September 26, 2013

TO: ACHD Board of Commissioners

FROM: Lauren Watsek
      Planner I

SUBJECT: The Village at Cold Creek Subdivision

Executive Summary:

The applicant is requesting rezone, development agreement, and preliminary plat approvals for a 19 lot residential subdivision on 4.38 acres. The site is located north of Ustick Road and east of Ten Mile Road. This item is on the consent agenda due to a staff recommended modification of policy. The applicant is seeking a modification of District Sidewalk Policy 7207.5.7. The applicant has proposed alternative pedestrian improvements.

Staff Recommendation:
Staff recommends approval of the staff report, as written.
September 25, 2013

Ada County Highway District
c/o Ms. Mindy Wallace
3775 Adams Street
Garden City Idaho 83714

RE: VILLAGE AT COLD CREEK SUBDIVISION – SIDEWALK WAIVER / ALTERNATE PEDESTRIAN IMPROVEMENTS (MRZ-13-009 & MPP-13-023)

Dear Ms. Wallace,

Please find this letter requesting approval for a waiver to construct sidewalk around the N. Cold Creek Way loop as shown on the Village at Cold Creek Subdivision preliminary plat. Our request is an advancement of our discussion that occurred during our pre-application meeting that was held at ACHD. Since our meeting we have worked with ACHD planning and design staff to develop a plan that further improves pedestrian connectivity by adding sidewalk to both sides of N. Quarrystone Way, with a pedestrian connection across Lot 1 of Block 3 to connect N. Quarrystone Way and N. Cold Creek Way.

The following excerpt is referenced from the ACHD Policy Manual:

Section 7207.5.7 Sidewalk Policy

Five-foot wide concrete sidewalk is required on both sides of all local streets, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street.

The purpose of this request is to obtain approval to eliminate the sidewalk construction around the W. Cold Creek Way loop. The following keynotes are provided below that support our request.

1. Improved Safety Condition: Lot 1 of Block 3 will include an irrigation pond and ACHD storm drain facilities. The waiver will eliminate sidewalk on the north, east and south sides of these facilities thereby improving pedestrian safety.
2. Alternate Pedestrian Connectivity – Alternate pedestrian connectivity is proposed to connect N. Quarrystone Way for N. Cold Creek Way with an ADA compliant route.
3. No Direct Lot Frontage: Lot 1 of Block 3 has no direct lot frontage.
4. Sidewalk along both sides of N. Quarrystone Way: The original project proposal has been modified to include sidewalk on both sides of N. Quarrystone Way. N. Quarrystone way serves as the main entry street to the subdivision and will see the majority of the pedestrian traffic.
Feel free to contact me at 208.867.3954 if you should have any questions or require any additional information.

Sincerely,
Erickson-Civil, Inc.

Ross Erickson, P.E.
Project Manager
A. Findings of Fact

1. Description of Application: The applicant is requesting rezone, development agreement and preliminary plat approvals for a 19 lot residential subdivision on 4.38 acres. The project includes 16 single family lots and 3 common lots with a total project density of 3.65 units per acre. The property is currently zoned R-4. The applicant is proposing an R-8 rezone which is consistent with the current land use designation. The applicant’s proposal is consistent with the comprehensive plan for the City of Meridian.

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>Bridgetower Subdivision</td>
<td>R-4</td>
</tr>
<tr>
<td>South</td>
<td>Fieldstone Meadows Subdivision</td>
<td>R-4</td>
</tr>
<tr>
<td>East</td>
<td>Dental Care for Kids/ Dr. Payne Orthodontics</td>
<td>R-4</td>
</tr>
<tr>
<td>West</td>
<td>Low Density Residential</td>
<td>R-1</td>
</tr>
</tbody>
</table>

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

4. Transit: Transit services are not available to serve this site.
5. **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.

6. **Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):**
   - Ten Mile Road and Bridge #113P are scheduled in the Five Year Work Plan to be widened to 5 lanes in 2015.
   - Ten Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Cherry Lane to Ustick Road in 2015.
   - Ten Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Ustick Road to McMillan Road between 2017 and 2021.
   - Ustick Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Black Cat Road to Ten Mile Road between 2022 and 2026.
   - Ustick Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Ten Mile Road to Linder Road between 2017 and 2021.

