



**Technical and Steering Committee Meeting**  
**Thursday, September 6, 2007 10:00 A.M. to 12:00 P.M.**

Ada County Highway District Auditorium

**AGENDA**

- I. **Consent Agenda (10:00-10:05 AM)**
  - a. **Approval of the August 2, 2007 Meeting Notes (pages 3-14)**
  
- II. **Discussion Items**
  - a. **Adequate Public Facilities Update - Michael Lauer (10:05 – 11:00 AM) (pages 15 - 55)**  
Michael will provide a status report on APFO data collection and the draft Synthesis Report. He will also review key APFO policy issues from August meeting and present an outline of the APFO.
  
  - b. **Transportation Funding Committees (11:00 – 11:05 AM)**  
The Consortium directed the Steering/Technical Committee to seek membership on existing transportation funding committees rather than creating a new BGG subcommittee. Committee members will be asked to provide input on their existing committee memberships and utilization of those relationships to further explore new funding opportunities for transportation infrastructure.
  
  - c. **Update from the Area of City Impact Modification Process Subcommittee - Anna Canning (11:05 – 11:35 PM) (pages 56 - 62)**  
See attachment. It is requested that the Steering Committee Members take the attachment back to their respective jurisdictions for review and schedule work sessions within their jurisdictions.
  
  - d. **Update about ACHD'S Transportation and Land Use Integration Project (TLIP) – Don Kostelec (11:35 - 11:40 AM)**  
Don will provide a verbal update on the status of the TLIP project.
  
  - e. **Update from the Public Outreach Subcommittee – Bob Taunton (11:40 – 11:50 AM)**  
Bob will provide a verbal update on the public outreach subcommittee.

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**f. Update from the Transit Ready/Mixed Use Compact Development Subcommittee – Kelli Fairless (11:50 – 11:55 AM)**

A verbal update will be given by Kelli Fairless on the subcommittee's progress and coordination with COMPASS' Communities in Motion Community Choices Implementation Tool.

**g. Update of Open Space Subcommittee – Deanna Smith (11:55 – 12:00 AM)**

A verbal update will be given by Deanna Smith on progress of the Ada County Open Space Task Force. The Ada County Open Space Task Force website is located at <http://www.adaweb.net/departments/developmentservices/OPENSPACETASKFORCE.asp>

***Upcoming 2007 Technical and Steering Meetings are as follows:***

October 10, 10:00 AM – 12:00 PM, Meridian Police Department  
November 1, 2007, 10:00 AM – 12:00 PM, ACHD Auditorium  
December 6, 2007, 10:00 AM – 12:00 PM, ACHD Auditorium



## ***Countywide Land Use and Transportation Guide Plan Meeting Minutes***

**Technical and Steering Committee Meeting – Boise City Hall  
Thursday, August 2, 2007 10:00 a.m. to 12:00 p.m.**

**Attendees:** See attached

### **CONSENT AGENDA**

#### **a. Approval of the July 12, 2007 Meeting Notes**

The minutes were approved.

### **I. Action Items**

#### **a. Committee Membership**

The Committee was asked to provide two membership endorsements to the Consortium as follows:

- Appointment of Gerald Hunter, President and Executive Director of the Idaho Housing and Finance Association, Affordable Housing Representative to the Steering Committee; and
- Appointment of Peter O'Neill, Member of the Boise Metro Chamber of Commerce, to the Consortium.

Appointments were unanimously recommended as presented.

### **II. Discussion Items**

#### **a. Adequate Public Facilities Status**

Michael Lauer provided a verbal update on Adequate Public Facilities (PowerPoint presentation is attached). He reiterated that Adequate Public Facilities (APF) is not a funding mechanism, but rather can be likened to a “surge protector.” He further noted that by transportation APF is the largest issue that Ada County must solve; it has the focus per his scope with Blueprint.

Lauer noted that several items are needed for APF implementation:

- 1) Variable LOS standards through ACHD’s TLIP process;
- 2) A reliable, accurate transportation model. COMPASS is working to reconcile Community Choices scenario with actual developments; and
- 3) A monitoring system to track demands from development that are approved but not yet built. COMPASS is collecting this information, but there is no system yet to model the projected demands from the approved pipeline.

Implementation of APF requirements will be through two documents as explained by Lauer. The first tool will be APF ordinances which are adopted by each jurisdiction based on the ordinance template. The second requirement will be Interlocal agreements between local governments and ACHD/ITD addressing coordination of demand mitigation. Lauer will be creating “model” agreements. He suggested that each entity keep these agreements focused and not allow additional related issues into these specialized agreements.

Discussion occurred about the lack of available funding for transportation improvements in Ada County. After extended discussion, a motion was made to “Recommend immediate creation of a Steering Subcommittee to identify all potential funding mechanisms as an adjunct to the APF implementation tool. Membership shall be broad-based and at a minimum consist of ACHD, ITD, and Valley Regional Transit. This subcommittee shall be complimentary to the other subcommittees and not in-lieu of other Phase II implementation tools. The committee shall coordinate with the existing funding exploration groups to harmonize awareness about funding deficiencies related to APF implementation.” The motion approved with 2 nays (Canning and Wardle). Their objection was that a subcommittee would duplicate existing efforts; Canning and Wardle suggested exploration of existing committees prior to creation of a new BGG subcommittee.

After the funding discussion, Lauer continued the Adequate Public Facility discussions by leading participants through his recommendations as outlined in the agenda attachment discussion paper (see August 2 meeting packet for discussion paper). The group generally agreed with Lauer ‘s recommendations. The specific topics included:

1. What if any areas that should be exempt from testing transportation system adequacy?
2. What demands from approved, but unbuilt development should be counted against existing capacity?
3. How much growth should be reserved for external demands?
4. To which developments should APF requirements be applied?
5. How should capacity be defined?
6. When should adequacy be measured?
7. When should capacity be committed /reserved?
8. For how long should capacity be reserved?
9. What options should be available for mitigation?
10. Who should approve mitigation? (Lauer noted that the agencies have the opportunity to reject mitigation by not approving the mitigation into the work program)
11. Who should mitigation take place?
12. When should the cost basis for mitigation be?
13. How should mitigation relate to impact fees?
14. Should applicants own excess capacity provided through a mitigation agreement?
15. Who should monitor demands and capacity?

The group discussed the threshold for development reviews related to transportation APF. The debated centered around the probability of creating a disincentive for “good growth” and density. Will developments be created just below the APF review threshold? Anna Canning suggested relating APF review thresholds to a minimum

gross density. Deanna Smith added that all developments in the rural tier be reviewed for APF requirements; no exemptions should be allowed in the rural tier.

**b. Update on ACHD'S Transportation and Land Use Integration Project (TLIP)**

Don Kostelec discussed the status of the Level of Service standards. He noted that work is on-going regarding draft guidelines. The project team is anticipating meetings with individual jurisdictions in September for review of the recommendations. He requested representations from staff, Planning and Zoning Commissions, and Councils during these work sessions to explore appropriate Level of Service designations for corridors.

Lauer indicated that his discussions with the TLIP consultant have illustrated that the required Level of Service standards necessary for the Adequate Public Facilities work is approximately two months behind schedule.

Bob Taunton inquired about public input schedule. Don thought the next opportunity for public input would be in October/November after the initial agency coordination.

**d. Area of City Impact Modification Process Update**

Anna Canning indicated the subcommittee has collected edits from many sources. These edits allowed the subcommittee to evaluate the overall process and improve some procedural elements that were flawed in the original drafts. Anna indicated that the transportation agencies will be included in the modifications process as well; they were not specifically addressed in the original draft but this was an oversight that has been corrected. The group will be sending a new draft out for subcommittee review in the next few weeks.

Canning thought the September draft of the new process would be the very close to the final one for review by the Steering Committee.

**e. Public Outreach Subcommittee Update**

Deanna Smith provided an update of the subcommittee's actions. They are currently updating the Speaker's Bureau presentation which can be used by Steering and Technical Committee members to inform their constituents about the Blueprint process. Participants agreed that messages from the lead agencies should be coordinated.

**f. Transit Ready/Mixed Use Compact Development Subcommittee Update**

The committee is currently developing content for workshops to be held in Fall 2007. Valley Regional Transit and COMPASS are taking the lead on this work. The seminars will be used to identify barriers to transit ready development in the Treasure Valley. These barriers will be presented to Planning and Zoning Commissions and Councils with recommendations of methods to overcome the obstacles. A draft list of seminar discussion topics was distributed and participants were asked to return input to Karen Doherty.

**f. Open Space Subcommittee Update**

Deanna Smith indicated the committee is continuing its work but no new developments have been made since the last meeting.

The meeting was adjourned at 12:05 pm.

# Blueprint for Good Growth

Committee: Steering/Technical Committee

Date: 08/02/07

| Name               | Contact Number | Representing          |
|--------------------|----------------|-----------------------|
| Sjandra Tipunic    | 336-0420       | Doherty & Associates  |
| Danna Smith        | 333-8066       | Idaho Smart Growth    |
| MENDEL BIGLIAM     | 350-5016       | MERIDIAN SCHOOL DIST. |
| Clay Carley        | 345-7852       | ECON DEV              |
| Chris Danley       | 387 6202       | ACHD                  |
| Deam Gunderson     | 287-7944       | Ada County            |
| Richard Cook       | 287-7903       | Ada County            |
| STEVE MARNE        | 287 7920       | " "                   |
| JAY GIBBONS        | 287-5719       | " "                   |
| Gary Allen         | 388-1200       | Neighborhoods         |
| John Lee           | 362-7329       | United Water          |
| Russ DANE          | 867-8184       | ACAR                  |
| Steve Rector       | 331-4725       | SHFA                  |
| ANNA CANNING       | 804-5533       | MERIDIAN              |
| Shana Wardle       | 863-4160       | MDC                   |
| Phil Choate        | 334-8901       | ITD                   |
| Bill Clark         | 292-2635       | Developments          |
| Bob Taunton        | 401-5505       | ULI                   |
| PETE O'NEILL       | 333-2401       | CHAMBER               |
| Rob Miller         | 860-4944       | Industry (HA)         |
| Jennifer Tomlinson | 384-3830       | Boise City            |
| Karin Doherty      | 336-0420       | BB6                   |
| Sherryn-Juher      | 343-7851       | Univ Idaho            |
| JASON ROWLEY       | 286-0259       | SELF MPA STUDENT      |



**What, if any areas that should be exempt from testing transportation system adequacy?**

**Recommendation:** Use different levels of service, but retain testing for all development, though mitigation requirements could be limited in targeted areas (e.g., downtown Boise) to addressing ingress and egress challenges.

**What demands from approved, but unbuilt development should be counted against existing capacity?**

**Recommendation:** the COMPASS regional traffic model should be used as the basis for measuring external traffic demands.



### **To which developments should APF requirements be applied?**

**Recommendation:** Exempt development projected to generate fewer than a threshold number of trips (e.g., < 50 vehicles per day), but track demands from all development. If specific types of development are desired, allocate the trips to them in advance, prior to the creation of a traffic constraint.

### **How should "capacity" be defined? When should adequacy be measured?**

**Recommendation:** Capacity should include existing and programmed improvements. Measure capacity at preliminary plat for single family development and site plan for all other development. Allow for voluntary early adequacy assessment.

### **When should capacity be committed/reserved?**

**Recommendation:** Reserve capacity at the time that adequacy is measured.

### **For how long should capacity be reserved?**

**Recommendation:** Reserve capacity for two years or the duration of a valid development agreement committing to mitigation. Once a project provides mitigation, its capacity should be reserved in perpetuity.

## What options should be available for mitigation?

**Recommendation:** Applicants should be able to wait for capacity to become available (**how long?**), reduce demands, phase demands or provide capacity in accordance with a development agreement. Capacity may be provided through an approved combination of monetary contributions, construction of improvements or contributions of land.

To what extent should transit or mixed uses be included as options for demand reduction?

### **Who should approve mitigation?**

**Recommendation:** Mitigation should be approved by the transportation provider (ACHD, ITD and/or Valley Regional Transit) and, if the improvement is not already included in a currently adopted capital facilities plan, the jurisdiction in which the transportation improvements are provided.

### **When should mitigation take place?**

**Recommendation:** Require mitigation at the time of final plat or site plan approval to provide sufficient time to provide capacity before demands are generated.

