



CITY OF Kuna
PLANNING & ZONING DEPARTMENT

763 W. Avalon • Kuna, Idaho • 83634 • Phone (208) 922-5274
 Fax: (208) 922-5989 • www.kunacity.id.gov

Case Name: 14-01-CPMA Eastern Planning Area Boundary Extension

EXHIBITS	
A	PLANNING & ZONING
✓ 1	Notifications and Publication
✓ 2	Staff Report
✓ 3	Planning Area Map
4	P & Z Sign-up Sheet
5	P & Z Commission Minutes
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B	CITY COUNCIL
1	Notifications and Publication
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3	Planning Area Map
4	Council Sign-up Sheet
5	Council Commission Minutes
C	AGENCY RESPONSES & SUPPLEMENTAL EXHIBITS
✓ 1	<i>Ada Co DSD</i> <i>3/3/15</i>
✓ 2	<i>Central Health Dept.</i> <i>2/4/15</i>
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City of Kuna
Planning & Zoning Department

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Kuna, Idaho 83634

Phone: (208) 922-5274
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Planning & Zoning Commission Paper Notice

File #'s 14-01-CPM –Planning Area Map Amendment

NOTICE IS HEREBY GIVEN that the Kuna City Planning and Zoning Commission will hold a public hearing Tuesday, April 14, 2015 at 6:00 pm or as soon as possible thereafter at Kuna City Hall, 763 W. Avalon, Kuna, ID. This hearing is a request to amend the Planning Area Map on the most easterly planning area boundary from S Cole Rd to S Pleasant Valley Rd.

All interested parties are invited to attend and express their views on this amendment. Written comments may be submitted to the Planning and Zoning Department for consideration up to and including during the hearing. A three (3) minute time limit may be placed on all testimony.

If you have any questions or require special accommodation(s), please contact Kuna Planning & Zoning Department prior to the public meeting at (208) 922-5274.

Kuna Planning & Zoning Department

(No need to print anything below this line)

Please publish three times on March 12, 2015, March 19, 2015, and March 26, 2015.

Sent 3.6.15



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Planning & Zoning Department

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P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
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Agency Transmittal

March 30, 2015

Notice is hereby given by the City of Kuna the following action(s) are under consideration:

CASE NUMBERS	14-01-CPM
PROJECT DESCRIPTION	This public hearing is for approval of the extension of the most easterly Planning Area Boundary which will extend from its current location at S. Cole Road to S. Pleasant Valley Road.
SCHEDULED HEARING DATE	Tuesday, April 14, 2015 6:00 PM
STAFF CONTACT	Wendy Howell, PCED whowell@cityofkuna.com Phone: 922.5274 Fax: 922.5989

We have enclosed information to assist you with your consideration and response. **This proposed amendment is the same draft that you reviewed in February 2015. If you have additional comments, please feel free to forward those to Kuna's Planning and Zoning Commission in care of whowell@cityofkuna.com. We would appreciate any information you can supply us as to how this action would affect the service you provide.**

The hearing is scheduled to begin at 6:00 p.m. or as soon as it may be heard. We are located at Kuna City Hall, 763 W. Avalon, Kuna, ID 83634. Please contact staff with questions.

If your agency needs full size plans to review, let our office know and we will send them. Our office is trying to reduce the amount of paper used and postage by implementing electronic packets for agencies.

Please send our office the email address of the individual who should receive them in the future through email. Thank you.



City of Kuna

Planning and Zoning Staff Report

PO Box 13
Kuna, ID 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

To: Kuna City Planning and Zoning Commission

File Number: 14-01-CPMA (Comprehensive Plan Planning Map Amendment)

Planner: Wendy I. Howell, Planning & Zoning Director

Hearing date: April 14, 2015

Applicant: Kuna Planning & Zoning Department
763 W. Avalon Road
Kuna, Idaho 83634

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A. Course of Proceedings:

A Planning Area Map amendment, proposal is a public hearing with Planning and Zoning Commission as the recommending body and City Council as the decision-making body. This land use was given proper public notice and followed the requirements set forth in Kuna City Code (KCC), Title 5 and Idaho Code, Chapter 65, Local Planning Act.

a. Notifications

- i. Agencies March 30, 2015
- ii. Kuna, Melba Newspaper
March 12, 2015
March 19, 2015
March 26, 2015

B. Request:

This request is to amend the most easterly planning area boundary from South Cole Road to South Pleasant Valley Road. The expansion of the Planning Area is to accommodate a proposed development.

