To: ACHD Commission  
From: Kaci Bader, Development Review Coordinator  
Subject: Final Plat: Banbury Meadows Subdivision No. 8  
Project Number: SUBP15-0034  
Meeting Date: June 8, 2016

FACTS & FINDINGS:

1. Banbury Meadows Subdivision No. 8 is a 25 buildable and 6 common lot residential subdivision on 11.81 acres. This site is located on the west side of S. Chipper Way north of W. Oakhampton Drive.

2. Banbury Meadows Subdivision No. 8 adds 0.34 centerline miles to the ACHD roadway system.

3. Banbury Meadows Subdivision No. 8 does not have available transit.

4. The applicant is Hoff Companies, Inc. and the principal for the applicant is Brian C. Hoff, President.

5. The preliminary plat was approved on July 2, 2014.

6. 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 $461,400 in the form of cash in accordance with ACHD Policy Section 7103.2.

7. The applicant is responsible to complete all street improvements and conditions of approval required with the preliminary plat to ACHD standards by June 30, 2016 and prior to final acceptance of the street by ACHD and release of the financial surety.

RECOMMENDATION:

1. Approve the final plat of Banbury Meadows Subdivision No. 8 and authorize the President to endorse.

ATTACHMENTS:

1. Final Plat  
2. Vicinity Map  
BANBURY MEADOWS SUBDIVISION NO. 8
PORTIONS OF SECTIONS 19 & 20, T. 4 N., R. 1 E., BOISE MERIDIAN, CITY OF EAGLE, ADA COUNTY, IDAHO, AND ADA COUNTY, IDAHO.

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT HOFF COMPANIES, INC., AN IDAHO CORPORATION, IS THE OWNER OF THE REAL PROPERTY DESCRIBED BELOW IN EAGLE CITY, ADA COUNTY, IDAHO, AND THAT THEY WISH TO INCLUDE THE FOLLOWING DESCRIBED PROPERTY IN THIS BANBURY MEADOWS SUBDIVISION NO. 8:

PORTIONS OF SECTIONS 19 & 20, T. 4 N., R. 1 E., BOISE MERIDIAN, CITY OF EAGLE, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWING:


N 6° 17'44" E. 141.56 FEET (FORMERLY N 6° 17'44" E. 141.56 FEET) TO THE NORTHEAST CORNER OF LOT 1, BLOCK 39 OF BANBURY MEADOWS SUBDIVISION NO. 8 AS FIELDED FOR RECORD IN BOOK 89 OF PLATS AT PG 10335, RECORDS OF ADA COUNTY, THE POINT OF BEGINNING AND ALONG THE BOUNDARY OF CARLENE ESTATES SUBDIVISION

N 5° 25'35" W 193.42 FEET; THEN

S 7° 57'21" W 177.72 FEET; THEN

N 6° 07'16" E 104.81 FEET; THEN

N 6° 45'21" W 46.35 FEET; THEN

N 7° 25'35" W 223.08 FEET; THEN

N 12° 38'15" W 156.80 FEET; THEN

N 12° 38'15" W 156.80 FEET; THEN

N 12° 38'15" W 156.80 FEET; THEN

N 12° 38'15" W 156.80 FEET; THEN

S 5° 34'33" E 49.54 FEET TO THE SOUTHWEST CORNER OF LOT 3, BLOCK 40 OF BANBURY MEADOWS SUBDIVISION NO. 5, THEN CONTINUING ALONG THE BOUNDARY OF BANBURY MEADOWS SUBDIVISION NO. 5

S 2° 03'27" E 128.78 FEET (FORMERLY S 2° 03'27" E 128.78 FEET) THEN

S 0° 16'51" W 213.00 FEET; THEN

S 0° 16'51" W 213.00 FEET; THEN

S 0° 16'51" W 213.00 FEET; THEN

N 8° 46'06" W 233.30 FEET; THEN

S 3° 45'46" W 113.40 FEET; THEN

S 0° 16'51" W 213.00 FEET TO A POINT ON THE SECTION LINE; THEN ALONG THE SECTION LINE

S 0° 20'15" W 14.80 FEET TO THE POINT OF BEGINNING.

COMPASS 11° 31' ASSEVERATED.

All of the lots in this plat will receive water from United Water (Idaho), Inc. water system.

