cause demonstrated, reopen the record for the purpose of receiving additional evidence. An interested party may seek to reopen the record by filing a motion to reopen the proceedings within five (5) days of the date on the board's written decision. Said motion shall contain information demonstrating good cause to reopen the record and any costs which will be incurred by the county to comply with applicable law shall be paid concurrently with the filing of the motion. The board shall decide an applicant's/appellant's motion to reopen the record within five (5) days of the receipt thereof. The board may, within five (5) days of the date of its written decision, reopen the record for good cause on its own motion. If the board determines to reopen the record, it shall thereafter comply with applicable law, if any, governing notice and hearings.~~

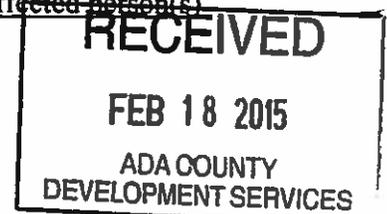
A. Every applicant or affected person seeking judicial review of the board's final decision must first file with the board a motion for reconsideration of the board's decision, specifying deficiencies in the decision within fourteen (14) days of the date of the decision, along with the applicable fee.

B. The board will consider the reconsideration motion as scheduled on an open business meeting agenda and determine whether to grant or deny the request. If the board grants reconsideration in whole or in part, a hearing before the board will be scheduled to address the specific deficiencies identified by the applicant or affected person and to allow interested persons to have an opportunity to be heard.

C. Notice of the public hearing on the reconsideration, identifying the specific deficiencies alleged in the reconsideration request, will be provided as follows, including:

1. Notice to Agencies and Political Subdivisions: At least fifteen (15) days prior to the public hearing, the director shall send notice to all political subdivisions providing services with the planning jurisdiction, including school districts and the manager or person in charge of the local public airport.
2. Legal Notice: At least fifteen (15) days prior to the public hearing, the director shall publish a notice of the time and place in the official newspaper or paper of general circulation in the county.
3. Radius Notice will be provided in the same manner as originally provided on the application.
4. Public Service Announcement: the director shall issue a notice to other papers, radio and television stations serving the jurisdiction for use as a public service announcement.

D. Following the hearing on the reconsideration, the board may affirm, reverse or modify its prior decision and shall provide a written decision to the applicant and the affected person(s).



within sixty (60) days of receipt of the request for reconsideration. If the board fails to timely decide, the request for reconsideration is deemed denied.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

**Board of Ada County Commissioners**

By: \_\_\_\_\_  
Jim Tibbs, Commissioner

By: \_\_\_\_\_  
Rick Yzaguirre, Commissioner

By: \_\_\_\_\_  
David L. Case, Commissioner

ATTEST:

\_\_\_\_\_  
Christopher D. Rich, Ada County Clerk

PUBLISHED: \_\_\_\_\_/2015

**RECEIVED**  
**FEB 18 2015**  
ADA COUNTY  
DEVELOPMENT SERVICES

# MEMORANDUM

---



DATE: 2/23/2015

RE: 201500265-ZOA

TO: Brent Moore, Associate Planner

FROM: Mark Ferm, Ada County Building Official

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## Summary of Project:

An application for a Zoning Ordinance Text Amendment in order to amend Sections 8-7-7A(2) and 8-7E-5 of the Ada County Code pertaining to judicial review and reconsiderations. It is proposed that Section 8-7-7A(2) of the Ada County Code be amended to include reference to Idaho State Code 67-6535 in order to comply with State Law regarding the judicial review process. It is also proposed that Section 8-7E-5 of the Ada County Code be repealed and replaced with new language regarding reconsiderations required as a precursor to a petition for judicial review. The new language will bring the Ada County Code into conformance with Idaho State Code 67-6535.

## Findings and Conditions:

The Building Division has no objection to the propose Amendment.

## Conclusion:

Approved as Submitted

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

[markf@adaweb.net](mailto:markf@adaweb.net)

EXHIBIT 5  
201500265 ZOA  
ADA COUNTY

## Brent Moore

---

**From:** Scott Buck <sbuck@eaglefire.org>  
**Sent:** Wednesday, February 25, 2015 1:24 PM  
**To:** Brent Moore  
**Subject:** File # 201500265-ZOA

Brent,

The Eagle Fire Department has reviewed the above referenced file. The fire department has no comment or concerns at this time.

