CITY OF VICTOR

PHONE (208) 274-7082 | www.victorcityidaho.com

Order, Reasoning, Findings and Conclusions of Law

REPORT DATE: July 16, 2026

HEARING DATE: May 27, 2026

FILE NUMBER / NAME	**LU2026-01 Annexation & LU2026-02 Zoning – 250 Aspen St, 17 Baseline Rd, and 106 Antelope Ln. – D&B Partners LLC**		
APPLICATION TYPE	Annexation & Zoning		
PROJECT APPLICANT	D&B Partners LLC	PROPERTY OWNERS	Spencer Stewart, Francisco Lazalde, and Val D. Kunz
PROJECT LOCATION	250 Aspen St, 17 Baseline Rd, and 106 Antelope Ln	PARCEL # / TAX #	RP03N45E110100, P03N45110500, and RP03N45E110400
LAND USE MAP	Downtown Neighborhood	LAND USE ACTIVITY	Vacant, Pasture, and 2 Single Family Homes
ZONING DISTRICT	Teton County: AOI-20 -Zone 2	OVERLAY DISTRICT	NA

ORDER

Having concluded that the Criteria for Approval of an Annexation found in Title 10, Article 14.7.14.B. have been met, council voted to approve the annexation of the 13.38 acres as described in the application materials, and further voted to assign the zoning district of RS-7 for the whole site and subject to the condition of approval in the staff report for the May 27, 2026, meeting.

REASONING

Reasoning in support of the annexation

- The criteria for approval of an annexation in Article 14.7.14.B have been met.
- The property was an unincorporated island surrounded by the City.
- The property is within the growth boundaries of the Comprehensive Plan.
- The property is within the Area of Impact intended to be annexed.

Reasoning in support of the assigned RS-7 zoning

- The RS-7 zoning allows for single-family homes with or without accessory dwelling units, duplexes, and cottage courts as possible diverse development options.
- RS-7 substantially conforms with the comprehensive plan per Land Development Code section 14.7.12.B.1.
- RS-7 is consistent with the adjacent zoning to the north, northwest, and northeast.

Reasoning in opposition of the requested zoning

- The proposal lacked a diversity of housing types as detailed in the Comprehensive Plan. Specifically, council is looking for more development of the missing middle housing type – Single-Family homes, cottage courts, and duplex units, while this proposal has one primary building type in apartments.
- Significant public testimony indicated that the scale of the development doesn't align with the surrounding built environment. Council found that the adjacent townhomes are zoned RM1 & RM2, but are built at a single-family and two-family scale suggesting the surrounding zoning is of a built RS7 zoning.
- The Council found that the proposal lacks conformance with the Land Development Code Rezone Criteria of Approval, specifically 14.7.12.B.3., 14.7.12.B.4., 14.7.12.B.6., and 14.7.12.B.9.

CONDITIONS OF APPROVAL

These conditions shall be made part of an Idaho Code 67-6511A development agreement at a future public hearing.

1. The Owner shall be solely responsible for compliance with these conditions of approval, all applicable development requirements, and all previous and future land use decisions rendered for the Project. All federal state and local laws shall be met.
2. At the time of development, street trees per Art. 12 of the LDC shall be installed by the developer along Baseline Road.
3. At the time of development, the developer shall install the public road extension of Birch Street to Baseline Road and Antelope Lane shall connect with the proposed Birch Street extension to the street cross section of the Public Works Director's satisfaction in accordance with the City of Victor Public Works Standards Specifications and Drawings.
4. Prior to construction of any infrastructure improvements an improvements plan shall be approved by the Public Work and Engineering including all water, wastewater, roads (both public and private), sidewalks, and street trees, etc.
5. A bond or finical surety 125% the cost of the infrastructure improvement plan shall be in place at the time of the pre-construction meeting, prior to any work on the improvements plan.
6. No building permits shall be issued prior to the completion of the improvements plan.
7. Excavation permits can be issued once site plan approval has been granted to allow foundations to be placed during the improvements plan installation.
8. The City is requesting that the applicant paving Baseline Road, from Center Street to Aspen Street.
9. A pedestrian easement and pathway connection shall be constructed to match up with the easement on the property to the south. This shall be constructed at the time of construction for the adjoining parking areas.
10. Sidewalks along Birch St. are required to continue to the Birch St/Alpine Trail intersection.
11. That the buildings fronting baseline road shall not exceed two stories in height.
12. 60% of the multi-family units will be subject to a deed restriction not allowing short-term rental. All rentals for these units shall be no less than 30 days.
13. 30% of the duplex-units and 15% multi-family-units shall be deed restricted to a qualified local household. A qualified local household being a household having one adult occupant who is either employed or has a verified job offer within Teton County, Idaho for at least 30 hours per week (or 1,560 hours per year) or has resided in Teton County, Idaho for at least one year prior and is either over the age of 65 or has a disability recognized by the federal government.
14. The developer shall, at the developer's expense, apply for a ROW vacation for the properties at 120 and 136 Antelope Lane, obtain all required submittal materials, and cover all review and recording fees. The ROW vacation shall be designed to create rectangular shapes parcels like the others on the same block. This application shall be submitted prior to the pre-construction meeting.

