



**Project/File:** **Station Village Apartments / BOI16-0418 / PUD16-00027**  
The applicant has submitted a PUD application to the City of Boise for 91 apartment units.

**Lead Agency:** City of Boise

**Site address:** 2350 W. Kootenai Street

**Staff Approval:** October 17, 2016

**Applicant:** Donna Jacobs  
Vista Village, LLC  
PO Box 8286  
Boise, ID 83707

**Representative:** Robert Powell  
Dave Evans Construction  
7761 W. Riverside Drive, #100  
Boise, ID 83714

**Staff Contact:** Christy Little  
Phone: 387-6144  
E-mail: [clittle@achdidaho.org](mailto:clittle@achdidaho.org)

## **A. Findings of Fact**

1. **Description of Application:** The applicant is proposing to construct 91 apartment units on 7.39 acres. The site is zoned R-1C.

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

Direction	Land Use	Zoning
North	Single family residential	R-1C
South	Single family residential	R-1C
East	Railroad	
West	Commercial – Vista Village, Rite Aid, Jack-in-the-Box, etc..	C-2D

3. **Site History:** ACHD has not previously reviewed this site for a development application. .
4. **Transit:** Transit services are available to serve this site. Route 3 runs on Vista Avenue, with bus stops located at Vista/Kootenai and Vista/Cassia. Route 29 on Federal Way serves the BSU campus, with a bus stop located at Federal Way/Kootenai/Protest.
5. **New Center Lane Miles:** The proposed development includes no new centerline miles of new public road.

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):**
  - Kootenai Street is scheduled for construction in the IFYWP to be improved in 2017, with curb, gutter, sidewalks and bike lanes, on both sides of the road, from Vista Avenue to Federal Way. Existing on-street parking will be removed to accommodate the bike lanes.

## **B. Traffic Findings for Consideration**

1. **Trip Generation:** This development is estimated to generate 605 vehicle trips per day (6.65 trips per unit); 56 vehicle trips per hour in the PM peak hour (0.62 trips per unit), based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> Edition.
2. **Condition of Area Roadways**  
Traffic Count is based on Vehicles per hour (VPH)

<b>Roadway</b>	<b>Frontage</b>	<b>Functional Classification</b>	<b>PM Peak Hour Traffic Count</b>	<b>PM Peak Hour Level of Service</b>
Vista Avenue	0-feet	Principal Arterial	1,001	Better than "E"
Kootenai Street (e/o Vista)	0-feet	Minor Arterial (2-3 lanes)	562	Better than "E"
Kootenai Street (w/o Federal Way)	20-feet	Minor Arterial	663	"E"
Robert Street	310-feet	Local	N/A	N/A
Day Drive	110-feet	Local	N/A	N/A
Cassia Street	0-feet	Local	N/A	N/A

\* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

\* Acceptable level of service for a two-lane minor arterial is "E" (575 VPH).

\* Acceptable level of service for a three-lane minor arterial is "E" (720 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 Robert Street north of Kootenai Street was 1,180 on August 24, 2016. The noticeable peak time on this street is from 12-1PM, which correlates to the fast food uses on the west side of Robert Street.
- The average daily traffic count for Day Drive east of Vista Avenue was 708 on August 24, 2016.
- The average daily traffic count for Cassia Street east of Vista Avenue was 542 on August 24, 2016.
- The average daily traffic count for Robert Street south of Cassia Street was 452 on August 24, 2016.
- These traffic count locations are shown on the map below, as indicated by the red circle.



- The average daily traffic count for Kootenai Street east of Vista Avenue was 10,355 on February 18, 2016.
- The average daily traffic count for Kootenai Street west of Federal Way was 11,536 on February 18, 2016.
- The average daily traffic count for Vista Avenue south of Rosehill Street was 20,016 on February 28, 2015.

## C. Findings for Consideration

### 1. Kootenai Street

- Existing Conditions:** Kootenai Street is improved with 2-travel lanes, and vertical curb and gutter. There are short segments of sidewalk. There is on-street parking.
- 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.

**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 Kootenai Street is designated in the MSM as a Residential Arterial with 2-lanes and no planned widening.

