June 12, 2013

To: ACHD Commission
From: Development Review Section
       Kaci Bader
Subject: Final Plat: Gabrielle Subdivision
Meeting Date: June 19, 2013

FACTS & FINDINGS:

1. Gabrielle Subdivision is a 2 buildable and 0 common lot residential subdivision on 0.14 acres. This site is located on the south west corner of W. Jefferson St. and N. 23rd St.

2. The applicant is The Fowkes-Whitford Revocable Living Trust and the principal for the applicant is William M. Fowkes and Alice M. Whitford, Co-Trustees.

3. The preliminary plat was approved on April 22, 2010. All conditions of the preliminary plat have been satisfied. (see attached)

RECOMMENDATION:

1. Approve the final plat of Gabrielle Subdivision and authorize the President to endorse.

ATTACHMENTS:

1. Final Plat
2. Vicinity Map
CERTIFICATE OF OWNERS

Know all persons by these presents, that William M. Fowkes and Alice M. Whitford, Co-Trustees of THE FOWKES-WHITFORD REVOCABLE LIVING TRUST, are the owners of the real property described below and it is their intention to include said property in this subdivision plan.

A parcel of land being all of Lot 1, Block 18, Fairview Addition, Book 2 of Plats, Page 73, records of Ada County, Idaho, lying in a portion of the South 1/2 of Section 4, T.3 N., R.2 E., B.M., Ada County, Idaho, and being more particularly described as follows:

COMMENCING at the Northeast corner of said Section 4, marked by a found aluminum cap monument, from which the North 1/4 corner of said Section 4, marked by a found brass cap monument, bears North 89°13'45" West, 2662.13 feet; thence, South 22°13'40" West, 3525.67 feet to the centerline intersection of West Jefferson Street and North 23rd Street, marked by a set 5/8" iron pin tagged PLS 11463, from which the centerline intersection of West Jefferson Street and North 24th Street, marked by a set 5/8" iron pin tagged PLS 11463, bears South 89°57'45" West, 169.47 feet and the centerline intersection of North 23rd Street and West Barlow Street, marked by a set 5/8" iron pin tagged PLS 11463, bears South 00°00'00" East, 330.24 feet; thence, along the centerline of West Jefferson Street, South 89°57'45" West, 40.00 feet; thence, leaving said centerline, South 00°00'00" East, 30.00 feet to the Northeast corner of said Lot 1, Block 18, the Point of Beginning;

Thence, along the boundary of said Lot 1 the following courses and distances:

South 00°00'00" East, 122.11 feet to a set 5/8" iron pin tagged PLS 11463;
South 89°57'45" West, 50.00 feet to a set 5/8" iron pin tagged PLS 11463;
North 00°00'00" West, 122.11 feet to a set 5/8" iron pin tagged PLS 11463;
North 89°57'45" East, 50.00 feet to the Point of Beginning.

Said parcel contains 0.34 acres (6105 sq. ft.) more or less.

The easements indicated on this plat are not dedicated to the public, but the right to use said easements is perpetually reserved for public utilities and for such other uses as designated herein, and no permanent structures other than such utility purposes are to be erected within the limits of said easements. All lots within this subdivision will be eligible to receive water from United Water Idaho, and United Water Idaho has agreed in writing to serve all lots.

WILLIAM M. FOWKES
CO-TRUSTEE

ALICE M. WHITFORD
CO-TRUSTEE

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF ADA

ON THIS 29th DAY OF November, 2022, before me, a Notary Public in and for the State of Idaho, personally appeared William M. Fowkes and Alice M. Whitford, co-trustees of the Fowkes-Whitford Revocable Living Trust, and acknowledged to me that they executed the instrument and acknowledged to me the same.

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

R. J. Daniel, Notary
Notary Public in and for the State of Idaho

COMMISSION EXPIRES 12/31/2023

RESIDING IN<br>Montana, USA

Accurate<br>Surveying & Mapping<br>1802 W. Hwy. St., Suite 102<br>Boise, Idaho 83702<br>(208) 863-4196<br>www.accuratesurveying.com
GABRIELLE SUBDIVISION
OF LOT 1, BLOCK 18, FAIRVIEW ADDITION, BOOK 2 OF PLATS, PAGE 73.
LOCATED IN THE SOUTH 1/2 OF SECTION 4, TOWNSHIP 3 NORTH,
RANGE 2 EAST, BOISE MERIDIAN, BOISE CITY, ADA COUNTY, IDAHO

CERTIFICATE OF ADA COUNTY SURVEYOR
I, the undersigned, professional land surveyor for ADA COUNTY, IDAHO, do hereby certify that I have checked this
plat and that it complies with the State of Idaho Code relating to plats and surveys.

