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Star development battle reflects wider Treasure Valley issue

By NICOLE FOY nfoy@idahopress.com Apr 19, 2018



STAR — As residents across the Treasure Valley push back against development, a planning issue playing out in Star reveals how one town's growth can have cascading effects for an entire region.

The elected officials of a single town with fewer than 10,000 residents and no planning and zoning department is taking the lead on plans for mostly rural, undeveloped land that extends beyond Star into Ada and Canyon counties.

Opposition to development in Star is centered on two issues: a 1,552-acre annexation and rezoning application from a Boise developer, and a comprehensive plan amendment that pushes Star's area of city impact into northeastern, mostly rural, Canyon County. Idaho code requires all cities to include an area of city impact in their comprehensive plans, indicating where the city plans to grow in the future.

Boise-based Willowbrook Development proposes to annex, rezone and develop a large swath of land in the Purple Sage Road and Kingsbury Road corridor — including nearly 800 acres in rural Canyon County — into the city of Star.

The annexation would increase the size of the city of Star by roughly 40 percent. The proposed version of Willowbrook Development's plan would add anywhere from 1,500 to 3,000 homes along the Ada and Canyon county line, an area that is mostly farmland and hillside.

The proposed expansion of Star's comprehensive plan identifies 684 acres of Canyon County for low-density housing and 4,343 acres for medium-density housing, according to Canyon County Development Services Director Patricia Nilsson. About 300 residents from both counties attended the first community meeting in Star on March 27.

Star's first public hearing on the comprehensive plan update is tonight, and the City Council is scheduled to revisit Willowbrook's application on May 1. By the beginning of May, the Star City Council or city staff will have met a combined four times on the two issues. Residents have packed the previous meetings.

Much of the rural-resident opposition stems from shock that the city of Star has the power to make such a move in the first place. Neither Ada nor Canyon County has any real governing authority over an individual city's annexation plans, Nilsson said. They also can't take definitive action on comprehensive plan amendments at this stage of the process.

Two cities can include the same area of land in their comprehensive plans or have overlapping city areas of impact. According to [Idaho Code 67-6526©](#), the board of county commissioners can intervene if two cities disagree over overlapping areas of city impact — but only after a request from either city. If one of the cities objects to the county's recommended adjustments to the areas of city impact, the county would hold an election.

Including the northeastern corner of Canyon County in Star's comprehensive plan does not automatically mark that land for annexation. However, rural Canyon County residents — most with a Middleton zip code — have made it clear they aren't interested in appearing in any of Star's current or future development plans.

"I have concerns for how long we'll get to live in a rural setting if us residents can't get through to the City Council that we would like to slow down the growth," said Melissa Cisler, whose family recently moved to a 15-acre hay farm in Middleton so their daughters could grow up away from the city.

"Growth is inevitable, I understand that. But it needs to be slowed down in the rural areas," Cisler said.

OPPOSING GROUPS

Two main groups from two counties oppose both the annexation and the expansion of Star's area of city impact onto Canyon County land. The Hillsdale Homeowners Association, a neighborhood of upscale homes next to the planned 1,500-acre development, has hired land use lawyer JoAnn Butler to represent their case.

The second group, composed mostly of residents from Middleton and rural Canyon County, opposes both the annexation and the designation of their homes in Star's impact area in the proposed comprehensive plan. Since the start of this year, Middleton and Canyon County residents have shared concerns, updates and even recaps of public meetings on a closed Facebook group called "Rural Middleton Against City Annexation."

Middleton residents such as Carlene Donath and Mandi Gottfredson use the group to crowdsource public records requests and encourage residents to attend public meetings in both Star and Middleton. On April 9, about 90 people attended Middleton's Planning and Zoning meeting.

"What happens is, you've got two communities that officials aren't listening to," Donath said. She's also keeping an eye on other development plans like Willowbrook that are currently before the city of Middleton. "No one is listening to Middleton right now, because they are so focused on what's happening in Star."

'TRUST THE PROCESS'

Star Mayor Chad Bell told the Idaho Press-Tribune he wants residents to know he and the city council are listening to their concerns, but residents also needed to have faith in the overall process. The phrase "Hold the vision, trust the process" is displayed on the walls of both his office and the Star City Council chambers.

"We have a vision that we have to hold on to, and we have to trust the process to get there," Bell said. "Many times the problem is that people don't understand the process. It's something that we need to try to do our best to educate people about, but we have to trust the process."