**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.

**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. **Staff Comments/Recommendations:** The applicant has only 20-feet of frontage on Kootenai Street. ACHD will be improving Kootenai Street in 2017 with curb, gutter and sidewalk. In lieu of constructing the required sidewalk, the applicant should provide ACHD with a road trust deposit in the amount of \$500. ACHD will construct the sidewalk with the project.

## 2. Robert Street

- a. **Existing Conditions:** Robert Street is improved with a 29-foot street section with curb, gutter and 5-foot wide concrete sidewalk from Day Drive, to the south for 200-feet. For the remainder of the frontage (110-feet), there is no curb, gutter or sidewalk.

- 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. **Staff Comments/Recommendations:** The applicant should improve Robert Street as ½ of a 29-foot street section with vertical curb, gutter and 5-foot wide concrete sidewalk to match the existing improvements. The applicant should dedicate right-of-way to 2-feet behind the back of sidewalk. Parking should be restricted on this segment of Robert Street, and the applicant should install "NO PARKING" signs adjacent to their entire Robert Street frontage (including segment that is already improved).

### 3. Driveways

#### Kootenai Street Driveway

##### a. Policy:

- b. **Access Points 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.
- c. **Access Policy:** District policy 7205.4.6 states that direct access to minor arterials is typically prohibited. If a property has frontage on more than one street, access shall be taken from the street having the lesser functional classification. If it is necessary to take access to the higher classified street due to a lack of frontage, the minimum allowable spacing shall be based on Table 1a under District policy 7205.4.6, unless a waiver for the access point has been approved by the District Commission.
- d. **Successive Driveways:** District policy 7205.4.6 Table 1a, requires driveways located on minor arterial roadways with a speed limit of 25 MPH to align or offset a minimum of 330-feet from any existing or proposed driveway.
- e. **Driveway Width Policy:** District policy 7205.4.8 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.

- f. **Driveway Paving Policy:** Graveled driveways abutting public streets create maintenance problems due to gravel being tracked onto the roadway. In accordance with District policy, 7205.4.8, 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 7205.4.8.
- g. **Cross Access Easements/Shared Access Policy:** District Policy 7202.4.1 states that cross access utilizes a single vehicular connection that serves two or more adjoining lots or parcels so that the driver does not need to re-enter the public street system.
- h. **Applicant's Proposal:** The applicant is proposing to construct a 25-foot wide driveway on Kootenai Street. This is the full width of the site frontage on Kootenai Street.
- i. **Staff Comments/Recommendations:** The proposed driveway is located 30-feet east of the Columbus Street/Kootenai Street intersection. District policy requires that this driveway be aligned with Columbus Street, or offset Columbus Street and other driveways by 330-feet. The driveways are offset such that vehicles turning left from Kootenai on to Columbus will conflict with left turns into the site off of Kootenai. There is no center turn lane on Kootenai Street, and a turn lane is not planned with the ACHD project due to the railroad tracks being located adjacent to the proposed driveway.

In pre-application meetings, staff recommended that the applicant work with the adjacent property owner to obtain additional property to locate a driveway in alignment with Columbus Street. The driveway should be constructed as a 24 to 30-foot wide curb return.

If that option is not feasible, then the driveway will need to be restricted to right-in only or right-in/right-out; or be restricted just to allow for emergency vehicles. If the driveway is right-in only, the applicant will need to design the driveway to discourage other maneuvers. If the driveway is right-in/right-out, the applicant will need to design an on-site median to restrict the left turning movements. Medians cannot be located in the right-of-way, and the driveway may not be wide enough for this configuration. If the driveway is emergency access only, then the applicant should restrict the driveway with bollards or gates, as determined by the Boise Fire Department.

## **Robert Street Driveway**

### **a. 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.

- b. **Applicant's Proposal:** The applicant is proposing to utilize the existing the existing driveway on Robert Street located 175-feet south of Day Drive. No new driveways are proposed.



- c. **Staff Comments/Recommendations:** The existing driveway on Robert Street is approved.