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 153 additional vehicle trips per day; 16 additional vehicle trips per hour in the PM peak hour, based on the Institute of Transportation Engineers Trip Generation Manual, 9th edition.

2. **Condition of Area Roadways**
   Traffic Count is based on Vehicles per hour (VPH)

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Frontage</th>
<th>Functional Classification</th>
<th>PM Peak Hour Traffic Count</th>
<th>PM Peak Hour Level of Service</th>
<th>Existing Plus Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ustick Road</td>
<td>337 feet</td>
<td>Principal Arterial</td>
<td>555</td>
<td>Better than “E”</td>
<td>Better than “E”</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a three-lane principal arterial is “E” (880 VPH).

3. **Average Daily Traffic Count (VDT)**
   *Average daily traffic counts are based on ACHD’s most current traffic counts.*
   - The average daily traffic count for Ustick Road east of Ten Mile Road was 10,496 on April 3, 2013.

**C. Findings for Consideration**

1. **Ustick Road**
   a. **Existing Conditions:** Ustick Road is improved with 3 travel lanes, and no curb, gutter or sidewalk abutting the site. There is 70 feet of right-of-way for Ustick Road (26 feet from centerline).
   
   b. **Policy:**
      - **Arterial Roadway Policy:** District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.
      - **Master Street Map and Typology Policy:** District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master
Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within 96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

Right-of-Way Dedication: District Policy 7205.2 states that The District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way along arterials listed as impact fee eligible in the adopted Capital Improvements Plan using available impact fee revenue in the Impact Fee Service Area.

No compensation will be provided for right-of-way on an arterial that is not listed as impact fee eligible in the Capital Improvements Plan.

The District may acquire additional right-of-way beyond the site-related needs to preserve a corridor for future capacity improvements, as provided in Section 7300.

Sidewalk Policy: District Policy 7205.5.7 requires a concrete sidewalks at least 5-feet wide to be constructed on both sides of all arterial streets. A parkway strip at least 6-feet wide between the back-of-curb and street edge of the sidewalk is required to provide increased safety and protection of pedestrians. Consult the District’s planter width policy if trees are to be placed within the parkway strip. Sidewalks constructed next to the back-of-curb shall be a minimum of 7-feet wide.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, arterial street requirements, and specific roadway features required through development. This segment of Ustick Road is designated in the MSM as a Residential Arterial with 5 lanes and on-street bike lanes, a 72 foot street section within 96 feet of right-of-way.

c. Applicant Proposal: The applicant is proposing to dedicate 50 feet of right-of-way from the centerline of Ustick Road, construct a 6 foot wide landscape buffer and 5 foot wide detached sidewalk on Ustick Road abutting the site. The applicant is proposing to construct the front edge of the sidewalk 49 feet from the centerline of Ustick Road and provide a permanent right-of-way easement for sidewalk placed outside of the dedicated right-of-way.

d. Staff Comments/Recommendations: The applicant’s proposal to dedicate 50 feet of right-of-way, construct a 6 foot wide landscape buffer and 5 foot wide detached sidewalk on Ustick Road abutting the site meets District Policy and should be approved as proposed. As this section of Ustick Road is listed in the CIP, the District will provide compensation for additional right-of-way dedicated beyond the existing right-of-way.

The applicant’s proposal to construct the front edge of the sidewalk 49 feet from the centerline of Ustick Road and provide a permanent right-of-way easement for sidewalk placed outside of the dedicated right-of-way meets District Policy and should be approved, as the applicant is required to construct the sidewalk a minimum of 42 feet from the centerline of Ustick Road. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.
2. Quarrystone Way
   a. Existing Conditions: There are currently no roads constructed internal to the site.
   
b. Policy:
      **Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

      **Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-Way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

      The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

      **Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local streets, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

      The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

      Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

      A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

   c. Applicant’s Proposal: The applicant is proposing to construct Quarrystone Way as a 33 foot street section with rolled curb, gutter and 5 foot wide attached sidewalk on the west side of the street its full length, and 5 foot wide attached sidewalk on the east side of the street only south of Cold Creek Way. The applicant is proposing 41.5 feet of right-of-way for Quarrystone Way.

   d. Staff Comments/Recommendations: The applicant’s proposal to construct Quarrystone Way as a 33 foot street section with rolled curb, gutter and 5 foot wide attached sidewalk on the west side of the street it’s full length and 5 foot wide attached sidewalk on the east side of the street only south of Cold Creek Way, does not meet District Policy and should not be approved as proposed. The applicant should be required to construct 5 foot wide attached sidewalk on both sides of Quarrystone Way the full length of the street.

      The applicant should provide a permanent right-of-way easement for all public sidewalks on Quarrystone Way placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.
The applicant is required to get written fire department approval for 33 foot street sections from the City of Meridian.

3. **Cold Creek Way**
   a. **Existing Conditions:** There are currently no roads constructed internal to the site.
   
   b. **Policy:**
      
      **Reduced Urban Local Street—29-foot Street Section and Right-of-Way Policy:** District Policy 7207.5.2 states that the width of a reduced urban local street shall be 29-feet (back-of-curb to back-of-curb) with curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 42-feet of right-of-way. Although some parking is allowed by the following subsections, the District will further restrict parking on a reduced width street if curves or other physical features cause problems, if actual emergency response experience indicates that emergency vehicles may not be able to provide service, or if other safety concerns arise.

      **Design Condition #1:** Parking is allowed on one side of a reduced width street when all of the following criteria are met:

      - The street is in a residential area.
      - The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
      - The developer shall install “NO PARKING” signs on one side of the street, as specified by the District and as specified by the appropriate fire department.
      - Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.
      - Traffic volumes on the street shall not exceed 1,000 vehicle trips per day. There shall be no possibility that another street may be connected to it in a manner that would allow more than 1,000 vehicle trips per day.

      **Design Condition #2:** Parking is allowed on both sides of a reduced width street when the street layout has the qualities of a road grid system and when all the following criteria are met:

      - The street is in a residential area.
      - The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
      - The block length of the street shall not exceed 500-feet, measured between centerlines.
      - Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.
      - A minimum of two street connections shall be provided to each end of the street with the reduced width. The two connecting streets shall each connect to the larger street system to provide the intended alternate routes of access. A street system that has one street connection to the large street network on one end and a loop/circle street on the other end with no outlet shall not be approved.
      - Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.

      **Design Condition #3:** Parking is allowed on both sides of a reduced width residential street with passing pockets that are created when two driveways are constructed near the same property line, where a 50-foot segment will not have on-street parking on the side of the street with the driveways, and when all the following criteria are met:

      - The street is in a residential area.
      - The developer shall provide written approval from the appropriate fire department or emergency response unit in the jurisdiction.
- Driveway locations are predetermined with curb cuts for the driveways to be installed when the street is constructed. The curb cuts shall be 20-feet wide. Each lot on the street will be “paired” with an adjacent lot. If there are an odd number of lots, one lot at either end of the street will not be “paired.” Each pair of lots shall locate its driveway 5-feet from the shared lot line of the pair.
- Vertical curbs with attached 5-foot (minimum) wide sidewalks, or rolled curbs with 5-foot (minimum) wide detached sidewalks and 8-foot (minimum) wide planter strips, are required.
- The lots cannot abut an alley.
- Traffic volumes on the street are not forecast to exceed 400 vehicle trips per day.

**Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

**c. Applicant Proposal:** The applicant is proposing to construct Cold Creek Way as a 29 foot street section with vertical curb, gutter and no sidewalk on the west side of the street and rolled curb, gutter and 5 foot wide attached sidewalk on the east side of the street. The applicant is proposing 37.5 feet of right-of-way for Cold Creek Way.

**d. Staff Comments/Recommendations:** The applicant’s proposal to construct Cold Creek Way as a 29 foot street section with vertical curb, gutter and no sidewalk on the west side of the street and rolled curb, gutter and 5 foot wide attached sidewalk on the east side of the street does not meet District Policy. The applicant is proposing to construct a pedestrian path through the pond site to connect Cold Creek Way to Quarrystone Way in lieu of constructing a sidewalk on the west side of Cold Creek Way. Staff is recommending a modification of policy due to the fact that the applicant is proposing to construct a pressure irrigation storage pond and a storm water storage pond on the west side of Cold Creek Way, and the applicant has proposed alternative pedestrian improvements.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way for Cold Creek Way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.

The applicant is required to get written fire department approval from the City of Meridian for the Reduced Urban Local Street section (29 foot street section).
4. **Wilder Street**
   
a. **Existing Conditions:** There are currently no roadways constructed internal to the site.

b. **Policy:**
   
   **Street Section and Right-of-Way Policy:** District Policy 7207.5 states that right-of-way widths for all local streets shall generally not be less than 50-feet wide and that the standard street section shall be 36-feet (back-of-curb to back-of-curb). The District will consider the utilization of a street width less than 36-feet with written fire department approval.

   **Standard Urban Local Street—36-foot to 33-foot Street Section and Right-of-way Policy:** District Policy 7207.5.2 states that the standard street section shall be 36-feet (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size. This street section shall include curb, gutter, and minimum 5-foot concrete sidewalks on both sides and shall typically be within 50-feet of right-of-way.

   The District will also consider the utilization of a street width less than 36-feet with written fire department approval. Most often this width is a 33-foot street section (back-of-curb to back-of-curb) for developments with any buildable lot that is less than 1 acre in size.

   **Sidewalk Policy:** District Policy 7207.5.7 states that five-foot wide concrete sidewalk is required on both sides of all local street, except those in rural developments with net densities of one dwelling unit per 1.0 acre or less, or in hillside conditions where there is no direct lot frontage, in which case a sidewalk shall be constructed along one side of the street. Some local jurisdictions may require wider sidewalks.

   The sidewalk may be placed next to the back-of-curb. Where feasible, a parkway strip at least 8-feet wide between the back-of-curb and the street edge of the sidewalk is recommended to provide increased safety and protection of pedestrians and to allow for the planting of trees in accordance with the District’s Tree Planting Policy. If no trees are to be planted in the parkway strip, the applicant may submit a request to the District, with justification, to reduce the width of the parkway strip.

   Detached sidewalks are encouraged and should be parallel to the adjacent roadway. Meandering sidewalks are discouraged.

   A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2-feet behind the back edge of the sidewalk. Sidewalks shall either be located wholly within the public right-of-way or wholly within an easement.

   **Stub Street Policy:** District policy 7207.2.4 states that stub streets will be required to provide circulation or to provide access to adjoining properties. Stub streets will conform with the requirements described in Section 7207.2.5.4, except a temporary cul-de-sac will not be required if the stub street has a length no greater than 150-feet. A sign shall be installed at the terminus of the stub street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE.”

   In addition, stub streets must meet the following conditions:
   
   - A stub street shall be designed to slope towards the nearest street intersection within the proposed development and drain surface water towards that intersection; unless an alternative storm drain system is approved by the District.
   
   - The District may require appropriate covenants guaranteeing that the stub street will remain free of obstructions.

   **Temporary Dead End Streets Policy:** District policy 7207.2.4 requires that the design and construction for cul-de-sac streets shall apply to temporary dead end streets. The temporary cul-de-sac shall be paved and shall be the dimensional requirements of a standard cul-de-sac.
The developer shall grant a temporary turnaround easement to the District for those portions of the cul-de-sac which extend beyond the dedicated street right-of-way. In the instance where a temporary easement extends onto a buildable lot, the entire lot shall be encumbered by the easement and identified on the plat as a non-buildable lot until the street is extended.

c. **Applicant’s Proposal:** The applicant is proposing to construct Wilder Street as a 33 foot street section with rolled curb, gutter and 5 foot wide attached concrete sidewalk on both sides of the street within 46 feet of right-of-way. The applicant is proposing to construct Wilder Street to stub at the west edge of the site, approximately 148 feet south of the north property line (measured near edge to centerline).

d. **Staff Comments/Recommendations:** The applicant’s proposal to construct Wilder Street as a 33 foot street section with rolled curb, gutter and 5 foot wide attached concrete sidewalk on both sides of the street within 46 feet of right-of-way meets District Policy and should be approved as proposed.

A permanent right-of-way easement shall be provided if public sidewalks for Wilder Street are placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.

The applicant’s proposal to stub Wilder Street at the west edge of the site approximately 148 south of the north property line meets District Policy and should be approved as proposed. The applicant should be required to install a sign at the terminus of Wilder Street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE”.

The applicant should be required to obtain written fire department approval from the City of Meridian for the reduced street section.

5. **Roadway Offsets**
   a. **Existing Conditions:** There are currently no existing roadways internal to the site.

   b. **Policy:**
      
      **Local Street Intersection Spacing on Minor Arterials:** District policy 7205.4.3 states that new local streets should not typically intersect arterials. Local streets should typically intersect collectors. If it is necessary, as determined by ACHD, for a local street to intersect an arterial, the minimum allowable offset shall be 660-feet as measured from all other existing roadways as identified in Table 1a (7205.4.6).

      **Local Offset Policy:** District policy 7207.4.2, requires local roadways to align or provide a minimum offset of 125-feet from any other street (measured centerline to centerline).

   c. **Applicant’s Proposal:** The applicant is proposing Quarrystone Way to intersect Ustick Road and align with the street to the south. The applicant is proposing all new local streets to provide a minimum offset of 125 feet.

   d. **Staff Comments/Recommendations:** The applicant’s proposal to construct Quarrystone Way to intersect Ustick Road and align with the street directly south of Ustick Road meets District Policy and should be approved as proposed.

      The applicant’s proposal to construct all new local streets to provide a minimum offset of 125 feet meets District Policy and should be approved as proposed.

6. **Tree Planters**

   **Tree Planter Policy:** 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.
7. **Landscaping**

   **Landscaping Policy:** 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.

8. **Other Access**

   Ustick Road classified as minor arterial 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.

D. **Site Specific Conditions of Approval**

1. Dedicate 50 feet of right-of-way from the centerline for Ustick Road abutting the site. ACHD will provide compensation for right-of-way dedicated beyond the existing right-of-way.

2. Construct a 6 foot wide landscape buffer and 5 foot wide detached concrete sidewalk on Ustick Road abutting the site, as proposed. Construct the front edge of the sidewalk a minimum of 42 feet from the centerline of Ustick Road and provide a permanent right-of-way easement for sidewalk placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.

3. Construct Quarrystone Way as a 33 foot street section with rolled curb, gutter and 5 foot wide attached concrete sidewalk on both sides of the street its full length.

4. Construct Quarrystone Way to intersect Ustick Road and align with Quarrystone Way directly south of Ustick Road, as proposed.

5. Provide a permanent right-of-way easement for all public sidewalks on Quarrystone Way placed outside of the dedicated right-of-way. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.

6. Construct Cold Creek Way as a 29 foot street section with vertical curb, gutter and no sidewalk on the west side of the street and rolled curb, gutter and 5 foot wide attached sidewalk on the east side of the street, as proposed.

7. The applicant is required to get written fire department approval for 29 and 33 foot street sections from the City of Meridian.

8. Construct Wilder Street as a 33 foot street section with rolled curb, gutter and 5 foot wide attached concrete sidewalk on both sides of the street within 46 feet of right-of-way, as proposed.

9. Construct Wilder Street to stub at the west edge of the site approximately 148 south of the north property line, as proposed.

10. Install a sign at the terminus of Wilder Street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE”.

11. Construct all new local streets to provide a minimum offset of 125 feet as proposed.

12. Direct lot access is prohibited to Ustick Road and shall be noted on the final plat.

13. Payment of impacts fees are due prior to issuance of a building permit.

**E. Standard Conditions of Approval**

1. All irrigation facilities shall be relocated outside of the ACHD right-of-way.
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.3, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant’s engineer should provide documentation of ADA compliance to District Development Review staff for review.
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. A license agreement and compliance with the District’s Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. 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.
8. 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.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. 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 ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

**F. 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.

G. **Attachments**

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration 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 iducc.com for e-mail notification information.
Development Process Checklist

Items Completed to Date:

☐ Submit a development application to a City or to Ada County
☐ The City or the County will transmit the development application to ACHD
☐ The ACHD Planning Review Section will receive the development application to review
☐ The Planning Review Section will do one of the following:
  - Send a “No Review” letter to the applicant stating that there are no site specific conditions of approval at this time.
  - 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.

Items to be completed by Applicant:

☐ For ALL development applications, including those receiving a “No Review” letter:
  - The applicant should submit one set of engineered plans directly to ACHD for review by the Development Review Section 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 assessment.)
  - 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 (Non-Subdivisions)

☐ Driveway or Property Approach(s)
  - Submit a “Driveway Approach Request” form to 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-Construction Meeting an Erosion & Sediment Control Narrative & Plan, done by a Certified Plan Designer, must be turned into ACHD Construction to be reviewed and approved by the ACHD Stormwater Section.

☐ 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 is required prior to scheduling a Pre-Con.
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.