

**BOISE COMPREHENSIVE PLAN**  
**ORDINANCES, RESOLUTIONS AND AMENDMENTS**

[ADA COUNTY ORDINANCE 138 \(1984\)](#)

[ADA COUNTY ORDINANCE 139 \(1984\)](#)

[ADA COUNTY ORDINANCE 158 \(1986\)](#)

[ADA COUNTY ORDINANCE 187 \(1988\)](#)

[ADA COUNTY ORDINANCE 245 \(1992\)](#)

[ADA COUNTY ORDINANCE 257 \(1992\)](#)

[ADA COUNTY ORDINANCE 282 \(1994\)](#)

[ADA COUNTY ORDINANCE 284 \(1994\)](#)

[ADA COUNTY ORDINANCE 285 \(1995\)](#)

[BOISE ORDINANCE 5685 \(1995\)](#)

[ADA COUNTY ORDINANCE 327 \(1997\)](#)

[ADA COUNTY ORDINANCE 354 \(1998\)](#)

[ADA COUNTY ORDINANCE 366 \(1998\)](#)

[ADA COUNTY ORDINANCE 425 \(2001\)](#)

[BOISE ORDINANCE 6114 \(2001\)](#)

[ADA COUNTY ORDINANCE 473 \(2002\)](#)

[ADA COUNTY ORDINANCE 508 \(2003\)](#)

[BOISE RESOLUTION 17367 \(2003\)](#)

[ADA COUNTY ORDINANCE 539 \(2004\)](#)

[BOISE RESOLUTION 18344 \(2004\)](#)

[ADA COUNTY ORDINANCE 579 \(2005\)](#)

[ADA COUNTY ORDINANCE 602 \(2005\)](#)

[BOISE RESOLUTIONS 18866 \(2005\)](#)

[ADA COUNTY ORDINANCE 613 \(2006\)](#)

[ADA COUNTY ORDINANCE 638 \(2006\)](#)

[BOISE ORDINANCE 6462 \(2006\)](#)

November 30, 1984

County Ordinance Number 138

AN ORDINANCE ESTABLISHING THE BOUNDARY OF THE BOISE AREA OF CITY IMPACT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, pursuant to the authority under Section 67-6526, Idaho Code, that the following Ordinance be adopted:

SECTION 1.0

The Boise Area of City Impact is the area designated on the attached map and incorporated herein by reference.

SECTION 2.0

In case a property under single ownership is divided by the boundary line of the Boise Area of City Impact and the line divides the property so that one or both of the parts has a depth of 300 feet or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

SECTION 3.0 RENEGOTIATION

3.1 In accordance with Idaho Code 67-6526(d), the Boise City Council or the Board of Ada County Commissioners may request, in writing, to renegotiate any portion of this Ordinance at any time. Within thirty (30) days of receipt such written request by either party, a meeting between the two jurisdictions shall occur.

3.2 While renegotiation is occurring, all provisions of this Ordinance shall remain in effect until this Ordinance is amended or a substitute Ordinance is adopted by Boise and Ada County, in accordance with the notice and hearing procedures provided in Title 67, Chapter 65 of Idaho Code, or until a declaratory judgement from the District Court is final. Provided, however, that this Ordinance or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.

ORDINANCE NUMBER 138

Page 2.

SECTION 4.0 SEVERANCE

Should any section, clause or a provision of this Ordinance be declared invalid by a court of competent jurisdiction the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the parts so declared to be invalid, each section, clause, and provision thereof being declared severable.

ADOPTED THIS 30th DAY OF November, 1984.

BOARD OF ADA COUNTY COMMISSIONERS

By Bill Grafton  
Bill Grafton, Chairman

By Vern Emery  
Vern Emery, Commissioner

By Ed Riddle  
Ed Riddle, Commissioner

ATTEST

By John Bastida  
John Bastida, Ada County Clerk

SG11 P

AN ORDINANCE PROVIDING FOR THE APPLICATION OF PLANS AND ORDINANCES FOR THE BOISE AREA CITY IMPACT: PROVIDING THAT BOISE CITY WILL LIMIT ANNEXATION OF UNINCORPORATED LANDS TO ITS AREA OF CITY IMPACT: APPLYING THE BOISE METROPOLITAN PLAN WITHIN THE BOISE URBAN SERVICE PLANNING AREA IN ADDITION TO POLICIES RELATING TO; THE GREENBELT/FLOODPLAIN; DENSITY; THE COUNTY'S RURAL AREA GRAVITY FLOW IRRIGATION SYSTEM POLICIES; THE TRANSPORTATION PLAN; DEMOGRAPHIC REPORT; FUNCTIONAL STREET CLASSIFICATION MAP; LIMITATIONS ON HIGH TRIP GENERATION USES SOUTH OF I-84 NEAR COLE ROAD AND OVERLAND ROAD; AND ADOPTION OF THE USTICK ROAD CORRIDOR STUDY: APPLYING THE SOUTHWEST COMMUNITY COMPREHENSIVE PLAN TO THE SOUTHWEST COMMUNITY: APPLYING THE ADA COUNTY COMPREHENSIVE PLAN RURAL AREA SECTION TO THE REMAINDER OF THE BOISE AREA CITY IMPACT: APPLYING THE COUNTY ZONING (DEVELOPMENT) ORDINANCE WITHIN THE BOISE AREA CITY IMPACT: PROVIDING FOR THE AMENDMENT OF THE BOISE CITY AND ADA COUNTY COMPREHENSIVE PLANS TO BE CONSISTENT WITH THIS AGREEMENT: PROVIDING FOR THE COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND OF ZONING APPLICATIONS: PROVIDING FOR CONSISTENCY OF ZONING WITHIN THE BOISE AREA OF CITY IMPACT: PROVIDING FOR RENEGOTIATION OF THE PROVISIONS OF THIS ORDINANCE AND PROVIDING FOR A SEVERANCE CLAUSE AND EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO pursuant to the authority under Section 67-6526, Idaho Code, that the following be adopted:

#### SECTION 1.0 BOISE AREA OF CITY IMPACT BOUNDARY

The Boise Area of City Impact boundary is adopted in County Ordinance Number 138 (City Ordinance Number 4813). Upon annexation of any portion of the Area of City Impact into Boise, the provisions of this Ordinance shall no longer apply to such annexed areas.

#### SECTION 2.0 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 accordance with Idaho Code 67-6526(d).

#### SECTION 3.0 PLAN POLICIES AND ORDINANCES TO APPLY IN THE BOISE AREA OF CITY IMPACT

3.1 The Policy Plan for the Boise Metropolitan Area (Metro Plan) adopted and amended by Boise as of July 2, 1984, shall apply within the unincorporated part of the Boise Urban Service Planning Area as identified in the Area of City Impact boundary map in County Ordinance Number 138 (City Ordinance Number 4813). In addition to the Metro Plan policies which are applied within the Boise Urban Service Planning Area, the following policies and standards shall also apply:

3.11 The more restrictive standards of either the City's floodplain and greenbelt ordinances or of the county's floodplain and greenway ordinances shall apply; where these ordinances are in conflict, during the interim period until a Boise River Plan is adopted as an amendment to the Metro Plan.