C. History:

The current Comprehensive Plan, Future Land Use Map, and Planning Area Map were approved in October 2009 by Kuna's City Council.

D. General Project Facts:

The City had been working in conjunction with various developers that have proposed an industrial park generally located between South Cole Road and South Pleasant Valley Road. The developer has been continually working on an annexation path as well as marketing for the industrial park. Prior to submitting an application for annexation, the planning area needs to be extended.

E. Plan Adoption Process:

1. The amendment adoption process has two parts: 1) Kuna Planning and Zoning Commission will hold a public hearing and after public input has been considered, arrive at a recommendation 2) Kuna City Council will act upon the recommendation to make a final decision.
2. Public notice which includes a summery, date, time and place of the public hearing must be noticed in the official paper of the City. The publication shall be published at least 15 days prior to the Commission's public hearing.
3. Notice of the amendment is sent to affected agencies that provide services within the planning jurisdiction, including the school district, at least 15 days prior to the public hearing.
4. After the Commission has concluded the public hearing process, they will make a recommendation to the City Council.
5. The Council's notification process is the same as the Commission's except, the legal notification must include the Commission's recommendation.
6. If the council makes a material change to the Commission's recommendation or to the amendment, further notice and hearing is required.
7. The amendment is not effective until the Council approves a resolution adopting it. A copy of the amended map shall accompany the resolution and be kept on file with the City Clerk.

F. Staff Analysis:

The current Planning Area Map was approved in October 2009. The Planning Area only needs to be approved by City Council. However, it is required to take the Comprehensive Plan Map or otherwise known as the Future Land Use Map to Ada County Commissioners for approval. The map may change as the need arises. One of the factors that may necessitate change is development activities that are occurring outside the impact area. The Planning Area is a part of the Comprehensive Plan.

The current planning area ends at South Cole Road. Staff is requesting that the planning area be extended from South Cole Road to South Pleasant Valley Road. The purpose for the expansion is to provide a manner method for a proposed development to annex into the City of Kuna in a timely manner.

The Planning Area Map, if approved will allow development to occur outside the City's existing approved impact area thus accommodating those who have expressed interest to annex and develop prior to the approval of the city impact area by Ada County, to be allowed to annex as long as they are contiguous.

Staff is recommending approval of the eastern extension of the planning area boundary from South Cole Road to South Pleasant Valley Road.

G. Applicable Standards:

1. City of Kuna Zoning Ordinance Title 5
2. City of Kuna Comprehensive Plan
3. Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act.

H. Proposed Findings of Fact:

1. The Kuna Planning and Zoning Commission accept the facts outlined in the staff report, any public testimony and the supporting evidence list as presented.
2. Public notices were published in the Kuna Melba News on March 12, 2015 and March 19, 2015, and March 26, 2015 in anticipation of the Planning and Zoning Commissioner's meeting. The notices providing a summary of the amendment, date, time, and place of the public hearing.
3. Affected agencies were notified February 3, 2015 and on March 30, 2015.
4. All procedural items have been completed in accordance with Idaho Code and Kuna City Code.
5. The maps within the amended Comprehensive Plan have been updated to reflect the proposed eastern planning boundary extension.
6. The Planning Area Map for the City of Kuna was last updated in October 2009.
7. The Planning Area Map extension if approved, will allow properties currently outside the City's existing impact area that have expressed interest in annexation to develop.
8. The Planning Area Map identifies projected land uses.
9. The reason Kuna is requesting an amendment of the Planning Area is due to proposed development within that area.

I. Proposed Conclusions of Law:

Based on the foregoing findings, staff report and testimony provided the Kuna Planning and Zoning Commission found...

1. The Planning Area Map has been prepared indicating projected land uses for the extension.
2. This extension amendment appears not detrimental to the health, safety and general welfare of the public.
3. The map amendment appears to be consistent with the Comprehensive Plan.
4. The Planning Area extension amendment will advance the public interest and be a benefit to the City of Kuna.