### **What should the cost basis for mitigation be?**

**Recommendation:** The cost basis should be the project's proportionate share of the costs of improvements, provided that the applicant may be required to advance more than the proportionate share of the costs if the improvement is not scheduled for the first \_\_ (discussion item) years of the short-term work program.

### **How should mitigation relate to impact fees?**

**Recommendation:** Provide full impact fee credit for expenditures on improvements that are included in the basis of impact fees. Credit should not be provided unless improvements are part of the impact fee calculation.

### **Should applicants “own” excess capacity provided through a mitigation agreement?**

**Recommendation:** If excess capacity is provided, the applicant should be able to sell capacity within the same traffic shed subject to verification that the capacity serves the affected development.

### **Who should monitor demands and capacity?**

**Recommendation:** Capacity should be monitored by the affected transportation provider, though it likely will be more efficient for a single entity (e.g., ACHD) to maintain a model showing existing capacity, planned capacity and available capacity (capacity minus demands from existing and approved, but unbuilt development).



# Memo

To: Blueprint for Good Growth Steering/Technical Committee Meeting  
From: Michael Lauer, AICP  
Date: September 3, 2007  
Re: September 6 Steering/Technical Committee APF Policy Issues

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At our September 6 workshop, I will:

1. Provide a status report on the data required to complete the attached draft Synthesis Report and begin drafting the APFO.
2. Facilitate a discussion of the APF policy issues that we began discussing in early August (see last section of attached Synthesis Report)
3. Facilitate a discussion of the attached APFO outline.
4. Provide an outline of our agendas for October and November.



# **Synthesis Report for Development of Adequate Public Facilities Ordinances**

**August 30, 2007**

Prepared by

**PLANNING** **WORKS**

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## Overview

Local governments in Ada County are evaluating the adoption of adequate public facilities ordinances (APFO) to address the adequacy of essential public facilities in accordance with the Blueprint for Good Growth. Essential public facilities include transportation, water, systems, wastewater systems, and fire protection.

This report describes:

- The concept of APF requirements;
- Minimum requirements for implementation of an APFO;
- The local context for establishing APF requirements, including the foundation established in the Blueprint for Good Growth, local plans and local regulations;
- Essential public facility providers and the status of planning for needed facilities; and
- A discussion of the key policy decisions that must be made prior to establishing an APFO.

## Adequate Public Facilities Overview

The requirement for adequate public facilities is a key element of effective growth management. An APFO ensures that necessary public facilities and services to support new development are available and adequate, based on adopted level of service (LOS) standards, at the time that the impacts of new development occur. An APFO generally is a local government exercise of regulatory authority, whether or not that unit of government is the facility or service provider. It is intended to:

- (1) Link the provision of key public facilities and services with the type, amount, location, density, rate and timing of new development.
- (2) Properly manage new growth and development so that it does not outpace the ability of service providers to accommodate the development at established level of service standards.
- (3) Coordinate public facility and service capacity with the demands created by new development.
- (4) Discourage sprawl and leapfrog development patterns and to promote more infill development consistent with the Comprehensive Plan.
- (5) Ensure that the provision of public facilities and services to new development does not cause an unacceptable reduction in the levels of service provided to existing residents.
- (6) Guarantee that new residents receive all necessary public facilities and services.

**Insert/discuss authority in Idaho statutes**

An APFO establishes requirements for the coordination of development decisions with the availability of adequate public facilities. The ordinance typically includes the following elements:

- Findings relating to the need for the ordinance;
- Identification of the types of development subject to the APFO requirements;
- Listing of the facilities to be included within the APFO;
- Designation of the area(s) subject to the ordinance requirements;
- Establishment of minimum levels of services for applicable facilities;
- Designation of the point or points in the development process at which APFO tests are established;
- Identification of alternative responses to a finding that facilities are not adequate (e.g., denial of development applications, phasing of development, mitigation of deficiencies, etc); and
- Definition of APFO administration requirements, including the monitoring of capacities and demands.

### ***Initial Determination of Applicable Facilities***

Not all public facilities are appropriate for inclusion in the APFO. The following factors have been considered when evaluating the suitability of a particular facility for inclusion in an APFO:

- **The necessity of maintaining facility adequacy to residents and businesses** – this factor considers whether the lack of capacity will pose a threat to the health, safety and welfare of the community. When considering this factor, the authors of this report have considered whether the lack of the adequate capacity in the facility should preclude new development. For instance, adequate wastewater service is essential at the time of development. Library services, while important, are seldom found to be an essential precondition of development.
- **The existence of a capital improvements program (CIP) to provide needed capacity** – this factor considers whether there is a plan in place to provide some capacity for future development. Inherent in an APFO is the assumption that there is a public commitment to provide some capacity to serve future growth and development. Service provider capital improvement programs (CIPs) are the primary evidence of this commitment. CIPs should include sufficient investment to resolve existing deficiencies within a reasonable time period (e.g., five to ten years), and provide additional capacity for new development within a given timeframe.
- **The ability to establish measurable minimum levels of service** – this factor is necessary to provide a means of measuring whether facilities are adequate or not. The minimum level of service must be measurable to enable local governments to determine whether adequacy has been achieved.

- **The extent of control local governments have over demands for the facility** – while some external demands are likely to occur for all facilities (e.g., non-resident visitors to parks or traffic driving through the County), the more extensive the external use, the less appropriate the facility will be for inclusion in the APFO.
- **The extent of control local governments have over facility capacity** – while local government responsibility for providing capacity is not essential, when that responsibility rests with another jurisdiction, the affected local governments should establish agreements with that applicable service provider to address the schedule for provision of those facilities.

## **Local Context**

### ***Blueprint for Good Growth***

The Blueprint for Good Growth is a collaborative multi-jurisdictional effort intended to coordinate land use and public facility decisions so that growth in Ada County will be an asset to existing residents and future generations. The plan establishes an overall framework for growth management in Ada County that includes policies and strategies that ultimately will be incorporated into the plans, regulations and practices of Ada County, Boise, Eagle, Garden City, Kuna, Meridian, Star, Ada County Highway District (ACHD) and Idaho Transportation Department (ITD).

This document identifies the main issues to be addressed by the Blueprint for Good Growth, establishes goals, objectives and policies for the plan, and identifies strategies that should be pursued by each of the participants in this process to achieve the mutually beneficial goals established in this plan. While this plan does not prescribe specific land use amendments, it establishes a growth tier map that establishes distinct growth policy areas and the applicable policies. It also establishes an on-going process to sustain effective interagency coordination required to effectively address the growth challenges faced by Ada County residents, businesses and service providers.

This plan was developed in coordination the Community Planning Association's program to update the region's Long Range Transportation Plan. This "Communities in Motion" program established and evaluated numerous growth scenarios that are described in the appendix of this Plan. The policy areas and policies established in the Blueprint for Good Growth are consistent with and complementary to those included in the Long Range Transportation Plan.

### ***Existing Plans***

#### **Ada County**

Ada County is in the process of reviewing and adopting a new Comprehensive Plan, with adoption expected by the end of 2007. The draft Plan itself does not establish required levels of service for public facilities. However, the goals and policies of the Plan do:

- Encourage growth where facilities and services exist or are planned,

- Call for coordination with regional planning efforts such as the Blueprint for Good Growth, and
- Seek to coordinate development decisions with the availability of essential public facilities.

The Plan also specifically incorporates the goals and policies of the Blueprint for Good Growth through Goal 5.1, to encourage new urban growth within cities, Areas of City Impact, Planned Communities and other areas designated for future growth on the Blueprint for Good Growth “Growth Tiers Map” and as identified on the Comprehensive Plan Future Land Use Map. Policies and actions related to this goal include:

- Policy 5.1-2: Encourage growth in areas where public investments have already been made or planned for necessary facilities, services and utilities.
- Policy 5.1-3: Promote cooperation and coordination for land use decisions beyond County limits that may have a significant effect on development in Ada County. Recognize and coordinate with regional planning efforts such as Communities in Motion and Blueprint for Good Growth.
- Policy 5.1-4: Help ensure that development decisions are coordinated with the availability of essential public facilities so that needed public facilities will be provided before or concurrent with the generation of demands for those facilities.
  - Implementation Action: Review, incorporate and adopt, as appropriate, elements of the Blueprint for Good Growth Tier map into the County’s Comprehensive Plan Future Land Use Map.
  - Implementation Action: Develop and/or amend County Zoning ordinances to ensure that public facility and other related costs of new development are borne primarily by new residents and/or developers.

The County’s Plan establishes the use of adequate public facilities in determining the extents of each city’s Area of Impact. Policy 5.2-2 states “Areas of Impact boundaries will be based upon the following:

- a. Coordinated long range capital facility plans that reflect historical or reasonable anticipated funding levels to facilitate the efficient provision of adequate water, wastewater, stormwater and transportation facilities.
- b. Recent growth trends and projected growth of the applicable city consistent with population projections prepared and adopted by COMPASS.
- c. The availability of adequate land supplies within the city and its Area of City Impact to meet the amount and diversity of growth that may be reasonably anticipated by the city.
- d. The existence of short-term (five-year) capital improvement programs (CIP’s) that are adequately funded to accommodate growth anticipated within at least 20 percent of the Area of City Impact.
- e. The availability of essential public services.
- f. Intergovernmental agreements between the County and subject city and applicable service providers to coordinate land use and infrastructure decision in accordance with the policies established in this Plan.
- g. Additional factors as determined through continuing discussions between the cities and county.”

The Plan contains strong language regarding the need for essential public facilities to support development within Areas of City Impact, as well as for Planned Communities (discussed further below). Policy 5.2-9 of the County's Plan establishes that "Within an Area of City Impact, where essential public facilities are not scheduled to be provided within adopted five-year CIP's, the County may take one of the following actions after considering the following factors listed below:

- a. Consistency of the concept plan for the portion to be developed and the entire property with the applicable city's comprehensive plan; or
- b. System-wide benefits provided by proposed public facilities; or
- c. Local and regional fiscal and economic benefits; or
- d. Capital obligations generated by the development; or
- e. Operations and maintenance obligations generated by the development; or
- f. Other benefits consistent with the city's adopted comprehensive plan goals."

Actions that may be taken by the County where facilities are not schedule to be provided include:

- a. With consultation from the affected city, approve the entire development application subject to the provision or guarantee of adequate public facilities for the entire development, an agreement to annex the area in the future and compliance with adopted city plans, regulations and infrastructure policies; or
- b. With consultation from the affected city, approve development of up to 20 percent of the land area in the development subject to execution of a development agreement assuring that:
  - i. The initial portion to be developed will be consistent with the applicable city's comprehensive plan, development regulations and infrastructure policies; and
  - ii. The concept plan for all contiguous land holdings is consistent with the applicable city's comprehensive plan, development regulations and infrastructure policies; and
  - iii. The applicant commits to future annexation and full funding of facilities, including funding for future connection of the portion of the site that is initially developed to centralized water and wastewater systems; or
- c. Other mutually agreed upon process as detailed in an Area of City Impact Agreement; or
- d. Disapproval of the development application Implementation Action: Work cooperatively with cities and other service providers (e.g., water and sewer providers and ACHD) to define a consistent methodology for estimating future land needs, determining the supply of buildable or developable land within a given Area of City Impact, and preparing short and long-term capital facility plans.

### ***Planned Communities***

The Plan recognizes that Planned Communities may continue to be developed within Ada County and states:

“Planned Communities are required to include a mixture of compatible land uses, provide for connectivity within the community, and conservation of open space, and incorporate integrated design themes for all aspects of the community. They are required to have a high degree of self-sufficiency, particularly when located outside of areas of city impact, including funding the provision and ongoing operation of all essential public services, and include or be in close proximity to a wide of commercial and community facilities.”

Policies related to Planned Communities include:

- Policy 5.10-2: Planned Communities shall be considered for approval only when assurances are provided by the developer and/or appropriate public agency that essential public services will be provided, created and financed. Planned Communities should fully fund operations and maintenance of essential public services, with the exception of public schools and libraries (which are funded through user fees, state tax revenues and/or general funds). Essential public services include, but are not limited to water systems, wastewater collection and treatment systems, public safety services, public schools, streets and roads, paths, parks and libraries. Provision of public facilities shall be consistent with other policies of this Plan and coordinated with other affected service providers, including but not limited to ACHD, ITD and any water or sewer service provider with facilities within three miles of the proposed community.
- Implementation Action: Identify locational criteria for future Planned Communities, such as availability of an adequate long-term water supply or ability to obtain water from another service provider, relative degree of environmental constraints, and other factors.

### ***Transportation***

The County’s Plan also provides direction for the ongoing development of the transportation network. Goal 8.4 is to work with ACHD, ITD, cities and others to identify and implement financing mechanisms that pay for needed transportation improvements in a fair and equitable manner. Associated policies include:

- Policy 8.4-1: Require new developments that generate the need for transportation improvements to provide or fund their fair share of right-of-way and improvements as a condition of development approval in accordance with the requirements of ACHD or ITD.

### ***Schools***

The proposed Plan recognizes the impact that growth has on school facilities. It states:

“Rapid growth and development are leading to increasing enrollments in Meridian and Kuna which affect the ability to provide adequate facilities and result in larger classroom sizes. Approval of large developments, including large subdivisions in cities, areas of impact and planned communities can exacerbate this issue. New development does not appear to pay for itself in terms of the cost of new facilities, busing, and transportation and other expenses. School districts are presently precluded

by state law from developing or assessing impact fees to require new development to pay directly for facilities necessitated by new growth.”

The Plan’s policies and implementation actions related to schools include:

- Policy 3.1-4: The adequacy of school facilities may be considered by the Planning and Zoning Commission and the County Board in reviewing proposed residential subdivisions and planned developments based on recommendations from the affected districts.
- Implementation Action: Update County development review procedures, as needed to ensure that school districts are informed about and have the opportunity to participate in development review processes related to large scale developments (more than 100 housing units).
- Implementation Action: Update County zoning ordinances to require developers to set aside land for schools necessitated by new large developments; coordinate with the school districts about the most appropriate sites for such facilities.

## **Boise**

The Boise City Comprehensive Plan was adopted in 1997 and the City is in the process of updating this plan. The currently adopted plan includes significant APF provisions, including levels of service for the full range of community services and facilities.

Chapter 10 of the Boise City Comprehensive Plan addresses Growth Management. Under Goal 10.0, Preserve, protect and enhance the overall quality of life in Boise and its Area of Impact by ensuring that growth occurs in an orderly manner and that public services are available along with development, Objective 2 is to ensure that development occurs only when adequate public facilities and infrastructure are available and/or financially guaranteed. Associated policies include:

- Policy 1 – Develop and maintain adequate public services and facilities as defined in Table 2: “Level of Service Standards for Community Services and Facilities,” (see below) for the purpose of capital improvement planning and development permitting.
  - Policy 2 – Require the City’s 5-year capital improvement planning to address the scheduling and funding of key facilities and services, and update it annually.
  - Policy 3 – Request that service providers prepare future facilities maps for inclusion in the Comprehensive Plan.
  - Policy 4 – Where development projects partially meet adequacy of public facilities and service standards, development approval may be authorized for that portion of the project that meets adequacy standards, or the project may be phased to coincide with the phasing of future availability of public facilities and services.
- Objective 3 under Goal 10.0 is to require development to address its own impacts, including financial and environmental. Associated policies include:
    - Policy 2 – Where public services and infrastructure are not available or planned, allow development only when the developer can provide them according to the appropriate service standards, and where such development is in accordance with the Boise Comprehensive Plan.



**Figure 10-1  
Level of Service Standards for Community Services and Facilities**

| Service  | Service Standards                                     | Service Area |
|--|---|--------------|
| <b>TYPE I — CONCURRENT WITH THE ISSUANCE OF ANY DEVELOPMENT PERMIT</b> |   |              |
| Fire*  | 4 minute response, unless excepted by Fire Department | 1.5 mile     |
| Water  | 35 psi residential/1,500 gpm fire flow                | Community    |
|  | 40 psi non-residential/1,500 gpm fire flow            | Community    |
| Sewer **   | Available to site                                     | Community    |
|  | Treatment: Federal Standards + capacity               |              |
|  | Collection: capacity                                  |              |
| Schools  | System capacity                                       | Community    |
| Streets  | Authorization by ACHD                                 | Community    |
| Police/Sheriff   | Available   |              |
| Solid Waste  | Weekly pick-up  | Community    |
| Electricity  | Available   | Community    |
| Telephone  | Available   | Community    |
| Storm Drainage   | Approved on site or public system                     | Community    |

\* Fire Station "set-a-side" shall be required within the City Area of Impact.  
 \*\* See the exception for the Southwest Planning Area identified under Objective 2, Policy 2 in the Sewer Facilities section of the "Public Facilities, Utilities and Services" chapter of this plan.

**TYPE II — CONCURRENT — FIVE YEAR CAPITAL IMPROVEMENT PLAN/OR OTHER LONG- RANGE PLAN\*\*\***

| Service            | Service Standards   | Service Area           |
|--------------------|---|------------------------|
| Police             | Priority 1 — 3 min. response  | Community              |
| Parks & Open Space | Neighborhood park = 1.4 acres/1,000 pop.  | 1/2 mile radius        |
|                    | Community park = .9 acres/1,000 pop.  | 1 mile radius          |
|                    | Large urban park = 1.8 acres/1,000 pop.   | Community              |
|                    | Regional park = 6 acres/1,000 pop.  | Region                 |
|                    | Special use areas = 2.4 acres/1,000 pop.  | Community              |
|                    | Natural open space = 8.3 acres/1,000 pop.   | Community Schools      |
|                    | Elementary Schools 13 — 15 acres/550 — 600 students   | 1/2 mile radius        |
|                    | Jr. High 30 — 35 acres/1,000 students   | Multiple neighborhoods |
|                    | High School 50 — 60 acres/1,800 — 2,500 students  | Multiple neighborhoods |
| Storm drainage     | Federal standard  | Community              |
| Streets            | Adherence to the LOS standards adopted in the Regional Transportation Plan for Ada County of record | Community              |

\*\*\* Type II Concurrence in any given service category may be excepted by the service provider for specific sites based on findings that adherence to the adopted standards is undesirable or not intended for the area according to the plans of the service provider.

**Transportation**

Chapter 6 of the Boise City Comprehensive Plan addresses Transportation. Under Goal 6.1, maintain the function of the street system for current users, emergency response efforts and for use by future generations, Objective 2 is to maintain a land use decision-making process that is supportive of the service level standards identified in the most recent Regional Transportation Plan for Ada County of record, and which is protective of living environments along streets. Associated policies include:

- Policy 1 – When reviewing land use amendments, zone changes, master plans, conditional uses and other significant entitlement requests, the City shall take into consideration the impact of the project on street levels of service. The City’s preferred standards shall be those identified for new streets in ACHD’s Development Policy manual, or its successor. Service level impacts shall be minimized through project modifications, traffic management plans, street improvement plans or other means.
- Policy 2 – The City shall advocate the use of traffic management strategies as a means of protecting service levels of streets from naturally increasing background traffic volumes, as well as mitigation for new development.
- Policy 4 – The City shall work with ACHD and COMPASS and participate on the COMPASS Model Advisory Committee in a joint effort to establish the method by which level of service is measured when considering traffic impacts.
- Policy 5 – The City shall work with ACHD and COMPASS to establish legally defensible standards relating to traffic impacts of new development on existing residential streets.

### ***Wastewater***

Chapter 2 of the Boise City Comprehensive Plan addresses Public Facilities, including sewer facilities. Under Goal 2.1 regarding sewer facilities, Objective 1 is to meet or exceed National Environmental Protection Agency standards for public sewage collection, treatment and discharge in the Boise area. Associated policies include:

- Policy 1 – Construct new sewage collection and treatment improvements as needed and as funding is available.
- Policy 2 – Issue building permits only when sewer capacity is available.
- Objective 2 is to ensure that public central sewage collection and treatment facilities are upgraded and installed as needed to meet usage requirements and maximize cost efficiency, and pursue a single consolidated City-wide system. Associated policies include:
  - Policy 1 – Public central sewage treatment and collection systems shall be installed and available for use coincident with new development except as otherwise provided in the Foothills Plan.

### ***Drainage***

Chapter 2 of the Boise City Comprehensive Plan also addresses drainage. Under Goal 2.2 regarding drainage, Objective 1 is to ensure that adequate storm-drain and flood control facilities are provided and properly maintained to protect from a 100-year storm in the Foothills, and from a 50-year storm in the remainder of the city, provide for surface flooding corridors for storm events of greater magnitude, and undertake a stormwater management program that meets or exceeds the standards of the National Pollution Discharge Elimination System. Associated policies include:

- Policy 3 – Require that adequate on-site treatment and/or storm-drain and flood-control facilities be constructed coincident with new development. The city shall make available standard plans for treatment and retention areas.

### ***Water***

Chapter 2 of the Boise City Comprehensive Plan addresses Public Facilities, including domestic water. Under Goal 2.4 regarding water, Objective 1 is to ensure that new growth does not exceed adequate water supply and appropriate infrastructure levels. Appropriate water service shall require a minimum of 40 psi and a maximum of 85-90 psi, and fire flows of 1,500 gallons per minute. Objective 3 is to ensure that the costs of new water facilities are borne by those who benefit.

### ***Fire Protection***

Chapter 2 of the Boise City Comprehensive Plan addresses Public Facilities, including fire protection. Under Goal 2.10 regarding fire protection, Objective 1 is to maintain standards necessary to maintain an ISA Class 3 rating, including response distance standards, apparatus, staffing levels, training, water delivery system and the communication/dispatch system. Associated policies include:

- Policy 1 – provide fire station locations that comply with the 1.5 mile reponse distance standard and/or 4-minute response standard, as provided in the Boise City Fire Department Master Siting Plan.
- Policy 7 – plan and coordinate water delivery systems with United Water and other providers where applicable. Require all new development to provide minimum fire flow requirements as prescribed in the Uniform Fire Code.
- Objective 2 under the fire protection goal is to ensure that fire facilities and protective services are provided in conjunction with growth and development. Associated policies include:
  - Policy 1 – Maintain adequate facilities and fire protection service personnel by periodically evaluating population growth, level of service (response time and staffing) and fire hazards.
  - Policy 2 – Maintain phasing and funding standards based on population, specific time projections and percentage build-out.

### ***Schools***

Chapter 2 of the Boise City Comprehensive Plan addresses Public Facilities, including schools. Under Goal 2.14 regarding public schools, Objective 1 is to support efforts of the school districts to ensure that adequate school sites are provided and that the intended capacity of schools is not exceeded. Associated policies include:

- Policy 1 – consider the impact on school enrollments and capacities when reviewing higher density infill projects, zone changes and land-use plan amendments.
- Policy 2 – request that the school districts prepare Future Facilities Maps based on the city’s Land Use Plan, and incorporate the maps into the Comprehensive Plan.
- Policy 4 – develop student generation factors acceptable to the school districts for the city’s use in analyzing the impact of new projects on schools.
- Policy 5 – require that developers assist in donating or purchasing school sites identified on the facilities map, in correlation to the demand that their developments will create.

## **Eagle**

The City of Eagle Comprehensive Plan was updated in 2004. The Plan's Statement of Purpose establishes that the Plan is intended to "promote the health, safety, and general welfare of the people of the City of Eagle and its Impact Area" through provisions that include "to ensure that adequate public facilities and services are provided to the people at reasonable cost." The City also prepared the Soaring 2025 Western Area Plan to provide additional planning for expansion of the City's Area of Impact.

The Comprehensive Plan accounts for the various service providers that work together to provide the full range of public facilities and services to residents:

- The City of Eagle provides limited water service.
- The Eagle Sewer District provides sewer service within a designated sewer service area. Larger lot homes have wells and septic systems and must comply with Central District Health Department requirements.
- The Meridian and Boise School Districts provide K-12 education.
- United Water, Eagle Water Company, and the City provide water to Eagle residents. Some private water systems and wells are also used.
- The Eagle Fire District provides fire and emergency services.
- Private canal companies and drainage districts provide irrigation water and drainage water management.

Implementation strategies from the Comprehensive Plan include:

- Establish land use patterns and zoning districts that do not exhaust available services such as sewer, water, police, fire, recreational areas, highways and transportation systems.
- The location of all housing should be coordinated with provisions for adequate public facilities and services.

While the 2004 plan does not include detailed level of service standards, the western area plan includes relatively specific recommendations for water and wastewater systems, and more general recommendations related to transportation and school facilities. These recommendations are summarized below.

### ***Water***

In Section 4.6.2, the Soaring 2025 Plan establishes the following level of service requirements:

- Ensure water service shall provide a minimum of 40 psi and a maximum of 85-90 psi, and fire flows of 1,500 gallons per minute, in accordance with state requirements.
- Update the Water System Master Plan to delineate the requirements for trunk line, booster stations, pressure reducing stations, and storage system.
- Require a separate water system for use of non-potable water, where available, for landscape irrigation and water amenities and to minimize reliance on groundwater for these uses.

- Ensure all new development within the Western Planning Area connects to municipal water services.

### ***Wastewater***

The City's goals with respect to wastewater recognize the City's limited authority in this area. They are:

- Ensure that sewerage and effluent disposal utilities expansion and extension will keep pace with and be available in a timely manner to development projects within the City.
- Ensure that sewerage and disposal facilities development will not through insufficiency foster impediments to orderly and appropriate development of the City as set forth in other sections of this Comprehensive Plan.

Related objectives and implementation strategies include:

- Provide assurance of Eagle's capability to sustain orderly and appropriate growth by maintaining awareness of Eagle Sewer District's plans for expansion and schedules for extension, and reviewing how these plans fit with the known plans of the development community in Eagle.
- Consult at regular interval with Eagle Sewer District regarding its expansion and extension plans.
- Compare what is known of ESD expansion plans with City's information regarding planned development within the City and Impact Area.

### ***Schools***

Eagle is served by both the Meridian and Boise school districts. The Comprehensive Plan and the Western Area Plan include policies supporting the districts in providing school facilities. The Soaring 2025 Western Area Plan includes an objective to "support the effort of the school district to ensure adequate school sites are provided and the intended capacity of the schools is not exceeded." Strategies to meet this objective include:

- Request the school district prepare a future facilities map based on the City's Land Use Plan and include it in the Comprehensive Plan.
- Work co-operatively to develop student generation factors to be considered when analyzing the impact of new projects on the school district.

### ***Transportation***

The Soaring 2025 Western Area Plan identifies a City of Eagle objective to "maintain a land use decision-making process that is supportive of the service level standards identified in the most recent Regional Transportation Plan for Ada County of record, and which is protective of living environments along streets." The most recent Regional Transportation Plan is also adopted by reference as part of the Eagle Comprehensive Plan.

Other policies that affect adequacy or levels of service include:

- When review land use amendments, zone changes, master plans, conditional uses and other significant entitlement requests, take into consideration the impact of the project on street levels of service. The City’s preferred standards shall be those identified for new streets in ACHD’s Development Policy manual, or its successor. Service level impacts shall be minimized through project modifications, traffic management plans, street improvement plans or other means.
- The City shall work with ACHD and COMPASS to establish legally defensible standards relating to traffic impacts of new development on existing residential streets
- A collector street system shall be pursued within each square mile of development adequate to serve the density of development. Suggestions shall be forwarded to ACHD for planning and adoption in the TIP.

### **Garden City**

The Garden City Comprehensive Plan was adopted in 2006. While the City provides water and sewer services to residents, fire protection is provided through the North Ada County Fire and Rescue District and streets and local highways are the responsibility of ACHD and ITD.

The Plan does not establish adequate public facility or levels of service requirements. Under Goal 11, “To Serve the City,” a number of objectives and action steps establish the work the City has to establish such requirements.

- Objective 11.2 – Continue to support existing public facilities and develop more civic uses sought by the community.
  - Action Step 11.2.3 – On a period bases, evaluate the effectiveness of all community services and facilities in meeting the needs of the community.
- Objective 11.3 – Upgrade and maintain water services.
  - Action Step 11.3.1 – Continue efforts to inventory and identify needs for future improvements and expansion in water and sewer infrastructure. Obtain new water entitlements needed for future development.
  - Action Step 11.4.1 – Adopt a long-range strategic and financial plan that addresses capital investment, operation, and maintenance.
  - Action Step 11.4.2 – Adopt a five-year capital improvement program.

The Plan recognizes that “much of the infrastructure in the older part of the city is undersized and inadequate for today’s fire code requirements and to support new development.” The utility department began work on identifying infrastructure components, determining water rights, and assessing future utility needs in 2006.

### **Kuna**

Kuna’s Comprehensive Plan was adopted in 2003. The Plan noted that “ throughout the Comprehensive Plan update process, citizens identified key community values:

- Maintain Kuna’s quality of life for all residents.
- Encourage new growth which enhances Kuna.

- Continue to provide adequate services, facilities, and utilities for all city residents.”

The Plan notes that concerns about public facilities are mainly related to growth or fiscal concerns, particularly related to the efficiency and quality of services. The Plan establishes a Public Facilities Goal to “provide adequate services, facilities, and utilities for all city residents,” however, the Plan does not define adequacy for each facility. Objectives and policies related to this goal include:

- Plan for future growth in advance of demand for services.
- Coordinate design and delivery of services with demand for services and growth.
- Develop near- and long-term capital improvement plans for all City facilities and services.

The Plan also establishes a policy to “ensure that all development within the city limits shall be connected to the City sanitary sewer system and potable water system, unless these facilities are not available within 300 feet of the development.”

The Plan’s Transportation Element includes a number of policies that, while not establishing adequate public facilities requirements, do establish some long-term standards for providing transportation facilities, including:

- Consider and coordinate the compatibility of the change in land uses with the transportation system.
- Encourage clustering of uses and limited access points along arterial, minor arterial, and section line roads.
- Preserve and protect future transportation corridor rights-of-way through land use planning.
- Coordinate traffic studies evaluating the impact of generated traffic volumes (internal and external circulation) to preserve the integrity of residential neighborhoods, as requested by the city.
- Require all new residential and non-residential developments to provide adequate easements or rights-of-way based on an adopted pedestrian/bike pathway plan.

While the City of Kuna does not provide school facilities, the Plan recognizes the City’s role in coordinating with the school district for school siting. Related Plan policies include:

- Provide for adequate pedestrian and bicycle access for school children within residential neighborhoods to minimize busing.

The Plan’s Implementation Table establishes the following directives:

- Use the population forecasts to determine future levels of public facilities and services and to fund these levels of facilities and services in the city’s annual budget.
- Protect citizen investments and existing public facilities (water, sewer, streets, fire) through planning reviews and enforceable development agreements.
- Develop near- and long-term CIPs for all City facilities and services.
- Establish a Capital Improvement Plan.

## **Meridian**

The City of Meridian Comprehensive Plan was updated in 2006. The Plan is based on six community values, including:

- New growth should finance public service expansion.
- Prevent school overcrowding/enhance education services.

The Plan recognizes that “increased population has afforded new public services and facilities that would have otherwise not been possible. However, accelerated growth imposed upon the existing land use pattern has led the community to seek development guidance” for the preservation of the community’s character and heritage, including the ability to “supply adequate public services, facilities, and utilities to all Meridian residents.”

The Plan identified a Future Acquisition Map as a potential tool for providing adequate facilities. “A city may designate appropriate sites for streets, schools, parks, and other public purposes on a future acquisition map. These sites can be reserved for a public purpose for no more than a 20-year period (see Idaho Code, § 67- 6561). The planning process indicated a need for this type of map in order to ensure adequate public facilities for a growing community.” However, the Plan does not include such as map at this time.

The Land Use Section of the Plan include Goal III: “Ensure that adequate public services, including transportation, for existing and future development are provided.” Actions listed in the Plan to achieve this goal include:

- Plan and expand services as part of the development process.
- Require that development projects have planned for the provision of all public services.
- Require adequate fees from new development to fund expansion of services.
- Review and update existing and future service needs.
- Coordinate with transportation agencies to ensure provision of services and transit development.
- Coordinate with irrigation districts to provide multiple use of existing irrigation easements.

## ***Transportation***

In the Plan, the City acknowledges that rapid growth will create challenges for its transportation network. The Plan identifies several strategies for dealing with transportation needs, including the following:

- Large development proposals that are likely to generate significant traffic should be assessed for their impact on the transportation system and surrounding land uses. They should be examined for ways to encourage all forms of transportation such as transit, walking, and cycling.
- New development should not rely on cul-de-sacs since they provide poor fire access, walkability, and neighborhood social life. New development and streets should be designed to encourage walking and bicycling.



- As the City expands, there will be a need to coordinate roadway systems and protect rights-of-way for future system improvements. The City’s major roads are laid out in a grid system that should be maintained to give continuity and ease of circulation throughout the Impact Area. New development should protect street and road corridors so that they can mesh with the existing street system to accommodate future transportation demands.

### ***Schools***

Schools in Meridian are under the jurisdiction of Joint School District Number Two, which extends well beyond the boundaries of Meridian and its Area of Impact. The Plan identifies the enrollment and capacity of the schools in Joint School District Number Two and illustrates that most of the schools are near or over capacity. The Plan also identifies the enrollment projections prepared by the Idaho Department of Education and acreage standards for each school type established by Joint School District Number Two: 10 to 12 acres per elementary school, 40 acres per middle school, and 55 acres per high school. “Based on these standards, the District estimates that approximately 1,200 acres of land will be needed within Meridian’s Area of Impact to meet the needs of all existing and projected K-12 students.”

Plan policies that support the siting of school include:

- Support the location of school sites within every square mile in undeveloped areas.
- Require elementary schools to be sited in location that are safe for the children, easily accessible by the public and provide a visual and “user-friendly” benefit to the neighborhood. Elementary schools should not be “hidden” within subdivisions or otherwise made inaccessible to the public. The City encourages all schools to have public street frontage.

### **Star**

The City of Star Comprehensive Plan was updated in 2000 and serves as the City’s policy manual for land use decisions. The identified purposes of the Star Comprehensive Plan include:

- allowing local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis;
- ensuring that adequate public facilities and services are provided to the people at reasonable cost; and
- showing the general system of major traffic thoroughfares and other traffic ways and identifying and specifying treatment of such systems and others including public transportation, aviation and other related transportation facilities.

### ***Transportation***

The Star Plan recognizes that city growth, development of surrounding areas, and through traffic will all have an impact on the demand for greater transportation capacity, both in

roads and in public transportation options and transportation alternatives. The Plan does not establish any level of service standards or adequacy requirements.

Relevant Plan policies include:

- Promote minimum access points associated with arterials when approving regulated land uses.
- Identify and preserve major transportation corridors (both current and future).
- Identify collector alignments for the Star area and support development that preserves such alignment.
- Enhance carrying capacity of existing street through support of alternative transportation modes, ride sharing, and flexible scheduling by employers to reduce commuter peaks.

### *Schools*

The Plan recognizes that “the City of Star does not have any formal authority in school planning or construction; however, the City can coordinate school site acquisition as part of the development approval process to help address school capacity issues.” The Plan does not establish or address any facility or LOS requirements for schools.

Goals and policies regarding schools include:

- ***Enrollment Goal Statement:*** Because the quality and use of educational facilities available to every group of citizens in the community significantly affects the quality of life in Star and the area’s ability to attract quality development, and because quality education is an important economic factor in the area, the community seeks to develop new school facilities and expand programs as needed to serve community enrollment growth.
- ***Siting policy:*** School sites should be reserved for future acquisition in advance of development of planned land use. Approval of subdivision plats may be withheld if adequate school facilities or sites are not available to serve the proposed subdivision.

### ***Water, Wastewater, Fire Protection, Drainage***

The Star Sewer and Water District, formed in 1996, provides water and wastewater service to City residents. The Star Sewer and Water District is a separate entity from the City and is governed by a five-member board. The District maintains a planning area boundary that is independent from the municipal boundary and area of impact for Star.

Fire protection in the City of Star is provided by the Star Joint Fire Protection District. The Star Joint Fire Protection District was established in 1953 and is governed by three commissioners. The District is responsible for providing fire and emergency medical services to the City of Star as well as the surrounding area.

The Plan does not establish or address any facility or LOS requirements for these public services and facilities. Goals and policies regarding these facilities and services include:

- Establish growth policies and identify priority development areas so that construction of public facilities and utilities can be coordinated with private development.
- Promote urban type growth where public facilities are available or can be extended by private developers.
- Require all residential, commercial and industrial developments to plan for the collection, treatment and disposal of storm water runoff.
- Utilities must be sized and access provided to serve future development as well as the immediate development.

### ***Existing Development Regulations***

TITLE 67, CHAPTER 65 of the Idaho Statutes authorizes local land use planning, the purpose of which is to “promote the health, safety, and general welfare of the people of the state of Idaho,” including a provision “to ensure that adequate public facilities and services are provided to the people at reasonable cost.” (Section 67-6502) The following discussion describes local development regulations that relate to adequate public facilities (APF).

### **Ada County Highway District**

The Ada County Highway District is an independent unit of local government that is responsible for the construction and maintenance of all streets and roads in Ada County, except those designated as State or Federal highways. The District provides planning, design, construction, reconstruction, maintenance and traffic supervision for all urban streets, rural roadways and bridges under its jurisdiction.

While ACHD’s impact fee requirements cite ensuring adequate roads as a purpose, they are distinct from adequate public facility requirements. ACHD’s impact fees are used to fund development’s proportionate share of arterial street costs. While they defray a portion of development’s capital needs, they do not require adequate street capacity as a condition of development approval.

The ACHD also has provisions for developments of “extraordinary impact,” meaning a development that will demand improvements that will cost significantly more than the sum of the impact fees to be generated from the proposed development. In these situations, the ACHD may charge a pro rata share per parcel of the extraordinary costs in addition to the impact fee. While these fees are an important tool, they are distinct from APF requirements.

ACHD has established a target level of service for streets within Ada County that it uses for design and capital improvement planning, but the district currently maintains that it has insufficient authority to deny approval of a subdivision due to lack of street system capacity.

## Ada County

Generally, the Ada County development regulations require adequate water and sewer provision, with minimum improvement standards for stormwater and drainage. These requirements are summarized in **Table 1**. Ada County has much stricter requirements for the adequacy of public facilities for planned communities, defined as areas that are a minimum of 640 acres, located outside of the existing areas of city impact and the Idaho National Guard artillery range. Applicants must address financing and phasing of essential public services adequate to serve the proposed development, as well as economic impacts on existing and new infrastructure, as per Section 8-2E-4, including:

- “Essential public services and anticipated financing plan describing: a phased implementation program; the steps necessary to initiate and maintain each phase of development; the financial assurances provided, including costs of providing utilities, circulation, open space, landscaping, and any other public improvements; and mitigation of negative economic impacts beyond the normally expected incremental impacts of development on affected municipalities and other agencies and/or districts. Each phase shall include sufficient essential public services to serve the anticipated population of that phase, as well as provide for integration into the planned community.”
- “A phasing plan indicating the sequence of development, general land uses, and anticipated commencement and completion times of each phase shall be provided, indicating land use types, total area contained, anticipated population levels, and essential public services. Essential public services adequate for the anticipated level of use of that phase shall be provided. The applicant shall also provide a written explanation of why phases should be developed in the proposed sequence and how the progress of each phase shall be measured and monitored by the director and the applicant and/or owner. Phasing shall be accomplished so that the integrity of the planned community is maintained at the end of any single phase.”
- “The applicant shall submit a detailed economic impact analysis evaluating the impacts of the planned community upon existing infrastructure and any cost of new infrastructure that may be required to serve the planned community including, but not limited to, streets, schools, fire protection, water systems, wastewater collection and treatment systems, air quality programs, water quality programs, solid waste disposal, law enforcement, parks and open space, irrigation delivery systems, libraries and emergency medical services. Written statements shall be solicited by the applicant from affected municipalities, agencies and/or districts, and other service providers commenting on the impact of the planned community upon existing infrastructure and the costs of providing new infrastructure needed to serve the project. All responses received by the applicant shall be submitted to the director along with the required economic impact analysis.”

Planned community applications are not to be approved unless “the proposal sets forth sufficient and adequate mitigation for the identified economic impacts beyond the normally expected incremental impacts on municipalities and other agencies and/or districts (Section 8-2E-7).”

**Table 1: Ada County Adequacy Requirements**

| Facility / Service                        | Code Reference                                     | Adequacy Requirement   |
|---|--|--|
| <b>Water</b>                              | <b>8-4A-23: WATER</b>                              | <p>For any dwelling or approved use, the owner or applicant shall provide and maintain an adequate water supply for the intended use.</p> <p>The applicant shall provide evidence that a valid water right either exists or is in the process of being obtained or that the development is exempt from obtaining a water right to supply adequate water.</p> |
| <b>Sewer</b>                              | <b>8-6B-3: STREETS AND OTHER IMPROVEMENTS</b>      | All new developments shall have adequate sewage facilities as provided for in section 8-4A-22 of this title or the plat shall have a sanitary restriction as approved by the appropriate health authority.   |
| <b>Stormwater / Drainage</b>              | <b>8-6B-3: STREETS AND OTHER IMPROVEMENTS</b>      | Minimum improvements standards.  |
| <b>Schools</b>                            | <b>ARTICLE E: PLANNED COMMUNITY BASE DISTRICTS</b> | Required as per Planned Community requirements only.   |
| <b>Community Safety (Police/Fire/EMS)</b> | <b>ARTICLE E: PLANNED COMMUNITY BASE DISTRICTS</b> | Required as per Planned Community requirements only.   |
| <b>Parks / Recreation</b>                 | <b>ARTICLE E: PLANNED COMMUNITY BASE DISTRICTS</b> | Required as per Planned Community requirements only.   |

## City of Boise

The City of Boise adequacy requirements are summarized in **Table 2**.

**Table 2: City of Boise Adequacy Requirements**

| Facility / Service                    | Code Reference          | Adequacy Requirement   |
|---------------------------------------|-------------------------|--|
| Water                                 | 9-20-08<br>IMPROVEMENTS | Minimum improvements standards.  |
| Sewer                                 | 9-20-08<br>IMPROVEMENTS | Minimum improvements standards.  |
| Stormwater /<br>Drainage              | 9-20-08<br>IMPROVEMENTS | Minimum improvements standards.  |
| Schools                               |                         | No requirement.  |
| Community Safety<br>(Police/Fire/EMS) | 9-20-08<br>IMPROVEMENTS | Water facilities necessary to provide adequate fire protection shall be the responsibility of the applicant. |
| Parks / Recreation                    |                         | No requirement.  |

## Cities of Eagle, Garden City, Kuna and Star

The purposes of the development regulations for the Cities of Eagle, Garden City, Kuna and Star are very similar, each clearly stating the respective City's intent to ensure the adequacy of public services and facilities, specifically calling for: adequate open space for travel, light, air and recreation; adequate transportation, water drainage and sanitary facilities; and the avoidance of the scattered subdivision of land that would result:

1. The lack of water supply, sewer service, drainage, transportation or other public services; or
2. The unnecessary imposition of an excessive expenditure of public funds for the supply of such services.

The specific adequacy requirements for each of the cities are summarized in **Tables 3** through - **6**.

**Table 3: City of Eagle Adequacy Requirements**

| <b>Facility / Service</b>                 | <b>Code Reference</b>                           | <b>Adequacy Requirement</b>   |
|---|---|---|
| <b>Water</b>                              | <b>9-4-1-9: WATER SUPPLY AND SEWER SYSTEMS</b>  | Minimum improvement standards.  |
| <b>Sewer</b>                              | <b>9-4-1-9: WATER SUPPLY AND SEWER SYSTEMS</b>  | Minimum improvement standards.  |
| <b>Stormwater / Drainage</b>              | <b>9-4-1-10: STORM DRAINAGE, FLOOD CONTROLS</b> | Adequate Storm Drainage System: An adequate storm drainage system to accommodate storm water runoff from the public rights of way shall be required in all subdivisions.  |
| <b>Schools</b>                            |   | No requirements   |
| <b>Community Safety (Police/Fire/EMS)</b> | <b>9-4-1-11: FIRE HYDRANTS AND WATER MAINS</b>  | Adequate fire protection shall be required in accordance with the appropriate fire district standards.  |
| <b>Parks / Recreation</b>                 | <b>9-3-8: PUBLIC SITES AND OPEN SPACES</b>      | Minimum standards for reservation of open space in new subdivisions.<br><br>In the case of planned unit developments and large scale developments, the city council may require sufficient public and/or private park or open space facilities of acceptable size, location and site characteristics that may be suitable for the proposed development. |

**Table 4: City of Garden City Adequacy Requirements**

| <b>Facility / Service</b>                 | <b>Code Reference</b>                      | <b>Adequacy Requirement</b>  |
|---|--|--|
| <b>Water</b>                              | <b>9-5-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Minimum improvements standards. Ensures availability of adequate future connection to water / sewer systems if connections to existing systems are not currently feasible. |
| <b>Sewer</b>                              | <b>9-5-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Minimum improvement standards. Ensures availability of adequate future connection to water / sewer systems if connections to existing systems are not currently feasible.  |
| <b>Stormwater / Drainage</b>              | <b>9-5-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Storm Drainage: An adequate storm drainage system shall be required in all subdivisions.   |
| <b>Schools</b>                            |  | No requirements.   |
| <b>Community Safety (Police/Fire/EMS)</b> | <b>9-5-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Fire Hydrants And Water Mains: Adequate fire protection shall be required in accordance with the Cole-Collister fire district or Garden City.                              |
| <b>Parks / Recreation</b>                 |  | No requirement.  |

**Table 5: City of Kuna Adequacy Requirements**

| Facility / Service                 | Code Reference                             | Adequacy Requirement  |
|------------------------------------|--|---|
| Water                              | <b>6-4-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Minimum improvements standards.   |
| Sewer                              | <b>6-4-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Minimum improvements standards.   |
| Stormwater / Drainage              | <b>6-4-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Storm Drainage: An adequate storm drainage system shall be required in all subdivisions.  |
| Schools                            |  | No requirements   |
| Community Safety (Police/Fire/EMS) | <b>6-4-2: REQUIRED PUBLIC IMPROVEMENTS</b> | Fire Hydrants And Water Mains: Adequate fire protection shall be required in accordance with the appropriate fire district standards. |
| Parks / Recreation                 |  | No requirement.   |

**Table 6: City of Star Adequacy Requirements**

| Facility / Service                 | Code Reference                                | Adequacy Requirement  |
|------------------------------------|---|---|
| Water                              | <b>4-1-9: WATER SUPPLY AND SEWER SYSTEMS</b>  | Minimum improvements standards.   |
| Sewer                              | <b>4-1-9: WATER SUPPLY AND SEWER SYSTEMS</b>  | Minimum improvements standards.   |
| Stormwater / Drainage              | <b>4-1-10: STORM DRAINAGE, FLOOD CONTROLS</b> | An adequate storm drainage system shall be required in all subdivisions.  |
| Schools                            |   | No requirements   |
| Community Safety (Police/Fire/EMS) | <b>4-1-11: FIRE HYDRANTS AND WATER MAINS</b>  | Adequate fire protection shall be required in accordance with the Star Fire District and Star Sewer and Water District standards.   |
| Parks / Recreation                 | <b>3-7: PUBLIC SITES AND OPEN SPACES</b>      | Minimum standards for reservation of open space in new subdivisions.<br><br>In the case of planned unit developments and large scale developments, the city council may require sufficient public and/or private park or open space facilities of acceptable size, location and site characteristics that may be suitable for the proposed development. |

### City of Meridian

The purpose of the Unified Development Code for the City of Meridian clearly states the City's intent to ensure the adequacy of public services and facilities, specifically calling



for the encouragement of orderly growth and development, and avoidance of scattered development of land that results in:

1. Lack of water supply, sewer service, drainage, transportation facilities, or otherwise essential public services; or
2. Excessive expenditure of public funds for the supply of such services.

The requirements for adequacy of public facilities are included in Section 11-6B-6, which requires that public services are available or can be made available and are adequate to accommodate the proposed development; the plat is in conformance with scheduled public improvements in accord with the City’s capital improvement program; and there is public financial capability of supporting services for the proposed development.

The UDC requires adequacy of public facilities for Conditional Uses in Section 11-5B-6, which states: “the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.” The Section also prevents excessive costs for public facilities and services, as stated: “the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.”

The UDC contains standards for Planned Unit Development (PUD) in Section 11-7-1, one of the purposes of such a development type being to “create functionally integrated development that allows for a more efficient and cost-effective provision of public services.” In the approval of planned unit developments, the decision-making body may require the provision for on-site or off-site public facilities or services and/or require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the City. Other specific City of Meridian adequacy requirements are summarized in **Table 7**.

**Table 7: City of Meridian Adequacy Requirements**

| Facility / Service                        | Code Reference  | Adequacy Requirement  |
|---|---|---|
| <b>Water</b>                              | <b>11-3A-21: UTILITIES</b>  | Minimum improvements standards.   |
| <b>Sewer</b>                              | <b>11-3A-21: UTILITIES</b>  | Minimum improvements standards.   |
| <b>Stormwater / Drainage</b>              | <b>11-3A-18: STORM DRAINAGE</b>                                   | An adequate storm drainage system shall be required in all developments in accord with the City’s adopted standards, specifications and ordinances. |
| <b>Schools</b>                            |   | No requirement.   |
| <b>Community Safety (Police/Fire/EMS)</b> | <b>11-3A-19: STRUCTURES SUBJECT TO DESIGN STANDARDS</b>           | Fire hydrants and water mains: Adequate fire protection shall be required in accord with the appropriate fire district standards.                   |
| <b>Parks / Recreation</b>                 | <b>ARTICLE G. COMMON OPEN SPACE AND SITE AMENITY REQUIREMENTS</b> | Minimum standards for open space and site amenities.  |

## Summary

While all jurisdictions cite the importance of adequate public facilities within their regulations, the level of support for application of APF requirements varies. None of the local governments within Ada County have adopted complete regulations addressing:

- Clear level of service standards for all essential public facilities as defined by the Blueprint for Good Growth;
- The linkage between local requirements and existing capital plans; and
- Procedures and alternatives to mitigate deficiencies.

In many instances, the regulations state that facilities must be “adequate,” “efficient and safe,” or “functionally related” to development; but, level of service standards are absent or unclear. Often, the only requirement is that improvements must meet minimum construction design standards. The implication is that meeting minimum standards provides an adequate level of service. However, without language setting explicit relationships between service provisions and service demands, it will be difficult to ensure a consistent level of service is provided over time.

**Table 8** cites the development regulation sections that either state that “adequate” facilities are required, or simply provide minimum design standards. Note that minimum requirements are not included for each facility in every regulation. In particular, there are significant gaps for adequate public facilities related to transportation and schools.

**Table 3: Minimum Standards Code Section by Facility Type, Entity**

|             | General            | Schools      | Water            | Sewer            | Drainage      | Fire       | Streets   |
|-------------|--------------------|--------------|------------------|------------------|---------------|------------|---|
| Ada County  | 8-6-1<br>8-6B-1    | --           | 8-4A-23          | 8-6B-3 C         | 8-6B-3 D      | --         | 8-4A-3 A, B<br>8-6A-4 A, B,<br>C<br>8-6B-3 A, B |
| Boise       | 9-20-02<br>9-20-08 | 9-20-08<br>G | 9-20-08 C        | 9-20-08 D        | 9-20-08 E     | 9-20-08 C  | 9-20-07 D, E                                    |
| Eagle       | 9-1-3<br>9-4-1     | --           | 9-4-1-9<br>A, B  | 9-4-1-9 A,<br>B  | 9-4-1-10<br>A | 9-4-1-11   | 9-4-1-2   |
| Garden City | 9-1-3<br>9-5-2     | --           | 9-5-2 H          | 9-5-2 H          | 9-5-2 G       | 9-5-2 I    | 9-5-2 B   |
| Kuna        | 6-1-3<br>6-4-2     | --           | 6-4-2 H          | 6-4-2 H          | 6-4-2 G       | 6-4-2 J    | 6-4-2 B   |
| Meridian    | 8-6A-1<br>8-6B-6   | 11-6B-6<br>B | 11-3A-19<br>C    | 11-3A-19<br>C    | 11-3A-18      | 11-3A-19 D | 11-6C-3 B                                       |
| Star        | 1-3<br>4-1         | --           | 4-1-9 A,<br>B, C | 4-1-9 A,<br>B, C | 4-1-10 A      | 4-1-11     | 4-1-12  |

## **PUBLIC FACILITIES**

### ***Introduction***

The public service, facilities, and utilities component helps to identify needs and ensure that adequate public facilities and services are provided to the people at reasonable cost.

### ***Service Provision***

Services are provided by a variety of public and private organizations with varying degrees of involvement with local governments that are responsible for making decisions of land development applications.

Update previous evaluation identifying for each of the following.

- Who are the providers?
- What services do they provide?
- What is their service area? (map)
- What is their relationship to the local governments? (e.g., wholesaler, retailer, department in agency, independent Note that United Water serves retail and wholesale roles, as does the City of Boise for sewer)
- What are their service capacities?
- What is the status of capital planning?

### ***Streets & Highways (ACHD ITD)***

### ***Water***

### ***Sewer***

### ***Fire Protection***

### ***Schools***

## Findings of Suitability for Inclusion in APFO

For each of the essential public facilities/providers answer the following:

- Does the provider maintain a CIP that provides additional capacity?
- Are minimum Levels of Service defined?
- To what degree do the cities and county manage demand and capacity?

### Transportation

Table X: Factors Affecting Appropriateness of Transportation Facilities for APFO

| Facility    | CIP                         | Minimum LOS | City/County Control Over |          |
|-------------|-----------------------------|-------------|--------------------------|----------|
|             |                             |             | Demand                   | Capacity |
| ACHD Roads  | Work Program<br>20-Year CIP | Single LOS  | Partial                  | None     |
| State Roads | STIP<br>TIP<br>LRTP         |             | Partial                  | None     |
| Transit     |                             | Not defined |                          | None     |

### Water

Table X: Factors Affecting Appropriateness of Water Facilities for APFO

| Jurisdiction | Provider                       | CIP | Minimum LOS | City/County Control Over |          |
|--------------|--------------------------------|-----|-------------|--------------------------|----------|
|              |                                |     |             | Demand                   | Capacity |
| Ada County   | Owyhee Water District          |     |             | Full                     | None     |
|              | United Water                   | Yes |             | Partial                  | None     |
| Boise        | United Water                   | Yes |             | Partial                  | Partial  |
| Eagle        | Eagle Water and Sewer District |     |             | Full                     | None     |
|              | City                           |     |             | Full                     | Partial  |
| Garden City  | United Water                   | Yes |             | Partial                  | Partial  |
| Meridian     | City                           |     |             | Full                     | Full     |
| Kuna         | City                           |     |             | Full                     | Full     |
| Star         | Star Water District            | No  |             | Partial                  | None     |

**Sewer**

**Table X: Factors Affecting Appropriateness of Water Facilities for APFO**

| Jurisdiction | Provider                       | CIP | Minimum LOS | Local Control Over |          |
|--------------|--------------------------------|-----|-------------|--------------------|----------|
|              |                                |     |             | Demand             | Capacity |
| Ada County   |                                |     | Yes         |                    |          |
| Boise        | City of Boise                  |     | Yes         | Full               | Full     |
|              | Bench Sewer District           |     | Yes         | Full               |          |
| Eagle        | City of Boise                  |     | Yes         | Partial            |          |
|              | Eagle Water and Sewer District |     | Yes         |                    | None     |
| Garden City  | City of Boise                  |     | Yes         | Partial            | None     |
| Meridian     | City                           |     | Yes         | Full               | Full     |
| Kuna         | City                           |     | Yes         | Full               | Full     |
| Star         | Star Water and Sewer District  |     | Yes         | Partial            | None     |

**Schools**

**Table X: Factors Affecting Appropriateness of School Facilities for APFO**

| Jurisdiction | Provider | CIP | Minimum LOS                                    | Local Control Over |          |
|--------------|----------|-----|--|--------------------|----------|
|              |          |     |  | Demand             | Capacity |
| Ada County   | Boise    | No  | School District defines each school's capacity | Partial            | None     |
|              | Kuna     |     |  | Partial            | None     |
|              | Meridian | No  |  | Partial            | None     |
|              |          |     |  | Partial            | None     |
| Boise        | Boise    | No  |  | Partial            | None     |
|              | Meridian | No  |  | Partial            | None     |
| Eagle        | Meridian | No  |  | Partial            | None     |
| Garden City  | Boise    | No  |  | Partial            | None     |
|              | Meridian | No  |  | Partial            | None     |
| Meridian     | Meridian | No  |  | Partial            | None     |
| Kuna         | Kuna     |     |  | Partial            | None     |
|              | Meridian | No  |  | Partial            | None     |
| Star         | Meridian | No  |  | Partial            | None     |

**Fire Protection**

**Table X: Factors Affecting Appropriateness of Fire Protection Facilities for APFO**

| Jurisdiction | Provider                                  | CIP | Minimum LOS | Local Control Over |          |
|--------------|---|-----|-------------|--------------------|----------|
|              |   |     |             | Demand             | Capacity |
| Ada County   | North Ada County Fire and Rescue District |     |             | Partial            | None     |
|              | Kuna Rural Fire District                  |     |             | Partial            | None     |
|              | Robie Creek VFD                           |     |             |                    |          |
|              | Valley of the Pines VFD                   |     |             |                    |          |
| Boise        | Boise Fire Dept                           |     |             | Full               | Full     |
| Eagle        | Eagle Fire Dept                           |     |             | Full               | Full     |
|              |   |     |             |                    |          |
|              |   |     |             |                    |          |
| Garden City  | North Ada County Fire and Rescue District |     |             | Partial            | None     |
| Meridian     | Meridian Fire Dept                        |     |             | Full               | Full     |
|              |   |     |             |                    |          |
| Kuna         | Kuna Rural Fire Dept                      |     |             | Partial            | None     |
| Star         | Star Joint Fire Protection District       |     |             | Partial            | None     |
|              |   |     |             |                    |          |
|              |   |     |             |                    |          |

**Summary of Suitability**

To be completed

**APFO Policy Issues and Recommendations**

Prior to establishing a template to address transportation related adequate public facility requirements for local governments, common regulatory policies must be established. While some distinctions may exist between each jurisdictions’ APFO, there should be enough commonalities to ensure that the outcomes of APFO implementation are effective. If APFO requirements are not relatively consistent, they could have the

unintended consequences of discouraging infill development and encouraging sprawl development that is unsupported by other facilities.

**1. What, if any areas that should be exempt from testing transportation system adequacy?**

- **Discussion:** Uniform level of service requirements tend to promote sprawl and discourage infill development. There are two basic approaches to avoid these consequences: establishing different levels of service and exempting special areas. These approaches are not mutually exclusive. Different level of service standards are used to allow for higher levels of congestion along certain road segments (e.g., downtowns and central business districts). ACHD is in the process of working with each local government through the TLIP process to reach agreement about site specific level of service standards. This will allow development to continue despite affected road constraints, but may require mitigation if congestion is too great. Another approach is to exempt certain areas from APF testing for transportation, regardless of the adopted LOS of affected roads. This approach would eliminate the responsibility to participate in transportation improvements in exempt areas.
- **Recommendation:** Use different levels of service, but retain testing for all development, though mitigation requirements could be limited in targeted areas (e.g., downtowns and activity centers) to addressing ingress and egress challenges.

**2. What demands from approved, but un-built development should be counted against existing capacity?**

- **Discussion:** To adequately measure available capacity, local governments must consider existing demands and some portion of committed demands. Assuming that demands from all approved, but un-built development are committed reserves of the greatest amount of capacity, but counts demands that are not imminent. To avoid establishing excess capacity local governments can project absorption of approved, but un-built development. This approach would reserve capacity for the portion of un-built development that is likely to occur over the next several years.
- **Recommendation:** Assume that **3 years** of approved, but un-built development is committed. This demand should be tracked cumulatively and reflected in the short-term growth projections used in the COMPASS and ACHD traffic models. The amount of capacity reserved for approved, but un-built development should be linked to the 5-year work program and TIP.

**3. How much growth should be reserved for external demands?**

- **Discussion:** The transportation system is open to demands generated outside Ada County. These external demands can be expected to increase over time as the population in surrounding counties and trips through the region increase.
- **Recommendation:** COMPASS's regional traffic model should be used as the basis for projecting the growth in external traffic demands.

**4. To which developments should APF requirements be applied?**

- **Discussion:** APF testing for streets need not be applied to all developments because many small developments have a negligible impact on street system

capacity. Most jurisdictions exempt de minimis developments -- those having no significant impact. Some jurisdictions provide exemptions for developments that achieve specific goals (e.g., affordable housing, economic development, infill). The State of Florida allows de minimis development, provided that existing demand does not exceed 110% of an affected road's capacity.

