

**ORDINANCE NO. 2021-16
CITY OF KUNA**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA:

- ☐ **REPEALING SECTION 2 OF CHAPTER 4 OF TITLE 6 KUNA CITY CODE;
AND**
- ☐ **AMENDING CHAPTER 4 OF TITLE 6 KUNA CITY CODE BY THE
ADDITION OF A NEW SECTION 2 PROVIDING SUBDIVISION PUBLIC
IMPROVEMENTS STANDARDS INCLUDING DEFINITIONS,
STANDARDS FOR ACCESS, BIKE LANES, CURB AND GUTTER,
FENCING, FIBER OPTIC CONDUIT, FINAL LOT GRADE, IRRIGATION
SYSTEMS, IRRIGATION DITCHES, LANDSCAPE, OPEN SPACE AND
PARK AREAS, PARKING LOTS, SANITARY SEWER, SCHOOL BUS
STAGING AREA, SIDEWALK, STORMWATER DRAINAGE, STREETS
AND ALLEYS, STREET LIGHTING, SURVEY MONUMENTS, TRAFFIC
CALMING, UTILITIES AND WATER SUPPLY SYSTEM; AND**
- ☐ **PROVIDING A SEVERABILITY CLAUSE; AND**
- ☐ **DIRECTING THE CITY CLERK; AND**
- ☐ **PROVIDING AN EFFECTIVE DATE.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Kuna, Ada County, Idaho:

Section 1: That Section 2 of Title 6 Kuna City Code be and the same is hereby repealed.

Section 2: That Chapter 4 of Title 6 Kuna City Code be and the same is hereby amended by the addition thereto of a new Section 2 to read as follows:

6-4-2: - REQUIRED PUBLIC IMPROVEMENTS STANDARDS:

A. Definitions: For purpose of this chapter, certain terms or words used herein shall be interpreted as follows:

1. For purposes of this Chapter, the terms or words, as defined in Kuna City Code section 5-1-6-2, are herein adopted and included by reference in this section; and any definitions not found herein this section, the city staff shall use and rely upon the latest *A Planners Dictionary*, edited by Michael Davidson and Fay Dolnick, American Planning Association and Planning Advisory Service, for interpretation purposes.

2. ACHD: Ada County Highway District
 3. Fire District: Kuna Rural Fire District or Meridian Rural Fire Protection District depending upon the location of the subdivision.
 4. IDAPA: Idaho Administrative Code
 5. ISPWC: Idaho Standards for Public Works Construction
 6. ITD: Idaho Transportation Department
 7. School District: Joint School District No. 2 Ada and Canyon Counties State of Idaho [know as West Ada School District] and Joint School District No. 3 Ada and Canyon Counties State of Idaho [known as the Kuna School District] depending upon the location of the subdivision.
- B. Every subdivider as part of the final subdivision platting process shall be required to install the following public and other improvements in accordance with the conditions and specifications of this chapter:
1. *Access:* Subdivisions containing greater than 30 single-family dwelling units shall provide at minimum two public access points for ingress and egress, unless every residence constructed has fire sprinklers installed. The two access points shall be separated by no less than $\frac{1}{2}$ of the diagonal measurement of the full development as set forth in International Fire Code, unless otherwise approved by the Fire District and ACHD. Subdivisions containing greater than 100 multi-family dwelling units shall provide at minimum two public access points for ingress and egress at the locations requested by the Fire District and approved by ACHD. Multi-family projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with the International Fire Code. Alternatively, in lieu of a second public access, secondary emergency or temporary access points may be utilized on a case-by-case basis as approved by the Fire District and ACHD.
 2. *Bike facilities:* Bike facilities shall be installed in accordance with the City's Pathways Master Plan. Sidewalks shall not substitute for bike facilities. However, shared detached bike facilities may be installed along functionally classified arterial and collector roadways with approval from the Planning and Zoning Director and ACHD. A roadway's functionality shall be determined by the City's adopted Street Circulation Map. Bike facility specifications shall be in accordance with City and ACHD standards.
 3. *Curb and gutter:* Vertical curb and gutter shall be constructed on all functionally classified collector roadways. With the exception of arterial roadways, other

roadway classifications may feature rolled or vertical curbs, and supporting stormwater devices.