SUBJECT PROPERTY

The subject property contains approximately 13.38 acres in a "b" shape identified by parcel numbers: RP03N45E110100 (5 ac.), RP03N45110500 (3 ac.), and RP03N45E110400 (5.38 ac.), located south of Aspen St. between Birch St. and Baseline Rd. The property is currently zoned in Teton County: AOI 20 Zone 2. The properties adjacent to the subject property are zoned Teton County: AOI 20 Zone 2 and RS-7 Residential Single & Two Family to the north; RS-16 Residential Single-Family to the east; RS-3 Residential Single & Two Family to the south; and RS-7 Residential Single & Two Family, RM-1 and RM-2 Residential Multi Family to the west. The property is currently vacant pastureland with 2 single family homes located at 250 Aspen St. and 106 Antelope Ln. The existing neighboring uses to the north, east, and west are mostly single-family homes. The Karl M. Johnson Foundation trailer home park is located to the south. The existing neighboring uses across Baseline Rd. to the east are pastureland and a single-family home. To the west there is also a neighborhood of attached single-family homes (duplexes under separate ownership).

The property is boarded by Aspen St. on the north, Birch St. ends at the western property line, and Baseline Road runs along the far eastern property line of the southern portion of the property. Antelope Ln. runs along the eastern property line of the northern portion of the site.

THE REQUEST

The applicant requested a joint application for annexation of 13.38 acres, located between Birch Street and Baseline Ave, Victor, Idaho and requesting initial zoning of RS-7 Single & Two Family and RM-1 & RM-2 Residential Multi-Family. The Planning and Zoning Commission is the recommending body. According to the updated application materials the proposed uses include 12 units of duplexes/townhomes on the RM-1 zoned portion of the property, 146 units within 7 apartment buildings (five 3-story and two 2-story) on the RM-2 zoned portion of the property, and future unplanned development on the remainder RS-7 zoned portion of the property.

According to the concept site plan the applicant is proposing to extend Birch St. east to connect with Baseline Rd. They are also proposing to connect Antelope Ln. south to connect with the new extension of Birch St. The required park space is being proposed at the southwest corner of the new Birch St. and Baseline Rd. intersection. There is an additional private green spaces area that is proposed next to the private neighborhood club house and pool amenities.

Following the annexation the applicant plans to file for a lot line adjustment application for this property to adjust the property lines on the site to follow the same line that are being requested for the different zoning districts. Lot line adjustment applications are administrative approvals reviewed by the Planning Administrator and the Teton County Engineer. The City is requesting that as a part of the lot line adjustment, that all ROW be dedicated to the City for public road and utility use. The lot line adjustment plat and new deeds cannot be approved or recorded until after the annexation is approved, recorded, and filed with the Idaho State Tax Commission.

THE RECOMMENDATION

The Planning and Zoning Commission voted to recommend approval of the annexation with the assignment of RS-7 Residential Single and Two-Family zoning for the whole site. The Commission agreed that the RS-7 zoning fits well with the adjacent zoning and would be a good transition zoning from the higher density zoning of RM-1 and RM-2 to the west and the lower RS-16 zoning to the east. The Commission expressed serious concerns regarding the proposed mass and scale of the 24-unit and 16-unit apartment buildings not matching the existing neighborhood.