3.12 In order to help clarify the administration of the Boise Metro Plan the following definition and density standards shall apply:

3.121 All references to gross and net density standards shall be changed to refer to a PROJECT DEVELOPMENT DENSITY standard which shall be defined as follows:

The ratio of dwelling units within a residential development to the land area of the proposed residential development (which would include housing units, related common open space, area recreation uses, parking facilities and streets, both private and public). All other non-residential uses, included as part of the development application, are excluded from such calculations. Density transfers and clustering are permitted when such land is reserved for environmental purposes or dedicated for public use and/or public rights-of-way.

3.122 The following table shall be used when reviewing developments within the Boise Urban Service Planning Area:

PLANNING AREAS	PROJECT DEVELOPMENT DENSITY RANGE(-1) (DU's/Acre)	MAXIMUM ALLOWABLE DENSITY (-2) (DU's/Acre)	EQUIVALENT ZONING CLASSIFICATIONS (City of Boise)
NORTH RIVER			
Foothills (See Policy B3 in the Boise Metro Plan.)	1.0 - 4.0	8.0	A to R-1C
Northwest	7.0 - 8.0	14.0	R-1C to R-2
Warm Springs	7.0 - 8.0	14.0	R-1C to R-2
Bogart Lane Urban Expansion Area(-3) (See Policy B5 in the Boise Metro Plan.)			
SOUTHEAST Columbia Road Urban Expansion Area(-3)	7.0 - 8.0	14.0	R-1C to R-2
CENTRAL BENCH (Urban Development only by annexation to Boise or uses permitted in AP-2 Zone).			
WEST BENCH - Cloverdale Road Urban Expansion Area (See policy B2c and policy C4 in the Boise Metro Plan.)	3.0 - 6.0	8.0	R-1B to R-1C

(-1) The approval of the higher end of this density range shall be subject to neighborhood compatibility and urban service capacity limitations. In addition, up to 14 DU's/Acre may be permitted on lands adjacent to the Boise River flood plain when consistent with applicable Metro Plan policies.

(-2) See 3.123

(-3) In the County no rezone from the AP-2 Zone and no Planned Development will be permitted until a land use sketch plan is prepared for the area and is adopted as an amendment to the Metro Plan).

3.123 The maximum allowable density may be permitted when two of the following criteria are met:

- a. The site lies between a major employment/commercial center and a low density residential area, and serves as a buffer between such uses;
- b. The site is or would be served by: an existing or planned transit corridor, as designated in the 1987 Transit Plan (and as amended) or is on an arterial roadway as designated on the Year 2000 Urban Functional Street Classification Map (and as amended);
- c. The site is next to an existing or planned public park or development that offers substantial open space and recreational activities to its residents, or development of the site offers substantial open space and recreation activities to its residents.

In all cases, the approval of higher density development shall also be subject to limitations of neighborhood compatibility, environmental impacts, urban service capabilities and conformity with design standards of the Planned Development Regulations of Ada County (Chapter 34.0 Ada County Zoning Ordinance)

3.124 Infilling of vacant land in areas surrounded by existing development where a variety of urban services have already been developed and are provided, shall be encouraged within the Boise Urban Service Planning Area. Infill areas shall be defined as vacant enclaves where at least three-fourths (3/4) of the land within a 600-800 foot radius of the site has been developed or subdivided for urban uses, or where the responsible governing body determines that the purposes of this section will be served in the public interest. The following standards shall be applied to such infill areas:

- a. Infill projects must meet the test of neighborhood compatibility.
- b. Utilities and essential public services, (sewer, water, fire protection, schools, & streets), are or will be developed and capable of supporting the proposed development.

- c. Proposed infill development which lies between two different types of land use, shall be designed to be compatible with both uses.
- d. Intensity of development for infill parcels of land shall not exceed the maximum allowable density standards of 3.122, above. Section 3.123 shall not apply.

3.13 In addition to the Metro Plan, the objectives and policies of the Ada County Comprehensive Plan Rural Area Section, Goal 6.1, Protect Gravity Flow Irrigation Systems shall apply.

3.14 The Transportation Plan for Northern Ada County, October 1982, including all maps and supplements, and the Year 2000 Urban Functional Street Classification for the Boise Metropolitan Area, May 1982, are adopted herein by reference.

3.15 The Demographic Report, Ada County, July 1984 is adopted herein by reference as a guide for planning purposes.

3.16 High trip generation uses or uses which generate a major portion of trips during peak traffic hours should be avoided within that portion of the Boise Urban Service Planning Area which is south of I-84 in the Cole Road and Overland Road area. Land uses which provide services to interstate travelers or which, by their nature, require good interstate access, should be permitted in the vicinity of the interchange at this location. All uses will be evaluated according to the capacity of the transportation system in accommodating the projected traffic.

3.17 The Ustick Road Corridor Study (January 1976) is adopted.

3.2 The Southwest Community Comprehensive Plan adopted and amended by Ada County as of January 25, 1984 shall apply within the Southwest Community as identified in the Area of City Impact boundary map in County Ordinance Number 138 (City Ordinance Number 4813).

3.3 The Ada County Comprehensive Plan/Rural Area Section adopted by Ada County as of May 18, 1983 shall apply to the Rural Area as identified on the Area of City Impact boundary map in County Ordinance number 139 (City Ordinance number 4813).

3.4 The Ada County Comprehensive Plan - Wildlife Management Area Section adopted by Ada County as of February 3, 1982, shall apply to the Wildlife Management Area as identified on the Area of City Impact Map in County Ordinance Number 138 (City Ordinance Number 4813).

3.5 Both Boise City and Ada County shall amend their Comprehensive Plans to be consistent with this Ordinance within one (1) year of the effective date of this ordinance.

3.6 The Ada County Zoning (Development) Ordinance shall be used to implement this Ordinance.

#### SECTION 4.0 COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS.

4.1 All County and City amendments to their respective Comprehensive Plans and implementing Ordinances which apply within the Boise Area of City Impact shall be sent by the entity considering such amendment to the other entity. A separate Referral Process Agreement (County Resolution Number 416, City Resolution Number 8158) shall be adopted, by resolution, by each entity regarding procedures and time periods for, and the effect of, sending such amendments.

4.2 All County applications for Planned Developments, subdivisions, rezones, conditional use permits, and private roads within the Boise Area of City Impact shall be sent to Boise City, in accordance with the Referral Process Agreement cited in Section 4.1 above.

4.3 Applications for Planned Developments, subdivisions and rezones within the Boise Urban Service Planning Area 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 or where the parcel on which such application is filed is not contiguous to Boise City and therefore cannot be annexed.

#### SECTION 5.0 CONSISTENCY OF ZONING WITHIN THE BOISE AREA OF CITY IMPACT

The county zoning districts shall be in accordance with the adopted plan policies identified in Section 3.0 above.

#### SECTION 6.0 RENEGOTIATION

6.1 In accordance with Idaho Code 67-6526(d), the Boise City Council or the Board of Ada County Commissioners may request, in writing, to renegotiate any provision of this Ordinance at any time. Within thirty (30) days of receipt of such written requests by each party, a meeting between the two jurisdictions shall occur.

6.2 While renegotiation is occurring, the provisions of this Ordinance shall remain in effect until this Ordinance is amended or a substitute ordinance is adopted by Boise 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 judgement from the District Court is final. Provided, however, that this ordinance or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree by mutually adopted resolution.

