



John S. Franden, President
Mitchell A. Jaurena, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

Date: November 7, 2014
To: Firehouse No. 6 Fitness
Teri Coonce (via email)
1620 N. Liberty St.
Boise, ID 83704
Subject: BOI14-0210 / CUP14-00073
1620 N. Liberty St.
Conditional Use application for fitness facility

On January 31, 2013, the Ada County Highway District approved a development application (CUP12-00071) for a conditional use application to renovate two vacant buildings into a fitness facility. The conditions and requirements also apply to BOI14-0210 / CUP14-00073. The applicant may be required to update any existing non-compliant pedestrian improvements adjacent to the site to meet current ADA (Americans with Disabilities Act) requirements.

- The applicant shall be required to meet all of the ACHD Standard Conditions of Approval as well as all ACHD Policies and requirements that may apply as noted below.

If you have any questions, please feel free to contact me at (208) 387-6218.

Sincerely,

Jenna Nash
Planner I
Development Services
Ada County Highway District

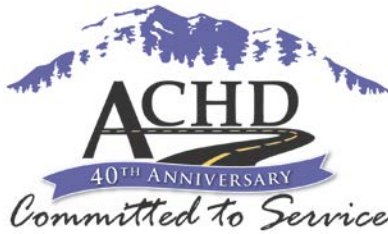
CC: Project File
City of Boise (via email)

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements). Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
2. In accordance with District policy, 7203.6, 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.
3. 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.
4. 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.
5. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
6. 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.
7. 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.
8. 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.
9. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
10. 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.
11. 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.

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 Development Services Manager when it is alleged that the Development Services 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 Development Services 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 Development Services 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.



Project/File: CUP12-00071

This is a conditional-use application to renovate two abandoned buildings into a fitness facility. The site is located at 1620 N. Liberty Street in Boise, Idaho.

Lead Agency: City of Boise

Site address: 1620 N. Liberty Street

Staff Approval: January 31, 2013

Applicant: Sharon Boland
Firehouse No. 6
7213 E. Columbia Road
Boise, ID 83716

Representative: Jim Hosac
Intermountain Commercial Real Estate
380 E. Parkcenter Boulevard Ste. 290
Boise, ID 83706

Staff Contact: Jarom Wagoner
Phone: 387-6174
E-mail: jwagoner@achdidaho.org



Tech Review: January 23, 2013

A. Findings of Fact

1. **Description of Application:** The applicant is proposing to renovate two abandoned buildings into a fitness facility. The abandoned buildings were previously used as Boise Fire Department's training facility and training storage facility.

2. **Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	Combined Residential	R-2
South	General Commercial	C-2
East	Combined Residential	R-2
West	Combined Residential	R-2

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

4. **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.

5. **Capital Improvements Plan (CIP)/Five Year Work Plan (FYWP):**

- Fairview Avenue is listed in the FYWP to have median islands and/or barriers installed from Linder Road to Orchard Street in 2016.
- Fairview Avenue is listed in the Capital Improvements Plan to be widened to 7-lanes from Cole Road to Curtis Road between 2027 and 2031.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 209 additional vehicle trips per day (none existing); 22 additional vehicle trips per hour in the PM peak hour (none existing), based on the Institute of Transportation Engineers Trip Generation Manual, 8th edition.

2. **Condition of Area Roadways**

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Fairview Avenue	None	Principal Arterial	1,234	Better than "D"	Better than "D"
Liberty Street	120 feet	Collector	195	Better than "D"	Better than "D"
Primrose Street	200 feet	Local	N/A	N/A	N/A

* Acceptable level of service for a five-lane principal arterial is "E" (1,770 VPH).

* 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 Fairview Avenue west of Liberty Street was 28,480 on December 2, 2009.
- The average daily traffic count for Liberty Street north of Primrose Street was 2,481 on July 21, 2011.

C. Findings for Consideration

1. **Liberty Street**

a. **Existing Conditions:** Liberty Street is improved with 2-travel lanes, vertical curb, gutter, and 5-foot wide sidewalk abutting the site. There is 60 feet of right-of-way for Liberty Street (30 feet from centerline).

b. **Policy:**

Collector Street Policy: District policy 7206.2.1 states that the developer is responsible for improving all collector frontages adjacent to the site or internal to the development as required below, regardless of whether access is taken to all of the adjacent streets.

Master Street Map and Typologies Policy: District Policy 7206.5 states that if the collector street is designated with a typology on the Master Street Map, that typology shall be considered for the required street improvements. If there is no typology listed in the Master Street Map, then standard street sections shall serve as the default.

Street Section and Right-of-Way Policy: District Policy 7206.5.2 states that the standard right-of-way width for collector streets shall typically be 50 to 70 feet, depending on the

location and width of the sidewalk and the location and use of the roadway. The right-of-way width may be reduced, with District approval, if the sidewalk is located within an easement; in which case the District will require a minimum right-of-way width that extends 2 feet behind the back-of-curb on each side.