RECORD OF PROCEEDINGS

The procedure requires a public hearing before the Planning and Zoning Commission and City Council in order to be approved [LDC Sec. 14.7.14 & 14.7.12]. Prior to the Council considering the applications at its May 27, 2026, meeting:

- The application was filed [LDC Sec. 14.3.2.B] on January 20, 2026 and fees paid on January 21, 2026.
- Service Provider Notification [LDC Sec. 14.2.2.D] was completed on February 19, 2026. The following service providers were emailed notice: City of Driggs, Teton County Fire, Fall River Electric, Trail Creek Irrigation, Public Works, Teton County Joint Housing Authority, Idaho Transportation Department, Silverstar Communications, Teton Valley Trails and Pathways, Teton County, Teton School Dist., 401 RAD Curbside, City Attorney.
- The public hearing notice was posted on the City website [LDC Sec. 14.3.5] on February 24, 2026.
- The public hearing notice was posted at City Hall [LDC Sec. 14.3.5] on February 26, 2026.
- Property owners within 300', and all political subdivisions have been notified by mail of this application and notice was posted on the property on March 3, 2026. [LDC Sec. 14.3.5]
- Legal notice in the newspaper was published on March 4, 2026. [LDC Sec.14.3.5]
- The Planning and Zoning Commission held a public hearing on March 19, 2026, reviewed the project record, heard testimony from staff and the applicant, heard public comments, and discussed the application's impacts.
- The Planning and Zoning Commission voted to continue the public hearing until April 16, 2026, at 7:00PM. They requested that the applicant return with a proposal showing less density.
- The applicant voluntarily chose to host a neighborhood meeting on April 9, 2026.
- The Planning and Zoning Commission held a public hearing on April 16, 2026, reviewed the updates to the project record, heard testimony from staff and the applicant, heard public comment, and discuss and deliberate regarding the application's impacts.
- The Planning and Zoning Commission voted to recommend approval of the annexation with the assignment of RS-7 Single and Two-Family Zoning for the whole site.
- The public hearing notice was posted on the City website [LDC Sec. 14.3.5] on May 4, 2026.
- The public hearing notice was posted at City Hall [LDC Sec. 14.3.5] on May 4, 2026.

- Property owners within 300', and all political subdivisions have been notified by mail of this application and notice was posted on the property on March 12, 2026. [LDC Sec. 14.3.5]
- Legal notice in the newspaper was published on March 6, 2026. [LDC Sec.14.3.5]
- City Council held a public hearing on May 27, 2026, reviewed updates to the project record, heard testimony from staff and the applicant, heard public comment, and discussed and deliberated regarding the application's impacts.
- City Council as decisionmaker on the application voted to approval the applicant in accordance with the Planning and Zoning Commission recommendation with the assigned zoning of RS-7.
- The development agreement and ordinance will be prepared for a future public hearing.
- Both the annexation and zoning are required to be approved by Ordinance. The Ordinance will be published and recorded with the Teton County Recorder's Office with the annexation plat.
- All adoption documents must also be filed with the Idaho Tax Commission to formally adjust the City boundary map.

APPLICABLE CRITERIA

Listed below are governing standards that shall apply:

- *Victor Land Use Development Code (LDC)*: **Sec. 14.7.14.B** Approval Criteria used for Annexation Applications and **Sec. 14.7.12.B** Approval Criteria used for a Rezone Map Amendment
- *City of Victor Comprehensive Plan*
- *Idaho State Code* **§67-6511A**, **§50-222**, and **§50-223**

ALTERNATIVES/POSSIBLE ACTIONS

The following are the possible courses of action on the application:

1. Table decision making, seek additional public input, and continue the hearing during a subsequent meeting;
2. Approve the application as submitted;
3. Approve the application with conditions;
4. Approve the annexation as submitted but designate different zoning district for its initial zoning designation, with conditions;
5. Deny the application.

FINDINGS OF FACT

ANNEXATION

According to Idaho Code §50-222 the application is an annexation with owner consent which means it follows the same hearing process as most other quasi-judicial applications. Annexations are required to be adopted by ordinance with an annexation plat [Idaho Code §50-223]. The annexation plat will be reviewed by both City and Teton County before the certified annexation can be filed with the State Tax Commission.

According to the Comprehensive Plan's future land use map, the subject property is located within the City's growth boundaries. The property is also within the Victor Area of Impact, these areas are under the jurisdiction of Teton County but regulated by a separate land development code that allows joint Planning and Zoning hearing that make recommendations to the Board of County Commissioners. Due to new state regulations on Areas of Impact, their boundaries must be limited to lands the City anticipates annexing in the near future.

> *GROWTH MANAGEMENT AREA The Growth Management Area represents the areas beyond current city limits that should eventually, over time, be annexed and developed as an integrated part of the city, and generally aligns with water and sewer service areas. These areas are those that the city should develop first, and avoid leap-frog development, allowing more cohesion and efficiency of services and infrastructure. Properties within the Growth Management Area will only become a part of the municipality at the desire of the property owner, and as these areas become adjacent to the city boundary. The growth boundary serves as a tool for decisionmakers to use in response to rezoning and annexation proposals. Through coordination and a possible intergovernmental agreement with Teton County, this boundary should be regulated in that all development proposals within be referred to the City of Victor for review and anticipated annexation.*

This shows that both the City and the County were planning on having this property incorporated into the City of Victor.