This plat is submitted to and agreed to in writing to service this subdivision.

All public streets shown on this plat are dedicated to the public. Fairings on this plat are not dedicated to the public, but the right of access to and use of these easements as required is perpetually reserved.

IN WITNESS WHEREOF, I have hereunto set my hand.

Hoff Companies, Inc., an Idaho Corporation

Brian C. Hoff - President

ACKNOWLEDGMENTS


Your State of Idaho,

On this 15th day of April, 2015, before me, the undersigned, a Notary Public in and for Ada County, Idaho, personally appeared Brian C. Hoff, known or identified to me to be the President of Hoff Companies, Inc., an Idaho Corporation, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such instrument was signed and acknowledged to me that such instrument was executed by the said person acting for and as the authorized agent of the corporation.

I hereby certify that I am a Notary Public of Ada County, Idaho, and that the instrument set forth above was signed and acknowledged before me, and that the signature or signature certified to me is that of the person whose name it purports to be.

My Notary Commission Expires: 11-03-2017

Dana Leon

My Commission Expires: 11-03-2017

CERTIFICATE OF ENGINEER/LAND SURVEYOR

ROY B. JOHNSON

Do hereby certify that I am a Professional Engineer/Land Surveyor, licensed by the State of Idaho, and that the plat as described in the Certificate of Ownership, and that the plat as described in the Certificate of Ownership, as prepared by Hoff Companies, Inc., an Idaho Corporation, is correct and accurately represents the points plotted herein, and is in conformity with the State of Idaho code relating to plats and surveys.

Roy B. Johnson

Health Office

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

Sanitary Restrictions as required by Idaho Code, Title 45, Chapter 13 have been satisfied. Sanitary restrictions may be imposed in accordance with Section 60-1326, Idaho Code, by the issuance of a certificate of disapproval.

Date:

On or about the 14th day of October, 2016, The Ada County Highway District accepted this plat which was approved and adopted by the Board of Ada County Highway District Commissioners on the 14th day of October, 2016.

Ada County Highway District, Commissioner

APPROVAL OF CITY COUNCIL

The undersigned City Clerk in and for the City of Eagle, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on the 10th day of December, 2016, this final plat was approved and accepted.

City Clerk

Certificate of City Engineer

The undersigned, City Engineer in and for the City of Eagle, Ada County, Idaho, do hereby certify that I have checked this final plat and that the City's requirements regarding final plats have been met.

City Engineer

Certificate of County Surveyor

The undersigned, Registered Professional Land Surveyor, do hereby certify that I have checked this final plat, and it complies with the State of Idaho Code relating to plats and surveys.

County Surveyor

Certificate of County Treasurer

The undersigned County Treasurer in and for the County of Ada, State of Idaho, do hereby certify that I have checked this final plat, and that the requirements of the Idaho Code which must be met for this plat to be adopted have been met. This certification is valid for the next thirty (30) days only.

County Treasurer

Certificate of County Recorder

On the 14th day of October, 2016, the undersigned, County Recorder in and for the County of Ada, State of Idaho, do hereby certify that I have checked this final plat, and that the requirements of the Idaho Code which must be met for this plat to be adopted have been met. This certification is valid for the next thirty (30) days only.

County Recorder

Ex-officio Recorder
Project/File: Banbury Meadows No. 8/ EA-02-14 / ERZ-02-14 / EPPUD-02-14 / ECU-02-14 / EPP-02-14
This is an annexation, rezone, planned unit development, conditional use, and preliminary plat application for 26 residential lots and 5 common lots on 11.81 acres. The site is located north of Locust Grove Road west of Chipper Way in Eagle, Idaho.

Lead Agency: City of Eagle
Site address: W of Chipper Way/Oakhampton Intersection
Commission Hearing: July 2, 2014
Commission Approval: July 2, 2014
Applicant: Banbury Meadows, LLC
1840 N. Lakes Ave.
Meridian, ID 83646

Representative: Becky McKay
Engineering Solution, LLP
1029 N. Rosario St. Ste. 100
Meridian, ID 83642

Staff Contact: Mindy Wallace
Phone: 387-6178
E-mail: mwallace@achd.idaho.org

A. Findings of Fact

1. Description of Application: The applicant is requesting annexation, rezoning, conditional use permit, preliminary development plan and preliminary plat approval for Banbury Meadows No. 8. The proposal consists of 26 buildable lots and 5 common lots. The subdivision is on 11.81 acres located north of Locust Grove Road west of Chipper Way. The property is currently zoned RUT and the proposal is consistent with the City of Eagle’s comprehensive plan.

