



Jim Hansen, President
Sara M. Baker, Vice President
Rebecca W. Arnold, Commissioner
Kent Goldthorpe, Commissioner
Paul Woods, Commissioner

Date: December 17, 2015

(Via email)

To: FH Broncos, LLC
Eran Fields
3954 Hopevale Drive
Sherman Oaks, CA 91403

Subject: BOI15-0436/ CAR15-00031/ CUP15-00088
1808 W Boise Avenue

On December 17, 2015 the Ada County Highway District staff acted on your application for the above referenced project. The attached report lists site-specific requirements, conditions of approval and street improvements, which are required.

If you have any questions, please feel free to contact me at (208) 387-6171.

Sincerely,

Stacey Yarrington
Planner III
Development Services
Ada County Highway District

CC: Project file
City of Boise (via email)
The Architects Office, PLLC (via email)

**Project/File: BOI15-0436/ CAR15-00031/ CUP15-00088**

This is an annexation with rezone and conditional use permit application to construct a 5-story, multi-family housing facility consisting of 98-units on 1.15-acres. The site is located at 1808 W Boise Avenue, Boise, Idaho.

Lead Agency: City of Boise

Site address: 1808 W Boise Avenue

Staff Approval: December 17, 2015

Applicant: FH Broncos, LLC
Eran Fields
3954 Hopevale Drive
Sherman Oaks, CA 91403

Representative: The Architects Office, PLLC
David Ruby
499 Main Street
Boise, ID 83702

Staff Contact: Stacey Yarrington
Phone: 387-6171
E-mail: syarrington@achdidaho.org



A. Findings of Fact

- Description of Application:** The applicant is requesting approval of an annexation with rezone from C-1D (Neighborhood Commercial) to R-O (Residential Office) and conditional use permit application to construct a 5-story, 98-unit multi-family housing facility on 1.15-acres.

The applicant's proposal is consistent with the City of Boise's comprehensive plan.

- Description of Adjacent Surrounding Area:**

Direction	Land Use	Zoning
North	University District	U
South	Multi-Family Residential	R-3
East	Neighborhood Commercial	C-1D
West	Neighborhood Commercial	C-1D

- Site History:** ACHD staff previously reviewed a portion of this site as CUP07-00139 in October 2007. The requirements of this staff report are consistent with those of the prior action.
- Transit:** Transit services are available to serve this site.
- New Center Lane Miles:** There are no new centerline miles of public roadway associated with this project.

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):**
There are currently no roadways, bridges or intersections in the general vicinity of the project that are currently in the IFYWP or the District's CIP.

B. Traffic Findings for Consideration

1. **Trip Generation:** This development is estimated to generate 652 additional vehicle trips per day (48 existing); 61 additional vehicle trips per hour in the PM peak hour (5 existing), 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)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Existing Plus Project
Beacon Street	285-feet	Minor Arterial	559	Better than "D"	Better than "D"
Boise Avenue	355-feet	Minor Arterial	541	Better than "D"	Better than "D"
Oakland Avenue	325-feet	Local	N/A	N/A	N/A

* Acceptable level of service for a three-lane minor arterial is "D" (720 VPH)

* Acceptable level of service for a four-lane minor arterial is "D" (1,200 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 Beacon Street west of Broadway Avenue was 11,256 on 10/22/2014.
- The average daily traffic count for Boise Avenue west of Broadway Avenue was 10,374 on 9/3/2015.

C. Findings for Consideration

1. **Beacon Street**

- a. **Existing Conditions:** Beacon Street is improved with 4-travel lanes, vertical curb, gutter, and 5-foot wide attached sidewalk abutting the site. There is between 78 to 94-feet of right-of-way for Beacon Street (32 to 40-feet from centerline).

- b. **Policy:**

Arterial Roadway Policy: District Policy 7205.2.1 states that the developer is responsible for improving all street frontages adjacent to the site regardless of whether or not access is taken to all of the adjacent streets.