J. Proposed Order of Decision:

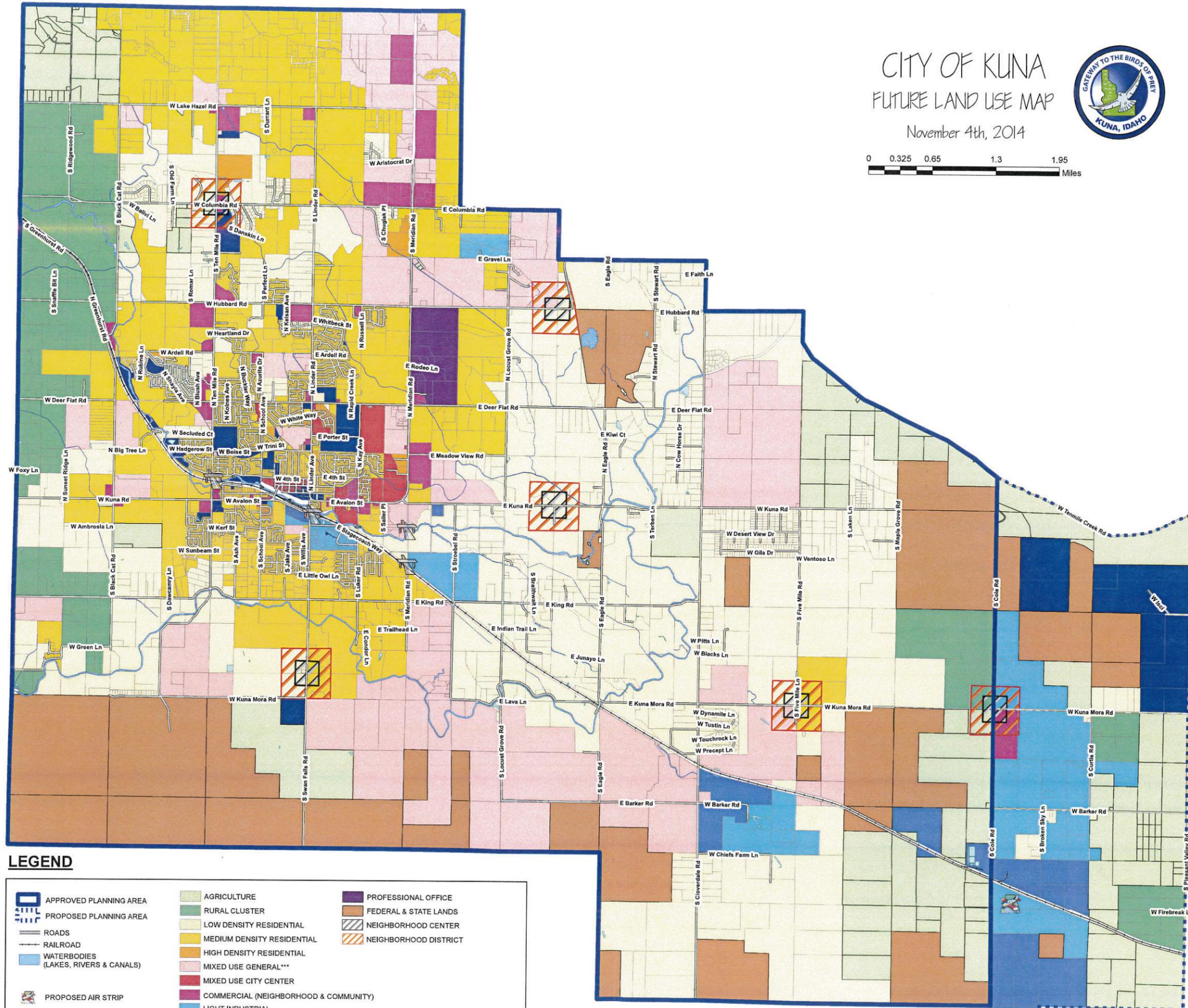
The Commission should consider the evidence and testimony presented at the meeting prior to rendering its decision.

Note: This proposed motion is for approval or denial of this request. However, if the Planning and Zoning Commission wishes to approve or deny specific parts of the request as detailed in this report, they must be specified.

Based on the facts outlined in staff's report and the public testimony (if any), the Planning and Zoning Commission of Kuna, Idaho, hereby recommends (approves or denies) to City Council for Case No. 15-01-CPMA, a Planning Area Map amendment to extend the eastern boundary from South Cole Road to South Pleasant Valley Road.