#### 4. Local Streets

- a. **Function:** The primary function of a local street is to serve adjacent property. Adjacent property will usually have unrestricted access to the street and ADT will typically be less than 2,000. Access to local streets is generally unrestricted, except near intersections.
- b. **Average Daily Traffic (ADT):** ADT on new and existing local streets should typically be less than 2,000. This ADT applies to both existing and new streets. For new streets that are stubbed to connect to adjacent land that is not fully developed, the allowable ADT for the new street will typically be no more than 1,000 ADT, to accommodate future additional traffic from the adjacent land, depending on the location and type of the stub street and the location and type size of the adjacent undeveloped land. **When stub streets are connected and properties fully developed, local streets should not exceed 2,000 ADT. In developed areas where streets already exceed 2,000 ADT or are close to exceeding 2,000 ADT, the Commission may grant approval to exceed the 2,000 ADT based on existing zoning of undeveloped properties or infill development.** The Commission may also consider the need for additional roadway improvements or traffic calming to mitigate the additional traffic if necessary. The ADTs listed above are desirable planning thresholds for local streets, not roadway capacities. Actual roadway capacities are much higher than the planning thresholds.
- c. **Maximum Traffic on One Access:** If a proposed development only has one access to a public street that is a local street, or if it proposes to extend public streets from existing development with only one local street access to the public street system, the maximum forecast ADT to be allowed at any point on the local street access is 1,000 and is subject to fire department requirements for the provisions of a secondary access.
- d. **Staff Comments/Recommendations:** It is anticipated that traffic from this development will be dispersed multiple directions. Vehicles leaving the site can use Day Drive to Vista Avenue, and go northbound or southbound. Vehicles can also exit the site to Kootenai Street via Robert Street; or to Cassia Street via Robert Street. Total trip generation is estimated at 605 vehicles per day.

Many roadway segments in this area are considered Local/Commercial streets where there is not solely front-on housing. Robert Street south of Day Drive is commercial and does not have front-on housing. Day Drive west of Robert Street is commercial and does not have front-on housing. Cassia Street east of Vista Avenue is commercial and residential, with one house.

None of the local streets in the area will exceed the 2,000 vehicle trips per day (vpd) threshold that has been established for local streets.

Robert Street north of Kootenai Street - 1,180 vpd (This includes fast food trips.)

Robert Street south of Cassia Street – 452 vpd

Day Drive east of Vista Avenue - 708 vpd (This includes Vista Village trips.)

Cassia Street east of Vista Avenue - 542 vpd

#### 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.

## **D. Special Note to City of Boise**

### **1. Parking**

The applicant has proposed to provide 143 parking stalls to accommodate the residents and guests of the proposed apartment project. The City requires 119 stalls. The Institute of Transportation Engineers (ITE) Parking Generation Manual, 4<sup>th</sup> Edition, recommends 177 parking stalls for a 91 unit apartment project. The parking needs generated by this development should be provided on-site, as there is not adequate availability of on-street parking.

## **E. Site Specific Conditions of Approval**

1. Provide a \$500 road trust deposit to ACHD for the sidewalk on Kootenai Street that will be constructed by ACHD in 2017.
2. Improve Robert Street as ½ of a 29-foot street section with vertical curb, gutter and 5-foot wide concrete sidewalk to match the existing improvements. Dedicate right-of-way to 2-feet behind the back of sidewalk.
3. Install “NO PARKING” signs on the entire Robert Street frontage.
4. Kootenai Street Driveway (choose one option)
  - a. To obtain a full access driveway the applicant should work with the adjacent property owner to locate a driveway in alignment with Columbus Street. The driveway should be constructed as a 24 to 30-foot wide curb return.
  - b. The driveway can be located on-site as proposed and operate as a right-in only driveway. The driveway will need to be designed to restrict all other turning movements and will need to be signed accordingly.
  - c. The driveway can be located on-site as proposed and operate as a right-in/right-out only driveway. The applicant will need to construct an on-site median to restrict left turning movements into and out of the site, and the driveway will need to be signed accordingly. Medians in the road or right-of-way cannot be constructed at this location to restrict left turning movements and therefore, there may not be adequate width to properly restrict the left turning movements, in which case this option is not feasible. Due to the narrow width of road, lane configurations, and turning movements in this area, if left turning movements cannot be fully restricted, then a right-in/right-out driveway cannot be constructed. This option is conditional upon a design that is approved by ACHD.
  - d. The driveway can be constructed as an emergency access only driveway. Restrict with gates or bollards as determined by the Boise Fire Department.
5. The existing driveway on Robert Street is approved.
6. Payment of impacts fees are due prior to issuance of a building permit.