Master Street Map and Typology Policy: District Policy 7205.5 states that the design of improvements for arterials shall be in accordance with District standards, including the Master Street Map and Livable Streets Design Guide. The developer or engineer should contact the District before starting any design.

Street Section and Right-of-Way Width Policy: District Policies 7205.2.1 & 7205.5.2 state that the standard 5-lane street section shall be 72-feet (back-of-curb to back-of-curb) within

96-feet of right-of-way. This width typically accommodates two travel lanes in each direction, a continuous center left-turn lane, and bike lanes on a minor arterial and a safety shoulder on a principal arterial.

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 sidewalk 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.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

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, arterial street requirements, and specific roadway features required through development. This segment of Beacon Street is designated in the MSM as a Town Center Arterial with 4-lanes and on-street bike lanes, a 67-foot street section within 97-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to dedicate 37.5-feet of right-of-way from centerline of Beacon Street abutting the site. Applicant is proposing to remove the existing curb, gutter, and sidewalk; and construct new vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk within an easement, abutting the site. The applicant is proposing to close the 2 existing driveways with vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk.

- d. **Staff Comments/Recommendations:** Beacon Street is improved with 4-travel lanes, curb, gutter, and sidewalk, but no bike lanes abutting the site. Therefore no street improvements should be required with this application, though additional right-of-way is necessary for the full street section that includes bike lanes. However, the City of Boise has requested that the applicant construct 6-foot wide detached sidewalks abutting Beacon Street abutting the site; and the applicant has proposed to reconstruct the existing curb, gutter and sidewalk and widen Beacon Street to accommodate a bike lane. Therefore, the applicant should be required to remove the existing curb, gutter, and sidewalk; and reconstruct Beacon Street with 5-feet of additional pavement, vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk. Right-of-way should be dedicated to 2-feet behind the back-of-curb, and provide a sidewalk easement.

The applicant's proposal to close the 2 existing driveways with vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide sidewalk meets District policy and should be approved, as proposed.

Consistent with District Minor Improvements Policy, the applicant should be required to install pedestrian ramps abutting the site.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way.

The applicant should not stripe the bike lane on Beacon Street. ACHD will stripe the bike lane as other widening occurs on Beacon Street.

2. Boise Avenue

- a. **Existing Conditions:** Boise Avenue is improved with 3-travel lanes, vertical curb, gutter, and 5-foot wide attached sidewalk abutting the site. There is 75-feet of right-of-way for Boise Avenue (34 to 37-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 sidewalk 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.

Frontage Improvements Policy: District Policy 7205.2.1 states that the developer shall widen the pavement to a minimum of 17-feet from centerline plus a 3-foot wide gravel shoulder adjacent to the entire site. Curb, gutter and additional pavement widening may be required (See Section 7205.5.5).

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, arterial street requirements, and specific roadway features required through development. This segment of Boise Avenue is designated in the MSM as a Neighborhood Residential Arterial with 2-lanes and on-street bike lanes, a 46-foot street section within 72-feet of right-of-way.

- c. **Applicant Proposal:** The applicant is proposing to construct new vertical curb, and gutter within 34 to 40-feet of right-of-way, and 8-foot wide parkway strip and 6-foot wide detached sidewalk within an easement, along Boise Avenue abutting the site. The applicant is proposing to remove the existing curb, gutter, and sidewalk and close the existing driveway with vertical curb, gutter and 6-foot wide detached sidewalk.
- d. **Staff Comments/Recommendations:** Boise Avenue is fully improved with 3-travel lanes, curb, gutter, and sidewalk abutting the site. Therefore no additional right-of-way or street improvements should be required with this application. However, the City of Boise has requested that the applicant construct detached 6-foot wide detached sidewalks along Boise Avenue abutting the site; and the applicant has proposed to reconstruct the existing vertical curb and gutter and sidewalk. Therefore, the applicant should be required to remove the existing curb, gutter, and sidewalk; and reconstruct Boise Avenue vertical curb and gutter in their existing alignment; 8-foot wide parkway strip and 6-foot wide detached sidewalk. Dedicate right-of-way to 2-feet behind the back of curb, and provide a sidewalk easement.