Scott Buck  
Deputy Fire Marshal  
Eagle Fire Department  
O 208-939-6463  
C 208-914-8294



## Diana Sanders

---

**From:** Scott Buck <sbuck@eaglefire.org>  
**Sent:** Thursday, April 16, 2015 8:28 AM  
**To:** Diana Sanders  
**Subject:** File # 201500265-ZOA

Diana,

The Eagle Fire Department has reviewed the above referenced file. The fire department has no comment or concern at this time.

Scott Buck  
Deputy Fire Marshal  
Eagle Fire Department  
O 208-939-6463  
C 208-914-8294



## Brent Moore

---

**From:** Angela Gilman  
**Sent:** Thursday, February 26, 2015 2:49 PM  
**To:** Brent Moore  
**Subject:** RE: Ada County Application Transmittal Notice.

Hey Brent,

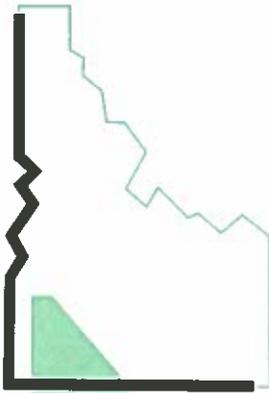
I have no engineering comments for this application.

Thanks,



**Angela M. Gilman, P.E., CFM**  
**County Engineer/Floodplain Administrator**  
**Ada County Development Services**  
200 W. Front St., Boise, ID 83702  
(208) 287-7925 office  
(208) 287-7909 fax

**From:** Brent Moore  
**Sent:** Friday, February 20, 2015 8:19 AM  
**To:** cschmidt@gardencityidaho.org; nancy@drycreekcemetery.com; lynmoser@qwestoffice.net; adam.straubinger@idpr.idaho.gov; chornsby@idahopower.com; amurray@idahopower.com; lbishop@idahopower.com; hatch.lohrea@meridianschools.org; gordon.m.hamilton@williams.com; sdouglas@idl.idaho.gov; john.lee@unitedwater.com; terry\_humphrey@blm.gov; kclare@usbr.gov; ddoan@cityofboise.org; rgervais@cityofboise.org; Amy Aaron; Dave Logan; mary@benchsewer.org; dennishaynes@earthlink.net; lanette.daw@boiseschools.org; laurenboehlke@yahoo.com; caria.bernardi@cableone.biz; newts@q.com; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; centralrimna@gmail.com; wnuj@chevron.com; mwigley@cityofboise.org; dabo@cityofboise.org; dfluke@cityofboise.org; sbeecham@cityofboise.org; kyokom@cityofboise.org; tmills@cityofboise.org; mwilliams@cityofeagle.org; wendy@cityofkuna.com; cward@staridaho.org; gtiminsky@starfirerescue.org; jbmattox@earthlink.net; sdkel01@hotmail.com; cmiller@compassidaho.org; tlaws@compassidaho.org; pkgann8061@aol.com; bryce@sawtoothlaw.com; chalberg@cableone.net; twononas@msn.com; kmccleddy@eaglefire.org; sbuck@eaglefire.org; boisecook@yahoo.com; smm5156@gmail.com; lisa.harm@outlook.com; jamie.huff@dhs.gov; fergyriver@msn.com; borahna@gmail.com; joel.yeager@simplot.com; neal.murphy@ang.af.mil; james.heuring@bgab.afcent.af.mil; alan.clarke@ang.af.mil; ryan.odneal@ang.af.mil; mark.lessor@itd.idaho.gov; rward@idfg.idaho.gov; Tim Sanders; klangford@idl.idaho.gov; danielle.robbs@deq.idaho.gov; westerninfo@idwr.idaho.gov; aaron.golart@idwr.idaho.gov; jim.morrison@itd.idaho.gov; jim.morrison@itd.idaho.gov; mark.wasdahl@itd.idaho.gov; msinglet@intgas.com; idprospect@aol.com; kunacemetery@gmail.com; jtillman@kunafire.com; lsaxton@kunaschools.org; annh\_1@yahoo.com; agrover@melbaschools.org; tmcmmorrow@spro.net; mhill@meridiancity.org; meridianfire@meridiancity.org; gretchen@mld.org; mm\_mi@juno.com; mm\_mi@juno.com; velta@nyid.org; sp@nacfa.net; rgervais@cityofboise.org; jpoe@cityofboise.org; nwbsd@msn.com; carl@pioneerirrigation.com; erica@pioneerirrigation.com; dgordon@cityofboise.org; fryguy@cableone.net; nathan@settlersirrigation.org; starcemetery@msn.com; terraestradaswd@cableone.net; sunset; nap@q.com; greg.j.martinez@usace.army.mil; greg.j.martinez@usace.army.mil; bob\_kibler@fws.gov; suelynn.d.williams@usps.gov; swidrcd@idahorcd.org; wbsdmb@qwestoffice.net; wbestates@aol.com; cweston@cityofboise.org; bryce@ringertlaw.com; info@payetteriverscenicbyway.com; dmorris@ctctele.com; fromm.carla@epa.gov; ethan.morton@ishs.idaho.gov; sbumgarner@cityofeagle.org; Darby Weston; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; Scott Koberg; Carolyn Nitz; Bob Batista; info@westernada.com; fernsworth13@gmail.com; cityofmelba@aol.com; Megan Basham; tonym222@msn.com; president@collistercna.org; edmiller@givenspursley.com; rh2board@yahoo.com; boiseccc@qwestoffice.net;