7. Comply with all Standard Conditions of Approval.

## **F. 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.

## **G. 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.

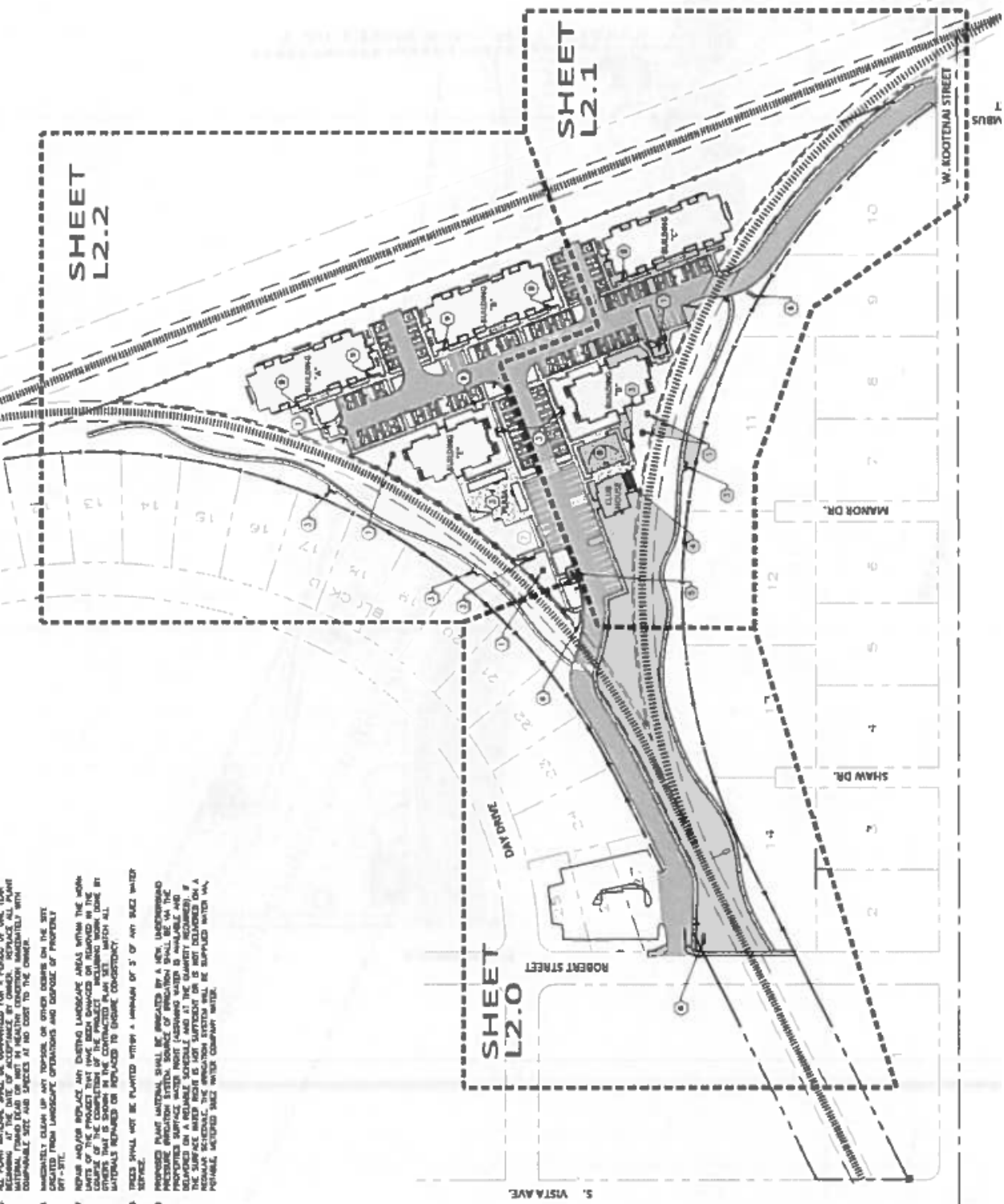
## **H. Attachments**

1. Vicinity Map
2. Site Plan
3. Utility Coordinating Council
4. Development Process Checklist
5. Appeal 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](http://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.