- a. Vertical curb and gutter may be constructed on functionally classified arterial roadways with approval from ACHD.
 - b. The use of drainage swales for stormwater conveyance in lieu of curb and gutter is prohibited unless otherwise determined by the Public Works Director, City Engineer or designee.
 - c. Curb cuts for access, including driveways, constructed according to the City, ITD and ACHD's current access management standards. Placement, alignment, width and apron features shall be designed and constructed according to standards established by the authority with jurisdiction over the subject roadway. All curb returns shall be constructed with a minimum twenty-eight (28) foot curb return radius , or as determined by the Fire District).
4. *Fencing*: Fencing shall be installed according to Kuna City Code sections 5-4-6 and 5-5-5. With the exception of commercial or industrial subdivisions, and public open space, subdivisions shall feature permanent fencing along its outer perimeter behind all required landscape buffers. Chain-link fencing is not permitted in residential subdivisions, except for school and City facilities. The City and School District may rely upon a powder coated or galvanized chain-link fencing for security related purposes.
5. *Fiber Optic Conduit*: The Developer is required to place one (1) - four (4) inch conduit with three (3) $\frac{1}{4}$ - $\frac{1}{2}$ inch innerduct along all mile and mid-mile section roads. Said innerduct shall be placed with the proper amount of handholes, as determined by the City Engineer or their Designee, at road and canal crossings. Innerduct shall consist of (1) Orange, one (1) Blue and one (1) Green in accordance with the current City Fiber Optic Detail. Conduit shall be turned over to the City at time of final platting or otherwise approved by the Public Works Director, City Engineer or designee.
6. *Final Lot Grade*: The final grade of any lots within a subdivision shall not exceed a 1:4 ratio in the rear of a lot or 1:3 on the sides of lots. Any lot with a slope exceeding six (6) feet in height shall include a retaining wall with drainage designed by an Idaho registered Professional Engineer.
7. *Fire hydrants*: Fire hydrants shall be installed in accordance with the current City Fire Hydrant Detail, Fire District Standards, IDAPA 58.01.08 and ISPWC Section 1102.3.1.B.6. Fire hydrants shall have a minimum clearance of ten (10) feet on either side and three (3) feet to the front and rear. Fire hydrants shall not be connected to water mains smaller than six (6) inches in diameter, and fire hydrants shall not be installed unless sufficient fire flow is provided. Unless

other determined by the Fire District, fire hydrants shall have a Storz Large Diameter Hose (LDH) Connection in place of the 4 ½ inch outlet. The Storz connection may be integrated into the hydrant or an approved adapter may be used on the 4 ½ inch outlet. Fire hydrants shall have the Storz outlet face the main street or parking lot drive aisle and shall not have any vertical obstructions to outlets within ten (10) feet. Fire hydrant locations shall be approved by the Public Works Department and the Fire District. Locations shall be shown on all of the final approved construction drawings and record drawings.

8. *Flag lot(s) and Private Driveway(s):* A flag lots shall utilize a private driveway that connects with a public street for access. For multiple lots within a flag lot configuration, a private common (or shared) driveway shall be relied upon to access and shall only serve a maximum of three (3) lots. All private driveways shall not extend more than one hundred fifty (150) feet from the public street right-of-way. All private driveways shall have a minimum frontage of thirty (30) feet along roadways and be constructed with a minimum twenty (20) foot wide curb cut and shall be paved the entire width and length. The area for private driveways shall be exclusive of each lot's minimum square footage. An agreement for common driveway care and maintenance shall be recorded with each lot utilizing the private driveway for access.

- a. When required by the Fire District, all common driveways shall be signed, "No Parking Fire Lane" per appendix D of the 2018 International Fire Code. No other signs shall be approved.