ADA COUNTY SURVEYOR

APPROVAL OF CITY ENGINEER
I, the undersigned, city engineer, hereby state that the
recommended conditions of Boise City have been
satisfied for this subdivision.

CITY ENGINEER

CERTIFICATE OF CENTRAL DISTRICT HEALTH DEPARTMENT
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50,
SECTION 13 HAVE BEEN SATISFIED ACCORDING TO THE LETTER
OF APPROVAL ON FILE WITH THE ADA COUNTY RECORDER ON
HIS/HER AGENT LISTING THE CONDITIONS OF APPROVAL.
SANITARY RESTRICTIONS MAY BE RE-Issued, IN ACCORDANCE
WITH SECTION 50-1306, IDAHO CODE, BY THE ISSUANCE OF A
CERTIFICATE OF DISAPPROVAL.

CENTRAL DISTRICT HEALTH DEPARTMENT

APPROVAL OF CITY COUNCIL
I, the undersigned, city clerk, in and for the city of Boise,
ADA COUNTY, IDAHO, do hereby certify that at a regular
meeting of the city council held the ______ day of
_____, 20__, this plat was accepted and approved.

CITY CLERK

CERTIFICATE OF THE COUNTY TREASURER
I, the undersigned, county treasurer in and for the county
of ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF IDAHO CODE
50-1306, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT
AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE
PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS
CERTIFICATE IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

ADA COUNTY TREASURER

CERTIFICATE OF SURVEYOR
I, Nathan J. Dang, DO HEREBY CERTIFY THAT I AM A REGISTERED
LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT
THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS HAS
been prepared from an actual survey made on the ground
under my direct supervision, and that this map is an
accurate representation of the points plotted herein, and
that it complies with the State of Idaho Code relating to
plats and surveys, and is in conformity with the corner
perfection and filing act, Idaho Code 55-1501 through
55-1512.

Nathan J. Dang
PLS. 14463
11/463

Accurate Surveying & Mapping
1602 W. Howe St., Suite 192
Boise, Idaho 83702
(208) 963-4190
www.accuratesurveyors.com
A. Findings of Fact

Existing Conditions

1. Site Information: The site has two homes, which will remain.

2. Description of Adjacent Surrounding Area:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Land Use</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Combined Residential District</td>
<td>R-2</td>
</tr>
<tr>
<td>South</td>
<td>Multi-Family Residential District</td>
<td>R-3D</td>
</tr>
<tr>
<td>East</td>
<td>Combined Residential District</td>
<td>R-2</td>
</tr>
<tr>
<td>West</td>
<td>Combined Residential District</td>
<td>R-2</td>
</tr>
</tbody>
</table>

3. Existing Roadway Improvements and Right-of-Way Adjacent To and Near the Site:
   - 23rd Street is improved with 2 traffic lanes, 40-feet of pavement, and vertical curb, gutter, and 5-foot wide detached concrete sidewalk within 80-feet of right-of-way (37-feet from centerline) abutting the site.
- Jefferson Street is improved with 2 traffic lanes, 28-feet of pavement, and vertical curb, gutter and 5-foot wide detached sidewalk within 60-feet of right-of-way (30-feet from centerline) abutting the site.
- There is a 14-foot wide paved alley abutting the site.

4. Existing Condition of Area Roadways:

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>Traffic Count</th>
<th>Level of Service*</th>
<th>Speed Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>23rd Street</td>
<td>120'</td>
<td>Collector</td>
<td>2,805 north of Main Street on 2/25/2009</td>
<td>Better than &quot;C&quot;</td>
<td>30 MPH</td>
</tr>
<tr>
<td>Jefferson Street</td>
<td>50'</td>
<td>Local</td>
<td>369 west of 23rd Street on 3/26/2003</td>
<td>N/A</td>
<td>20 MPH</td>
</tr>
</tbody>
</table>

*Acceptable level of service for a two-lane collector roadway is “D” (9,500 ADT).

5. Existing Access: There is one access to this site from 23rd Street.

6. Site History: ACHD has not previously reviewed this site for a development application.

Development Impacts

7. Trip Generation: This development is not estimated to generate any additional vehicle trips per day (20 existing), based on the Institute of Transportation Engineers Trip Generation Manual, 8th edition.