ORGANIZED 1904

# Nampa & Meridian Irrigation District



NAMPA, IDAHO 83651-4395  
nmid.org

OFFICE: Nampa 208-466-7861  
SHOP: Nampa 208-466-0663

March 2, 2015

Ada County Development Services  
200 W Front St.  
Boise, ID 83702-7300

**RE: 201500265-ZOA/200 W Front St., Boise**

Dear Development Services:

Nampa & Meridian Irrigation District (NMID) has no comment on the above-referenced application.

All laterals and waste ways must be protected. All municipal surface drainage must be retained on-site. If any surface drainage leaves the site, Nampa & Meridian Irrigation District (NMID) must review drainage plans.

Sincerely,

Greg G. Curtis  
Water Superintendent  
Nampa & Meridian Irrigation District  
GGC/dbg

PC: Office/File

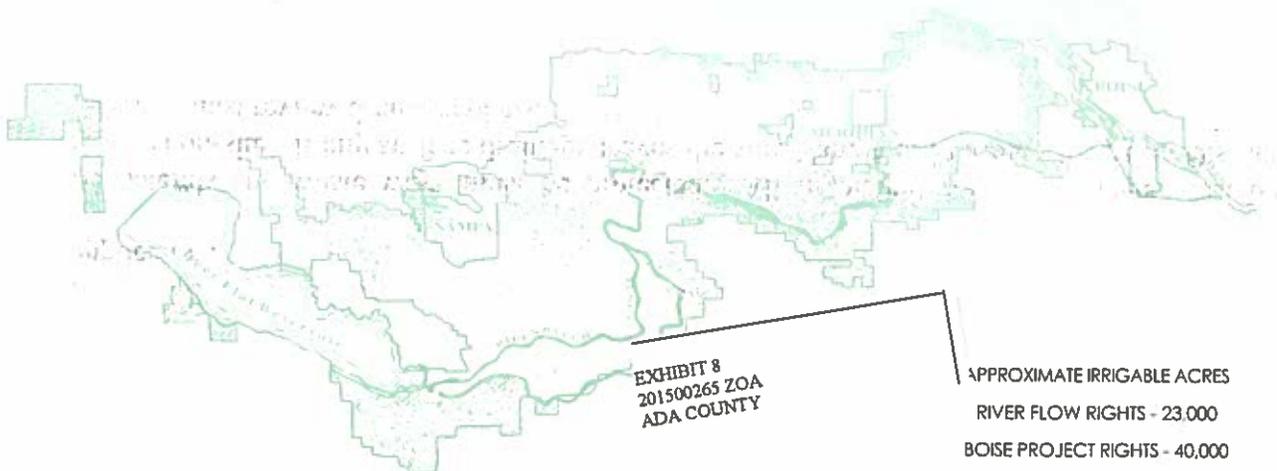


EXHIBIT 8  
201500265 ZOA  
ADA COUNTY

APPROXIMATE IRRIGABLE ACRES  
RIVER FLOW RIGHTS - 23,000  
BOISE PROJECT RIGHTS - 40,000



**CENTRAL DISTRICT HEALTH DEPARTMENT**  
**Environmental Health Division**

Return to:

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

**RECEIVED**

MAR 19 2015

ADA COUNTY  
DEVELOPMENT SERVICES

Rezone # 201500265-ZOA

Conditional Use # \_\_\_\_\_

Preliminary / Final / Short Plat \_\_\_\_\_

Sect 10

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

14. \_\_\_\_\_ Reviewed By: Rowdy  
 \_\_\_\_\_ Date: 3/13/15

**BOISE CITY PUBLIC WORKS DEPARTMENT**

**DEPARTMENT CORRESPONDENCE**

Date: January 14, 2015

To: Boise City Planning & Zoning

Re: 201500265-ZOA; 200 W. Front St.

**CONDITIONS OF APPROVAL**

**SEWER CONDITIONS – MIKE SHEPPARD (384-3920)**

No comment.

**DRAINAGE/STORMWATER CONDITIONS – BRIAN MURPHY (384-3752)**

No comment.