9. *Irrigation System:* The Municipal Pressurized Irrigation System, including pumps and ponds, shall be constructed in accordance to the City's adopted Master Plan, unless otherwise approved by the Public Works Director, City Engineer or Designee. The extension and relocation of irrigation systems provided by the City shall be at the subdivider's expense. The Public Works Director, City Engineer or Designee shall determine the required percentage of surface or ground irrigation water rights needed to connect to the Municipal Pressurized Irrigation System. The developer shall bring the irrigation system to and through the proposed subdivision to facilitate connection to surrounding users. Potable water shall not be used for irrigation purposes unless approved by the Public Works Director, City Engineer or designee.

- a. In the event that there are not adequate surface or ground irrigation water rights, connection to the Municipal Pressurized Irrigation System shall not be permissible, and the developer shall be required to design and construct a private pressurized irrigation system. Private pressurized irrigation systems shall be constructed in accordance with the City's adopted Master Plan, subject to City Engineer, or designee approval.

10. *Irrigation Ditches:* The subdivision's irrigation ditches and laterals shall be tiled with the exception of major canals and natural waterways unless otherwise

approved by the Public Works Director or City Engineer, in consultation with the irrigation water purveyor. Irrigation conveyances shall be placed in a public easement. Major canals and natural waterways located within or adjacent to the development boundaries that are not tiled shall be appropriately fenced. Improvements involving the irrigation distribution system shall have the affected irrigation water provider's approval.

11. *Landscape, Open Space and Park areas:* The subdivision's landscape, open space and park areas shall be designed and constructed according to the approved landscape plan, subject to the provisions of Chapters 4 and 17 of Title 5 Kuna City Code. For residential subdivisions, a minimum of one (1), two (2) inch caliper, tree shall be planted by the subdivider on each lot within the subdivision. No tree shall be placed within ten (10) feet of any and all meter pits, pressurized irrigation valves and/or ACHD underground facilities. Landscaping within the public right-of-way requires a license agreement with the ACHD and/or ITD. All landscape, open space and park areas shall be serviced by pressurized irrigation. The subdivider shall add provisions to the subdivisions CC&R's identifying who will be responsible for the care and maintenance of the landscape, open space and private park areas.
12. *Parking Lots:* The placement, layout and construction of off-street parking facility(s) shall be in accordance with Kuna City Code Sections 5-9-1 through 5-9-5.
13. *Pathways:* Required pathways shall conform to the City's Pathways Master Plan. All pathways shall be designed and constructed in accordance with Kuna City Code 5-17-14 and 7-3A-8, or as otherwise approved by the Parks and Recreation Director, or their designee.
14. *Sanitary Sewer:* Subdivisions are required to connect to the City's sanitary sewer system. The extension and relocation of sanitary sewer provided by the City shall be at the subdivider's expense. Sanitary sewer systems shall be designed and constructed in accordance with the specifications of the City's adopted Sewer Master Plan and conform to ACHD's adopted utility corridor plan, unless otherwise approved by the City Engineer. IC §50-1326 requires all sewer plans be submitted to DEQ for approval and that no building or structure shall be constructed until sanitary restrictions have been removed. The City Engineer, or their designee, shall serve as the State of Idaho QLPE for purposes of reviewing the City's sanitary sewer plan submittals. The developer shall bring sanitary sewer systems to and through the proposed subdivision to facilitate connection to the surrounding users. No cleanouts shall be permitted within Kuna city limits.
15. *School Bus Staging Area:* The subdivider shall coordinate with the Kuna School District and City Staff to provide areas where children will assemble for transporting to school via school buses. The sites shall be centrally located, highly visible, well-lit and relatively accessible to bus drivers with minimal transportation interference.

The sites are subject to design review. The sites shall be landscaped and the homeowner association CC&Rs should identify who will maintain them.

16. *Sidewalk:* Sidewalks shall be constructed in accordance with Kuna City Code Section 5-17-13.

17. *Stormwater Drainage:* The subdivider shall install the subdivision's stormwater system according to the City Engineer's stormwater management standards. Subdivisions utilizing off-street parking facilities shall have all storm drainage plans and supporting calculations reviewed and approved by the Public Works Director, City Engineer or designee.