- **Recommendation:** Exempt development projected to generate fewer than a threshold number of trips (e.g., < 50 vehicles per day) for all contiguous holdings, but track demands from all development. If specific types of development are desired, allocate the trips to them in advance, prior to the creation of a traffic constraint.

#### 5. How should “capacity” be defined?

- **Discussion:** Capacity may be defined as existing capacity (the capacity provided by existing improvements), programmed capacity (the capacity provided by existing improvements and those scheduled to be completed within a specified time period, and available capacity (programmed capacity minus existing and committed demands).
- **Recommendation:** Use the definitions discussed above and define programmed capacity as that available to be completed within **3 years** of the development approval.

#### 6. When should adequacy be measured?

- **Discussion:** Early assessment of adequacy provides guidance to both the public and private sectors before significant investment in a project has occurred. However, assessment that occurs too early in the development process does not provide an accurate basis for demand projections. For instance, at the time of rezoning or a plan amendment, future development related demands are uncertain. Conversely, assessment that occurs too late in the development process (e.g. building permit application) can be undesirable for the public and private sectors because:
  - Late assessment does not provide sufficient time to mitigate deficiencies before demands are created; and
  - Needed information about capacity and required mitigation expenses comes after an applicant has made significant investment in a project.
- **Recommendation:** Measure adequacy at preliminary plat for single family development and site plan for all other development. Allow for voluntary early adequacy assessment. Coordinate rezoning and plan amendment approvals with the inclusion of required street system improvements in the 20-year CIP or LRTP.

#### 7. When should capacity be committed/reserved?

- **Discussion:** There is a distinction between measuring adequacy and reserve limited capacity. Capacity may be reserved at the time that adequacy is measured or deferred until final approval or mitigation occurs. Delayed commitments maximize available capacity, but create the greatest risk for developers, who may find that capacity that was previously found to be available has been committed to another project.



- **Recommendation:** Reserve capacity at the time that adequacy is measured.

#### 8. For how long should capacity be reserved?

- **Discussion:** Reserving capacity in perpetuity can result in projects being unnecessarily delayed when there is plenty of existing capacity to serve projected demands from the project. Generally, capacity is reserved for a limited time period unless a project moves forward under a previously approved schedule.
- **Recommendation:** Reserve capacity for **3 years** or the duration of a valid development agreement committing to mitigation. Once a project provides mitigation, its capacity should be reserved in perpetuity.

#### 9. What options should be available for mitigation?

- **Discussion:** When insufficient capacity exists for development to move forward, there must be some means to mitigate the deficiency if the development is consistent with the use and intensity for which it is zoned.
- **Recommendation:** Applicants should be able to wait for capacity to become available, reduce demands, phase demands or provide capacity in accordance with a development agreement. Capacity may be provided through an approved combination of monetary contributions, construction of improvements or contributions of land. When an applicant chooses to wait, development should be allowed to proceed within 5 years of submittal of the appropriate application (e.g., preliminary plat approval or site plan approval) if the property is already zoned for the proposed development and there are no other valid reasons for denying the application.
- **Additional Discussion:** To what extent should transit or mixed uses be included as options for demand reduction?

#### 10. Who should approve mitigation?

- **Discussion:** The service provider is in the best position to judge the adequacy of a proposed mitigation measure to resolve a deficiency. However, if the proposed mitigation measure (e.g., grade separated interchange) has not been anticipated in an adopted CIP, then the local government input may be necessary to ensure that the mitigation measure is consistent with local goals and objectives.
- **Recommendation:** Mitigation should be approved by the transportation provider (ACHD, ITD and/or Valley Regional Transit) and, if the improvement is not already included in a currently adopted capital facilities plan, the jurisdiction in which the transportation improvements are provided.

#### 11. When should mitigation take place?

- **Discussion:** Generally, the service provider desires to secure mitigation as early as possible, to ensure that adequate capacity exists before new demands are created. However, applicants would prefer to shift expenses associated with mitigation as late in the development process as possible to minimize carrying costs.

- **Recommendation:** Require mitigation at the time of final plat approval for single family lots or site plan approval for other development to provide sufficient time to provide capacity before demands are generated. Development agreements for multi-phased projects should coordinate the creation of demands (new development) with the provision of needed capacity.

## 12. What should the cost basis for mitigation be?

- **Discussion:** Adequate public facilities requirements allow a developer wishing to move forward with a project to advance facilities to resolve existing or anticipated deficiencies. If a developer chooses to advance a project rather than waiting, the developer may enter into a development agreement that requires mitigation commitments that exceed the proportionate share of the development's cost of improvements.
- **Recommendation:** To be equitable and to improve the defensibility of the APFO if challenged, the cost basis should be the project's proportionate share of the costs of improvements. While an applicant may be required to advance more than the proportionate share of the costs if the improvement is not scheduled in the 5-Year CIP or STWP, the APFO should provide a mechanism for recovery of costs that exceed the proportionate share under limited conditions (e.g., timing of subsequent development). In some instances, an applicant who creates excess capacity should have the ability to transfer excess capacity to other projects that rely on those improvements.

## 13. How should mitigation relate to impact fees?

- **Discussion:** Impact fees are regulatory charges for identified capital improvements. APFO mitigation payments are voluntary commitments made by an applicant to advance a needed public facility that is not scheduled to be completed by the time demands from the proposed development would be generated.
- **Recommendation:** Provide full impact fee credit for expenditures on improvements that are included in the basis of impact fees. Credit should not be provided unless proposed mitigation improvements are part of the impact fee calculation.

## 14. Who should monitor demands and capacity?

- **Discussion:** One of the greater challenges in implementing a multi-jurisdictional APFO is tracking demands and capacity over time. It is essential to monitor external demands and internal demands from existing and approved, but un-built development. As discussed above, existing, programmed and available capacity must be tracked for all affected roads.
- **Recommendation:** Capacity should be monitored by the affected transportation provider, though it likely will be more efficient for a single entity (e.g., ACHD) to maintain a detailed model showing existing capacity, programmed capacity and available capacity. If ACHD maintains a detailed model, this should be calibrated to be consistent with the regional model maintained by COMPASS.

## **Blueprint for Good Growth Adequate Public Facilities Ordinance**

Note: while the initial APFO will focus on street system capacity, additional sections are included in this outline for future APF requirements for all essential public facilities.

### ***Purposes***

- Protect the public health, safety welfare;
- Ensure that adequate essential public facilities are available at adopted levels of service concurrent with the demands for those facilities;
- Establish clear, consistent guidance for developers and public decision-makers; and
- Provide a framework for the efficient coordination of development decisions with capital improvements planning.

### ***Applicability***

- Area of Applicability
- Types of Applications Subject to APFO
  - Comprehensive Plan Map Amendments
  - Zoning Map Amendments
  - Preliminary Subdivision Plats
  - Site Plans for Multi-family and Non-Residential Development
  - Other: Should any other types of approvals (e.g., conditional use permits) be subject to the APFO?

### ***Definitions***

- Adequacy – ability of facility to meet demands at adopted levels of service
- Applicant – the owner or agent seeking development approval.
- Application – a complete submittal requesting a development approval
- Capacity, available – capacity remaining after subtracting demands from existing, committed and proposed demands.
- Capacity, existing – capacity provided by existing facilities
- Capacity, programmed – capacity provided by existing facilities and those programmed to be completed within \_\_ years within an adopted capital improvements program.
- Capacity, planned – capacity provided by existing short and long-range improvement plans.
- Capital Improvement –
- Capital Improvement Program
- Demand, existing – peak demands from current development)
- Demand, committed – approved, but un-built demands plus projected external demands for the applicable time period.
- Demand, projected – demands from projected growth over the designated time period

- Demand, proposed – demands from the proposed development
- Development Order – any action approving a development
- Essential Public Facilities – water, sewer, transportation, fire protection and school facilities
- Impact Area – the area affected by demands from a project
- Level of Service – a measure of the function of a facility ...
- Mitigation – approved measure or combination of measures that will ensure that the adopted level of service will not be exceeded by demands from a development

**Essential Public Facilities**

- Water
- Sewer
- Streets
- Fire Protection
- Schools

**Minimum Levels of Service**

- Water – table to be completed by each jurisdiction based on achievable fire flow

| Land Use                  | Minimum Volume (gpm) | Minimum Pressure (psi) | Minimum Duration |
|---------------------------|----------------------|------------------------|------------------|
| Single family residential |                      |                        |                  |
| Attached residential      |                      |                        |                  |
| Commercial                |                      |                        |                  |
| Industrial                |                      |                        |                  |

- Sewer
  - Centralized sewer service required
  - Exceptions
- Transportation
  - Insert table establishing LOS standards for all streets & intersections.
  - Default LOS will be based on road type and tier
- Fire Protection
  - Note: LOS standards will vary by jurisdiction, but should include minimum fire flow. Response times should be optional

## **Procedures**

### **Timing of review**

- Comprehensive Plan Map Amendments – consider whether necessary improvements are in adopted long-range plans to maintain levels of service.
- Zoning Map Amendments – consider whether necessary improvements are in adopted long-range plans.
- Preliminary Subdivision Plats – determine whether there is “available capacity” to serve committed and projected demands.
- Site Plans – determine whether there is “available capacity” to serve committed and projected demands.

### **Adequate public facilities assessment**

- Application requirements
  - Fees
  - Submittal requirements
  - Standards for infrastructure demands
- Procedures
  - Application to local government
  - Review by service providers
- Standards for adequacy assessment
  - Measuring capacity
  - Measuring impacts of development
  - Measuring available capacity
- Required findings
  - For preliminary plat and site plan applications, there is available capacity to serve existing, committed and proposed demands and maintain adopted levels of service.
  - For rezoning and plan amendment applications, there is adequate planned capacity to meet projected demands, including the proposed demands from the applicable development.
- Mitigation procedures - actions required prior to advancing a project that does not immediately achieve required findings
- Proceeding without mitigation - procedure for advancing a project lacking adequate public facilities without mitigating the deficiency
  - Determination of completeness
  - Finding that development could proceed if adequate public facilities were available
  - Minimum time period to wait for needed facilities
  - Expiration of implied approval due to lack of action by applicant

## Mitigation alternatives

- Water
  - Demand reduction
  - Capacity improvements
  - Phased development
  - Alternative mitigation when no improvements are planned
    - Sprinklers
    - Standpipes and other water storage
    - Other?
- Sewer
  - Demand reduction
  - Capacity improvements
  - Phased development
  - Alternative mitigation when no improvements are planned
    - Under what conditions and in what locations are on-site systems acceptable?
- Transportation
  - Demand reduction - To what extent should credits be given for mixed-use, transit oriented development?
  - Capacity improvements
  - Phased development
  - Alternative mitigation when no improvements are planned
- Fire Protection
  - Fire protection alternatives (e.g., sprinkling, stand pipes, alternative water supplies)
- Schools
  - Demand reduction
  - Capacity enhancements
  - Phased development

## Development Agreements

Voluntary agreements when applicant chooses to mitigate  
Mitigation measures to be documented in the agreement so that  
development is timed with the provision of capacity

Where a needed improvement provides more than the development's proportionate share, what provisions should be considered for reimbursing those costs?

## **Review and Approval of Developments Providing Mitigation**

- Staff Review/Action
  - Procedures
  - Required findings
- Appeals to Staff Actions
  - Procedures
  - Required findings
- Planning Commission Review/Recommendation
  - Procedures
  - Required findings
- City Council/BoCC Review/Action
  - Procedures, including development agreement approval
  - Required findings

## **Vested Rights Determination**

- Review procedures
- Review standards

## **Appeals from Council/Commission Action**

Establish a review process whereby the Council gets to reconsider evidence documenting that the development can occur without exceeding adopted levels of service.

## AREA OF CITY IMPACT EXPANSION PROCESS

### Introduction

Ada County and its six cities have grappled with expansions of areas of city impact over the past four years in the face of tremendous growth pressures. Current provisions in the Local Land Use Planning Act have proved inadequate in defining the purpose and function of an area of city impact boundary, bogging down what had historically been straightforward renegotiations between Ada County Commissioners and city leaders.