The applicant has submitted a Traffic Impact Analysis. The new road connections are consistent with the City's objective of continuing the downtown grid configuration. Traffic from the site has several options regarding the route to and from the site that will disperse the future traffic impacts.

The applicant also submitted a Fiscal Impact Analysis. The analysis of all service providers was either positive or neutral. Partly due to many of those agencies also having one time required payment of impact fees. Unfortunately, this is not the case with the school district which cannot enact impact fees per state statute. Recently, Teton District 401 completed a financial study with Tisher-Bise and concluded a developer contribution of $828 per multi-family unit could significantly help the funding gaps created from new development and the delayed timing of receiving state and local tax funds. The developer has already indicated that they plan to contribute to this voluntary fee.

CRITERIA OF APPROVAL FOR ANNEXATION

Regulation	Required / Allowed	**Proposed** – from applicant narrative	Conformance
14.7.14.B.1	If a request is made from a property owner for City services, and the property is outside of City limits but contiguous to the Victor City limits they shall be required to apply for annexation.	The property is contiguous with the City limits.	**Conforms**
Council Findings	*The Council found that the property is surrounded by the City and has been planned to be annexed by it being within the AOI and the Comprehensive Plan's growth boundary.*		
14.7.14.B.2	Additional development proposed for the property is within the capacity of the City and other service providers (police, fire, library, etc.) to provide;	The proposed development and additional burden on the City and other service providers is within the capacity of the service providers and is further analyzed in the attached Fiscal Impact Analysis report.	**Conforms**
Council Findings	*The Council heard that per the Fiscal Impact Analysis the development as proposed would not create a burden on the service providers and has been working with the school district to provide a one-time donation relative to the potential impact.*		
14.7.14.B.3	Traffic generated by additional development proposed for the property can be accommodated by existing streets serving the site, or the traffic generated can be mitigated;	D&B Partners engaged Fehr & Peers to prepare a Traffic Impact Analysis which concluded that the existing streets, and the planned extension to Birch Street, can support the traffic generated by the development.	**Conforms**
Council Findings	*The Council agreed that with the additional roadway connections it could help with better traffic flow but would require that Baseline Road would need to be paved from Center to Aspen.*		
14.7.14.B.4	Additional development proposed for the property will not negatively impact natural resources as identified in the Property Development Plan.	The Development plans an abundance of open and landscaped spaces for the use and enjoyment of the public. D&B Partners is committed to thoughtfully producing useful and communal spaces through sustainable and lasting design strategies. Storm water management will be contained within the property, and landscaping treatments will be thoughtful to conserve water resources.	**Conforms**
Council Findings	*The Council found that there are no natural features on the property such as floodplains or wetlands that would be impacted nor require mitigation.*		

<u>REZONING</u>

Review of recommended RS-7:

- The RS-7 zoning is adjacent to the north, west, and east of this portion of the subject property.
- The density is unknown as the applicant does not have a design for this zoning. According to the minimum lot size of 7,000 square feet approximately 58 lots could be created on this parcel. That's a density of 4 lots per acre. The code allows for a home and ADU on each lot proposing 116 dwelling units, which would double the projected density to 8 units per acre.
- Description: *RS-7 is primarily intended to accommodate single-family detached houses with a minimum lot size of 7,000 square feet. RS-7 should be applied in areas where the land use pattern is predominately single- or two-family that is served by central water and sewer facilities or where such land use pattern is desired in the future. Uses that would substantially interfere with the residential nature of the district are not allowed.*

DEVELOPMENT STANDARDS

The development of the subject property would be considered infill development as the property is surrounded on 3 sides by intown subdivisions and development. The code requires many development standards for any new development, some of these are reiterated below and in the conditions of approval. Some additional development requirements are also outlined in the conditions of approval.

The developer will be required to develop the Birch St. extension to the Downtown Collector Cross Section (Section 12.2.11 of the LDC), which includes pathway connections on one side of street and sideways on the other side. The Antelope Ln. connection will be required to be built to the Neighborhood Street cross section with sidewalks on both sides. Street trees will be required along all roadways within and abutting the proposed development, including adding street trees along Baseline Road. Trees and sidewalks will be required along Antelope Ln. and part of Aspen St. at the time of development of that parcel. There is no condition of approval regarding that as it is required by code. (Exception to this would be if the property is only ever developed for single family by way of an administrative lot split.) The developer will be required to pave Baseline Rd. from Center St. to Aspen St. The developer will also be required to install water and sewer main extensions through the development.

The extensions of Birch St. over to Baseline Rd. and the connection of Antelope Ln. are all benefits to mobility around town and access to better pedestrian connectivity. The utility connections that will be required for this development will also be a benefit to all uses. By looping the water mains, it provides better water pressures, and more rate payers helps balance future cost increases for all users.

TRAFFIC IMPACT ANALYSIS SUMMARY

The analysis results indicate that all study intersections will operate within an acceptable level of service under Future Plus Project conditions. Due to the high volume travelling along SH 33, vehicles entering SH 33 from minor approaches will experience higher than typically acceptable delay; however, even the worst movement delay on these minor approaches is within ITD guidance for state facilities. Additionally, the critical movement delay for the major approaches and the overall intersection delay is well within the City's standard of Level of Service C for all study intersections.

GROWTH RATES

The Comprehensive Plan, Water Study, and Wastewater Study all used a 3.5% growth rate predicting that the population of Victor would be around 3,000 people by 2030. It is hard to predict population growth by annexation acreage, number of building permits issued, or number of utility connections approve year over year. According to the U.S. Census there were 2,157 people residing in the City of Victor in 2020. Their prediction for 2025 was approximately 2,570 people. The U.S. Census data shows that the average household size is 2.5 persons. If the 172 units proposed filled with the average household size of 2.5 (172x2.5=430), this development alone could take Victor to the predicted population of 3,000 people (430+2570=3000). Not taking into account any of the other pending developments already pending, approved, or under construction. Keep in might these are just predictions and there is no way to know how fast the developer will complete their construction or how fast the units will fill up depending on rental rates and demand for the products they will be providing. There is nothing inherently good or bad about being above or below the predicted population numbers. The City uses population predictions to better plan long term for utility and capital improvements.

According to the housing needs assessment, even with all the pending projects the County is still far below the demand for housing unit, especially those that would be considered workforce or affordable. This application is heavily conditioned to restrict short term rentals and to provide workforce units. While one development is not going to fix the issues all these efforts are steps in the direction to help our local workforce find housing options.

FISCAL IMPACT ANALYSIS SUMMARY
Birch Crossing generates sufficient recurring revenues to exceed the City's adjusted annual operating costs at full build-out. After accounting for growth in rental revenues, partial HOA maintenance of open space and streets, and economies of scale, the project delivers a sustained positive operating margin of $14,000 to $20,000 per year.

The community also contributes $2.03 million in one-time revenues through water and sewer connection fees, parks, pathways, roadways, and fire impact fees, and building-permit fees collected prior to occupancy. These revenues fully offset near-term capital and administrative expenditures associated with infrastructure expansion and development review.

Even using cautious revenue assumptions and fully loaded operating costs, Birch Crossing remains fiscally positive for the City of Victor. Its recurring revenues provide a stable, long-term funding source for general operations, while one-time fees strengthen the City's utility and capital funds before acceptance of new public facilities.

CRITERIA OF APPROVAL FOR REZONING

Regulation	**Required/Allowed**	**Proposed –** from applicant narrative	**Conformance**
14.7.12.B.1	The Zoning Map Amendment substantially conforms to the Comprehensive Plan.	According to the applicant's narrative, the subject property, totaling approximately 10 acres, is currently designated as county land. The property sits adjacent to the City limits with a request for Annexation and is inside of the Growth Management Area and Area of City Impact per the Comprehensive Plan, which designates the area as Downtown Neighborhood.	**RS-7 Conforms**
Council Findings	*The Council found that the R-7 zoning recommended by the P&Z meets the density recommendation of the Comprehensive plan while meeting the community needs for single family and two-family development.*		
14.7.12.B.2	The Zoning Map Amendment substantially conforms to the stated purpose and intent of this Code.	D&B Partners proposed several different zoning districts for the site, R-7 being one of them.	**RS-7 Conforms**
Council Findings	*The Council found that the R-7 zoning met the intent of code in providing development within City limits and opportunities for different types of housing products.*		
14.7.12.B.3	The Zoning Map Amendment will reinforce the existing or planned character of the area.	According to the applicant's narrative, the proposed land use of the property extends the recent multifamily development adjacent to the west. The new development will be consistent with the requirements illustrated in Articles 4 and 5 of the Land Development Code. The Code outlines many permissible building and unit types for RM-1 and RM-2. The development plan includes a diversity of residential unit types planned thoughtfully around existing and new roads with an abundance of pedestrian walkways and public green spaces.	**RS-7 Conforms**
Council Findings	*The Council found that the neighboring uses were significantly less dense than the zoning or suggested density for the area. They found that if developed as proposed there would be a stark difference from this site to the neighboring areas regarding density, massing, and scale of development. The Council found that the RS-7 zoning would be more consistent with the surrounding zoning and a better fit for the edge of the developed portion of town.*		

14.7.12.B.4	The subject property is appropriate for development allowed in the proposed district.	According to the applicant's narrative, the proposed multifamily development and associated density aligns with the City of Victor's Comprehensive Plan to add density near the existing Downtown Core.	**RS-7 Conforms**
Council Findings	*The Council found that the proposed development of apartment building would not be a good fit at this location, citing that the density should be more central to town and that properties moving away from the center should be less dense than their neighboring property closer to the center of town. This proposal would be the opposite, proposing higher density than its neighboring property closer to the center of town. The Commission found that the RS-7 zoning would provide for a density that would be the same or less dense as its neighbors closer to the center of town.*		
14.7.12.B.5	There are substantial reasons why the property cannot be used according to the existing zoning.	Because the subject property does not currently exist within the boundaries of the City of Victor, it does not have a zoning district. D&B Partners, with the authorization of the three current owners, is applying for Annexation in conjunction with the Zoning Application.	**RS-7 Conforms**
Council Findings	*The Council found that under its existing zoning of Teton County AOI-20 Zone 2 it would not be able to redevelop for anything other than its current use of pasture with one home. They found that in town density would be more appropriate but felt that single family more closely consistent with the neighboring uses would be a better fit.*		
14.7.12.B.6	There is a need for the proposed use at the proposed location.	The proposed multifamily development will add 172-units of quality, attainable housing to the Victor, Idaho market, addressing the needs illustrated in the City of Victor Comprehensive Plan and the 2022 Teton Region Housing Needs Assessment.	**RS-7 Conforms**
Council Findings	*The Council found that while there is a need for housing units the applicant could not provide a reason why the units needed to be in apartment buildings rather than single family dwellings or other building types.*		
14.7.12.B.7	The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.	The financial impact to services and service providers is detailed in the Fiscal Impact Analysis that has been prepared for the proposed project.	**RS-7 Conforms**
Council Findings	*The Council heard that per the Fiscal Impact Analysis the development as proposed would not create a burden on the service providers and has been working with the school district to provide a one-time donation relative to the potential impact.*		
14.7.12.B.8	The Zoning Map Amendment will not significantly impact on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation.	From the applicant's narrative, D&B Partners is committed to executing the subject development efficiently and sustainably with respect to its Teton Valley environment and all members of the community with plentiful open spaces, native landscaping, and thoughtful site and building design. No significant impacts to the natural environment are proposed as a part of the project.	**RS-7 Conforms**
Council Findings	*The Council found that there are no natural features on the property such as floodplains or wetlands that would be impacted nor require mitigation.*		

14.7.12.B.9	The Zoning Map Amendment will not have a significant adverse impact on property in the vicinity of the subject property.	According to the developer: the proposed development sits adjacent to duplexes to the west, manufactured homes to the south, and single-family homes or vacant land to the east and north. Given the employment of necessary setbacks and buffers, the proposed development will not adversely impact properties in the vicinity.	**RS-7 Conforms**
Council Findings	*The Council found that the proposed mass and scale of the apartments would have a negative impact on the neighborhood. Council found that by zoning the property RS-7 that the concerns regarding negative impacts would be alleviated. RS-7 allows for multiple single family or two-family homes that would allow for space between buildings and would most likely be limited to one or two-story buildings.*		

CONCLUSIONS OF LAW

i. The City of Victor is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Victor Municipal Code and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant's Annexation applications.

ii. The Council has authority to hear the applicant's Annexation Applications pursuant to Division 14.7.17 of Victor Municipal Code Title 10.

iii. The Council has authority to hear the applicant's Rezone Map Amendment Applications pursuant to Division 14.7.12 of Victor Municipal Code Title 10.

iv. The City of Victor Planning and Building Department provided notice for the review of this application in accordance with Victor Municipal Code Title 10, Divisions 14.1, 14.2.1.D, and 14.3.5.

v. The Annexation applications are governed under Victor Municipal Code Title 10, Section 14.7.14.

vi. The Rezone Map Amendment applications are governed under Victor Municipal Code Title 10, Section 14.7.12.

vii. The Annexation Application File LU2026-01 meets all applicable standards specified in Title 10 of Victor Municipal Code, as more fully described in the Findings of Fact above.

viii. The Rezone Map Amendment Application File LU2026-02 does not meet all applicable standards specified in Title 10 of Victor Municipal Code, therefore the Council has assigned the zoning of RS-7, as more fully described in the Findings of Fact above.