8. Impact Fees: There will be an impact fee that is assessed and due prior to issuance of any building permits. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

9. Capital Improvements Plan (CIP) / Five Year Work Plan (FYWP):
The following improvements are listed in the District’s Capital Improvement Plan (CIP) and Five Year Work Plan in the vicinity of this site.
- 30th Street is listed to be widened to 5-lanes from Main Street to Rose Street between 2014 and 2018.

B. Findings for Consideration

1. 23rd Street

Right-of-Way Policy: District policy requires 70-feet of right-of-way on collector roadways (Figure 72-F1B). This right-of-way width allows for the construction of a 3-lane roadway with curb, gutter, 5-foot wide detached sidewalks and bike lanes.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of 23rd Street is designated in the MSM as a Traditional Neighborhood Collector with 2-lanes and on-street parking, a 39-foot street section within 61-feet of right-of-way.

Damaged Sidewalk Policy: District policy 7203.6 requires the applicant of a proposed development to make improvements to existing damaged sidewalk; curb and gutter construction or replacement; replacement of unused driveways with standard curb, gutter and sidewalk; installation of pedestrian ramps; pavement repairs; signs; traffic control devises; and other similar items in order to correct deficiencies or replace deteriorated facilities.

Existing Conditions: There is 40-feet of pavement, and vertical curb, gutter, and 5-foot wide detached concrete sidewalk within 80-feet of right-of-way on 23rd Street.
Applicant's Proposal: The applicant is not proposing any improvements on 23rd Street abutting the site.

Staff Comment/Recommendations: 23rd Street is identified in the ACHD Master Street Map as a traditional neighborhood collector roadway, with 2-lanes and on-street parking, a 39-foot street section within 61-feet of right-of-way. However, 23rd Street is fully improved as a 2-lane collector within 80-feet of right-of-way abutting the site. Therefore, no additional roadway improvements or right-of-way dedication shall be required with this development application.

ACHD staff visited the site on April 2, 2010 at which time it was observed that the sidewalk on 23rd Street was dilapidated, broken, lifted, and cracked in numerous areas. To address the deficient sidewalk and consistent with ACHD policy, the applicant will be required to make improvements to the existing damaged curb, gutter, and sidewalk to match existing conditions abutting the site. The applicant will be required to update any existing non-compliant pedestrian improvements abutting the site to meet current ADA (American's with Disabilities Act) requirements at the intersection of Jefferson Street and 23rd Street.

2. Jefferson Street

Right-of-Way Policy: District policy 7204.4.1 and Figure 72-F1A requires 50-feet of right-of-way on local streets. This right-of-way allows for the construction of a 2-lane roadway with curb, gutter and 5-foot wide concrete sidewalks.

36-foot Street Section Policy: District policy 7204.4.2 states, "developments with any buildable lot that is less that 1-acre in size will typically provide streets having a minimum pavement width of 32-feet with curb, gutter and sidewalks. The total street width shall be 36-feet from back-of-curb to back-of-curb. Variations of this width may be allowed, depending on traffic volumes forecast to be generated by the development. Concrete sidewalks shall be a minimum of 5-feet in width unless they are separated from the curb 5-feet or more in which case the sidewalk shall be a minimum of 4-feet in width.

Damaged Sidewalk Policy: District policy 7203.6 requires the applicant of a proposed development to make improvements to existing damaged sidewalk; curb and gutter construction or replacement; replacement of unused driveways with standard curb, gutter and sidewalk; installation of pedestrian ramps; pavement repairs; signs; traffic control devises; and other similar items in order to correct deficiencies or replace deteriorated facilities.

Existing Conditions: There is 28-feet of pavement, and vertical curb, gutter and 5-foot wide detached sidewalk within 60-feet of right-of-way on Jefferson Street.

Applicant Proposal: The applicant is not proposing any improvements on Jefferson Street abutting the site.

Staff Comment/Recommendations: ACHD staff visited the site on April 2, 2010 at which time it was observed that the sidewalk on Jefferson Street was dilapidated, broken, lifted, and cracked in numerous areas. To address the deficient sidewalk and consistent with ACHD policy, the applicant will be required to make improvements to the existing damaged curb, gutter, and sidewalk to match existing conditions abutting the site. The applicant will be required to update any existing non-compliant pedestrian improvements abutting the site to meet current ADA (American's with Disabilities Act) requirements at the intersection of Jefferson Street and 23rd Street.

3. Alleys

Existing Alley Policy: District policy 7204.10.1 requires the dedication of additional right-of-way to obtain a minimum width from the centerline of the alley of 8-feet for single-family residential uses and 10-feet for all other uses.

Alley/Collector Street Intersections Policy: Alleys may intersect classified residential collector and collector roadways. Alleys intersecting residential collector and collector roadways shall generally be designed with a curb return type approach with a minimum back of curb radius of 28-
feet. Typically, alleys will only intersect classified collector roadways within a downtown gridded street system setting. Alleys shall generally intersect the residential collector or collector streets in the middle of the block equally offsetting the intersecting streets. If the alley/collector intersection does not occur within a gridded street system, then alley/collector intersection shall offset any other intersection by the standard driveway offset requirements as outlined in Table 72-F4(1), Table 72-F4(2), and Table 72-F5.

**Applicant Proposal:** The applicant is not proposing to access the alley, or make any improvements to the alley abutting the site.

**Staff Comment/Recommendations:** The applicant is not proposing to access the alley abutting the site, therefore no additional roadway improvements or right-of-way dedication shall be required with this development application.

4. Driveways

**Access Management Policy:** District policy 7207.8 states that direct access to arterials and collectors is normally restricted. The developer shall try to use combined access points. If the developer can show that the use of a combined access point to a collector or arterial street is impractical, the District may consider direct access points. Access points for proposed developments at intersections should be located as far from the intersection as practical, and in no case closer than as illustrated on Figure 72-F4, unless a waiver for the access point has been approved by the District Commission.

**Successive Driveway Policy (30 MPH):** District policy 72-F5, requires driveways located on collector or arterial roadways with a speed limit of 30 to align or offset a minimum of 125-feet from any existing or proposed driveway.

**Residential Driveway Width Policy:** District Policy 7207.9.3 restricts residential driveways to a maximum width of 20-feet.

**Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.9.1, the applicant should be required to pave the driveway its full width and at least 30-feet into the site beyond the edge of pavement of the roadway and install pavement tapers with 15-foot radii abutting the existing roadway edge.

**Applicant Proposal:** The applicant is proposing to construct one new 15-foot wide driveway on 23rd Street (one 15-foot wide driveway existing) located approximately 5-feet from the proposed lot line. The applicant submitted a driveway approach request on February 26, 2010 in an attempt to secure access to the site prior to submitting a development application. Staff approved the driveway with the condition that the driveway approach permit would not be issued "until the applicant can demonstrate proof that the lot split has been approved and completed."

**Staff Comment/Recommendation:** The applicant's proposal to construct an additional driveway on 23rd Street does not comply with District Access Management Policy or District Successive Driveway policy which requires driveways to offset by a minimum of 125-feet on collector roadways. Therefore, the driveway should not be approved as proposed. The applicant should be required to continue utilizing the existing driveway on 23rd Street for both homes, or construct a new driveway located between both single family residences to serve the site. This would require the closure of the existing driveway with curb, gutter, and sidewalk to match the existing conditions on either side.

After the tech review meeting held with the applicant on April 22, 2010, and additional discussions with the City of Boise planning staff, it was determined that in order to meet our requirements for one driveway onto 23rd Street (a collector roadway), as well as the driveway/backing requirements of the City of Boise, the applicant will be required to widen the existing driveway to 33-feet in width. Additionally, the city has required a 10' wide landscape strip between the 2 parking pads. Staff is supportive of the landscape strip, as long as it is located outside of the right-of-way and sight distance requirements are met.
5. **Landscaping**

**Tree Planter Policy:** The District’s Tree Planter Policy prohibits all trees in planters less than 8-feet in width without the installation of root barriers. Class II trees may be allowed in planters with a minimum width of 8-feet, and Class I and Class III trees may be allowed in planters with a minimum width of 10-feet.

**License Agreements:** A license agreement is required for all landscaping proposed within ACHD right-of-way or easement areas. Trees shall be located no closer than 10-feet from all public storm drain facilities. Landscaping should be designed to eliminate site obstructions in the vision triangle at intersections. District Policy 5104.3.1 requires a 40-foot vision triangle and a 3-foot height restriction on all landscaping located at an uncontrolled intersection and a 50-foot offset from stop signs. Landscape plans are required with the submittal of civil plans and must meet all District requirements prior to signature of the final plat and/or approval of the civil plans.

6. **Other Access**

23rd Street is classified as a collector roadway. Other than the access specifically approved with this application, direct lot access is prohibited to this roadway and should be noted on the final plat.

C. **Site Specific Conditions of Approval**

1. Replace/repair the damaged curb, gutter, and sidewalk to match existing conditions abutting the site on 23rd Street.

2. Replace/repair the damaged curb, gutter, and sidewalk to match existing conditions abutting the site on Jefferson Street.

3. Update any existing non-compliant pedestrian improvements abutting the site to meet current ADA (American’s with Disabilities Act) requirements at the intersection of Jefferson Street and 23rd Street.

4. Widen the existing driveway on 23rd Street to a maximum of 33-feet in width, as required by the City of Boise to serve both homes.

5. Locate the 10-foot wide landscape strip between the parking pads outside of ACHD right-of-way, and adhere to ACHD sight distance requirements.

6. Enter into a license agreement for any landscaping located within ACHD right-of-way abutting the site.

7. Other than access specifically approved with this application, direct lot access to 23rd Street is prohibited and shall be noted on the final plat.


D. **Standard Conditions of Approval**

1. Any existing irrigation facilities shall be relocated outside of the right-of-way.

2. Private sewer or water systems are prohibited from being located within any ACHD roadway or right-of-way.

3. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.

4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.

5. Comply with the District’s Tree Planter Width Policy.
6. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District’s Utility Coordinator at 387-6258 (with file numbers) for details.

7. All design and construction shall be in accordance with the Ada County Highway District Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Ordinances unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.

8. The applicant shall submit revised plans for staff approval, prior to issuance of building permit (or other required permits), which incorporates any required design changes.

9. Construction, use and property development shall be in conformance with all applicable requirements of the Ada County Highway District prior to District approval for occupancy.

10. Payment of applicable road impact fees are required prior to building construction. The assessed impact fee will be based on the impact fee ordinance that is in effect at that time.

11. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.

12. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant’s authorized representative and an authorized representative of the Ada County Highway District. The burden shall be upon the applicant to obtain written confirmation of any change from the Ada County Highway District.

13. Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the Highway District of its intent to change the planned use of the subject property unless a waiver/variance of said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

**E. Conclusions of Law**

1. The proposed site plan is approved, if all of the Site Specific and Standard Conditions of Approval are satisfied.

2. ACHD requirements are intended to assure that the proposed use/development will not place an undue burden on the existing vehicular transportation system within the vicinity impacted by the proposed development.
Attachments
1. Vicinity Map
2. Site Plan
3. Utility Coordination
4. Development Process Checklist
5. Request for Reconsideration Guidelines OR Appeal Guidelines
Ada County Utility Coordinating Council

Developer/Local Improvement District
Right of Way Improvements Guideline Request

Purpose: To develop the necessary avenue for proper notification to utilities of local highway and road improvements, to help the utilities in budgeting and to clarify the already existing process.

1) Notification: Within five (5) working days upon notification of required right of way improvements by Highway entities, developers shall provide written notification to the affected utility owners and the Ada County Utility Coordinating Council (UCC). Notification shall include but not be limited to, project limits, scope of roadway improvements/project, anticipated construction dates, and any portions critical to the right of way improvements and coordination of utilities.

2) Plan Review: The developer shall provide the highway entities and all utility owners with preliminary project plans and schedule a plan review conference. Depending on the scale of utility improvements, a plan review conference may not be necessary, as determined by the utility owners. Conference notification shall also be sent to the UCC. During the review meeting the developer shall notify utilities of the status of right of way/easement acquisition necessary for their project. At the plan review conference each company shall have the right to appeal, adjust and/or negotiate with the developer on its own behalf. Each utility shall provide the developer with a letter of review indicating the costs and time required for relocation of its facilities. Said letter of review is to be provided within thirty calendar days after the date of the plan review conference.

3) Revisions: The developer is responsible to provide utilities with any revisions to preliminary plans. Utilities may request an updated plan review meeting if revisions are made in the preliminary plans which affect the utility relocation requirements. Utilities shall have thirty days after receiving the revisions to review and comment thereon.

4) Final Notification: The developer will provide highway entities, utility owners and the UCC with final notification of its intent to proceed with right of way improvements and include the anticipated date work will commence. This notification shall indicate that the work to be performed shall be pursuant to final approved plans by the highway entity. The developer shall schedule a preconstruction meeting prior to right of way improvements. Utility relocation activity shall be completed within the times established during the preconstruction meeting, unless otherwise agreed upon.

Notification to the Ada County UCC can be sent to: 50 S. Cole Rd. Boise 83707, or Visit iuducc.com for e-mail notification information.
Development Process Checklist

☐ Submit a development application to a City or to the County

☐ The City or the County will transmit the development application to ACHD

☐ The ACHD Planning Review Division will receive the development application to review

☐ The Planning Review Division will do one of the following:

☐ Send a "No Review" letter to the applicant stating that there are no site specific requirements at this time.

☐ Send a "Comply With" letter to the applicant stating that if the development is within a platted subdivision or part of a previous development application and that the site specific requirements from the previous development also apply to this development application.

☐ Write a Staff Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☐ Write a Commission Level report analyzing the impacts of the development on the transportation system and evaluating the proposal for its conformance to District Policy.

☐ The Planning Review Division will hold a Technical Review meeting for all Staff and Commission Level reports.

☐ For ALL development applications, including those receiving a "No Review" or "Comply With" letter:

- The applicant should submit two (2) sets of engineered plans directly to ACHD for review by the Development Review Division for plan review and assessment of impact fees. (Note: if there are no site improvements required by ACHD, then architectural plans may be submitted for purposes of impact fee calculation.)

- The applicant is required to get a permit from Construction Services (ACHD) for ANY work in the right-of-way, including, but not limited to, driveway approaches, street improvements and utility cuts.

☐ Pay Impact Fees prior to issuance of building permit. Impact fees cannot be paid prior to plan review approval.

DID YOU REMEMBER:

Construction (Zone)

☐ Driveway or Property Approach(s)

- Submit a "Driveway Approach Request" form to Ada County Highway District (ACHD) Construction (for approval by Development Services & Traffic Services). There is a one week turnaround for this approval.

☐ Working in the ACHD Right-of-Way

- Four business days prior to starting work have a bonded contractor submit a "Temporary Highway Use Permit Application" to ACHD Construction – Permits along with:
  a) Traffic Control Plan
  b) An Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, if trench is >50’ or you are placing >600 sf of concrete or asphalt.

Construction (Subdivisions)

☐ Sediment & Erosion Submittal

- At least one week prior to setting up a Pre-Con an Erosion & Sediment Control Narrative & Plat, done by a Certified Plan Designer, must be turned into ACHD Construction – Subdivision to be reviewed and approved by the ACHD Drainage Division.

☐ Idaho Power Company

- Vic Steelman at Idaho Power must have his IPCO approved set of subdivision utility plans prior to Pre-Con being scheduled.

☐ Final Approval from Development Services

ACHD Construction – Subdivision must have received approval from Development Services prior to scheduling a Pre-Con.

Gabrielle Subdivision

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Request for Appeal of Staff Decision

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

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

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

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

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

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

1. **Request for Reconsideration of Commission Action:** A Commissioner, a member of ACHD staff or any other person objecting to any final action taken by the Commission may request reconsideration of that action, provided the request is not for a reconsideration of an action previously requested to be reconsidered, an action whose provisions have been partly and materially carried out, or an action that has created a contractual relationship with third parties.

   a. Only a Commission member who voted with the prevailing side can move for reconsideration, but the motion may be seconded by any Commissioner and is voted on by all Commissioners present.

      If a motion to reconsider is made and seconded it is subject to a motion to postpone to a certain time.

   b. The request must be in writing and delivered to the Secretary of the Highway District no later than 3:00 p.m. on the day prior to the Commission's next scheduled regular meeting following the meeting at which the action to be reconsidered was taken. Upon receipt of the request, the Secretary shall cause the same to be placed on the agenda for that next scheduled regular Commission meeting.

   c. The request for reconsideration must be supported by written documentation setting forth new facts and information not presented at the earlier meeting, or a changed situation that has developed since the taking of the earlier vote, or information establishing an error of fact or law in the earlier action. The request may also be supported by oral testimony at the meeting.

   d. If a motion to reconsider passes, the effect is the original matter is in the exact position it occupied the moment before it was voted on originally. It will normally be returned to ACHD staff for further review. The Commission may set the date of the meeting at which the matter is to be returned. The Commission shall only take action on the original matter at a meeting where the agenda notice so provides.

   e. At the meeting where the original matter is again on the agenda for Commission action, interested persons and ACHD staff may present such written and oral testimony as the President of the Commission determines to be appropriate, and the Commission may take any action the majority of the Commission deems advisable.

   f. If a motion to reconsider passes, the applicant may be charged a reasonable fee, to cover administrative costs, as established by the Commission.