**STREET LIGHT CONDITIONS – MIKE HEDGE (388-4719)**

No comment.

**PERSON MAKING OTHER COMMENTS –**

**OTHER COMMENTS -**

**Rob  
Bousfield**

Digitally signed by Rob Bousfield  
DN: cn=Rob Bousfield, o, ou=Asst.  
City Engineer,  
email=rbousfield@cityofboise.org,  
c=US  
Date: 2015.04.20 12:11:00 -0600

**PUBLIC WORKS REPRESENTATIVE**

**Mike  
Sheppard, P.E.**

Digitally signed by Mike Sheppard, P.E.  
DN: cn=Mike Sheppard, P.E., o=Public  
Works, ou=Civil Engineer,  
email=msheppard@cityofboise.org,  
c=US  
Date: 2015.04.20 12:11:18 -0600

**PUBLIC WORKS REPRESENTATIVE**

I:\PWA\Subjects\Review Comments\CU's\2015-CU\201500265-ZOAa.doc

**ADA COUNTY**

**APR 22 2015**

**DEVELOPMENT SERVICES**

EXHIBIT 10  
201500265 ZOA  
ADA COUNTY



**IDAHO TRANSPORTATION DEPARTMENT**  
P.O. Box 8028  
Boise, ID 83707-2028

(208) 334-8300  
[itd.idaho.gov](http://itd.idaho.gov)

April 17, 2015

Diana Sanders  
Ada County Development Services  
200 W Front Street  
Boise ID 83702

**VIA EMAIL**

**RE: 201500265-ZOA ADA COUNTY CODE 8-7-7A(2) AND 8-7E-5**

The Idaho Transportation Department (ITD) has reviewed the referenced application for a Zoning Ordinance Text amendment to the Ada County Code Sections 8-7-7A(2) and 8-7E5. ITD has the following comments:

1. ITD has no objections to the changes.

If you have any questions, you may contact Shona Tonkin at 334-8341 or me at 332-7191.

Sincerely,

A handwritten signature in blue ink that reads "James K. Morrison".

James K. Morrison  
Development Services Manager  
[jim.morrison@itd.idaho.gov](mailto:jim.morrison@itd.idaho.gov)

EXHIBIT 11  
201500265 ZOA  
ADA COUNTY

ADA COUNTY  
APR 22 2015  
DEVELOPMENT SERVICES