SECTION 7.0 SEVERANCE

Should any section, clause or provision of this Ordinance be declared invalid by a court of competent jurisdiction, the same shall not effect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid, each section, and provision thereof being declared severable.

SECTION 8.0 EFFECTIVE DATE

This Ordinance shall be and is hereby declared to be in full force and effect on the adoption date.

ADOPTED THIS 30th DAY OF November, 1984.

BOARD OF ADA COUNTY COMMISSIONERS

By Bill Gratton  
Bill Gratton, Chairman

By Vern Emery  
Vern Emery, Commissioner

By Ed Riddle  
Ed Riddle, Commissioner

ATTEST:

By John Bastida  
John Bastida, Ada County Clerk

SG11 PP

AN ORDINANCE AMENDING THE BOUNDARY OF THE SOUTHWEST COMMUNITY AND THE BOISE CITY URBAN SERVICE PLANNING AREA WITHIN THE BOISE CITY AREA OF IMPACT; AMENDING THE BOISE AREA OF CITY IMPACT MAP; ADDING AN AREA OF LAND COMMONLY KNOWN AS THAT PARCEL SOUTH OF INTERSTATE 84, EAST OF MAPLE GROVE ROAD, NORTH OF OVERLAND ROAD AND WEST OF THAT AREA CURRENTLY WITHIN THE BOISE CITY URBAN SERVICE PLANNING AREA; PROVIDING AN EFFECTIVE DATE; AND FURTHER AMENDING TITLE 9, CHAPTER 3, OF THE ADA COUNTY CODE, THE BOISE AREA OF CITY IMPACT TO PROVIDE FOR SAID MAP AMENDMENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO:

Section 9-3-1(A) shall be amended to read as follows:

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

A. Boise City Area of 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 Growth Management Development Services Department. (Ord. 138, 11/30/84).

2. Amendments to the map are as follows:

a. Ordinance 158, 11/26/86.

Section 9-3-3(B) shall be amended to read as follows:

B. The Southwest Community Comprehensive Plan adopted and amended by Ada County as of January 25, 1984 shall apply within the Southwest Community as identified in the above-incorporated Boise City Area of City Impact Boundary Map in County Ordinance Number 138 (City Ordinance Number 4813).

Section 9-3-3(C) shall be amended to read as follows:

C. The Ada County Comprehensive Plan Rural Area Section adopted by Ada County as of May 18, 1983 shall apply to the Rural Area as identified on the above-incorporated Boise City Area of City Impact Boundary Map in County Ordinance Number 138 (City Ordinance Number 4813).

Section 9-3-3(D) shall be amended to read as follows:

D. The Ada County Comprehensive Plan - Wildlife Management Area Section adopted by Ada County as of February 3, 1982, shall apply to the Wildlife Management Area as identified on the above-incorporated Boise City Area of City Impact Boundary Map in County Ordinance Number 138 (City Ordinance Number 4813).

The Boise City Area of City Impact Boundary Map is amended as follows:

An area of land described as generally south and west of Interstate 84, east of Maple Grove Road, north of Overland Road and west and south of the current Boise City Urban Service Planning Area Boundary, shall be added to the Boise Urban Service Planning Area as designated on the Boise City Area of Impact Boundary Map, all as appears more fully by reference to that area cross-hatched in red on a map of the Boise Metropolitan Planning Area attached hereto as Exhibit A, and incorporated herein. Other boundaries appearing on said Boise Metropolitan Planning Area Map thereon are not affected by this change.

ADOPTED This 26th day of November, 1986.

BOARD OF ADA COUNTY COMMISSIONERS

By: Doyle C. Miner  
Doyle C. Miner, Chairman

By: Ed Riddle  
Ed Riddle, Commissioner

By: Michael L. Johnson  
Michael L. Johnson, Commissioner

ATTEST:

John Bastida  
John Bastida, Ada County Clerk

# BOISE METROPOLITAN PLANNING AREA

ADOPTED OCTOBER 1978  
UPDATED 1985

ART GULCH

CRANE CREEK

HULLS GULCH

COTTONWOOD GULCH

TABLE ROCK BASIN

WARM SPRINGS GULCH

WARM SPRINGS MESA

BARBER POOL NATURAL PRESERVE

SOUTHEAST

REPORT

THEND

CITY CENTER

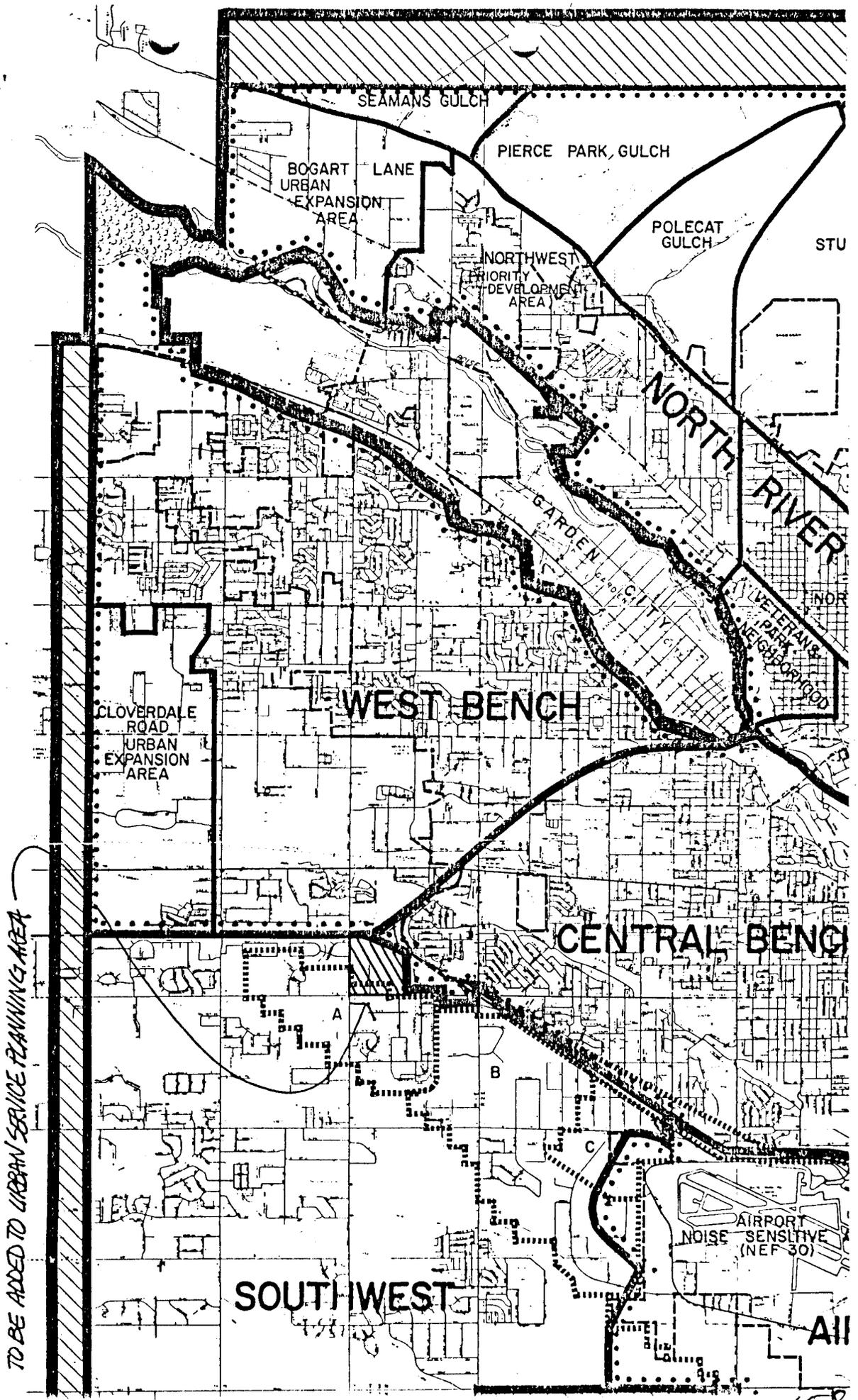
WARM SPRINGS

UNIVERSITY NEIGHBORHOOD

AREA

C-1

-  BOISE AREA OF CITY IMPACT BOUNDARY
-  BOISE URBAN SERVICE PLANNING AREA
-  GENERAL COMMUNITY PLANNING AREAS
-  POLICY AREAS
-  BOISE CITY LIMITS SEPTEMBER 1985
-  GARDEN CITY LIMITS SEPTEMBER 1985
-  NOISE SENSITIVE AREA (NEF 30), AIRPORT INFLUENCE AREA
-  RURAL AREA
-  WILDLIFE MANAGEMENT AREA