CITY OF KUNA FUTURE LAND USE MAP

November 4th, 2014



LEGEND

	APPROVED PLANNING AREA		AGRICULTURE		PROFESSIONAL OFFICE
	PROPOSED PLANNING AREA		RURAL CLUSTER		FEDERAL & STATE LANDS
	ROADS		LOW DENSITY RESIDENTIAL		NEIGHBORHOOD CENTER
	RAILROAD		MEDIUM DENSITY RESIDENTIAL		NEIGHBORHOOD DISTRICT
	WATERBODIES (LAKES, RIVERS & CANALS)		HIGH DENSITY RESIDENTIAL		
	PROPOSED AIR STRIP		MIXED USE GENERAL***		
	PROPOSED OVERPASS		MIXED USE CITY CENTER		
			COMMERCIAL (NEIGHBORHOOD & COMMUNITY)		
			LIGHT INDUSTRIAL		
			HEAVY INDUSTRIAL		
			PUBLIC		

*** MIXED USE GENERAL EXPECTED RESIDENTIAL DENSITIES CAN RANGE FROM 2 TO 20 UNITS PER ACRE



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY
Development Services Department

March 3, 2015

City of Kuna
Wendy Howell, Planning and Zoning Director
763 W. Avalon St.
P.O. Box 13
Kuna, ID 83634

**RE: Kuna Planning Area Expansion and Proposed Comprehensive Plan
Amendments**

Dear Ms. Howell,

Thank you for this opportunity to comment on the City of Kuna's proposed planning area boundary expansion and comprehensive plan amendments. Currently, pursuant to County Ordinance 378, the County adopted Kuna's comprehensive plan and an area of city impact boundary for Kuna in 1999. Ordinance 378 also created a referral area but it does not recognize a "planning area". Several years ago the County and Kuna began renegotiating on the Kuna area of city impact. Those negotiations included amendments to the adopted Kuna Comprehensive Plan applicable in the Kuna area of city impact as well as an area of city impact boundary expansion. But for several years now the renegotiations have been inactive.

The proposed planning area we have received does not match the boundaries of what Kuna had proposed during the prior negotiations for an area of city impact boundary. While we see some value in having a conceptual planning boundary for internal planning discussions, we do not believe that it is necessary for Kuna to adopt a "planning area" that exceeds the proposed area of city impact boundary. Furthermore, LLUPA does not recognize a "planning area" and as such such planning area would not carry the same legal significance as an officially adopted area of city impact, along with the adopted comprehensive plan and future land use map, with regard to future development occurring in such "planning area" but outside of an adopted area of city impact.

Given that the city desires to continue forward with two planning boundaries – the area of city impact and a planning area – we have the following comments on the expansion of the planning area and proposed comprehensive plan amendments:

First, a planning area should not expand into another city's County approved, area of city impact. Kuna's proposed planning area should be moved to not encroach into Meridian's adopted area of city impact. The intent of IC 67-6526 is that area of city impact boundaries do not overlap and IC 67-6526(3)(c) provides for a process to remedy those that do overlap. Therefore, the County cannot support a planning area that overlaps with another city's area of city impact boundary.

Second, the existing area of city impact for Kuna includes approximately 100 years of room for future growth¹. So, it is unclear from Ada County's perspective if an expansion of the current area of city impact could be justified. It would seem beneficial, however, to the city and its residents to seek expansion of the area of city impact in conformance with statutory requirements.

Third, while several years ago, Kuna and the County were in negotiations on proposed comprehensive plan amendments and area of city impact boundary expansion, it has been over two years since Ada County last reviewed Kuna's proposed comprehensive plan amendments and it is unclear whether or not the last version we have is the same as what is currently proposed. Further, the proposed amendments will need to be reviewed in light of current development conditions. Therefore, this letter is to inform you that the County disapproves of the proposed comprehensive plan amendments since we have not had sufficient time to review the documents. That review will come during negotiations as required under IC 67-6526.

Ada County looks forward to working with you to find the optimal solution for our community. When you are ready to begin renegotiations regarding Kuna's area of city impact agreement with the County, please send a letter to the County to that effect.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan M. Leatherman', with a long, sweeping horizontal flourish extending to the right.

Megan M. Leatherman, MCRP

Cc: BOCC

¹ Based upon the average net residential units permitted from 2001 to 2014, the build-out of the officially adopted area of city impact would take 108 years.

Wendy Howell

From: Lori Badigian <LBadigia@cdhd.idaho.gov>
Sent: Wednesday, February 04, 2015 9:01 AM
To: Wendy Howell
Subject: RE: Agency Notification

Wendy,

Due to the lack of infrastructure in this area, we assume that development will be utilizing onsite sewage disposal as a method of taking care of the wastewater needs. Soils in this area are typically shallow in depth and utilizing septic systems for large volumes of wastewater disposal could be a challenge.

Lori Badigian, REHS | Sr. Environmental Health Specialist
Central District Health
707 N. Armstrong Place | Boise, ID 83704
P: (208) 327-8517 | F: (208) 327-8553 | C: (208) 869-9118

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