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They may echo the same anti-development sentiments of other Treasure Valley residents who don't want the rural nature of the neighborhoods to change, but local residents are concerned by Star's process. A normal update to a comprehensive plan can take two years. Further, while cities can negotiate an agreement over areas of city impact, Canyon County and Star have no such agreement that would provide a starting point for disputed areas. Bell said Star would begin negotiating an area of city impact with Canyon County commissioners soon.

Residents suspicious of the speed of the process also point to close connections between the city of Star and the developers. Nate Mitchell, a consultant working with Willowbrook Development, is the former mayor of Star. Mark Butler, the planner hired by the city of Star to plan the comprehensive plan amendment, previously represented Willowbrook Development in [other Canyon County building projects](#) for Land Consultants, Inc. in Boise.

Canyon County officials have also expressed concerns about the speed of the process and the lack of input from other agencies.

"I don't think it's highly unusual for something to get done quickly — sometimes in government, maybe it is," Bell said. "But if we need to take a little more time we will. I know there are opinions — and honestly that's all they are — that we should take longer. We'll obviously take that into consideration."

Canyon County Commissioner Tom Dale told the Idaho Press-Tribune he shares the concerns of many of the Canyon County residents who have submitted letters and comments regarding proposed development in Star.

“These processes of comprehensive plan and impact area negotiations — all of those things are there for a purpose: to encourage and create orderly growth,” Dale said. “I have learned over the last 20-plus years of being involved in planning efforts and trying to organize the growth that is coming, comprehensive plans are used for a reason and they should be followed. When you circumvent them, you will have problems.”

Bell emphasized the comprehensive plan was just a tool to help Star plan for future areas of growth, whether those areas ended up part of Star or not.

“We are charged with planning in a 20-year window for our city,” Bell said. “I realize that people may not have ever thought that these little towns out here would grow this fast, but the reality is, they are.”

The level of growth that Star anticipates doesn’t match with COMPASS predictions. COMPASS, the Community Planning Association of Southwest Idaho, is an association of local governments that plans for future growth in Canyon and Ada counties.

According to COMPASS’s 2040 household projections, the Canyon County area included in Star’s comprehensive plan is only predicted to add 561 households. According to Canyon County Development Services’ analysis, Star’s draft future land use map plans for 13,713 to 18,740 households. The analysis, however, doesn’t specify Star’s estimated timeline for that level of growth.

In Canyon County’s written review of the comprehensive plan dated April 12, 2018, Nilsson questioned nearly every aspect of the planning map. Nilsson, specifically notes the lack of planning for areas deemed flood or wildfire hazards, the potential effect of 13,000 to 18,000 new households on the Middleton School District or the expansion’s effect on agricultural land — which would encompass 1,828 acres of irrigated agriculture, 149 acres of irrigated pasture and 1,144 acres of dry grazing.

“There has not been any data presented that supports the expansion of the Star Planning Area in Canyon County nor data that would assist Star in evaluating future annexation requests,” Nilsson wrote near the conclusion of the response. “A more deliberate and informed effort is needed to adequately forecast the future land use needs of the City of Star.”

According to the city of Middleton’s April newsletter, Mayor Darin Taylor contacted Willowbrook Development and “requested the property be annexed into the City of Middleton, but was politely declined.” The newsletter goes on to say the city respects Star’s right to annex the property, although

Middleton would like the Canyon County land to be developed “according to the Middleton standards and connect to Middleton’s water and sewer systems.”

Although the city of Middleton received a notice from Star to discuss their comprehensive plan amendment, Taylor told the Idaho Press-Tribune that Middleton has yet to begin discussions with Star staff or city officials on the issue.

“The city of Middleton is pleased with the current areas of city impact and is not interested in any re-negotiation,” Taylor said. “It makes sense to go to the Can-Ada line.”

FUTURE PROBLEMS

Approval of Willowbrook Development’s application for rezoning and annexing roughly 800 acres of Canyon County land into the city of Star would mean creating a web of overlapping jurisdictions. Students would attend Middleton School District, Canyon Highway District No. 4 would fix the roads and Star Fire District would have jurisdiction within city limits. Middleton Mayor Darin Taylor hopes the area would connect to Middleton’s pre-existing water and sewer lines.

There’s also confusion over which law enforcement agency would have jurisdiction. Canyon County Sheriff’s Office is currently responsible for the area within Canyon County, but the city of Star contracts with Ada County Sheriff’s Office for law enforcement within its city limits.

“We have to do what we believe is in the best interest of the entire city,” Bell said. “That doesn’t mean we don’t listen. We do listen, but our decisions are always fact based and legally based. Obviously, we try the best we can to get the concerns of the citizens in there.”

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