TO BE ADDED TO URBAN SERVICE PLANNING AREA

TO BE ADDED TO URBAN SERVICE PLANNING AREA

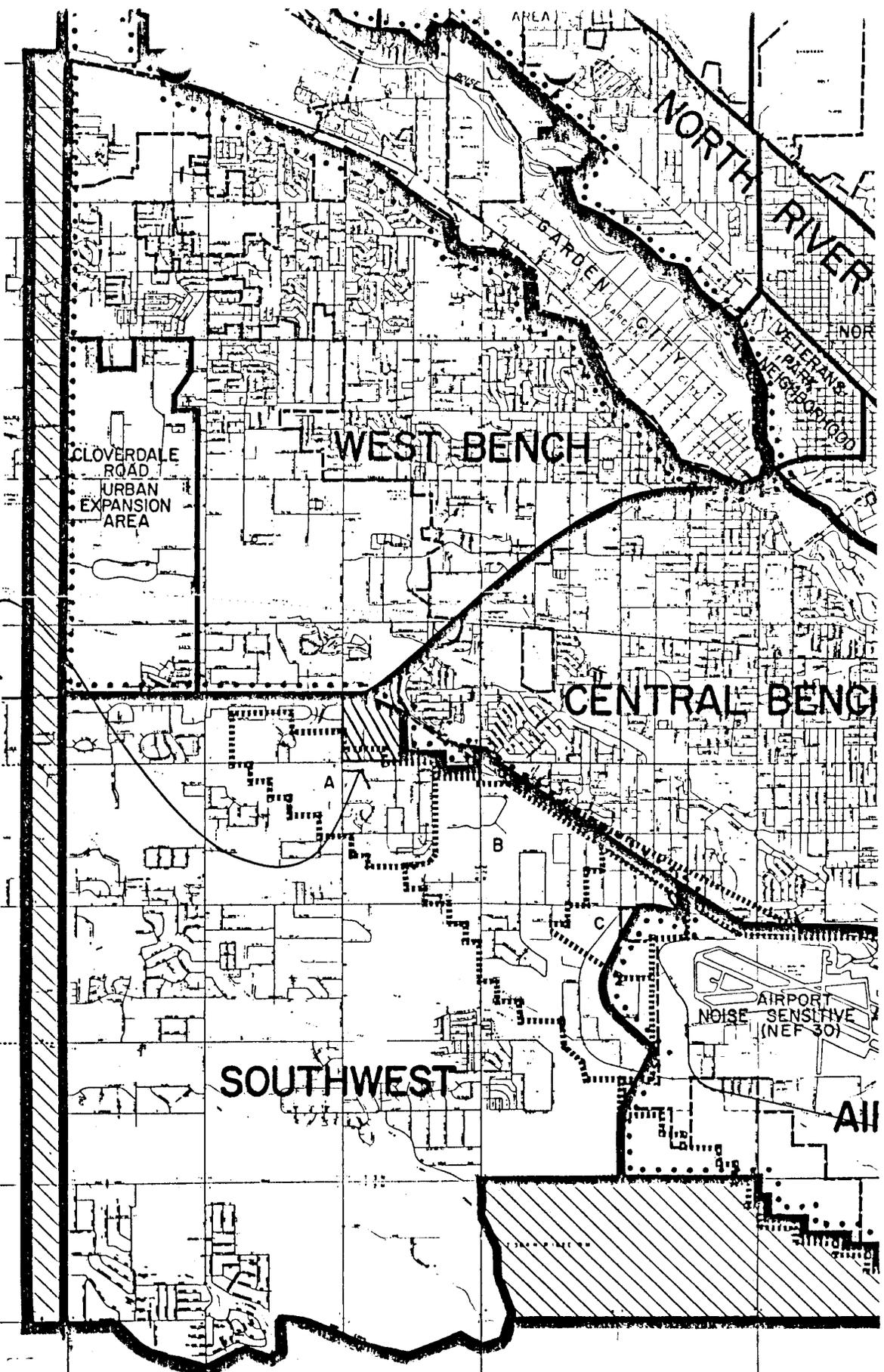


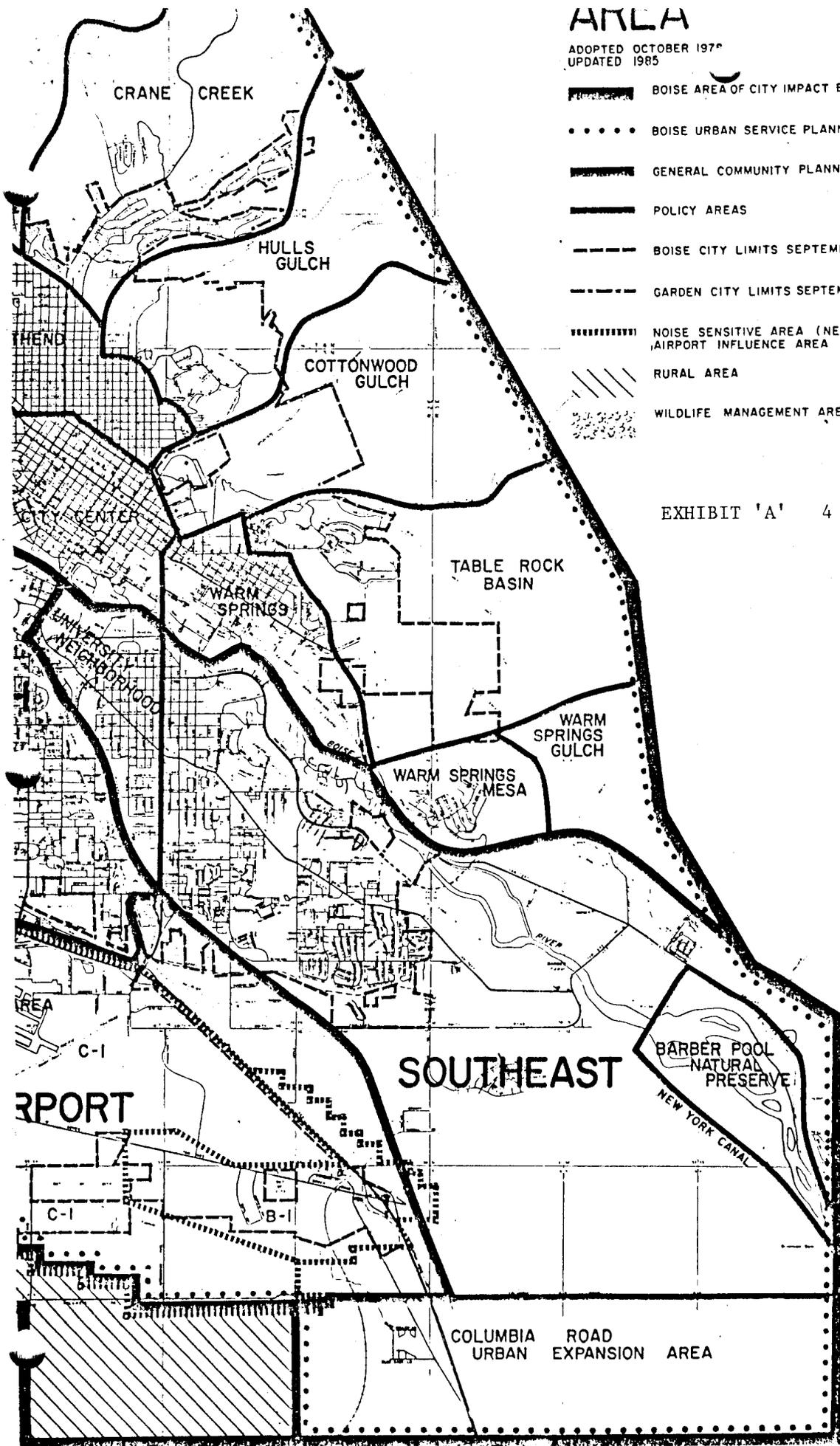
EXHIBIT 'A' 3 of 4

# ARLA

ADOPTED OCTOBER 1977  
UPDATED 1985

-  BOISE AREA OF CITY IMPACT BOUNDARY
-  BOISE URBAN SERVICE PLANNING AREA
-  GENERAL COMMUNITY PLANNING AREAS
-  POLICY AREAS
-  BOISE CITY LIMITS SEPTEMBER 1985
-  GARDEN CITY LIMITS SEPTEMBER 1985
-  NOISE SENSITIVE AREA (NEF 30), AIRPORT INFLUENCE AREA
-  RURAL AREA
-  WILDLIFE MANAGEMENT AREA

EXHIBIT 'A' 4 of 4



AN ORDINANCE AMENDING THE BOUNDARY OF THE BOISE CITY AREA OF IMPACT TO INCLUDE THE FOLLOWING DESCRIBED AREAS; THE W1/2 NE1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 EAST AND THOSE PORTIONS OF THE NW1/4, N1/2 N1/2 SW1/4, N1/2 NW1/4 SE1/4 LYING WEST OF INTERSTATE 84 OF SECTION 18, TOWNSHIP 2 NORTH, RANGE 3 EAST AND THE N1/2 NW1/4, N1/2 SW1/4 NW1/4, SE1/4 NW1/4, NE1/4, N1/2 NE1/4 SW1/4, N1/2 N1/2 SE1/4 OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 2 EAST AND THE NE1/4 NE1/4 NW1/4, N1/2 NW1/4 NE1/4, NE1/4 NE1/4, N1/2 SE1/4 NE1/4 OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 2 EAST; AMENDING THE SOUTHWEST COMMUNITY BOUNDARY TO INCLUDE THAT AREA 1/4 MILE WEST OF CLOVERDALE ROAD BETWEEN COLUMBIA ROAD AND INTERSTATE 84; AMENDING THE AIRPORT INFLUENCE AREAS TO INCLUDE ADDITIONAL AREA AS PER RESOLUTION NO. 471 ADOPTED NOVEMBER 26, 1986; AMENDING THE URBAN SERVICE PLANNING AREA WITHIN THE BOISE CITY AREA OF IMPACT TO INCLUDE THE NE1/4, E1/2 SE1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 EAST; AMENDING THE CLOVERDALE ROAD URBAN EXPANSION AREA TO EXCLUDE THAT AREA LYING NORTH OF S1/2 S1/2 S1/2 OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 EAST; AMENDING THE BOGART LANE URBAN EXPANSION AREA TO EXCLUDE THAT AREA LYING SOUTH OF STATE STREET AND EAST OF ARNEY LANE; REMOVING THE COLUMBIA ROAD URBAN EXPANSION AREA; AMENDING THE BOUNDARY BETWEEN GARDEN CITY AND BOISE CITY URBAN SERVICE PLANNING AREA; PROVIDING AN EFFECTIVE DATE; AND FURTHER AMENDING TITLE 9, CHAPTER 3, OF THE ADA COUNTY CODE, THE BOISE AREA OF CITY IMPACT TO PROVIDE FOR SAID MAP AMENDMENT; PROVIDING FOR A NEW EFFECTIVE DATE OF MARCH 1, 1988 FOR THE BOISE METRO PLAN TO IMPLEMENT AMENDMENTS THAT HAVE BEEN ADOPTED SINCE JULY 2, 1984; PROVIDING THAT THE POLICIES OF THE SOUTHWEST COMMUNITY COMPREHENSIVE PLAN SHALL APPLY TO THE SOUTHWEST COMMUNITY AREA AS OF DECEMBER 17, 1987 UNTIL THE AREA IS ANNEXED BY THE CITY OF BOISE; PROVIDING AN EFFECTIVE DATE FOR THE OBJECTIVES AND POLICIES OF THE ADA COUNTY COMPREHENSIVE PLAN RURAL AREA SECTION REGARDING PROTECTION OF GRAVITY FLOW IRRIGATION SYSTEMS; PROVIDING FOR THE MOST CURRENT TRANSPORTATION PLAN FOR NORTHERN ADA COUNTY; PROVIDING FOR THE MOST CURRENT YEAR 2000 URBAN FUNCTIONAL STREET CLASSIFICATION FOR THE BOISE METROPOLITAN AREA; PROVIDING FOR THE MOST CURRENT DEMOGRAPHIC REPORT OF ADA COUNTY; PROVIDING FOR A NEW EFFECTIVE DATE OF DECEMBER 17, 1987 FOR THE SOUTHWEST COMMUNITY COMPREHENSIVE PLAN TO IMPLEMENT AMENDMENTS THAT HAVE BEEN ADOPTED SINCE JANUARY 25, 1984; PROVIDING POLICIES FOR DRAINAGE AND DRAINAGE IMPROVEMENTS IN THE SOUTHWEST COMMUNITY; PROVIDING THAT THE MORE RESTRICTIVE STANDARDS OF EITHER THE ADA COUNTY COMPREHENSIVE PLAN WILDLIFE MANAGEMENT AREA SECTION, ADOPTED FEBRUARY 3, 1982 OR THE BOISE RIVER PLAN, ADOPTED AS OF SEPTEMBER 30, 1985 SHALL APPLY TO THE WILDLIFE MANAGEMENT AREA AS IDENTIFIED ON THE BOISE CITY AREA OF IMPACT MAP; PROVIDING FOR THE MOST CURRENT ADA COUNTY COMPREHENSIVE PLAN AIRPORT INFLUENCE AREAS TO APPLY TO THE UNINCORPORATED AREA IN THE BOISE CITY AREA OF IMPACT; PROVIDING FOR SUBDIVISION APPLICATIONS IN THE BOISE CITY AREA OF IMPACT TO COMPLY WITH THE BOISE CITY SUBDIVISION ORDINANCE AS WELL AS THE ADA COUNTY SUBDIVISION ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO:

