April 9, 2015

To: ACHD Commission

From: Kaci Bader, Development Review Coordinator

Subject: Final Plat: Ethridge Square Subdivision

Project Number: SUBP14-0146

Meeting Date: April 15, 2015

FACTS & FINDINGS:

1. Ethridge Square Subdivision is a 10 buildable lots residential subdivision on 2.066 acres. This site is located at W. Silverspring St. and S. Silvermaple Place.

2. The applicant is Ethridge Square Properties, LLC and the principal for the applicant is E. Don Hubble, Manager

3. The preliminary plat was approved on February 5, 2014.

4. All conditions of the preliminary plat have been satisfied, except for the completion of the roadway improvements. The applicant has provided a financial surety of $50,000 in the form of cash in accordance with ACHD Policy Section 7103.2.

5. The applicant is responsible to complete all street improvements and conditions of approval required with the preliminary plat to ACHD standards by August 12, 2015 and prior to final acceptance of the street by ACHD and release of the financial surety.

RECOMMENDATION:

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

ATTACHMENTS:

1. Final Plat
2. Vicinity Map
PLAT OF
ETHRIDGE SQUARE
SUBDIVISION
SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE
SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 3 EAST,
BOISE MERIDIAN, ADA COUNTY, IDAHO.
2014

CERTIFICATE OF OWNERS

OWNERS OF LAND DESCRIBED IN THE 1/4 1/4 OF THE 1/4 1/4 OF SECTION 26, TOWNSHIP 3 NORT, RANGE 3 EAST, MERIDIAN, ADA COUNTY, IDAHO AND ALSO OWNED PARCELLY CHARGED AT PAYING

ACKNOWLEDGMENT

STATE OF IDAHO

ADA COUNTY


IN WITNESS WHEREOF, I HAVE HEREBY SET MY HANDS AND ATTACHED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE.

REPUBLIC OF THE STATE OF IDAHO

WITNESS AT: 12TH DAY OF OCTOBER, 2014

MY COMMISSION EXPIRES 1/1/2016

CERTIFICATE OF SURVEY

I, ANTON L. BALLARD, PS 12450, DO CERTIFY THAT I AM A LAND SURVEYOR LICENSED TO PRACTICE IN IDAHO AND THAT THE PLAN OF ETHRIDGE SQUARE SUBDIVISION, LOCATED IN IDAHO AND DESCRIBED IN THE "CERTIFICATE OF OWNERS" AND AS SHOWN ON THE ATTACHED PLAN, WAS DRAWN FROM AN ACTION, DATA BASED ON THE CONTOURS ON A MAP PREPARED AND MAINTAINED FOR THE DEVELOPER, MERIDIAN SQUARE, LLC, AND IS IN COMPLIANCE WITH THE STATE OF IDAHO CODE RELATING TO PLANS AND SURVEYS.

ANTON L. BALLARD, PS 12450

REPUBLIC OF IDAHO

12TH DAY OF OCTOBER, 2014

DEVELOPER

ETHRIDGE SQUARE
PROPERTIES, LLC
MERIDIAN, IDAHO
PLAT OF
ETHRIDGE SQUARE SUBDIVISION
SITUATED IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF THE
SOUTHEAST ¼ OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 EAST,
BOISE MERIDIAN, ADA COUNTY, IDAHO.
2013

APPROVAL OF CITY COUNCIL

The undersigned, City Clerk of the City of Boise, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on the ______ of ______, 20__ the plat was duly accepted and approved.

CITY CLERK
BOISE, IDAHO

HEALTH CERTIFICATE

Sanitary Restrictions as required by Idaho Code, Title 40, Chapter 53 have been satisfied according to the order to be read on file with the City Recorder or an authorized agent of the City. The report of the Health Officer of the City of Boise is subject to the condition of the City of Boise.

Health Officer
YEARS
[INITIALS]

APPROVAL OF CITY ENGINEER

The undersigned, City Engineer hereby states that the recommended conditions of Boise City have been satisfied.

CITY ENGINEER
Project/File: Ethridge Square (201302032-S)
The applicant is requesting preliminary plat approval for a 10 lot residential subdivision on approximately 2.07 acres. This preliminary plat could be approved at the staff level, but staff has been in contact with the HOA in the area and neighbors may wish to testify with their concerns about traffic.

Lead Agency: Ada County
Site address: 9414 W. Amity Road
Commission Approval: February 5, 2014

Applicant: Kevin McCarthy
KM Engineering
9233 W. State St.
Boise, ID 83714

Representative: Randy Clarno
Providence Properties
701 S. Allen, Ste. 108
Meridian, ID 83642

Staff Contact: Lauren Watsek
Phone: 387-6218
E-mail: lwatsek@achdidaho.org

A. Findings of Fact

1. Description of Application: The applicant is requesting preliminary plat approval for Ethridge Square, a 10 lot residential subdivision. The proposed site is currently zoned R-8. The applicant’s proposal is consistent with the comprehensive plan for the City of Boise and Ada County.

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>Silverpine Subdivision</td>
<td>R-8</td>
</tr>
<tr>
<td>South</td>
<td>Bluemeadows Subdivision</td>
<td>R-8</td>
</tr>
<tr>
<td>East</td>
<td>Southwest Residential District</td>
<td>RSW</td>
</tr>
<tr>
<td>West</td>
<td>Silverpine Subdivision</td>
<td>R-8</td>
</tr>
</tbody>
</table>

3. Site History: ACHD Commission previously reviewed this site as a part of Silverleaf Subdivision in July 2003. As a part of that application the Commission required the extension of Silverspring Street to the east to provide for future access to this site.
4. **Transit:** Transit services are not available to serve this site.

5. **New Center Lane Miles:** 0.07

6. **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.

7. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
   - Five Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Lake Hazel Road and Amity Road between 2022 and 2026.
   - Five Mile Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Amity Road to Victory Road between 2017 and 2021.
   - Maple Grove Road is listed in the Capital Improvements Plan to be widened to 5 lanes from Amity Road to Victory Road between 2027 and 2031.
   - The intersection of Amity Road and Five Mile Road is listed in the Capital Improvements Plan for a multi-lane roundabout to be constructed and be widened to 4 lanes on the north leg, 4 lanes on the south, 2 lanes east, and 2 lanes on the west leg, and signalized between 2027 and 2031.
   - The intersection of Amity Road and Maple Grove Road is listed in the Capital Improvements Plan for a single-lane roundabout to be constructed and widened to 4 lanes on the north leg, 2 lanes on the south, 2 lanes east, and 2 lanes on the west leg, and signalized between 2027 and 2031.

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 95 additional vehicle trips per day; 10 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>Amity Road</td>
<td>300 feet</td>
<td>Collector/Residential Arterial</td>
<td>244</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Silverspring Street</td>
<td>300 feet</td>
<td>Local</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* Acceptable level of service for a two-lane collector is “D” (425 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 Amity Road east of Five Mile Road was 4,580 on October 3, 2012.

**C. Findings for Consideration**

1. **Southwest Boise Transportation Study**
The Southwest Boise Transportation Study (SWBS) is a regional study that identifies future roadway improvements, collector roadway connections, intersection and corridor needs in
Southwest Boise. The study helps ACHD plan for and accommodate future traffic demand in the Southwest Boise area. The study also includes a new Eagle Road/Cloverdale Road alignment to create a continuous north-south connection between Kuna-Mora Road and Interstate 84. The study was created in collaboration with the City of Boise and was adopted by the ACHD Commission in May of 2009.

- The provided recommendations for the proposed site have been met or proposed with this application.

2. Amity Road

a. Existing Conditions: Amity Road is improved with 2 travel lanes, and no curb, gutter or sidewalk abutting the site. There is 60 feet of right-of-way for Amity 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 Policy 7205.2.1 & 7205.5.2 states that the standard 3-lane street section shall be 46-feet (back-of-curb to back-of-curb) within 70 feet of right-of-way. This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

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 Amity Road is designated in the
MSM as a Residential Arterial with 3 lanes and on-street bike lanes, a 46 foot street section within 70 feet of right-of-way.

c. **Applicant Proposal:** The applicant is proposing to dedicate 35 feet of right-of-way from centerline and construct 5 foot wide concrete sidewalk on Amity Road abutting the site, to align with the existing sidewalk located west of the site.

d. **Staff Comments/Recommendations:** The applicant’s proposal meets District Policy and should be approved as proposed.

The applicant should be required to provide a permanent right-of-way easement for public sidewalk placed outside of the dedicated right-of-way for Amity Road. The easement shall encompass the entire area between the right-of-way line and 2 feet behind of the back edge of the sidewalk.

3. **Site Access**

The applicant is proposing to take access off of Silverspring Street as recommended by ACHD. Although the site also has frontage on Amity Road, Silverspring Street was originally approved to extend to and through this site to the east to eliminate a new street intersection on Amity Road. This reduces conflicts with pedestrians and bicycles, which is especially important because there is an elementary school just west of the adjacent subdivision.

The applicant is proposing to construct 10 single family dwellings, consistent with the existing R-8 zoning, with an estimated trip generation of 95 trips per day to/from the proposed development. There are 12 existing houses on the street that directly access Silverspring Street, and an additional 10 houses that access the street but do not have frontage. There are an additional 10 houses that access multiple streets but do not have frontage. If all of the houses (32) access Silverspring Street only, the estimated trip generation from the existing homes is 304 vehicle trips per day. Even with the proposed development accessing Silverspring Street there is sufficient capacity and no thresholds are close to being met for traffic on a local street. The maximum traffic on one access is 1,000 VTD and local streets when extended and fully developed should not exceed 2,000 VTD (7207.3.1).

4. **Silverspring Street**

a. **Existing Conditions:** There is 25 feet of pavement and 40 feet of right-of-way for Silverspring Street abutting the site.

b. **Policy:**

   **Local Roadway Policy:** District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

   **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.

c. Applicant’s Proposal: The applicant is proposing to complete Silverspring Street as a 36 foot street section with rolled curb, gutter, and 5 foot wide attached concrete sidewalk within 50 feet of right-of-way abutting the site.

d. Staff Comments/Recommendations: The applicant’s proposal to complete Silverspring Street as a 36 foot street section with rolled curb, gutter, and 5 foot wide attached concrete sidewalk within 50 feet of right-of-way abutting the site meets District Policy and should be approved as proposed.

Silverspring Street was originally constructed as a stub street. With the improvements made by this development, the street will continue to be a stub street. As development occurs to the east of this site, Silverspring Street will be extended and will likely connect to a north-south street that was previously approved to cross the canal with Silverspring #2, continuing on to Maple Grove Road north of the canal through that development. The applicant should be required to install a sign at the terminus of Silverspring Street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE.”

5. Internal Roads

a. Existing Conditions: No roads are currently constructed internal to the site.

b. Policy:

   Local Roadway Policy: District Policy 7207.2.1 states that the developer is responsible for improving all local street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

   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.

**Cul-de-sac Streets Policy:** District policy 7207.5.8 requires cul-de-sacs to be constructed to provide a minimum turning radius of 45-feet; in rural areas or for temporary cul-de-sacs the emergency service providers may require a greater radius. Landscape and parking islands may be constructed in turnarounds if a minimum 29-foot street section is constructed around the island. The pavement width shall be sufficient to allow the turning around of a standard AASHTO SU design vehicle without backing. The developer shall provide written approval from the appropriate fire department for this design element.

