



BEFORE THE BOARD OF ADA COUNTY COMMISSIONERS

In re:

Application of Chuck Christensen/Quadrant Consulting, Inc.

Project No. 201500678-S, Honeybee Landing Subdivision Final Plat

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

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

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

1. Application forms prepared and submitted by the applicant.
2. Final Plat; and
3. All other information contained in Ada County Development Services File for Project No. 201500678-S.

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

1. On October 14, 2015, the Board of Ada County Commissioners approved the preliminary plat and adopted the Findings of Fact and Conclusions of Law for File No. 201500678-S, Honeybee Landing Subdivision.
2. Submission of Project No. 201500678-S, Honeybee Landing Subdivision Final Plat occurred on December 2, 2015 and Development Services scheduled it for public meeting before the Board of Ada County Commissioners on January 19, 2016.

C. As to the applicable law, the Board finds the following:

The Board finds **Section 8-6-5B of the Ada County Code** is applicable because the applicant has submitted a final plat request. The Board finds the application complies with Section 8-6-5B of the Ada County Code. Regarding Section 8-6-5B of the Ada County Code, the Board finds the following:

1. The final plat is in substantial conformance with the preliminary plat; and

The final plat is in substantial conformance with the preliminary plat as there is not an increase in the number or size of lots within this phase.

2. All conditions of the approved preliminary plat have been met; and
 1. The applicant and/or owner shall obtain written approval of the plat from the agencies noted below. The approval may be either on agency letterhead referring to the approved use or may be written/stamped upon a copy of the approved plat. All site improvements are prohibited prior to approval of these agencies.
 - a) Central District Health must approve the septic permit.
Central District Health approved this subdivision as evidenced by their signature on the plat dated November 10, 2015. A septic permit is a term of approval.
 - b) The Kuna Fire District must approve all fire flow requirements and/or building plans.
Term of approval for any future building permits.
 - c) The County Engineer must approve a surface drainage run-off plan. The plan shall contain all proposed site grading. Please contact the County Engineer at 287-7900 for fee and application information. See Section 8-4A-11 of the Ada County Code for drainage plan standards.
Term of approval for any future site grading.
 2. All lots shall be required to meet the minimum lot size of 10.0 acres, even after the dedication of right-of-way for W. King Road to Ada County Highway District (ACHD).
All lots meet the minimum dimensional standard of 10.0-acres.
 3. A final plat shall be meet the final plat specifications listed in Section 8-6-4.3 of the Ada County Code.
The County Surveyor signed the Honeybee Landing Subdivision final plat on February 2, 2016, signifying compliance with Section 8-6-4.3 of Ada County Code.
 4. A final plat shall be in substantial conformance with the approved preliminary plat.
The Honeybee Landing Subdivision is in substantial conformance with the approved preliminary plat.
 5. Any adjustments to the preliminary plat must conform to the design standards in Title 8, Chapter 6, Article A of the Ada County Code.
No adjustments to the preliminary plat were made, therefore this does not apply.
 6. The applicant and/or owner shall submit a full engineering report to the Central District Health Department and received approval of the report from the Central District Health Department.
The report has been submitted to Central District Health as evidenced by their signature on the Honeybee Landing Subdivision final plat on November 10, 2015.
 7. For projects where the Board approved a phasing plan, the phases shall be completed as noted in the phasing plan.

This subdivision is not a phased plat, therefore this does not apply.

8. Before submittal of the final plat for approval, the Ada County Street Name Committee must approve all street subdivision names. See Title 2, Chapter 1 of the Ada County Code.

No new streets are proposed as part of this subdivision, therefore this does not apply.

9. Prior to approval by the Board of Ada County Commissioners, the plat shall contain the following certificates and/or endorsements:

- a) Certificate of the owner(s),

The owners signed the plat on October 28, 2015

- b) Certificate of the plat surveyor,

The plat surveyor signed the plat on October 27, 2015

- c) Certificate of the County Surveyor,

The County Surveyor signed the plat on February 2, 2016

- d) Endorsement of the Central District Health Department,

Central District Health signed the plat on November 10, 2015

- e) Approval and acceptance of the Ada County Highway District.

Ada County Highway District signed the plat on November 18, 2015

10. The following statements shall appear on the face of the final plat:

- a) This development recognizes Idaho Code §22-4503, Right to Farm Act, which states: “No agricultural operation or an appurtenance to it shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after the same has been in operation for more than one (1) year, when the operation was not a nuisance at the time the operation began; provided, that the provisions of this section shall not apply whenever a nuisance results from the improper or negligent operation of any agricultural operation or appurtenance to it.”

- b) Any re-subdivision of this plat shall comply with the applicable regulations in effect at the time of the re-subdivision.

Statements are represented on the plat as Notes #3 and #4.

11. The Board of County Commissioners must approve the final plat within 24 months of the Board of County Commissioner’s approval of the preliminary plat. For subdivisions where the Board approved a phasing plan, the Board shall approve the phases in successive one-year intervals as required in Section 8-6-3 of the Ada County Code.

The preliminary plat for Honeybee Landing Subdivision was approved by the Board of County Commissioners on October 14, 2015. The final plat for Honeybee Landing should be signed prior to October 14, 2017.

12. The owner shall submit a driveway approach request and obtain a permit from the Ada County Highway District prior to construction of any future driveway approaches on W. King Road.

No new driveways are proposed at this time. Term of approval

13. The owner shall complete all required site improvements in accordance with Section 8- 6B-1 of the Ada County Code.

No site improvements are proposed at this time.

14. No building permits will be issued until a final plat is recorded through the County Recorder's Office and parcel number(s) have been issued by the County Assessor's Office.

Term of approval

15. Compliance with Section 31-3805 of the Idaho Code pertaining to irrigation waters is required. Irrigation/drainage waters shall not be impeded by any construction on site.

No changes to existing irrigation facilities are proposed or anticipated. Term of approval

16. Prior to Board approval of the final plat, the Ada County Engineer shall approve all drainage improvements and site grading shall be completed. The County Engineer shall inspect and approve all drainage improvements, except where bonding is provided. As-built drawings, acceptable to the County Engineer in form and substance, shall be permitted prior to final inspection and approval of the drainage improvements.

No site grading is proposed at this time. Term of approval

17. No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received approval of a drainage design plan from the Ada County Engineer. The drainage design plan shall include all proposed site grading.

No site improvements are proposed at this time. Term of approval

18. All submittals of required compliance letters and plans (lighting, landscaping, drainage and development) must be accompanied by your application Project #201500678 S.

No compliance letters are required for this phase of the plat.

19. Prior to final plat approval by the Board, all required improvements shall be completed. In lieu of completing the required improvements, the applicant and/or owner may deposit a surety with the Director and sign a surety agreement in accordance with the regulations for surety agreements set forth in Article 8-4K of the Ada County Code. All surety and surety agreements shall comply with Article 8-4K of the Ada County Code.

There are no outstanding improvements to be completed; therefore, a surety bond is not required.

20. The property must be managed and maintained consistent with the standard regulations in Title 8, Chapter 4, Article A of the Ada County Code. Please note that this article contains specific regulations regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous material storage, and utilities.

Term of approval

3. For a planned community, the area encompassed by the final plat, together with any previously approved plats, is a self-supporting unit.

The proposed subdivision is not a planned community; therefore, this finding is not applicable.

CONCLUSIONS OF LAW

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

1. The Board concludes that Project No. 201500678-S final plat (Honeybee Landing Subdivision) complies with Section 8-6-5B of the Ada County Code.