The successful implementation of Blueprint for Good Growth requires a straightforward, equitable process for defining areas of impact. During 2007, a subcommittee of city and county planners met to create a process that would fulfill a mutual desire to create a process that:

1. Relies on city provision of adequate public facilities in keeping with the commitment to the Blueprint for Good Growth;
2. Requires subarea planning before a boundary expansion is approved;
3. Includes substantive public involvement in the development of a subarea plan;
4. Relies on objective standards to guide the County approval process.

### 1. Establishment of a Planning Boundary

- a. Goal: Delineation of planning areas outside currently adopted areas of impact where sub area planning is desired and/or necessary by a city. A sub area plan can be an addendum or amendment to the existing city comprehensive plan or an independent plan.
- b. Purpose: This boundary is created solely for the purposes of developing sub area plans and to establish communication protocols among the city, adjacent cities, and Ada County regarding development activity during the sub area planning process.
- c. Process: Since property rights are not affected by establishing the planning boundary, the boundary will be created through a Memorandum of Understanding among Ada County and the affected city. The Memorandum of Understanding will include the following provisions:
  - i. Establish the planning boundary.
  - ii. Define the roles and responsibilities of the requesting city, the county, and other cities adjacent to or overlapping the planning boundary.
  - iii. Establish referral area for mutual notice of county and city rezone, land division, or conditional use applications of other city, county, or ACHD planning activities within the planning boundary. The planning area shall serve as a referral area. All county applications shall be transmitted to the appropriate city or cities for comment and review until a formal area of impact agreement takes effect after the completion of the sub area plan and/or the referral area is deemed unnecessary by the requesting city or cities and the county.
  - iv. Periodic review of sub area planning process and planning boundary.
  - v. Set a term of the Memorandum of Understanding.



- vi. Set a deadline for the requesting city to distribute and seek review of sub area plan timeline, scope of work, and public participation plan. The public participation plan shall be incorporated by reference and shall become part of the Memorandum of Understanding once finalized by the city.
- d. Guidelines and/or Criteria:
  - i. There are not specified criteria regarding the sufficiency of a particular planning boundary, but generally they respect natural or man-made features, landforms, major transportation corridors, infrastructure constraints, and jurisdictional boundaries.
  - ii. The planning boundary shall include, at a minimum, area to accommodate twenty years of growth for the city.
  - iii. The planning boundary may include a portion of an existing planning boundary proposed by another city. Such city (or cities) shall be invited to participate in any subsequent sub area planning process proposed by the city.
  - iv. Proposed planning boundaries are shown on Appendix A.

## **2. Sub Area Plan Scope of Work and Process**

- a. Goal: Sub area plans that express the vision of the community after consideration of the needs and vision of affected cities and/or the county.
- b. Purpose: The purpose of this section is to provide criteria related on how to conduct the sub area planning process.
- c. Process:
  - i. Each city, as part of the sub are planning process, shall first develop a scope of work, timeline, and public participation plan for the sub area planning effort.
  - ii. The city shall invite the county, affected neighboring cities, transportation agencies, and any other service providers that have overlapping areas of impact, referral areas, or planning area boundaries, to be stakeholders in the planning process and allow these stakeholders to review the plan timeline, scope of work, and public participation plan.
  - iii. The city shall take comments (requested modifications) and make necessary changes to accommodate such comments.
    - 1. Where there are conflicting suggestions, the city shall make note and accommodate the majority of the stakeholders.
    - 2. Where the city disagrees with a requested modification, the city shall make note of such objections and specifically note the reason for the objection.
  - iv. The city and county staffs shall schedule a joint workshop with property owners and affected Residents. At this workshop, the requesting city and county staffs will:
    - 1. Describe the purpose of the meeting only in reference to area of city impact boundary, not land uses.
    - 2. Explain the implications of being included or excluded from the city's area of city impact.

3. Summarize the process thus far.
  4. Solicit comments on the proposed area of city impact boundary, the conceptual future land use map, and other issues related to the implementation of the proposed plan.
  5. The Joint Workshop shall be included as part of the city's public participation plan.
- d. Guidelines and/or Criteria:
- i. Sub area plans may include all or part of the planning area defined in Section 1. If the city decides to complete a sub area plan for only a part of the planning area, the city shall revise the Memorandum of Understanding to include a timeline for the completion of the sub area planning process for the balance of the planning area.
  - ii. The city shall serve as the lead planning agency for the sub area planning process, notwithstanding the public engagement and involvement plan as set forth in the Memorandum of Understanding.
  - iii. The sub area plan shall address the 14 elements, including agricultural land uses, required under Idaho Code by specific discussion or by reference to an existing plan.
  - iv. The sub area plan shall include a fiscal component (e.g., adequate public facilities).
  - v. The sub area plan shall be consistent with adopted regional plans, including but not limited to, Communities in Motion, Blueprint for Good Growth, County Parks and Waterways Open Space Plan, Ridge to Rivers, and other local or regional open space, pathways, trails, bikeway, air quality or transportation plans.

### 3. Area of City Impact Expansion Submittal and Hearing Process

- a. Goal: Predictable and timely review and adoption of area of city impact expansion requests and associated sub area plans by the Board of County Commissioners. The goal is also to shorten the lag time between the two governing units regarding adoption of the sub area plans. Long delays create uncertainty for property owners, invite criticisms of inefficient government bureaucracy, and create a feeling of mistrust in the community members involved in the planning efforts.
- b. Purpose: To establish a process that allows the county to participate early in the sub area plan process so that when the expansion request is formally submitted, the county can quickly evaluate the adequacy of area of city impact expansion requests.
- c. Process:
  - i. The city shall have one year following the joint workshop (see Section 2) to submit a formal request for and area of city impact expansion. Such request shall include:
    1. Map of existing city limits;
    2. Map of existing area of city impact;
    3. Map of approved planning area boundary (see Section 1);
    4. Map of proposed area of city impact;

5. Map of the proposed future land use map with the proposed area of city impact boundary;
6. Map of the proposed urban service planning area;
7. Map of constrained lands with brief text explanation of such constraints.
8. Land Use Analysis depicting a matrix (see Figure 1) of the current and future mix of land uses within the existing city limits, the existing area of city impact and the proposed area of city impact. This analysis shall be consistent with the documented sub area plan (see Section 2) and shall include at a minimum:
  - a. The acreage of vacant developable land (as determined by the requesting city) by land use designation.
  - b. The acres of underdeveloped land (as determined by the requesting city) by land use designation available for urban infill.
  - c. The acres of constrained land (as determined by the requesting city) by land use designation.
  - d. The future land use categories adopted for the existing comprehensive plan and the proposed sub area plan (if different).
9. Growth Trends Analysis as provided by COMPASS or the requesting city. If the requesting city is not proposing to use COMPASS projections:
  - a. The city shall demonstrate, through building permit trends and/or platting activity that different projections are appropriate.
  - b. The city shall also demonstrate the relative consistency of this historical trend date with the community's comprehensive plan.
10. Long Range Capital Facilities Plan that has a 20-year horizon broken down in 5-year increments.
  - a. The requesting city shall document how the new facilities proposed in the sub area plan shall be phased (including time increments) to ensure that new facilities shall meet any adopted adequate public facilities ordinance.
  - b. The city shall also document needed changes to the five-year capital facility plans required to serve at least XX% of the development potential in the proposed area of city impact.
  - c. If the city does not provide the water, sewer, transportation, storm water, or public safety services, the city shall obtain a letter from such providers indicating sufficient capacity and the ability to fund and provide capital improvements consistent with the five-year capital facilities plan.
11. Intergovernmental Agreement on the specific implementation guidelines and/or standards that the county would apply to

developments proposed within an area of city impact or within overlapping areas of city impact.

- a. The County currently ratifies such agreements within Title 9 of the Ada County Code. The requesting city and county may wish to consider and intergovernmental agreement in lieu of a Title 9 agreement.
  - b. Each area of city impact expansion shall require a concurrent intergovernmental agreement and/or amendment to their existing Title 9 Agreement for the purpose of detailing how the County will review development applications within their area of city impact. This city shall draft the initial agreement based on a template provided by the county and shall include but not be limited to:
    - i. Adopting all or portions of county sub area plans.
    - ii. Adopting all or portions of the city's comprehensive plan.
    - iii. Adopting all or portions of the city's zoning and/or subdivision code.
    - iv. Adopting all or portions of the city's design guidelines and/or standards.
    - v. Developing new zoning ordinance standards through the use of overlay districts.
  - c. The intergovernmental agreement and/or Title 9 amendment shall address the following:
    - i. Reference to an adopted city ordinance that prohibits the city from annexing any land outside its area of city impact, or extending any municipal services into a neighboring city's area of city impact (unless such extensions are part of an existing contractual agreement between the affected cities and/or service providers.)
    - ii. The proposed frequency of modifications to future area of city impact adjustments. Either party may initiate such modifications.
    - iii. The process and conditions that would justify an exigency consideration to adjust the area of city impact prior to the proposed frequency. For example a public/ private partnership that advances the infrastructure forward.
- ii. County Review of Area of City Impact Amendment Negotiation Request.
    1. Idaho Code 67-6526 and Idaho Code 55-5222 shall apply.
    2. Within seven days of submittal, county shall notify the requesting city of any missing items listed in 4cii above. The purpose is to determine if the county has a complete application. Subsequent submittals by the requesting city shall also be reviewed within

- seven days. The county shall notify the requesting city in writing of the date the application is deemed complete.
3. After the application is deemed complete, county shall schedule a joint meeting between the city council, mayor, and county commissioners.
    - a. The purpose of the joint meeting shall be to discuss the proposed intergovernmental agreement and any potential issues related to processing the necessary comprehensive plan and/or zoning ordinance text and/or map amendments. Potential issues shall include but not be limited to:
      - i. Did the city follow the agreed-upon scope of work, timeline, and public participation plan for the sub area planning effort? If no, has the city adequately informed the county, adjoining local governments, and affected service providers within the land identified in the sub area plan and the proposed area of city impact?
      - ii. Does the proposed area of city impact expansion avoid creating islands, corridors, or irregular boundaries, unless these areas are designated or reserved for open space or regional facilities?
    - b. The meeting may be waived with agreement by both parties.
  4. The county, within 30 days of the date which the city's area of city impact formal request is deemed complete, shall notify the requesting city of the hearing date with the Ada County Planning and Zoning Commission consistent with Idaho Code 67-6509. Such meeting shall occur no later than six months from date the application was deemed complete. ¶
  5. Following a recommendation by the Ada County Planning and Zoning Commission, county staff shall schedule the sub area plan and intergovernmental agreement with the Ada County Board of County Commissioners. Such meeting shall occur no later than 30 days from date of the recommendation of the Planning Commission on the sub area plan.
  6. Following adoption of an intergovernmental agreement, the Ada County Development Services staff shall schedule any necessary text or map amendments for the next available hearing with the Ada County Planning and Zoning Commission to occur no later than six months from adoption of the agreement.

### iii. Dispute resolution?

**Figure 1: Example of Land Use Analysis Matrix**

| Land Use Designation  | Vacant Land (in acres) |      |           | Underdeveloped Land (in acres) |      |           | Constrained Land (in acres) |      |           | Total |
|-----------------------|------------------------|------|-----------|--------------------------------|------|-----------|-----------------------------|------|-----------|-------|
|                       | City Limits            | AOCI | Expansion | City Limits                    | AOCI | Expansion | City Limits                 | AOCI | Expansion |       |
| Very Low Residential  |                        |      |           |                                |      |           |                             |      |           |       |
| Low Residential       |                        |      |           |                                |      |           |                             |      |           |       |
| Medium Residential    |                        |      |           |                                |      |           |                             |      |           |       |
| High Residential      |                        |      |           |                                |      |           |                             |      |           |       |
| Mixed Employment      |                        |      |           |                                |      |           |                             |      |           |       |
| Office                |                        |      |           |                                |      |           |                             |      |           |       |
| Mixed Use Commercial  |                        |      |           |                                |      |           |                             |      |           |       |
| Mixed Use Residential |                        |      |           |                                |      |           |                             |      |           |       |
| Commercial            |                        |      |           |                                |      |           |                             |      |           |       |
| Industrial            |                        |      |           |                                |      |           |                             |      |           |       |
| Public/Quasi-Public   |                        |      |           |                                |      |           |                             |      |           |       |
| <b>Total Acres</b>    |                        |      |           |                                |      |           |                             |      |           |       |
| <b>% of Total</b>     |                        |      |           |                                |      |           |                             |      |           |       |