The standard street section shall be 46 feet (back-of-curb to back-of-curb). This width typically accommodates a single travel lane in each direction, a continuous center left-turn lane, and bike lanes.

Residential Collector Policy: District Policy 7206.5.2 states that the standard street section for a collector in a residential area shall be 36 feet (back-of-curb to back-of-curb). The District will consider a 33-foot or 29-foot street section with written fire department approval and taking into consideration the needs of the adjacent land use, the projected volumes, the need for bicycle lanes, and on-street parking.

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.

ACHD Master Street Map: ACHD Policy Section 3111.1 requires the Master Street Map (MSM) guide the right-of-way acquisition, collector street requirements, and specific roadway features required through development. This segment of Liberty Street is designated in the MSM as a Traditional Neighborhood Collector with 2-lanes and on-street bike lanes, a 40-foot street section within 57 feet of right-of-way.

- c. **Applicant Proposal:** The applicant is not proposing any improvements to Liberty Street, abutting the site.
- d. **Staff Comments/Recommendations:** Liberty Street is fully-improved and meets the requirements for a Traditional Neighborhood Collector; therefore, no additional right-of-way or street improvements should be required with this application.

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Liberty Street abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.

2. Primrose Street

- a. **Existing Conditions:** Primrose Street is improved with 2-travel lanes, 24 feet of pavement, rolled curb, gutter, and 5-foot wide sidewalk abutting the site. There is 50 feet of right-of-way for Primrose Street (25 feet from centerline).

- 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.

Half Street Policy: District Policy 7207.2.2 requires improvements consisting of pavement widening to one-half the required width, including curb, gutter and concrete sidewalk (minimum 5 feet), plus 12 feet of additional pavement widening beyond the centerline established for the street to provide an adequate roadway surface, with the pavement

crowned at the ultimate centerline. A 3-foot wide gravel shoulder and a borrow ditch sized to accommodate the roadway storm runoff shall be constructed on the unimproved side.

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 is not proposing any improvements to Primrose Street, abutting the site.
- d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Half Street Policy; however, staff is recommending a modification of policy to require the applicant to install "no parking" signs along the north side of Primrose Street in lieu of providing additional pavement widening. This is due to the limited traffic on Primrose Street and that there is limited potential for redevelopment along the north side of Primrose Street.

The applicant should be required to replace any deteriorated or deficient sidewalk, curb, gutter or pedestrian facilities along Primrose Street abutting the site, consistent with ACHD's Minor Improvement Policy 7203.3.

3. Alleys

- a. **Existing Conditions:** There is a paved 16-foot wide alley right-of-way along the south property line.

- b. **Policy:**

Existing Alley Policy: District Policy 7210.2 states that if a proposed development abuts an existing alley, the dedication of additional right-of-way to obtain a minimum width from the centerline of the alley of 8 feet for residential uses and 10 feet for non-residential or commercial uses may be required. Each development will be reviewed by the District on a case-by-case basis. If the proposed development takes access from an alley, the developer will be required to pave the entire width of the right-of-way from the nearest public street to and abutting the development.

Alley Parking & Setbacks Policy: District Policy 7210.3.3 states that parking within the alley right-of-way is prohibited. "No Parking" signs are required to be installed by the developer. The signs should be located at the alley/street intersections. Parking which is entered from the alley shall be designed so the minimum clear distance from the back of the parking stall to the opposite side of the alley is 20 feet for all perpendicular parking.

Setbacks for structures taking access from the alley should be closely coordinated with the lead land use agency. The setbacks shall either discourage parking within the alley (where it may partially block or occur within the right-of-way) or allow adequate area for one perpendicular parking pad. In order to discourage parking, building setbacks shall be minimal from the alley right-of-way line, while still achieving the required 20 feet of back-up space from a garage or other parking structure to the opposite side of the alley (i.e. 4-foot setback + 16-foot alley= 20 feet for back-up space).

Alley Offsets Policy: An access to an alley shall be located a minimum of 50 feet from the nearest street (as measured centerline-to-centerline).

- c. **Applicant Proposal:** The applicant is not proposing any improvements to the alley, nor to take access from the alley.
- d. **Staff Comments/Recommendations:** Staff is recommending a modification of District Alley Policy to not require additional right-of-way dedication. This is due to the fact that while the

site is proposed as commercial; it is surrounded by residential uses. Requiring the applicant to dedicate 2 additional feet is not practical as there would be no additional dedications along this alley in the future due to the residential nature.