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>Banbury Golf Course</td>
<td>R-2-P</td>
</tr>
<tr>
<td>South</td>
<td>Carlene Estates Subdivision</td>
<td>R-1</td>
</tr>
<tr>
<td>East</td>
<td>Banbury Meadows Subdivision No. 5</td>
<td>R-2-P</td>
</tr>
<tr>
<td>West</td>
<td>Rural Urban Transition</td>
<td>RUT</td>
</tr>
</tbody>
</table>
3. **Site History:** ACHD has not previously reviewed this site for a development application.

4. **Adjacent Development:** There are currently no developments pending or underway in the vicinity of the site.

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

6. **New Center Lane Miles:**

7. **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.

8. **Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):**
There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the Five Year Work Program or the District’s Capital Improvement Plan (CIP).

**B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 247 additional vehicle trips per day; 26 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>Locust Grove Rd.</td>
<td>None</td>
<td>Collector</td>
<td>88</td>
<td>Better than “D”</td>
<td>Better than “D”</td>
</tr>
<tr>
<td>Chipper Way</td>
<td>230-feet</td>
<td>Local</td>
<td>44</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 Locust Grove Road north of Chinden Boulevard was 2,149 on June 23, 2014.
- The average daily traffic count for Chipper Way north of Oakhampton Drive was 713 on August 15, 2013.

**C. Findings for Consideration**

1. **Chipper Way**
   a. **Existing Conditions:** Chipper Way is improved with 2-travel lanes, rolled curb, gutter, and 5-foot wide sidewalk abutting the site. There is 50-feet of right-of-way for Chipper Way (25-feet from centerline).

   b. **Policy:**
   **Minor Improvements Policy:** District Policy 7203.3 states that minor improvements to existing streets adjacent to a proposed development may be required. These improvements are to correct deficiencies or replace deteriorated facilities. Included are sidewalk construction or replacement; curb and gutter construction or replacement; replacement of unused
driveways with curb, gutter and sidewalk; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items.

c. Applicant’s Proposal: The applicant hasn’t proposed any improvements to Chipper Way abutting the site.

d. Staff Comments/Recommendations: Chipper Way is already improved with 2-travel lanes, rolled curb, gutter, and 5-foot wide sidewalk abutting the site. Therefore staff does not recommend any additional roadway improvements or right-of-way dedication as part of this application.

Consistent with ACHD’s Minor Improvement Policy, the applicant should be required to replace any broken or deteriorated curb, gutter, and sidewalk abutting the site.

2. Roadway Offsets

a. Existing Conditions: There are no roadways constructed within 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 one new public street, Oakhampton Lane, located approximately 145-feet north of existing Oakhampton Drive.

d. Staff Comments/Recommendations: The applicant’s proposal meets District policy and should be approved, as proposed. Constructing the roadway in this location will require the removal of an existing sidewalk abutting Chipper Way. There is an existing storm drain pipe and easement behind the sidewalk. The applicant will be required to retain the existing storm drain easement and to protect the storm drain pipe during and after the construction of Oakhampton Drive.

3. Internal Local Streets

a. Existing Conditions: There are no roadways within 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.

   Continuation of Streets Policy: District Policy 7207.2.4 states that an existing street, or a street in an approved preliminary plat, which ends at a boundary of a proposed development shall be extended in that development. The extension shall include provisions for continuation of storm drainage facilities. Benefits of connectivity include but are not limited to the following:
• Reduces vehicle miles traveled.
• Increases pedestrian and bicycle connectivity.
• Increases access for emergency services.
• Reduces need for additional access points to the arterial street system
• Promotes the efficient delivery of services including trash, mail and deliveries.
• Promotes appropriate intra-neighborhood traffic circulation to schools, parks, neighborhood commercial centers, transit stops, etc.
• Promotes orderly development.

**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., 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.

**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.

Developments with lot sizes of 1-acre or greater, but less than 5-acres per dwelling will provide streets with a 30-feet wide surface (26-feet of pavement with 2-foot concrete ribbon on each side), 4-foot of which will be striped for non-motorized travel on each side. The minimum right-of-way width for this street section shall be 52-feet in order to encompass the entire swale section. The developer shall construct on both sides of the road a 2-foot wide (minimum) concrete ribbon 8-inches thick and an 8-foot wide drainage swale along the edge of the pavement to accommodate the runoff from the development. See Section 7207.5.6 for roadside swale requirements.
**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.

**Landscape Medians Policy:** District policy 7207.5.16 states that landscape medians are permissible where adequate pavement width is provided on each side of the median to accommodate the travel lanes and where the following is provided:

- The median is platted as right-of-way owned by ACHD.
- The width of an island near an intersection is 12-feet maximum for a minimum distance of 150-feet. Beyond the 150-feet, the island may increase to a maximum width of 30-feet.
- At an intersection that is signalized or is to be signalized in the future, the median width shall be reduced to accommodate the necessary turn lane storage and tapers.
- The Developer or Homeowners Association shall apply for a license agreement if landscaping is to be placed within these medians.
- The license agreement shall contain the District’s requirements of the developer including, but not limited to, a “hold harmless” clause; requirements for maintenance by the developer; liability insurance requirements; and restrictions.
- Vertical curbs are required around the perimeter of any raised median. Gutters shall slope away from the curb to prevent ponding.

c. **Applicant’s Proposal:** The applicant is proposing to construct all of the internal local streets as a 36-foot street section with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.

The applicant is proposing to construct one cul-de-sac turnaround and a knuckle. Both the cul-de-sac and the knuckle are proposed to have a center landscape island.

The applicant is proposing a 20-foot wide access easement from the knuckle to the 4.6 acre parcel located directly west of the site.

d. **Staff Comments/Recommendations:** The applicant’s proposal to construct the internal local streets as 36-foot street sections with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way meets District policy and should be approved, as proposed.

The applicant’s proposal to construct one cul-de-sac turnaround with a center landscape island meets District policy and should be approved, as proposed. The cul-de-sac should provide a minimum turning radius of 45-feet. The center landscape island should be platted as right-of-way owned by ACHD. The applicant or the home owners association should apply for a license agreement with ACHD for any landscaping proposed to be located within the right-of-way.

The applicant’s proposal to construct the knuckle with a center landscape island will not be approved, as proposed. Staff recommends that the portion of the site along lots 14 to 16 be redesigned to provide a standard stub street to the parcel to the west. This would allow for
public street frontage and would create a local street network to provide access to landlocked parcels west of the site. This requirement is consistent with ACHD’s Continuation of Streets and stub street policies, as well as ACHD’s connectivity goals.

The applicant should be required to install a sign at the terminus of the stub street stating that “THIS STREET WILL BE EXTENDED IN THE FUTURE”.

Commission Meeting: This item was on the regular agenda due to the applicant’s request to waive the requirement to construct a stub street to an adjacent property west of the site. After hearing testimony from the applicant and staff the Commission voted to approve the Banbury Meadows No. 8 staff report with a requirement that the applicant’s engineer work with staff to redesign the proposed knuckle to provide a stub street with a right-of-way width of 50-feet to the west property line.

4. **Tree Planters**
   **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.

5. **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.
D. Site Specific Conditions of Approval

1. Replace any broken or deteriorated curb, gutter, and sidewalk on Chipper Way abutting the site.
2. Construct Oakhampton Way onto Chipper Way 145-feet north of existing Oakhampton Drive, as proposed.
3. Retain the existing storm drain easement and to protect the storm drain pipe located behind the existing sidewalk on Chipper Way abutting the site during and after the construction of Oakhampton Drive.
4. Construct all of the internal streets as 36-foot street section with rolled curb, gutter, and 5-foot wide attached concrete sidewalks within 50-feet of right-of-way.
5. Construct on cul-de-sac turnaround with minimum turning radius of 45-feet.
6. Construct one center landscape island within the cul-de-sac, as proposed. Dedicate the center landscape island as right-of-way owned by ACHD. Enter into a license agreement for any landscaping to be placed within the center landscape island.
7. Coordinate the redesign the proposed knuckle to provide a stub street with a right-of-way width of 50-feet to the west property line.
8. Install a sign at the terminus of the stub street stating that “THIS ROAD WILL BE EXTENDED IN THE FUTURE”.
9. 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
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.
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.
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.