The applicant should be required to close the existing driveway with vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk.

Consistent with District Minor Improvements Policy, the applicant should be required to install pedestrian ramps abutting the site.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way.

3. Oakland Avenue

- a. **Existing Conditions:** Oakland Avenue is improved with 2-travel lanes, 32-feet of pavement, rolled curb, and no gutter or sidewalk abutting the site. There is 65-feet of right-of-way for Oakland Avenue (28-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.

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.

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 proposing to construct Oakland Avenue as one-half of a 36-foot street section, with vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk within 65-feet of right-of-way abutting the site.

- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed. The City of Boise has requested that the applicant construct 6-foot wide detached sidewalks abutting Oakland Street abutting the site; and the applicant has agreed.

Consistent with District Minor Improvements Policy, the applicant should be required to install pedestrian ramps abutting the site.

A permanent right-of-way easement shall be provided if public sidewalks are placed outside of the dedicated right-of-way.

4. Driveways

4.1 Oakland Avenue

- a. **Existing Conditions:** There are 3 unimproved driveways onto Oakland Avenue from the site.
- b. **Policy:**
- Driveway Location Policy:** District policy 7207.4.1 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 7207.4.1 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 7207.4.3 states that where vertical curbs are required, residential driveways shall be restricted to a maximum width of 20-feet and may be constructed as curb-cut type driveways.
- Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7207.4.3, 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 proposing to close the existing driveways with curb, gutter, and sidewalk; and construct 1 new 24-foot wide driveway, located approximately 235-feet south of Beacon Avenue and 75-feet north of Boise Avenue onto Oakland Avenue from the site (measured centerline to centerline).
- d. **Staff Comments/Recommendations:** The applicant's proposal meets District policy and should be approved, as proposed.

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

Beacon Street and Boise Avenue are classified as minor arterial roadways. Other than the access specifically approved with this application, direct lot access is prohibited to these roadways.

D. Site Specific Conditions of Approval

1. Dedicate right-of-way on Beacon Street to 2-feet behind the new back-of-curb.
2. Remove the existing curb, gutter, and sidewalk; and construct Beacon Street with 5-feet of additional pavement, vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk within an easement, abutting the site.
3. Close the 2 existing driveways on Beacon Street with vertical curb, gutter and 6-foot wide detached sidewalk.
4. Dedicate right-of-way on Boise Avenue to 2-feet behind the new back-of-curb.
5. Remove the existing curb, gutter, and sidewalk; and reconstruct Boise Avenue with vertical curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk within an easement, abutting the site.
6. Close the existing driveway on Boise Avenue with vertical curb, gutter and 6-foot wide detached sidewalk.
7. Construct Oakland Avenue as one-half of a 36-foot street section with curb, gutter, 8-foot wide parkway strip, and 6-foot wide detached sidewalk within 65-feet of right-of-way abutting the site.
8. Close the existing driveways on Oakland Avenue with curb, gutter, and sidewalk; and construct 1 new 24-foot wide driveway, located approximately 235-feet south of Beacon Avenue and 75-feet north of Boise Avenue onto Oakland Avenue from the site.
9. Install pedestrian ramps abutting the site, consistent with District Minor Improvements policy.
10. Provide permanent right-of-way easements for any public sidewalks placed outside of the dedicated right-of-way.
11. Payment of impacts fees are due prior to issuance of a building permit.
12. Comply with all Standard Conditions of Approval.