The alley also provides additional access opportunities for the site, away from a classified roadway. The applicant would need to remove the existing fencing abutting the alley and locate any driveways off of the alley a minimum of 50 feet from the centerline of Liberty Street (measured centerline-to-centerline). By locating the driveway a minimum of 50 feet from the centerline of Liberty Street, this would match with the existing driveway located directly north on Primrose Street.

4. Driveways

4.1 Liberty Street

a. **Existing Conditions:** There is a 36-foot wide driveway onto Liberty Street from the site. The driveway is located approximately 110 feet south of Primrose Street (measured centerline-to-centerline).

b. **Policy:**

Access Policy: District Policy 7205.4.1 states that all access points associated with development applications shall be determined in accordance with the policies in this section and Section 7202. Access points shall be reviewed only for a development application that is being considered by the lead land use agency. Approved access points may be relocated and/or restricted in the future if the land use intensifies, changes, or the property redevelops.

District Policy 7206.1 states that the primary function of a collector is to intercept traffic from the local street system and carry that traffic to the nearest arterial. A secondary function is to service adjacent property. Access will be limited or controlled. Collectors may also be designated at bicycle and bus routes.

Driveway Location Policy: District Policy 7206.4.4 requires driveways located on collector roadways near a STOP controlled intersection to be located outside of the area of influence; OR a minimum of 150-feet from the intersection, whichever is greater. Dimensions shall be measured from the centerline of the intersection to the centerline of the driveway.

Successive Driveways: District Policy 7206.4.5 Table 1, requires driveways located on collector roadways with a speed limit of 20 MPH and daily traffic volumes greater than 200 VTD to align or offset a minimum of 245 feet from any existing or proposed driveway.

Driveway Width Policy: District Policy 7206.4.6 restricts high-volume driveways (100 VTD or more) to a maximum width of 36-feet and low-volume driveways (less than 100 VTD) to a maximum width of 30-feet. Curb return type driveways with 30-foot radii will be required for high-volume driveways with 100 VTD or more. Curb return type driveways with 15-foot radii will be required for low-volume driveways with less than 100 VTD.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District Policy, 7206.4.6, the applicant should be required to pave the driveway its full width and at least 30 feet into the site beyond the edge of pavement of the roadway and install pavement tapers in accordance with Table 2 under District Policy 7206.4.6.

c. **Applicant's Proposal:** The applicant is not proposing any changes to the existing driveway.

d. **Staff Comments/Recommendations:** The applicant's proposal does not meet District Access Management, Successive Driveway, or Driveway Location Policies and should not be approved as proposed.

The applicant should be required to close the existing driveway and replace it with vertical curb, gutter, and 5-foot wide sidewalk to match the existing improvements on either side.

This is due to the fact that Liberty Street is a collector roadway and the site has frontage onto a local street, Primrose Street, and a public alley.

4.2 Primrose Street

- a. **Existing Conditions:** There are 2 driveways onto Primrose Street from the site. They are located as follows:
- 16-foot wide driveway located 50 feet east of Liberty Street (measured centerline-to-centerline).
 - 20-foot wide driveway located 165 feet east of Liberty Street (measured centerline-to-centerline).

b. **Policy:**

Driveway Location Policy: District Policy 7208.4.1 requires driveways located near intersections to be located a minimum of 75-feet (measured centerline-to-centerline) from the nearest street intersection.

Successive Driveways: District Policy 7208.4.1 states that successive driveways away from an intersection shall have no minimum spacing requirements for access points along a local street, but the District does encourage shared access points where appropriate.

Driveway Width Policy: District Policy 7208.4.3 restricts commercial driveways to a maximum width of 40-feet. Most commercial driveways will be constructed as curb-cut type facilities.

Driveway Paving Policy: Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District Policy, 7208.4.3, the applicant should be required to pave the driveway its full width and at least 30 feet into the site beyond the edge of pavement of the roadway.

- c. **Applicant's Proposal:** The applicant is not proposing any changes to the existing driveways.

- d. **Staff Comments/Recommendations:** The applicant's proposal to utilize the 20-foot wide driveway located 165 feet east of Liberty Street meets District Policy and should be approved, as proposed.

The applicant's proposal to utilize the 16-foot wide driveway located 50 feet east of Liberty Street does not meet District Driveway Location Policy; however, staff is recommending a modification of policy to allow the driveway to remain, as proposed.

This is due to the fact that with the closure of the existing driveway on Liberty Street the Primrose driveway will provide access to the parking area located at the front of the site. This will allow the driveway on the collector roadway to be closed, while utilizing an existing driveway on a lesser classified roadway.

The applicant should be required to pave the driveways their full widths and at least 30 feet into the site beyond the edge of pavement of the roadway.

5. 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.

6. 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.

7. Other Access

Liberty Street is classified as a collector roadway. Direct lot access is prohibited to this roadway.