Section 9-3-1(A) shall be amended to read as follows:

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

A. Boise City Area of 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. (Ord. 138, 11-20-85; amd. Ord. 158, 11-26-86)

2. Amendments to the map are as follows:

- a. Ordinance 158, 11-26-86
- b. Ordinance 187, 6-9-88

Section 9-3-3(A) shall be amended to read as follows:

A. The policy plan for the Boise Metropolitan Area (Metro Plan) adopted and amended by Boise as of ~~July 2, 1984~~, March 1, 1988 shall apply within the unincorporated part of the Boise Urban Service Planning Area as identified in the area of City Impact Boundary Map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County ~~Growth-Management~~ Development Services Department; provided that the policies of the Southwest Community Comprehensive Plan shall apply to the area in the Southwest Community, adopted as of December 17, 1987, until annexed by the City of Boise and the Southwest Community shall be considered a part of the Boise Urban Service Planning Area. In addition to the Metro Plan policies which are applied within the Boise Urban Service Planning Area, the following policies and standards shall also apply: (Ord. 139, 11-30-84)

Section 9-3-3(A)(2b) shall be amended to read as follows:

NORTH RIVER

Foothills                      1.0 - 4.0                      8.0                      A to R-1C  
(see Policy B3 in the Boise Metro Plan)

Northwest                      7.0 - 8.0                      14.0                      R-1C to R2

Warm Springs                      7.0 - 8.0                      14.0                      R-1C to R2

Bogart Lane

Urban Expansion Area (-3) (See Policy B5 in the Boise Metro Plan)

SOUTHEAST

7.0 - 8.0                      14.0                      R-1C to R2

-Columbia-Road

-Urban-Expansion

-Area-(-3)

CENTRAL-BENCH-(Urban-Development-only-by-annexation-to-Boise-or-uses-permitted  
in-AP-2-Zone)

WEST BENCH                    3.0 -6.0                    8.0                    R-1B to R-1C  
Cloverdale Road  
Urban Expansion  
Area (see Policy B2c and Policy C4 in the Boise Metro Plan)

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(-1) The approval of the higher end of this density range shall be subject to neighborhood compatibility and urban service capacity limitations. In addition, up to 14 DU's/Acre may be permitted on lands adjacent to the Boise River flood plain when consistent with applicable Metro Plan policies.

(-2) See subsection c.

~~(-3)-In-the-County,-no-rezone-from-the-AP-2-Zone-and-no-planned development-will-be-permitted-until-a-land-use-sketch-plan-is prepared-for-the-area-and-is-adopted-as-an-amendment-to-the-Metro Plan-~~

Section 9-3-3(A)(2d) shall be amended to read as follows:

d. Infilling of vacant land in areas surrounded by existing development where a variety of urban services have already been developed and are provided, shall be encouraged within the Boise Urban Service Planning Area. Infill areas shall be defined as vacant enclaves where at least three-fourths (3/4) of the land within a 600 to 800 foot radius of the site has been developed or subdivided for urban uses, or where the responsible governing body determines that the purposes of this Section will be served in the public interest. the following standards shall be applied to such infill areas: (no further change)

Section 9-3-3(A)(3) shall be amended to read as follows:

3. In addition to the Metro Plan, with the exception of the Southwest Community Comprehensive Plan, the objectives and policies of the Ada County Comprehensive Plan Rural Area Section, Goal 6.1, Protect Gravity Flow Irrigation Systems, adopted by Resolution No. 374 on May 18, 1983, shall apply.

Section 9-3-3(A)(4) shall be amended to read as follows:

4. The Transportation Plan for Northern Ada County, adopted October 1982 and as it may be amended from time to time, including all maps and supplements, and the Year 2000 Urban Functional Street Classification for the Boise Metropolitan Area, adopted May 1982 and as it may be amended from time to time, are adopted herein by reference.

Section 9-3-3(A)(5) shall be amended to read as follows:

The Demographic Report, Ada County, adopted July 1984 and as it may be amended from time to time, is adopted herein by reference as a guide for planning purposes.

Section 9-3-3(B) shall be amended to read as follows:

- B. The Southwest Community Comprehensive Plan adopted and amended by Ada County as of ~~January-25,-1984~~; December 17, 1987, shall apply within the Southwest Community as identified in the above-incorporated Boise City Area of City Impact Boundary Map. Drainage and drainage improvements shall be in accordance with the Ada County Zoning Ordinance.

Section 9-3-3(D) shall be amended to read as follows:

- D. The more restrictive standards of either the Ada County Comprehensive Plan - Wildlife Management Area Section adopted by Ada County as of February 3, 1982, or the Boise River Plan (see 9-3-3A1) shall apply to the Wildlife Management Area as identified on the above-incorporated Boise City Area of City Impact Boundary Map. (Ord. 139, 11-30-84; amd. Ord. 158, 11-26-86)

Section 9-3-3(G) shall be added to read as follows:

- G. The Ada County Comprehensive Plan/Airport Influence Areas adopted by Ada County as of November 26, 1986, and as it may be amended from time to time, shall apply to the airport influence areas as identified in the unincorporated area on the above-incorporated Boise City Area of City Impact Boundary Map.

Section 9-3-4(C) shall be added to read as follows:

- C. All subdivision applications within the Boise Area of City Impact shall comply with Boise City Subdivision Ordinance as well as the Ada County Zoning Ordinance.

The Boise City Area of City Impact Boundary Map is amended as follows:

An area of land described as the W1/2 NE1/4 of Section 28, Township 4 North, Range 1 East and those portions of the NW1/4, N1/2 N1/2 SW1/4, N1/2 NW1/4 SE1/4 lying west of Interstate 84 of Section 18, Township 2 North, Range 3 East and the N1/2 NW1/4, N1/2 SW1/4 NW1/4, SE1/4 NW1/4, NE1/4, N1/2 NE1/4 SW1/4, N1/2 N1/2 SE1/4 of Section 13, Township 2 North, Range 2 East and the NE1/4 NE1/4 NW1/4, N1/2 NW1/4 NE1/4, NE1/4 NE1/4, N1/2 SE1/4 NE1/4 of Section 14, Township 2 North, Range 2 East shall be added to the Boise City Area of Impact and designated as Rural Area on the Boise City Area of Impact Map.

An area of land described as the NE1/4, and the E1/2 SE1/4 of Section 28, Township 4 North, Range 1 East shall be added to the Boise City Urban Service Planning Area.

An area of land described as 1/4 mile west of Cloverdale Road between Columbia Road and Interstate 84 shall be added to the Southwest Community.