E. 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).
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.

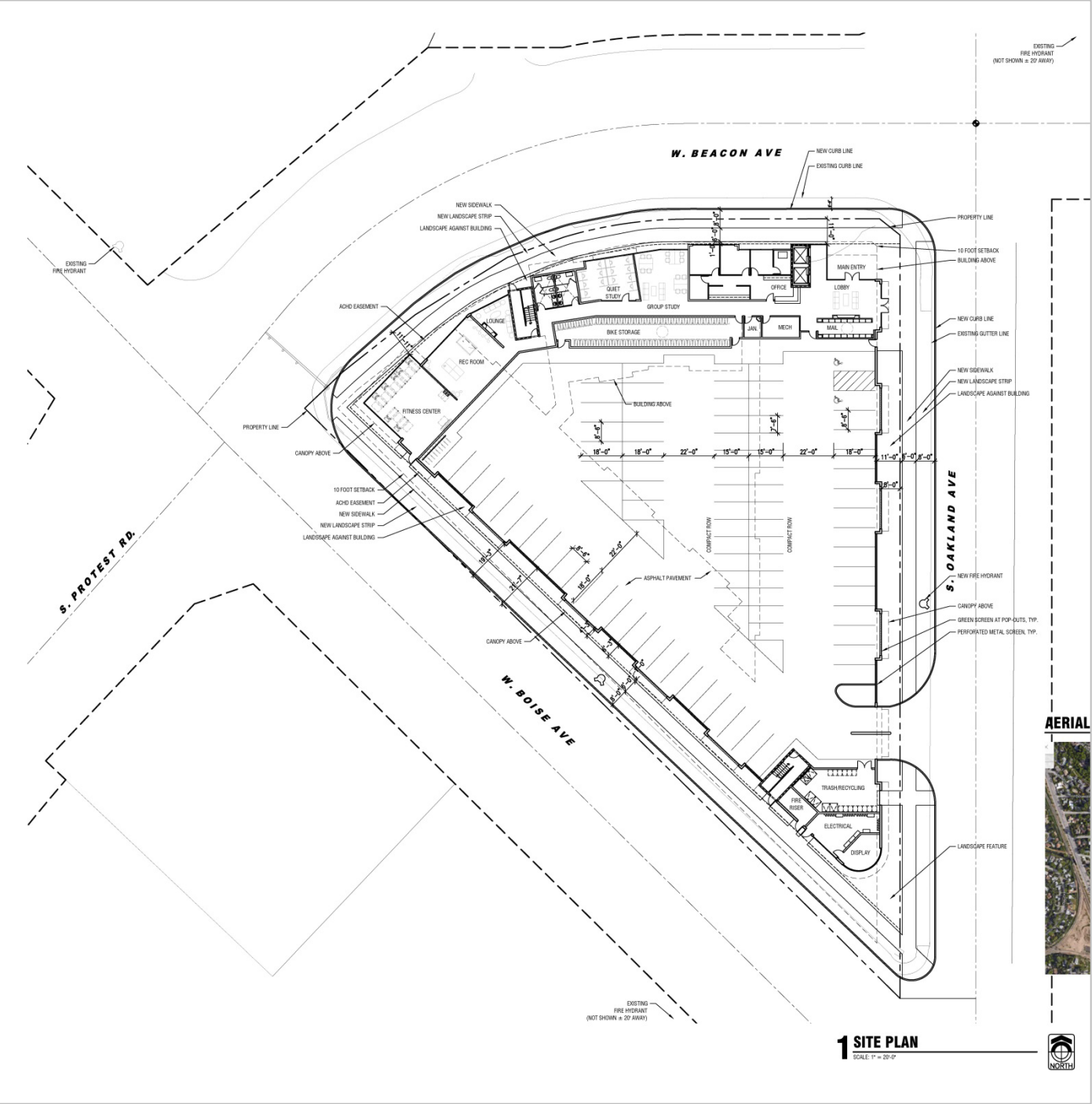
G. Attachments

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Request for Reconsideration Guidelines

VICINITY MAP



SITE PLAN



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 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.