The District will consider alternatives to the standard cul-de-sac turnaround on a case-by-case basis. This will be based on turning area, drainage, maintenance considerations and the written approval of the agency providing emergency fire service for the area where the development is located.

c. **Applicant’s Proposal:** The applicant is proposing to construct all internal local streets as 32 foot street sections with rolled curb, gutter, and 5 foot wide attached concrete sidewalks within 42 feet of right-of-way. The applicant is proposing to construct 2 cul-de-sacs with 30 foot radii.

d. **Staff Comments/Recommendations:** The applicant should construct the internal streets as 33 foot street sections with rolled curb, gutter, 5 foot wide attached concrete sidewalk, and 42 feet of right-of-way. This street section allows for on-street parking, with fire department approval. The applicant’s design for the 2 cul-de-sacs does not meet Policy. The applicant should be required to construct both cul-de-sacs to provide a minimum turning radius of 45 feet; OR provide an alternative turnaround design with a minimum 26-foot radius.

The applicant should be required to obtain written fire department approval for the reduced street sections.

6. **Roadway Offsets**

a. **Existing Conditions:** There are currently no roads constructed internal to the site.

b. **Policy:**

   **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 to construct all new local streets to provide a minimum offset of 125 feet from any other street.

d. **Staff Comments/Recommendations**: The applicant’s proposal to provide a minimum offset of 125 feet meets District Policy and should be approved as proposed.

7. **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.

8. **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.

9. **Neighborhood Concerns**
   A neighborhood representative for Silverpine Subdivision contacted ACHD with concerns about access to the site from Silverpine Street, traffic generated from the 10 proposed homes, and requested the installation of a “NO OUTLET” sign, along with a speed hump near the end of Silverspring Street.
   - As noted in Finding #3 above, access should be taken from the local street system as was approved in 2003.
   - Staff contacted the applicant and they have agreed to install a “NO OUTLET” sign on Silverspring Street near the intersection of Silveroak Avenue. The exact location will be determined by District staff.
   - The installation and location of speed humps is determined by speed and volume. As discussed in Finding #3 above, the volumes on the street would not warrant traffic calming measures at this time.

10. **Other Access**
    Amity Road is classified as a minor arterial/collector roadway. Direct lot access is prohibited to this roadway and should be noted on the final plat.
11. Secondary Access

After further discussion with Ada County Development Services and the Whitney Fire Protection District, the applicant revised the preliminary plat for Ethridge Square Subdivision to satisfy the need for a secondary emergency access into the development. The revised preliminary plat shown below is approved by ACHD Staff.
D. **Site Specific Conditions of Approval**

1. Dedicate 35 feet of right-of-way from the centerline of Amity Road and construct 5 foot wide concrete sidewalk on Amity Road abutting the site, to align with the existing sidewalk located west of the site. If public sidewalk is placed outside of the dedicated right-of-way, the applicant shall provide a permanent right-of-way easement. The easement shall encompass the entire area between the right-of-way line and 2 feet behind the back edge of the sidewalk.

2. Construct Silverspring Street as a 36 foot street section with rolled curb, gutter and attached 5 foot wide concrete sidewalk within 50 feet of right-of-way abutting the site, as proposed. The applicant should be required to install a sign at the terminus of Silverspring Street stating that, “THIS ROAD WILL BE EXTENDED IN THE FUTURE.”

3. Construct all internal local roads as 33 foot street sections with rolled curb, gutter, 5 foot wide attached concrete sidewalks, and 42 feet of right-of-way. The applicant shall provide a permanent right-of-way easement for public 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.

4. Construct two proposed cul-de-sacs to provide a minimum turning radius of 45 feet; OR provide an alternative turnaround design with a minimum 26-foot radius.

5. Obtain written fire department approval for the reduced street sections.

6. Install a “NO OUTLET” sign on Silverspring Street near the intersection of Silveroak Avenue. Coordinate the location with District staff.

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

8. 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.