18. *Streets and Alleys:* All streets and alleys shall be constructed in accordance with the standards and specifications adopted by the City, ACHD, ITD and the Fire District. Street functionality shall be determined according to the City's adopted Street Circulation Map. The street Right-of-Way widths shall be in accordance to the street typologies identified in Kuna City Code Section 6-3-4. Required landscape buffers based on roadway classification shall comply with Kuna City Code Section 5-17-13. Subdivisions incorporating private streets shall comply with Kuna City Code Section 5-18-1.

a. *Naming and Street Traffic Signs:* Subdivision names and street names shall stay consistent throughout the procedures for preliminary plat, design process, and final plat unless approval has been received by all approving agencies. Subdivision traffic signage shall be constructed and installed at appropriate street locations in accordance with ACHD and City standards. Proposed street names shall be submitted to the Ada County Street Naming Committee for their review and approval.

19. *Street Lighting:* Ornamental street lights (non-standard lights) shall not be maintained or energized by City of Kuna. Street lights shall comply with the City's current Street Light Details. Street lights shall be installed within the subdivision at intersections, cul-de-sacs and other types of turn around, pedestrian shelters, bus stops and within close proximity, but no closer than ten (10) feet on the side and three (3) feet in the front and rear of fire hydrants. The subdivider shall place lighting facilities at a maximum spacing of two hundred fifty (250) feet and proportionately dispersed throughout the interior and exterior of the subdivision.

a. The City of Kuna shall not own or maintain street lights within gated communities. All street lights in a gated community shall be owned, maintained and powered by the subdivision's homeowner's association.

20. *Survey Monuments:* Monuments shall be set in accordance with I.C. §50-1303. Monuments that are disturbed or destroyed during construction of the subdivision shall be reset in accordance with the standards of I.C. §50-1303.
21. *Traffic Calming:* All traffic calming shall be approved by the City of Kuna, the Fire District and ACHD.
22. *Utilities:* The subdivision's public or private utilities shall be placed underground unless otherwise approved by the Public Works Director, City Engineer or designee. The extension and relocation of power, telephone, communication, television and similar utilities provided by the City or other utility purveyor shall be at the subdivider's expense. Utilities shall be designed, constructed and placed with capacity to service adjoining lands.
23. *Water supply system:* Subdivisions are required to connect to the City's municipal water supply system. Each subdivision's public water supply system shall be constructed as an extension of the City's public system and shall be brought to and through the proposed subdivision to facilitate connection to surrounding users. The extension and relocation of the water supply system provided by the City shall be at the subdivider's expense. The water supply system shall be designed and constructed in accordance to the City's adopted Master Plan and water supply system details, unless otherwise approved by the City Engineer. Potable water service lines for buildable lots shall be capable of supplying sufficient volume and pressure for domestic use. Fire flow shall be capable of supplying sufficient volume and pressure in accordance to National Fire Protection Association (NFPA) and International Fire Code (IFC), as determined by the Fire District. The water rights appurtenant to a tract of land, subject to subdivision, shall be dedicated to the City in sufficient water quantities to offset the subdivision's potential water demands as determined by the Public Works Director, City Engineer or designee. The subdivision's water rights shall not be sold, abandoned, or transferred outside the City or its Area of City Impact. All dwelling units shall be individually metered, unless otherwise approved by the City Engineer. IC §50-1326 requires all water plans to be submitted to the DEQ for approval and that no building or structure shall be constructed until sanitary restrictions have been removed. The City Engineer, or their designee, shall serve as the Idaho State's qualified licensed professional engineer [QLPE] for purposes of reviewing the City's water plan submittals.

Section 3: Severability Provision

- 3.1 This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 4: Directing the City Clerk

4.1 The City Clerk is directed to file this Ordinance in the official records of the City and to provide a conformed copy to the Planning and Zoning Director.

Section 5: Effective Date

5.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk and In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

ADOPTED this ____ day of _____, 2021.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk