

Title 9

AREAS OF CITY IMPACT

Chapter 1

KUNA AREA OF CITY IMPACT¹

9-1-1: KUNA AREA OF CITY IMPACT BOUNDARY:

A. Kuna Area Of Impact Boundary Map:

1. The Kuna area of city impact is the area designated on the Kuna area of city impact boundary map, and as further described in the legal description attached thereto, fully incorporated by reference, copies of which are available for inspection at the Ada County department of development services.
2. The Kuna urban service planning area is the area designated on the Kuna area of city impact boundary map, and the legal description attached thereto, fully incorporated by reference, copies of which are available for inspection at the Ada County department of development services.
3. The Kuna referral area is the area designated on the Kuna area of city impact boundary map, and the legal description attached thereto, fully incorporated by reference, copies of which are available for inspection at the Ada County department of development services.
4. Amendments to the map are as follows:
 - a. Ordinance 378, August 3, 1999.

- #### B. Division By Boundary Line:
- In case a property under single ownership is divided by the boundary line of the Kuna area of city impact and any other area of city impact boundary, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Exception: In the case where a property under a single ownership is divided by the boundary line of the Kuna area of city Impact only, the smaller portion of such property may, without the three hundred foot (300') limitation stated above, be included in the jurisdiction within which the larger portion of the property is located. (Ord. 378, 8-3-1999)

9-1-2: ANNEXATION, AREA OF IMPACT:

- A. Annexation by the city of Kuna shall be limited to those lands lying within the Kuna area of city impact and being contiguous to the boundaries of the city of Kuna, except for those properties outside the Kuna area of city impact and being contiguous to the boundary of the city of Kuna where the owner has requested annexation as provided for in Idaho Code, section 50-222 et seq.

- B. Upon annexation, the provisions of this chapter shall no longer apply to the annexed area. (Ord. 378, 8-3-1999)

9-1-3: APPLICABLE PLANS, POLICIES AND ORDINANCES:

A. Kuna Area Of City Impact:

1. The Kuna comprehensive plan, as adopted and amended by the city of Kuna as of July 21, 1998, shall apply within the Kuna area of city impact.
2. The Ada County zoning ordinance shall apply within the Kuna area of city impact.
3. All subdivision final plats situated within the Kuna area of city impact shall be submitted to

the city of Kuna for approval.

B. Kuna Referral Area:

1. The Ada County comprehensive plan and the Ada County zoning ordinance shall apply within the Kuna referral area. (Ord. 378, 8-3-1999)

9-1-4: COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS:

A. Amendment Of City Comprehensive Plan:

1. Any proposed amendment to the Kuna city comprehensive plan shall be forwarded to the Ada County development services department by Kuna city at least fifteen (15) days prior to any public hearing on any such proposed amendment. The Ada County development services department may determine whether or not such amendment is in conflict with either the Ada County comprehensive plan or the Ada County zoning ordinance. The Ada County development services department may notify Kuna city in writing prior to or at such public hearing. Such input from Ada County shall not be binding or controlling on Kuna, but shall be treated as documentary evidence.
2. When the Kuna city council has adopted an amendment to the Kuna city comprehensive plan, Kuna city shall, within fifteen (15) days, forward a copy of the adopted amendment to the Ada County development services department, along with a notice as to when the amendment will take effect in the city. Within thirty (30) days after the receipt of the amendment, the board of Ada County commissioners shall either protest the amendment and request renegotiation of the area of city impact ordinance as set out in this chapter, or shall direct the Ada County planning and zoning commission to schedule the amendment for public hearing as an amendment to this chapter.

B. Amendment Of County Comprehensive Plan And Zoning Ordinance:

1. Any proposed amendment to the Ada County comprehensive plan and/or the Ada County zoning ordinance applicable within the Kuna area of city impact or the Kuna referral area

shall be forwarded to Kuna city by the Ada County development services department at least forty five (45) days prior to any public hearing on any such proposed amendment. Kuna city may determine whether or not such amendment is in conflict with the Kuna city comprehensive plan. Kuna city may notify the Ada County development services department of such determination in writing prior to or at such public hearing. Such input from Kuna city shall not be binding or controlling on Ada County, but shall be treated as documentary evidence.

2. When the board of Ada County commissioners has adopted an amendment to the Ada County comprehensive plan and/or the Ada County zoning ordinance, the Ada County development services department shall, within fifteen (15) days, forward a copy of the adopted amendment to Kuna city, along with a notice as to when the amendment will take effect in the county. Within forty five (45) days after the receipt of the amendment, the city shall either protest the amendment and request renegotiation of the area of city impact ordinance as set out in this chapter, or shall direct the Kuna city planning and zoning commission to schedule the amendment for public hearing as an amendment to this chapter.

C. Processing Of Land Use Applications:

1. At least forty five (45) days prior to any Ada County public hearing on any land use application for property within the Kuna area of city impact or the Kuna referral area, the Ada County development services department shall notify Kuna city of the land use application to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners. Kuna city may provide, prior to or at the hearing, a written recommendation to the Ada County development services department director on such application, citing the Kuna city comprehensive plan policies, goals, objectives or provisions applicable to such recommendation. Any recommendation from Kuna shall not be binding or controlling on the county, but shall be treated as documentary evidence in the hearing record, and be given due consideration.
2. The board of Ada County commissioners or the Ada County planning and zoning commission shall not hold a public hearing on such application until either the recommendation of Kuna city has been received, or forty five (45) days from the date notice of such application was sent to Kuna city has passed.
3. The Ada County department of development services shall notify Kuna city in writing of the final action on land use applications located within the Kuna city area of city impact or the Kuna referral area within fifteen (15) days following a decision by either the county planning and zoning commission or board of Ada County commissioners, as the case may be. (Ord. 378, 8-3-1999)

9-1-5: RENEGOTIATION:

- A. In accordance with Idaho Code section 67-6526(d), the city of Kuna or the board of Ada County commissioners may request, in writing, the renegotiation of any provision of this chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.
- B. While renegotiation is occurring, all provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Kuna and Ada County, in accordance with the notice and hearing procedures provided in title 67, chapter 65 of Idaho Code, or until a declaratory judgment from the district court is final. Provided, however, that this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.
- C. Amendments to this chapter shall be processed using the notice and hearing requirements of Idaho Code 67-6509. (Ord. 378, 8-3-1999)

Chapter 2

EAGLE AREA OF CITY IMPACT

9-2-1: EAGLE AREA OF CITY IMPACT BOUNDARY:

A. Eagle Area Of City Impact And Urban Service Planning Area Boundary Map:

1. The Eagle area of city impact and urban service planning area are the areas designated on the Eagle area of city impact and urban service planning area boundary map, fully incorporated by reference, copies of which are available for inspection at the Ada County development services department.
2. Amendments to the map are as follows:
 - a. Ordinance 199, May 25, 1989.
 - b. Ordinance 309, June 25, 1996.
 - c. Ordinance 355, March 25, 1998.
 - d. Ordinance 367, December 2, 1998.
 - e. Ordinance 539, April 28, 2004.
 - f. Ordinance 602, December 28, 2005.
 - g. Ordinance 623, June 28, 2006.
 - h. Ordinance 718, December 17, 2008.

B. Division By Boundary Line: In case a property under single ownership is divided by the boundary line of the Eagle area of city impact, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located. (Ord. 98, 9-23-1980; amd. Ord. 99, 9-23-1980, eff. 10-3-1980; amd. Ord. 181, 9-24-1987; amd. Ord. 199, 5-25-1989; amd. Ord. 309, 6-25-1996; amd. Ord. 355, 3-25-1998; amd. Ord. 367, 12-2-1998; amd. Ord. 539, 4-28-2004; amd. Ord. 602, 12-28-2005; amd. Ord. 623, 6-28-2006; amd. Ord. 718, 12-17-2008)

9-2-2: ANNEXATION TO OCCUR ONLY IN AREA OF CITY IMPACT:

A. Annexation by the city of Eagle shall be limited to those lands lying within the area of city impact

and being contiguous to the boundaries of the city of Eagle.

- B. Upon annexation, the provisions of this chapter shall no longer apply to the annexed area.
- C. The city of Eagle shall not annex the land designated in Ada County ordinance 309. (Ord. 99, 9-23-1980, eff. 10-3-1980; amd. Ord. 181, 9-24-1987; amd. Ord. 309, 6-25-1996)

9-2-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Eagle comprehensive plan, as amended by the city of Eagle on September 14, 2005, by resolution 04-15, and as further amended by Ada County resolution 1720, shall apply within the Eagle area of city impact.
- B. Applications for subdivision development in the Eagle area of city impact shall be evaluated for conformance to the design and improvement standards contained in the Eagle city code, [title 9, chapter 3](#), and in [chapter 4](#), sections [9-4-1-1](#) through [9-4-1-12](#).
- C. All subdivision plats situated within the area of city impact shall be submitted to the city of Eagle for their recommendation.
- D. The Ada County zoning ordinance¹ shall be used to implement this chapter.
- E. Ada County shall use the following standard in calculating density of residential development:
The total number of dwelling units within a proposed development, divided by the total land area. Fractional amounts greater than those designated on the Eagle comprehensive plan land use map will not be allowed except where the Eagle comprehensive plan details a fractional density, and then the density shall not exceed the number described in the Eagle

comprehensive plan. Floodway areas and land used for public uses such as schools or public service facilities will not be included in the total land area calculation. (Ord. 99, 9-23-1980, eff. 10-3-1980; amd. Ord. 181, 9-24-1987; amd. Ord. 189, 4-21-1988; amd. Ord. 199, 5-25-1989; amd. Ord. 222, 6-28-1990; amd. Ord. 270, 1-13-1994; amd. Ord. 437, 12-12-2001; amd. Ord. 541, 6-7-2004; amd. Ord. 623, 6-28-2006; amd. Ord. 765, 11-16-2010)

9-2-4: AMENDMENT OF PLAN POLICIES AND ORDINANCES:

- A. All applications for county and city amendments to their respective comprehensive plans and implementing ordinances which apply within the Eagle area of city impact shall be sent by the entity considering such amendment to the other entity. A separate referral process shall be adopted by resolution by each entity, regarding procedures and time periods for, and the effect of, sending such amendments, and such resolution may be amended from time to time upon mutual agreement in writing by Ada County and the city of Eagle.

- B. All county applications for planned developments, subdivisions, rezones and conditional use permits within the Eagle area of city impact shall be sent to Eagle, in accordance with the referral process arrived at pursuant to subsection A of this section. (Ord. 99, 9-23-1980, eff. 10-3-1980; amd. Ord. 181, 9-24-1987)

9-2-5: ZONING WITHIN THE EAGLE CITY AREA OF CITY IMPACT:

County zoning districts shall be in accordance with the adopted plan policies identified in section [9-2-3](#) of this chapter. (Ord. 181, 9-24-1987)

9-2-6: RENEGOTIATION OF PLAN POLICIES AND ORDINANCE APPLICATION PROVISIONS:

- A. In accordance with Idaho Code 67-6526(d), the city of Eagle or the board of Ada County commissioners may request, in writing, the renegotiation of any provision of this chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.
- B. While renegotiation is occurring, all provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by the city of Eagle and Ada County, in accordance with the notice and hearing procedures provided in title 67, chapter 65 of Idaho Code, or until a declaratory judgment from the district court is final. Provided, however, that this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution. (Ord. 99, 9-23-1980, eff. 10-3-1980; amd. Ord. 181, 9-24-1987)

Chapter 3 BOISE CITY AREA OF CITY IMPACT

9-3-1: BOISE CITY AREA OF CITY IMPACT BOUNDARY:

A. Boise City Area Of City Impact Boundary Map:

1. The Boise City area of city impact is the area designated on the Boise City area of city impact boundary map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County development services department.
2. Amendments to the map are as follows:
 - a. Ordinance 158, November 26, 1986.
 - b. Ordinance 187, June 9, 1988.
 - c. Ordinance 245, April 2, 1992.
 - d. Ordinance 257, December 3, 1992.
 - e. Ordinance 282, December 1, 1994.
 - f. Ordinance 284, December 22, 1994.
 - g. Ordinance 285, January 26, 1995.
 - h. Ordinance 327, April 9, 1997.
 - i. Ordinance 354, March 11, 1998.
 - j. Ordinance 366, October 7, 1998.
 - k. Ordinance 425, May 23, 2001.
 - l. Ordinance 473, November 20, 2002.
 - m. Ordinance 508, September 24, 2003.
 - n. Ordinance 539, April 28, 2004.
 - o. Ordinance 579, April 13, 2005.
 - p. Ordinance 602, December 28, 2005.

- B. Annexation: Upon annexation of any portion of the area of city impact into Boise City, the provisions of this chapter shall no longer apply to such annexed areas. (Ord. 138, 11-30-1984; amd. Ord. 139, 11-30-1984; amd. Ord. 158, 11-26-1986; amd. Ord. 187, 6-9-1988; amd. Ord. 245, 4-2-1992; amd. Ord. 257, 12-3-1992; amd. Ord. 260, 2-25-1993; amd. Ord. 282, 12-1-1994; amd. Ord. 284, 12-22-1994; amd. Ord. 285, 1-26-1995; amd. Ord. 327, 4-9-1997; amd. Ord. 354, 3-11-1998; amd. Ord. 366, 10-7-1998; amd. Ord. 425, 5-23-2001; amd. Ord. 473, 11-20-2002; amd. Ord. 508, 9-24-2003; amd. Ord. 539, 4-28-2004; amd. Ord. 579, 4-13-2005;

amd. Ord. 602, 12-28-2005)

9-3-2: ANNEXATION TO OCCUR ONLY IN AREA OF CITY IMPACT:

Boise City shall limit its annexation to those lands within its area of city impact. If Boise City wishes to annex lands outside of its area of city impact, it shall renegotiate its area of city impact boundary with Ada County in accord with Idaho Code section 67-6526(d). (Ord. 139, 11-30-1984; amd. Ord. 245, 4-2-1992)

9-3-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Boise City comprehensive plan, adopted by Boise City as of January 21, 1997, and as amended on December 22, 1998, February 19, 2002, July 24, 2002, January 7, 2003, by resolution 17367 with the accompanying map fully incorporated by reference, copies of which are available for inspection at Ada County development services department, February 11, 2003, and including the Boise City comprehensive park and recreation system plan, as amended on October 5, 2004, by resolution 18344 and as further amended on November 15, 2005, by resolution 18866 shall apply within the unincorporated part of the Boise City area of city impact.
- B. [Title 8](#) of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.
- C. [Title 4, chapter 12](#) of the Boise City code, also known as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001,

and as amended by ordinance 6462 on April 11, 2006, shall be applicable within the Boise City area of city impact.

- D. The Boise City uniform street and address number ordinance, [title 9, chapter 6](#) of the Boise City code, as may be amended from time to time, shall apply to all property within the Boise City area of city impact. Street names and addresses shall be assigned by Boise City. Existing street names and addresses in the Boise City area of city impact, not in compliance with the Boise City uniform street and address number ordinance at the time this section goes into effect, shall not be changed until address changes are necessary for address continuity. (Ord. 139, 11-30-1984; amd. Ord. 154, 7-23-1986; amd. Ord. 158, 11-26-1986; amd. Ord. 187, 6-9-1988; amd. Ord. 245, 4-2-1992; amd. Ord. 260, 2-25-1993; amd. Ord. 289, 3-28-1995; amd. Ord. 334, 6-25-1997; amd. Ord. 346, 10-8-1997; amd. Ord. 373, 8-25-1999; amd. Ord. 387, 1-26-2000, eff. 2-28-2000; amd. Ord. 462, 7-24-2002; amd. Ord. 520, 10-8-2003; amd. Ord. 602, 12-28-2005; amd. Ord. 613, 3-22-2006; amd. Ord. 638, 10-25-2006)

9-3-4: COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS:

- A. Comprehensive Plan Amendments: All county and city amendments to their respective comprehensive plans which apply within the Boise City area of city impact shall be sent by the entity considering such amendment to the other entity at least fifteen (15) days prior to the public hearing.
- B. Land Use Applications: All subdivision, rezone, and conditional use permit applications within the Boise City area of city impact shall be sent to the city for comment at least thirty (30) days prior to a public hearing.
- C. Applications For Subdivisions And Rezones: Applications for subdivisions and rezones within the Boise City area of city impact shall occur as a result of a request for annexation to Boise City; however, Ada County may consider such applications in those exceptions where annexation is not approved by Boise City or where the parcel on which such application is filed is not contiguous to Boise City, and therefore cannot be annexed.

- D. **Development Of Parks:** Development of parks by Boise City within the Boise City area of city impact shall be subject to the provisions of the agreement for the collection of Boise City park impact fees for development in the Boise City area of city impact agreement 2431, dated March 28, 1995, which is hereby adopted by Ada County and made a part hereof by this reference.
- E. **Referral Areas:** All land use applications within the referral area identified on the Boise City area of city impact map shall be submitted to Boise City at least thirty (30) days prior to any administrative decision or scheduled public hearing, as appropriate. (Ord. 139, 11-30-1984; amd. Ord. 187, 6-9-1988; amd. Ord. 245, 4-2-1992; amd. Ord. 289, 3-28-1995; amd. Ord. 303, 5-22-1996; amd. Ord. 334, 6-25-1997; amd. Ord. 539, 4-28-2004; amd. Ord. 602, 12-28-2005)

9-3-5: RENEGOTIATION:

- A. In accordance with Idaho Code section 67-6526(d), the BoiseCity council or the board of Ada County commissioners may request, in writing, to renegotiate any provision of this chapter at any time. Within thirty (30) days of receipt of such written requests by each party, a meeting between the two (2) jurisdictions shall occur.
- B. While renegotiation is occurring, the provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Boise City and Ada County, in accordance with the notice and hearing procedures provided in Ada County and Idaho codes, or until a declaratory judgment from the district court is final. Provided, however, that this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution. (Ord. 139, 11-30-1984; amd. Ord. 245, 4-2-1992)

Chapter 4

MERIDIAN AREA OF CITY IMPACT

9-4-1: MERIDIAN AREA OF CITY IMPACT BOUNDARY:

A. Meridian Area Of City Impact Boundary Map:

1. The Meridian area of city impact is the area designated on the Meridian area of city impact boundary map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County development services department.
2. Amendments to the map are as follows:
 - a. Ordinance 229, December 20, 1990.
 - b. Ordinance 257, December 3, 1992.
 - c. Ordinance 282, December 1, 1994.
 - d. Ordinance 285, January 26, 1995.
 - e. Ordinance 345, September 24, 1997.
 - f. Ordinance 473, November 20, 2002.
 - g. Ordinance 508, September 24, 2003.
 - h. Ordinance 579, April 13, 2005.
 - i. Ordinance 602, December 28, 2005.
 - j. Ordinance 718, December 17, 2008.

B. Division By Boundary: In case a property under single ownership is divided by the boundary line of the Meridian area of city impact and any other area of city impact boundary, and the line

divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Exception: In the case where a property under a single ownership is divided by the boundary line of the Meridian area of city impact only, the smaller portion of such property may, without the three hundred foot (300') limitation stated above, be included in the jurisdiction within which the larger portion of the property is located. (Ord. 136, 10-17-1984; amd. Ord. 137, 10-17-1984; amd. Ord. 161, 12-10-1986; amd. Ord. 229, 12-20-1990; amd. Ord. 257, 12-3-1992; amd. Ord. 282, 12-1-1994; amd. Ord. 285, 1-26-1995; amd. Ord. 345, 9-24-1997; amd. Ord. 473, 11-20-2002; amd. Ord. 508, 9-24-2003; amd. Ord. 579, 4-13-2005; amd. Ord. 602, 12-28-2005; amd. Ord. 718, 12-17-2008)

9-4-2: ANNEXATION, AREA OF IMPACT:

- A. Annexation by the city of Meridian shall be limited to those lands lying within the area of impact and being contiguous to the boundaries of the city of Meridian, except for those properties outside the Meridian area of city impact and being contiguous to the boundary of the city of Meridian where the owner has requested annexation as provided for in Idaho Code section 50-222 et seq.

- B. Upon annexation, the provisions of this agreement shall no longer apply to the annexed area. (Ord. 137, 10-17-1984; amd. Ord. 161, 12-10-1986; amd. Ord. 229, 12-20-1990; amd. Ord. 717, 12-17-2008)

9-4-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Meridian comprehensive plan, adopted by Meridian on August 6, 2002, by resolution 02-382 and as updated on April 8, 2003, by resolution 03-401, on December 14, 2004, by resolution 04-454, on March 14, 2006, by resolution 06-505, on December 18, 2007, by resolution 07-591, and on March 4, 2008, by resolutions 08-598, 08-599 and 08-0600, shall apply to the Meridian area of city impact.
- B. All subdivision plats, situated within the area of impact, shall be submitted to the city of Meridian for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.
- C. All subdivision plat applications in the urban service planning area for land zoned RUT (rural-urban transition) shall require a street and utility easement plan. Said plan shall provide for future resubdivision to urban densities and shall be included on the final plat. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian council prior to preliminary plat approval by the board.
- D. A condition of approval for all subdivision plats in the urban service planning area for land zoned RUT (rural-urban transition) shall require that, prior to occupancy of the subdivision's first dwelling unit, dry line sewer and water lines shall be installed to accommodate the future resubdivision to urban densities. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian city council prior to preliminary plat approval by the board.
- E. [Title 8](#) of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.
- F. The Meridian comprehensive plan shall apply to the property described in Ada County ordinance 508. The land use designation of the adjacent property shall apply to the area described in Ada County ordinance 508. (Ord. 137, 10-17-1984; amd. Ord. 161, 12-10-1986; amd. Ord. 229, 12-20-1990; amd. Ord. 277, 6-22-1994; amd. Ord. 345, 9-24-1997; amd. Ord. 508, 9-24-2003; amd. Ord. 535, 4-14-2004; amd. Ord. 717, 12-17-2008)

9-4-4: COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS:

A. Amendment Of City Comprehensive Plan And Ordinances:

1. All proposed amendments to the Meridian city comprehensive plan or the Meridian zoning and/or subdivision ordinances shall be forwarded to the Ada County development services department director by the Meridian city clerk at least thirty (30) days prior to any public hearing on any such proposed amendment(s), whether said amendment(s) is(are) before the Meridian planning and zoning commission or the Meridian city council. The Ada County department of development services shall determine whether or not such amendment(s) is(are) in conflict with either the Ada County comprehensive plan or the Ada County zoning ordinance¹. The Ada County development services department director shall notify the Meridian planning and zoning commission, or the Meridian city council, as the case may be, of such determination, in writing, prior to or at such public hearing. Such input from the county shall not be binding or controlling on Meridian, but shall be treated as documentary evidence.
2. When the Meridian city council has rendered a final decision to adopt an amendment to the Meridian comprehensive plan or the Meridian zoning and/or subdivision ordinances, the Meridian city clerk shall, within fifteen (15) days, forward a copy of the final document to the Ada County development services department director and the board of Ada County commissioners, along with a notice as to when the amendment will take effect in the city. Within thirty (30) days after the plan amendment was mailed, the board of Ada County commissioners shall either protest the amendment and request renegotiation of the area of city impact ordinances, or if necessary, shall direct the Ada County planning and zoning commission to schedule the amendment for public hearing as an amendment to the area of city impact ordinance.

B. Amendment Of County Comprehensive Plan And Zoning Ordinance:

1. All proposed amendments to the Ada County comprehensive plan and/or the Ada County zoning ordinance shall be forwarded by the Ada County development services department director to the Meridian city clerk at least thirty (30) days prior to any public hearing on any such proposed amendment(s). The Meridian city council and/or the Meridian planning and zoning commission shall determine whether or not such amendment is in conflict with one or more of the goals, objectives, policies or provisions of the Meridian comprehensive plan, or the Meridian zoning and/or subdivision ordinances. The Meridian city council shall notify the Ada County development services department of such determination in writing prior to or at such public hearing. Such input from the city shall not be binding or controlling on the county, but shall be treated as documentary evidence.
2. The board of Ada County commissioners shall notify Meridian city, in writing, of the county's action on such amendment(s) within fifteen (15) days following a final decision on such

matter along with notice as to when the amendment(s) will take effect in the county. Within thirty (30) days after the amendment(s) was(were) mailed, the Meridian city council shall either protest the amendment(s) and request renegotiation of the area of city impact ordinances, or if necessary, shall direct the Meridian city planning and zoning commission to schedule the amendment for public hearing as an amendment to the area of city impact ordinance.

C. Processing Of Land Use Applications In The Meridian Area Of City Impact:

1. Applications for planned developments, subdivision and rezones within the city of Meridian urban service planning area shall occur as a result of a request for annexation to the city of Meridian; however, Ada County may consider such applications in those exceptions where annexation is not approved by the city of Meridian or where the parcel on which such application is filed is not contiguous to the city of Meridian, and therefore cannot be annexed.
2. Thirty (30) days prior to any county public hearing on such application, the Ada County development services department director shall send to the Meridian city clerk all county land use applications to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners concerning property located within the Meridian city area of city impact. The Meridian planning and zoning commission or the Meridian city council shall make recommendations to the Ada County development services department director on such application, in writing, and shall cite the Meridian zoning and/or subdivision ordinances or the Meridian comprehensive plan policies, goals, objectives or provisions supporting such recommendation. Such recommendation shall be submitted in writing to the Ada County development services department director prior to or at such public hearing. Such input from Meridian shall not be binding or controlling on the county, but shall be treated as documentary evidence.
3. Neither the board of Ada County commissioners nor the Ada County planning and zoning commission shall hold a public hearing on such application until the recommendation of the Meridian city council or Meridian city planning and zoning commission, as the case may be, has been received, or the date the county should have been received said council's or commission's recommendations, specified above, has passed.
4. The Ada County department of development services will notify the Meridian city clerk in writing of the county planning and zoning commission or board of Ada County commissioners' action on land use applications located within the Meridian city area of city impact within fifteen (15) days following a final action by the appropriate county agency on such matter.

D. Referral Areas:

1. Amendments to the Ada County comprehensive plan, the Ada County zoning ordinance, and all area of city impact ordinances which apply within the referral areas, as identified on the city of Meridian area of city impact map, and all land use applications within those referral

areas to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners shall be sent by the Ada County development services department director to the Meridian city clerk at least thirty (30) days prior to any public hearing on them. Any comment by the Meridian city council on such documents shall be made to the Ada County development services department in writing prior to or at such public hearing. Such input from Meridian shall not be binding or controlling on the county, but shall be treated as documentary evidence. The Ada County development services department director shall notify the Meridian city clerk in writing of the county's action on such documents within thirty (30) days following a final action by the appropriate county agency on such matter. (Ord. 137, 10-17-1984; amd. Ord. 161, 12-10-1986; amd. Ord. 229, 12-20-1990; amd. Ord. 345, 9-24-1997; amd. Ord. 535, 4-14-2004)

9-4-5: RENEGOTIATION:

- A. In accordance with Idaho Code section 67-6526(d), the Meridian city council or the board may request, in writing, renegotiation of any provision of this chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.

- B. While renegotiation is occurring, all provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by the city of Meridian and Ada County, in accordance with the notice and hearing procedures provided in Ada County and Idaho codes, or until a declaratory judgment from the district court is final. Provided, however, that this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution. (Ord. 137, 10-17-1984; amd. Ord. 161, 12-10-1986; amd. Ord. 229, 12-20-1990)

Chapter 5

GARDEN CITY AREA OF CITY IMPACT

9-5-1: GARDEN CITY AREA OF CITY IMPACT BOUNDARY:

A. Garden City Area Of Impact Boundary Map:

1. The Garden City area of city impact is the area designated on the Garden City impact boundary map, fully incorporated by reference, the boundaries of which were fixed by special election on May 24, 1983, and copies of which are available at the Ada County development services department.
2. Amendments to the map are as follows:
 - a. Boise City resolution 9471, October 7, 1987, and Garden City resolution 557A, October 6, 1987.
 - b. Ada County ordinance 194.
 - c. Ada County ordinance 284.

B. Property Under Single Ownership Divided: If a property under single ownership is divided by the boundary line of the Garden City area of city impact, and if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located. (Ord. 193, 9-8-1988; amd. Ord. 284, 12-22-1994)

9-5-2: ANNEXATION TO OCCUR ONLY IN AREA OF CITY IMPACT:

- A. Annexation by Garden City shall be limited to those lands lying within the area of city impact and being contiguous to the boundaries of Garden City.

- B. Upon annexation, the provisions of this chapter shall no longer apply to the annexed area. (Ord. 193, 9-8-1988)

9-5-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Garden City comprehensive plan, as adopted and amended by Garden City resolution 845-06 on July 24, 2006, shall apply within the Garden City area of city impact.

- B. Applications for subdivision development in the Garden City area of city impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1988, Garden City planning and zoning ordinance 443, [title 9, chapter 3](#), and in [chapter 4](#), subsections [9-4-1](#) through [9-4-1-12](#).

- C. All subdivision plats situated within the area of city impact shall be submitted to Garden City for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.

- D. The Ada County zoning ordinance ([title 8](#) of this code) shall be used to implement this chapter. (Ord. 193, 9-8-1988; amd. Ord. 679, 11-14-2007)

9-5-4: AMENDMENT OF PLAN POLICIES AND ORDINANCES:

- A. All applications for county and city amendments to their respective comprehensive plans and implementing ordinances which apply within the Garden City area of city impact shall be sent by the entity considering such amendment to the other entity. A separate referral process shall be adopted by resolution by each entity, regarding procedures and time periods for, and the effect of, sending such amendments, and such resolution may be amended from time to time upon mutual agreement in writing by Ada County and Garden City.
- B. All county applications for planned developments, subdivisions, rezones and conditional use permits within the Garden City area of city impact shall be sent to Garden City, in accordance with the referral process arrived at pursuant to subsection A of this section. (Ord. 193, 9-8-1988)

9-5-5: ZONING WITHIN THE GARDEN CITY AREA OF CITY IMPACT:

County zoning districts shall be in accordance with the adopted plan policies identified in section [9-5-3](#) of this chapter. (Ord. 193, 9-8-1988)

9-5-6: RENEGOTIATION OF PLAN POLICIES AND ORDINANCE APPLICATION PROVISIONS:

- A. In accordance with Idaho Code section 67-6526(d), Garden City or the board of Ada County commissioners may request, in writing, the renegotiation of any provision of this chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.
- B. While renegotiation is occurring, all provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Garden City and Ada County, in accordance with the notice and hearing procedures provided in title 67, chapter 65 of Idaho Code, or until a declaratory judgment from the district court is final. Provided, however, that this chapter or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution. (Ord. 193, 9-8-1988)

Chapter 6

STAR AREA OF CITY IMPACT

9-6-1: STAR AREA OF CITY IMPACT BOUNDARY:

A. Star Area Of City Impact Boundary Map:

1. The Star area of city impact is the area designated on the Star area of city impact boundary map, as adopted by ordinance 412 and as further described in the legal descriptions attached thereto, fully incorporated by reference, copies of which are available for inspection at the Ada County department of development services.
2. The Star urban service planning area is the area designated on the Star area of city impact boundary map, as adopted by ordinance 412 and the legal descriptions attached thereto, fully incorporated by reference, copies of which are available for inspection at the Ada County department of development services.

3. Amendments to the map are as follows:

- a. Ordinance 493, March 12, 2003.
- b. Ordinance 596, December 28, 2005.
- c. Ordinance 718, December 17, 2008.

B. Division By Boundary Line: In case a property under single ownership is divided by the boundary line of the Star area of city impact and any other area of city impact boundary, if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Exception: In the case where a property under a single ownership is divided by the boundary line of the Star area of city impact only, the smaller portion of such property may, without the three hundred foot (300') limitation stated above, be included in the jurisdiction within which the larger portion of the property is located. (Ord. 413, 12-13-2000; amd. Ord. 493, 3-12-2003; amd. Ord. 596, 12-28-2005; amd. Ord. 718, 12-17-2008)

9-6-2: ANNEXATION, AREA OF IMPACT:

A. Annexation by the city of Star shall be limited to those lands lying within the Star area of city impact and being contiguous to the boundaries of the city of Star, except for those properties outside the Star area of city impact and being contiguous to the boundary of the city of Star where the owner has requested annexation as provided for in Idaho Code section 50-222 et seq.

B. Upon annexation, the provisions of this chapter shall no longer apply to the annexed area. (Ord. 413, 12-13-2000)

9-6-3: APPLICABLE PLANS, POLICIES AND ORDINANCES:

A. Star Area Of City Impact:

1. The Star comprehensive plan, as adopted and amended by the city of Star as of October 5, 2004, by resolution 2004-6, with the amended land use designation map adopted by resolution 2005-9 dated August 19, 2005, shall apply within the Star area of city impact.
2. The Ada County zoning ordinance shall apply within the Star area of city impact.
3. All subdivision final plats situated within the Star area of city impact shall be submitted to the city of Star for approval. (Ord. 413, 12-13-2000; amd. Ord. 596, 12-28-2005)

9-6-4: COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS:

A. Amendment Of City Comprehensive Plan:

1. Any proposed amendment to the city of Star comprehensive plan shall be forwarded to the Ada County development services department by city of Star at least fifteen (15) days prior to any public hearing on any such proposed amendment. The Ada County development services department may determine whether or not such amendment is in conflict with either the Ada County comprehensive plan or the Ada County zoning ordinance. The Ada County development services department may notify city of Star in writing prior to or at such public hearing. Such input from Ada County shall not be binding or controlling on Star, but shall be treated as documentary evidence.
2. When the Star city council has adopted an amendment to the city of Star comprehensive plan, city of Star shall, within fifteen (15) days, forward a copy of the adopted amendment to the Ada County development services department, along with a notice as to when the amendment will take effect in the city and whether the city is requesting renegotiation of the

area of city impact to adopt the amendment.

B. Amendment Of County Comprehensive Plan And Zoning Ordinance:

1. Any proposed amendment to the Ada County comprehensive plan and/or the Ada County zoning ordinance applicable within the Star area of city impact shall be forwarded to city of Star by the Ada County development services department at least forty five (45) days prior to any public hearing on any such proposed amendment. City of Star may determine whether or not such amendment is in conflict with the Star city comprehensive plan. City of Star may notify the Ada County development services department of such determination in writing prior to or at such public hearing. Such input from city of Star shall not be binding or controlling on Ada County, but shall be treated as documentary evidence.
2. When the board of Ada County commissioners has adopted an amendment to the Ada County comprehensive plan and/or the Ada County zoning ordinance, the Ada County development services department shall, within fifteen (15) days, forward a copy of the adopted amendment to city of Star, along with a notice as to when the amendment will take effect in the county.

C. Processing Of Land Use Applications:

1. At least forty five (45) days prior to any Ada County public hearing on any land use application for property within the Star area of city impact, the Ada County development services department shall notify city of Star of the land use application to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners. City of Star may provide, prior to or at the hearing, a written recommendation to the Ada County development services department director on such application, citing the city of Star comprehensive plan policies, goals, objectives or provisions applicable to such recommendation. Any recommendation from Star shall not be binding or controlling on the county, but shall be treated as documentary evidence in the hearing record, and be given due consideration.
2. The board of Ada County commissioners or the Ada County planning and zoning commission shall not hold a public hearing on such application until either the recommendation of city of Star has been received, or forty five (45) days from the date notice of such application was sent to city of Star has passed.
3. The Ada County department of development services shall notify city of Star in writing of the final action on land use applications located within the Star city area of city impact within fifteen (15) days following a decision by either the county planning and zoning commission or board of Ada County commissioners, as the case may be. (Ord. 413, 12-13-2000; amd. Ord. 596, 12-28-2005)

9-6-5: RENEGOTIATION:

- A. In accordance with Idaho Code section 67-6526(d), the city of Star or the board of Ada County commissioners may request, in writing, the renegotiation of any provision of this chapter at any time. Within thirty (30) days of receipt of such written request by either party, a meeting between the two (2) jurisdictions shall occur.

- B. While renegotiation is occurring, all provisions of this chapter shall remain in effect until this chapter is amended or a substitute ordinance is adopted by Star and Ada County, in accordance with the notice and hearing procedures provided in title 67, chapter 65 of Idaho Code, or until a declaratory judgment from the district court is final.

- C. Amendments to this chapter shall be processed using the notice and hearing requirements of Idaho Code 67-6509. (Ord. 413, 12-13-2000)