Planning & Zoning Department

Before the Planning & Zoning Commission
August 27, 2019

STAFF REPORT – PUBLIC HEARING #5

Annexation and Zoning to the adjacent RS7, RS 8.5, or RS22 zoning for Lake Lowell Ave. located in the NW ¼ of Section 31 and the SW ¼ of Section 30, T3N, R2W, BM, Canyon County, Idaho for the City of Nampa (ANN 129-19).

To: Planning and Zoning Commission

Applicant: City of Nampa -- Daniel Badger
File No: ANN 129-19

Prepared by: Norman L. Holm

Date: August 20, 2019

Requested Action: Annexation and Zoning to the adjacent RS7, RS 8.5 or RS22 zoning for the northerly 25.00' of the NW ¼ of Section 31 and for the southerly 25.00' of the SW ¼ of Section 30.

Purpose: To clean up Roadway Annexations for the City of Nampa and the Nampa Highway District along Lake Lowell Avenue.

GENERAL INFORMATION

Annexation Location and Acreage: Lake Lowell Avenue located in the NW ¼ of Section 31 and the SW ¼ of Section 30, T3N, R2W, BM, Canyon County, Idaho - 50 feet X 2,640 feet – 3.03 acres or 132,000 sq. ft.

Zoning & Planning History/Background: The City of Nampa and the Nampa Highway District in November of 2016 entered into a cooperative agreement regarding roadway maintenance and annexation of roadways. The agreement states that: "When 55% or more of a total road frontage is annexed within a 1/2-mile length of road the City shall annex the entire 1/2-mile
section.” Several locations annexed prior to the agreement do not follow this new standard. This proposed annexation addresses these older annexations and better delineates maintenance responsibility for Lake Lowell Avenue.

Applicable Regulations: In order for right-of-way lands to be annexed they must be contiguous with city limit boundaries or be enclaved by other properties and touching previously annexed property.

Existing Uses: This Lake Lowell Avenue right-of-way segment is a previously established and developed street.

SPECIAL INFORMATION

Public Services: Police and fire already service city incorporated areas surrounding the right-of-way location.

Physical Site Characteristics: Existing previously constructed street locations.

Correspondence: Following adjacent property owner notification mailings Staff received a few calls from property owners adjacent this section of Lake Lowell Avenue. The matter is a bit confusing, but once explained no opposition was stated.

STAFF FINDINGS AND DISCUSSION

If the Planning & Zoning Commission recommends approval of the requested annexation with zoning to the City Council the following findings are suggested:

1) Annexation and Zoning to the same zoning as the adjacent private properties is requested for this Lake Lowell Avenue right-of-way section, comprising a total of 3.03 acres or 132,000 sq. ft.

2) The proposed zoning to that of the adjacent private properties for the right-of-way annexation conforms with the city’s comprehensive plan future land use map for this Lake Lowell Avenue right-of-way section.

3) The City of Nampa and the Nampa Highway District in November of 2016 entered into a cooperative agreement regarding roadway maintenance and annexation of roadways. The agreement states that: “When 55% or more of a total road frontage is annexed within a ½ mile length of road the City shall annex the entire ½ mile section.”

4) Several street locations annexed prior to the agreement do not follow this new standard.

5) The proposed street right-of-way annexation addresses the older annexations and better delineates maintenance responsibility for the Lake Lowell Avenue roadway.

RECOMMENDED CONDITIONS OF APPROVAL

None required
ATTACHMENTS

1) Application (Page 4)
2) Vicinity map with zoning (Page 5)
3) Map of Lake Lowell right-of-way annexation (Page 6)
4) Annexation description (Page 7)
5) Agency and other correspondence (Pages 8+)
### APPLICATION FOR ANNEXATION/ZONING

**PLANNING AND ZONING DEPARTMENT**

411 3RD STREET S., NAMPA, IDAHO 83651  P: (208) 468-4487 F: (208) 465-2261

Nonrefundable Fee: **$452.00** (1 acre or less) Nonrefundable Fee **$910.00** (more than 1 acre)

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<table>
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<th>Applicant Name</th>
<th>City of Nampa</th>
<th>Home Number</th>
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<tr>
<td>Street Address</td>
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<td>Mobile Number</td>
<td></td>
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<tr>
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<td>Nampa</td>
<td>Email</td>
<td><a href="mailto:badgerd@cityofnampa.us">badgerd@cityofnampa.us</a></td>
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<tr>
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<tr>
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<table>
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<tr>
<th>Applicant’s interest in property:</th>
<th>( ) Own ( ) Rent ( X ) Other Prescriptive public right-of-way</th>
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**ADDRESS OF SUBJECT PROPERTY:** Various - Lake Lowell Avenue

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**Please provide the following required documentation**

- **X** Completed Application
- [ ] A copy of one of the following: [ ] Warranty Deed [ ] Proof Of Option [ ] Earnest Money Agreement  
- [ ] Signed & Notarized Affidavit of Legal Interest (attached). Form **must** be completed by the legal owner (If owner is a corporation, submit a copy of the Articles of Incorporation or other evidence to show that the person signing is an authorized agent)  
- [ ] Original Legal description of property AND a legible WORD formatted document with Closure Calcs (Must have for final recording) Old or illegible title documents will need to be retyped in a WORD formatted document.

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**Project Description**

- State the zoning desired for the subject property: **Various, Same as adjacent**
- State (or attach a letter stating) the reason for the proposed annexation and any proposed plans for the use of the subject property: **Clean up roadway right-of-way annexation for City and Highway District along Lake Lowell Avenue.**

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**Dated this:** 2 day of July, 2019  

**Applicant Signature**

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**NOTICE TO APPLICANT**

This application will be referred to the Nampa Planning Commission for a recommendation on the requested zoning. The Planning Commission shall hold a public hearing and will then make its recommendation to the City Council. The City Council will then hold a second public hearing. Notice of the public hearings must be published in the Idaho Press-Tribune 15 days prior to said hearings. Notice shall also be posted on the premises of the subject property not less than 1 week prior to the hearings. Notices will also be mailed to property owners or purchasers of record within 300 feet of the subject property. You will be given notice of the public hearings and should be present to answer any questions.

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**OFFICE USE ONLY**

**FILE NUMBER:** ANN - 129 - 2019  **PROJECT NAME**  

Annex a portion of ROW on Lake Lowell
Lake Lowell Ave

Annexation and zoning to RS7- Single family residential

ANN-00129-2019

8/12/2019

Visit Planning & Zoning at cityofnampa.us for more info.
Exhibit A-1

ANNEXATION DESCRIPTION FOR THE
CITY OF NAMPA, IDAHO

LAKE LOWELL AVENUE ANNEXATION

A description for public right-of-way annexation purposes along Lake Lowell Avenue located in the NW 1/4 of Section 31 and the SW 1/4 of Section 30, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

The northerly 25.00' of said NW 1/4 of Section 31;

The southerly 25.00' of said SW 1/4 of Section 30.
The Nampa Engineering Division has no comment since the request originated from our department.

Caleb LaClair, P.E.
Assistant City Engineer, Engineering
O: 208.468.5422, C: 208.250.2679

Good Morning Everyone! 😊

Re: ANN-00129-2019

City of Nampa has requested Annexation and Zoning to the adjacent RS7 (Single Family Residential - 7,000 sq. ft.), RS8.5 (Single Family Residential - 8,500 sq. ft.), or RS22 (Single Family Residential - 22,000 sq. ft.) Zoning District for Lake Lowell Avenue located in the NW ¼ of Section 31 and the SW ¼ of Section 30, T3N, R2W, BM, Canyon County, Idaho being the northerly 25 feet of said NW ¼ of Section 31 and the southerly 25 feet of said SW ¼ of Section 30 (50 feet X 2,640 feet = 3.03 acres or 132,000 sq. ft.).

The Annexation application will go before the Planning & Zoning Commission as a public hearing item on the August 27, 2019 agenda.

Please find attached the ANN-00129-2019 file for your review and send all comments to my attention or to Sylvia Mackrill (mackrill@cityofnampa.us) no later than August 09, 2019.

Thank you & Have a great day!

Shellie A. Lopez, Planning Administrative Specialist
O: 208.468.4487, F: 208.468.5439
411 3rd Street South, Nampa, ID 83651
Planning and Zoning - Like us on Facebook
Good Morning Shellie,

Nampa Highway District #1 has no objection.

Thank you,

Eddy

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Eddy Thiel
ROW
eddy@nampahighway1.com
4507 Highway 45, • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

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From: Shellie Lopez <lopes@cityofnampa.us>
Sent: Thursday, August 1, 2019 10:21 AM
Subject: ANN-00129-2019

Good Morning Everyone! 😊

Re: ANN-00129-2019

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Thank you & Have a great day!
Good morning,

ITD has received application ANN-00129-2019 for review. ITD does not anticipate any significant traffic impact to the State Highway system from this development and has no objections to the proposed development.

Thank you,

Sarah Arjona
Development Services Coordinator
ITD District 3
(208) 334-8338

--- This email is from an external sender. Be cautious and DO NOT open links or attachments if the sender is unknown. ---

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