D. Site Specific Conditions of Approval

1. Correct any deficiencies and/or replace deteriorated facilities abutting the site, including sidewalk construction or replacement; curb and gutter construction or replacement; installation or reconstruction of pedestrian ramps; pavement repairs; signs; traffic control devices; and other similar items on Liberty Street and Primrose Street, abutting the site.
2. Install "no parking" signs along the north side of Primrose Street, abutting the site.
3. Close the 36-foot wide driveway onto Liberty Street from the site located 110 feet south of Primrose Street and replace it with vertical curb, gutter, and 5-foot wide sidewalk to match the existing improvements on either side.
4. Pave the two existing driveways onto Primrose Street their full widths and at least 30 feet into the site beyond the edge of pavement of the roadway.
5. Direct lot access is prohibited to Liberty Street.
6. Payment of impacts fees are due prior to issuance of a building permit.
7. Comply with all Standard Conditions of Approval.

E. Standard Conditions of Approval

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

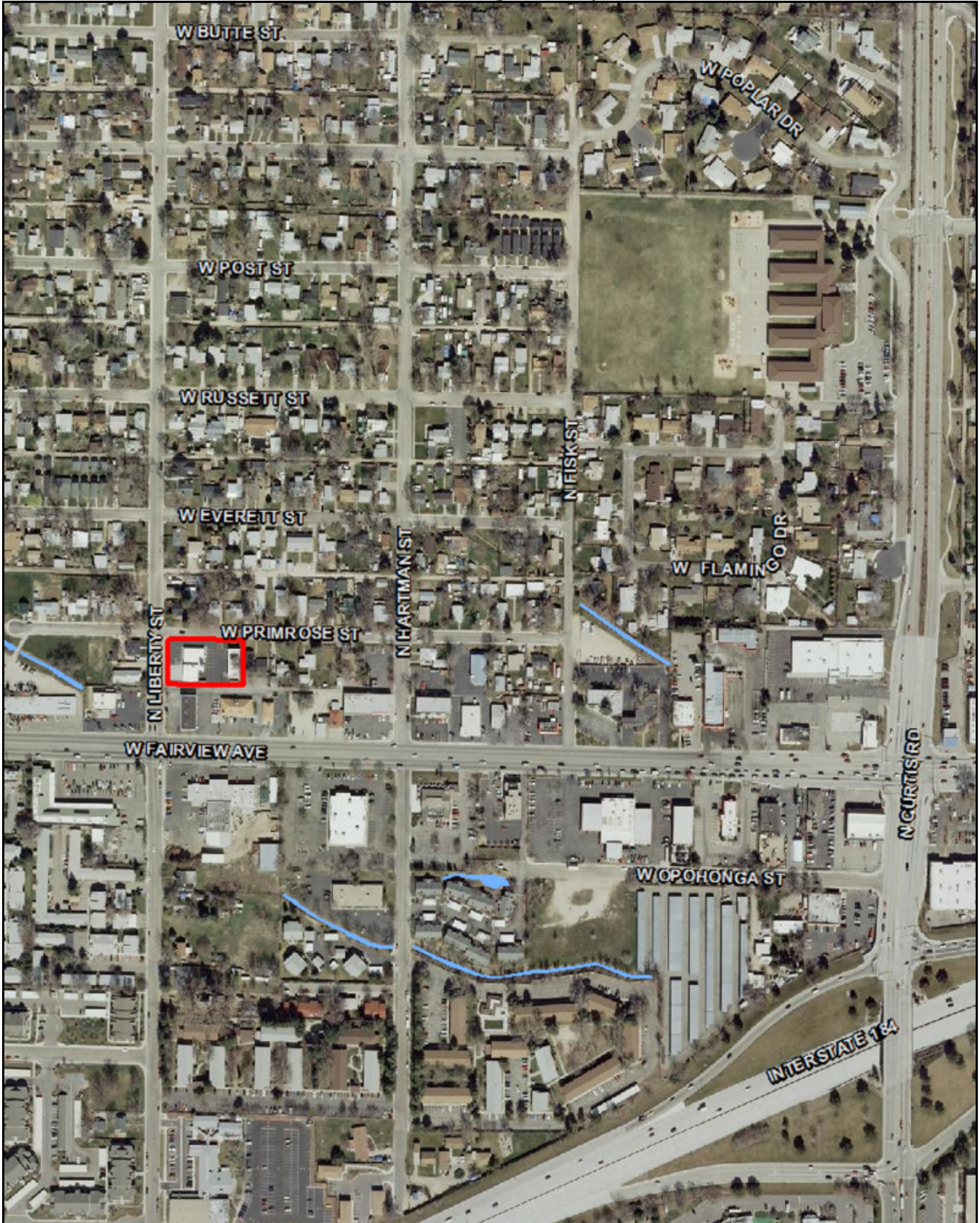
F. Conclusions of Law

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

Vicinity Map



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.