NEXT STEPS

There will be a future public hearing to approve the development agreement and ordinance. There is not yet a day scheduled for that hearing.

LENGTH OF APPROVAL

Per Victor Municipal Code Title 10, Section 14.7.14.D, an approved annexation has 1 year from the date of approval to record the Annexation Plat, or it is considered expired, and a new application shall be required.

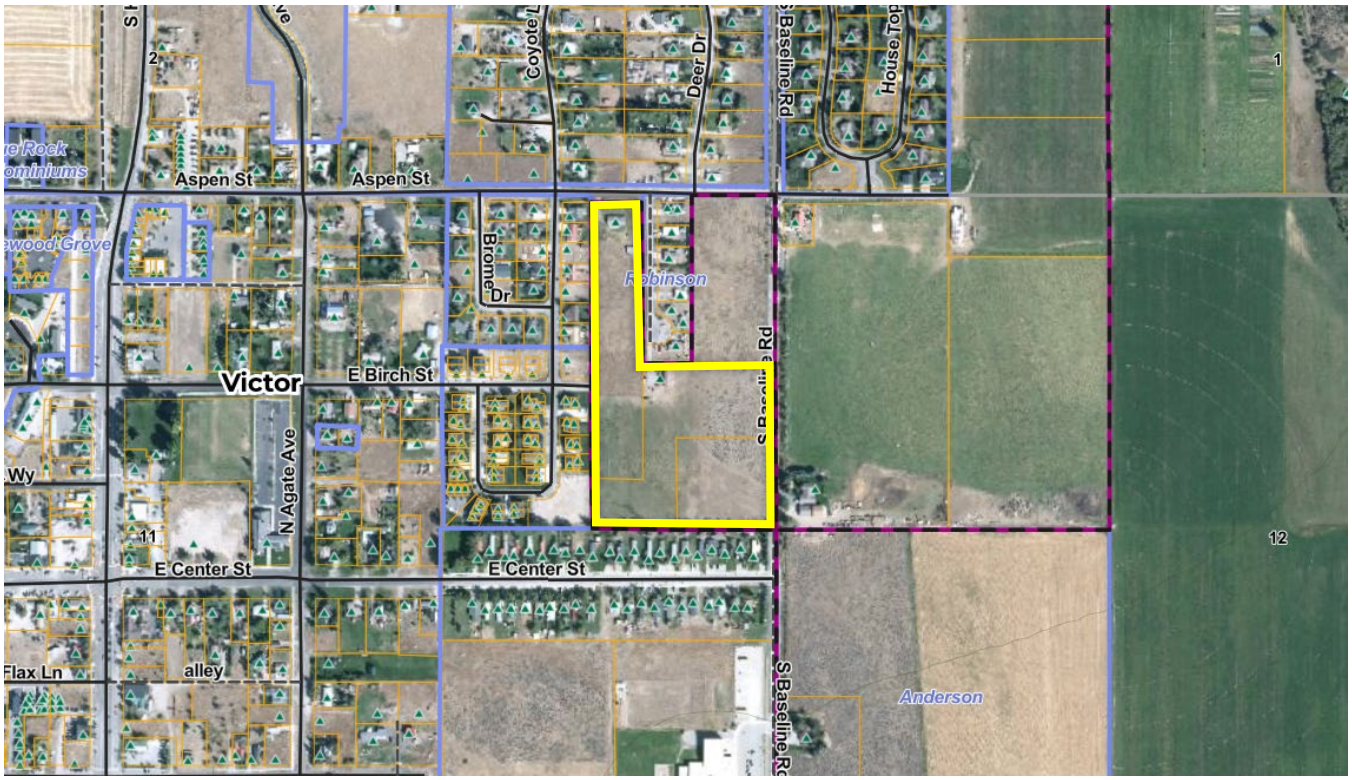
APPEAL NOTICE

This decision may be appealed by requesting the council reconsider the City Council's decision by filing such a request in writing in accordance with Victor Municipal Code Title 10, Section 14.8.

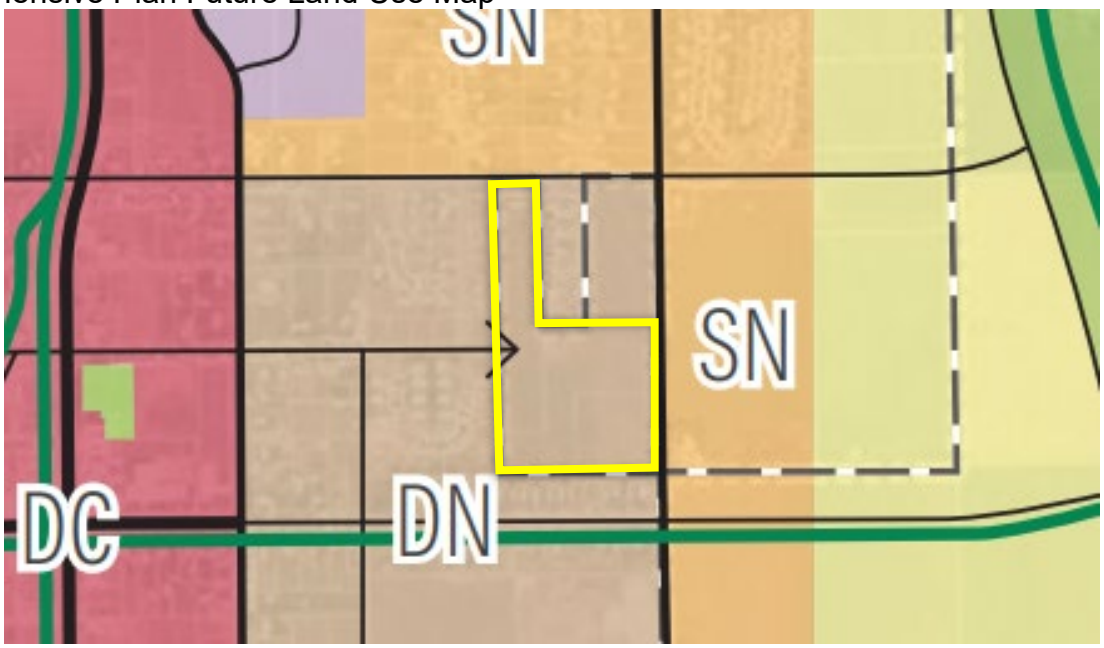
_____ _____

Sue Muncaster, Mayor Date

PROJECT LOCATION

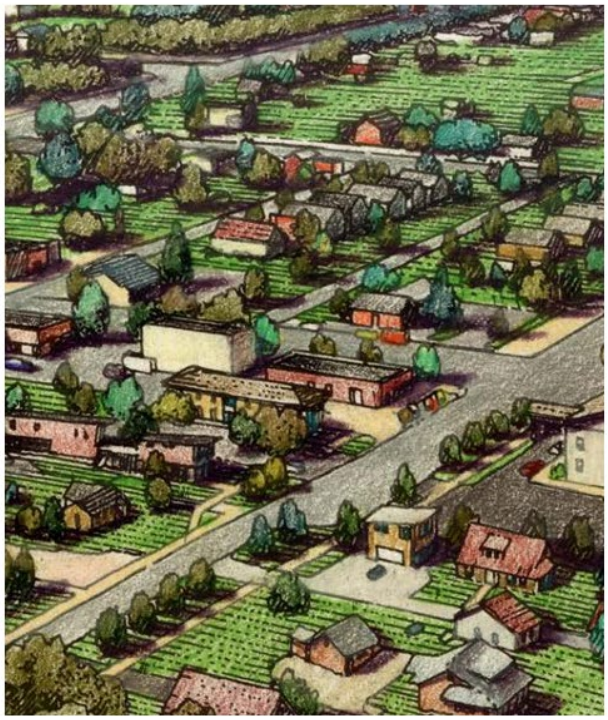


Comprehensive Plan Future Land Use Map





Downtown Neighborhoods





















Overall Description

This category includes those neighborhoods adjacent to the Downtown Core and allows for a wide range of residential housing types. These neighborhoods are supported by a traditional, highly connected grid system, with detached sidewalks, and incorporate pocket parks and public gathering spaces. Small-scale service establishments, including small offices, home-based businesses, and civic and community uses can be integrated within neighborhoods.

Key Notes

Primary Uses: *detached and attached single-family, backyard cottages, cottage courts, duplexes and four-plexes, townhouses, and apartments and condominiums*

Secondary Uses: *small-format office and home-based business; live-work units; civic and community uses; neighborhood and community parks*

Suggested Residential Density Range: *8 - 16 units per acre net density*

Allowed Zoning: *RS5 and RS3 Residential Single-Family; RM1 and RM2, Residential Multi-Family; NX, Neighborhood Mixed Use; CIV, Civic and Institutional; REC, Parks and Recreation*

Existing Example: *Neighborhoods east of downtown*