An area of land described as generally south of State Street and east of Arney Lane shall be excluded from the Bogart Lane Urban Expansion Area and added to the Northwest Area.

An area of land described as generally north of the S1/2 S1/2 S1/2 of Section 3, Township 3 North, Range 1 East shall be excluded from the Cloverdale Road Urban Expansion Area and added to the West Bench.

An area of land described as Section 12, Township 2 North, Range 2 East and Sections 7, 8, and 9, Township 2 North, Range 3 East shall be excluded from the Columbia Road Urban Expansion Area and shall be added to the Southeast Area.

An area of land described as generally those portions of land south of State Street, west of Lake Harbor Development and east of Glenwood Street, and those lands lying west of Glenwood Street, south of Strawberry Glen Road and including the North Riverside Village, and those lands west of Bogart Lane (extended), south of Lots 17, 19, 24, 29, and the west half of Lot 20 of Steins Subdivision, and east of a boundary approximately 170 feet east of Ulmer Street (extended) shall be excluded from the Boise City Area of Impact and included in the Garden City Area of City Impact.

An area of land described as N1/2 SW1/4, NW1/4 SE1/4, S1/2 NE1/4 SE1/4, SW1/4 NW1/4, S1/2 SE1/4 NW1/4, SW1/4 NW1/4 NW1/4 of Section 4, SW1/4 SW1/4, S1/2 SE1/4 SW1/4, NW1/4 SE1/4 SW1/4, S1/2 SW1/4 SE1/4 of Section 3, N1/2 N1/2 NW1/4, SE1/4 NE1/4 NW1/4, NE1/4 SE1/4 NW1/4, NW1/4 NE1/4, N1/2 SW1/4 NE1/4, S1/2 NE1/4 NE1/4, SE1/4 NE1/4, N1/2 NE1/4 SE1/4 of Section 10, SE1/4, S1/2 NE1/4, S1/2 NW1/4, S1/2 N1/2 N1/2, NE1/4 SW1/4, N1/2 NW1/4 SW1/4, SE1/4 NW1/4 SW1/4, E1/2 SE1/4 SW1/4, NW1/4 SE1/4 SW1/4, NE1/4 SW1/4 SW1/4 of Section 11, N1/2 NW1/4, N1/2 SW1/4 NW1/4, SE1/4 NW1/4, NE1/4, N1/2 NE1/4 SW1/4, N1/2 N1/2 SE1/4 of Section 13, NE1/4 NE1/4 NW1/4, N1/2 NW1/4 NE1/4, NE1/4 NE1/4, N1/2 SE1/4 NE1/4 of Section 14, Township 2 North, Range 2 East, and those portions of the NW1/4, N1/2 N1/2 SW1/4, N1/2 NW1/4 SE1/4 lying west of Interstate 84 of Section 18, Township 2 North, Range 3 East shall be added to the C-1 Airport Influence Area. (Resolution No. 471, 11-26-86)

An area of land described as those portions of the W1/2 of Section 7, Township 2 North, Range 3 East, lying west of Interstate 84 and Section 12, Township 2 North, Range 2 East except that portion of the NE1/4 NE1/4 lying northeast of the west right-of-way of Interstate 84, and the S1/2 SW1/4, S1/2 NW1/4 SE1/4, SE1/4 NE1/4 SW1/4, and that portion of the S1/2 SE1/4 lying west of Interstate 84, and that portion of the NE1/4 SE1/4 lying west of Interstate 84 of Section 1, Township 2 North, Range 2 East and the E1/2 SE1/4 SE1/4 of Section 2, Township 2 North, Range 2 East shall be added to the B-1 Airport Influence Area. (Resolution No. 471, 11-26-86)

ADOPTED THIS 9th DAY OF June, 1988.

BOARD OF ADA COUNTY COMMISSIONERS

Michael L. Johnson  
Michael L. Johnson, Chairman

ABSENT

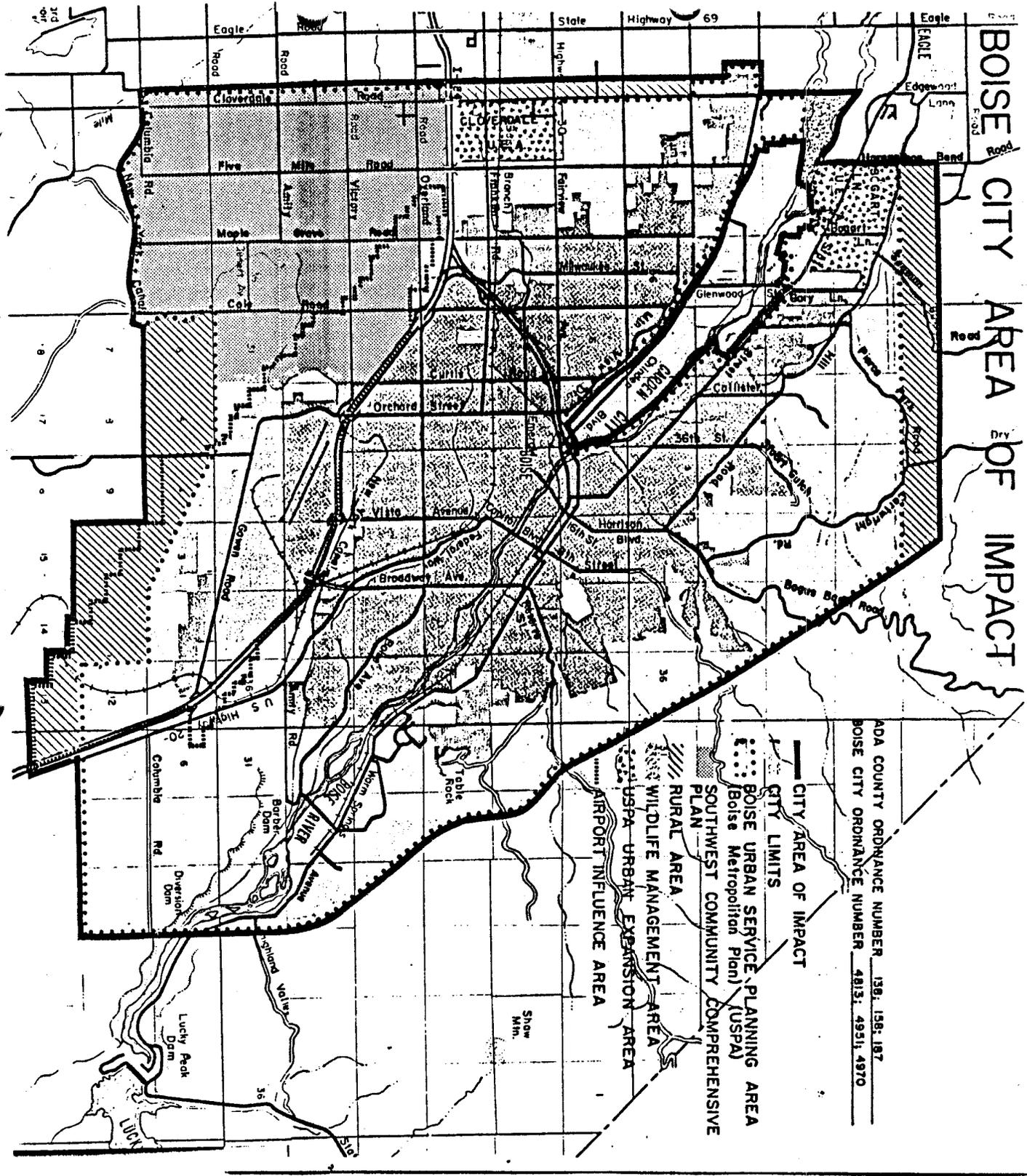
Judy M. Peavey, Commissioner

Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt, Commissioner

ATTEST:

John Bastida  
John Bastida, Ada County Clerk

# BOISE CITY AREA OF IMPACT



ADA COUNTY ORDINANCE NUMBER 139, 159, 187  
 BOISE CITY ORDINANCE NUMBER 4813, 4951, 4970

- CITY AREA OF IMPACT
- CITY LIMITS
- BOISE URBAN SERVICE PLANNING AREA (Boise Metropolitan Plan) (USPA)
- ▨ SOUTHWEST COMMUNITY COMPREHENSIVE PLAN
- ▨ RURAL AREA
- ▨ WILDLIFE MANAGEMENT AREA
- ▨ USPA URBAN EXPANSION AREA
- ▨ AIRPORT INFLUENCE AREA

AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING ADDITIONAL LAND AREA TO BE INCLUDED WITHIN THE BOUNDARY; PROVIDING THAT THE BOISE METRO PLAN OF NOVEMBER 1990 SHALL APPLY TO THE BOISE CITY AREA OF CITY IMPACT; PROVIDING THAT THE ADA COUNTY CODE, TITLE 8, THE ZONING ORDINANCE, SHALL APPLY TO THE BOISE CITY AREA OF CITY IMPACT; PROVIDING THAT SUBDIVISION PLAT APPLICATIONS INSIDE URBAN SERVICE PLANNING AREA BOUNDARIES IN RURAL TRANSITION (RT) ZONES SHALL INCLUDE A STREET AND UTILITY EASEMENT PLAN FOR FUTURE RESUBDIVISION, WHICH MAY BE WAIVED BY THE BOISE CITY COUNCIL; PROVIDING THAT SUBDIVISION PLATS INSIDE URBAN SERVICE PLANNING AREA BOUNDARIES IN RURAL TRANSITION (RT) ZONES REQUIRE INSTALLATION OF DRY LINE SEWER AND WATER LINES PRIOR TO OCCUPANCY OF THE FIRST DWELLING UNIT, UNLESS WAIVED BY THE BOISE CITY COUNCIL; PROVIDING THAT ALL LANDS ZONED RURAL TRANSITION (RT) AND RURAL PRESERVATION (RP) MAY BE CONSIDERED FOR REZONES TO URBAN DENSITIES AS URBAN SERVICES BECOME AVAILABLE; AND FINALIZING REZONING OF FORMER AP-1, AP-2, AND RR PARCELS TO OTHER ZONING CATEGORIES.

BE IT ORDAINED THAT ADA COUNTY CODE TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, WILL BE AMENDED AS FOLLOWS:

CHAPTER 3

BOISE CITY AREA OF CITY IMPACT

SECTION:

- 9-3-1: Boise City Area of City Impact Boundary
- 9-3-2: Annexation to Occur only in Area of City Impact
- 9-3-3: Applicable Plan Policies and Ordinances
- 9-3-4: Coordination of Plan Amendments, Ordinance Amendments and Zoning Applications
- ~~9-3-5: Consistency of Zoning Within the Boise Area of City Impact~~
- 9-2-6-5: Renegotiation

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

A. Boise City Area of 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, 11-26-86
- b. Ordinance 187, 6-9-88
- c. Ordinance 245, 4/2/92

- B. In case a property under single ownership is divided by the boundary line of the Boise City Area of City Impact 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.
- C. 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.

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 67-6526(d).

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

- A. The policy plan for Boise Metropolitan Area (Metro Plan) adopted and amended by Boise as of ~~March 1, 1988~~ November 1990 shall apply within the unincorporated part of the Boise Urban Service Planning area as identified in the 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; provided that the policies of the Southwest Community Comprehensive Plan shall apply to the area in the Southwest Community, adopted as of December 17, 1987, until annexed by the City of Boise and the Southwest Community shall be considered a part of the Boise Urban Service Planning Area. In addition to the Metro Plan policies which are applied within the Boise Urban Service Planning Area, the following policies and standards shall also apply:

~~1. The Boise River Plan adopted by the City of Boise on September 20, 1985, as Ordinance No. 4863 shall apply and be implemented by the Ada County Zoning Ordinance, with the following amendments, additions or modifications:~~

~~a. The River Maps Section adopted as part of the River Plan designating flood plain and wildlife habitat will be used as the primary reference source for land classifications, but these classifications or boundaries may be interpreted by further on site evaluation, engineering data, or other expert testimony.~~

~~b. To be added to FLOOD PROTECTION 2.a: Provided that such vegetation requirement shall be triggered at the time an application for proposed development is submitted.~~

~~e. To modify and amend FISH & WILDLIFE, 1.b. to delete, one housing unit per twenty (20) acres or legal lot, and substitute, "No residential development shall be allowed within Class A lands unless the project demonstrates that the integrity of Class A lands will be maintained. Such affirmative demonstration shall include provisions for the enhancement and protection of the wildlife habitat consistent with Class A designation."~~

2. In order to help clarify the administration of the Boise Metro Plan, the following definition and density standards shall apply:

a. All references to gross and net density standards shall not be changed to refer to a PROJECT DEVELOPMENT DENSITY standard which shall be defined as follows:

The ratio of dwelling units within a residential development to the land area of the proposed residential development (which would include housing units, related common open space, area recreation uses, parking facilities and streets, both private and public). All other nonresidential uses included as part of the development application, are excluded from such calculations. Density transfers and clustering are permitted when such land is reserved for environmental purposes or dedicated for public use and/or public right of way.

b. The following table shall be used when reviewing developments within the Boise Urban Service Planning Area:

PLANNING AREAS	PROJECT DEVELOPMENT DENSITY RANGE ((1) (DU's/Acre)		MAXIMUM ALLOWABLE DENSITY ((2) (DU's/Acre)	EQUIVALENT ZONING CLASSIFICATIONS (City of Boise)
NORTH RIVER -Foothills (See Policy B3 in the Boise Metro Plan)	1.0	4.0	8.0	A to R 1C
Northwest	7.0	8.0	14.0	R 1C to R 2
Warm Springs	7.0	8.0	14.0	R 1C to R 2
Bogart Lane Urban Expansion Area (3) (See Policy B5 in the Boise Metro Plan)				
SOUTHEAST	7.0	8.0	14.0	R 1C to R 2
WEST BENCH	3.0	6.0	8.0	R 1B to R 1C

(1) The approval of the higher end of this density range shall be subject to neighborhood compatibility and urban service capacity limitations. In addition, up to 14 DU's/Acre may be permitted on lands adjacent to the Boise River flood plain when consistent with applicable metro Plan Policies.

(2) See subsection e.

(e) The maximum allowable density may be permitted when two (2) of the following criteria are met:

(2) The site is or would be served by: an existing or planned transit corridor, as designated in the 1987 Transit Plan (and as amended) or is on an arterial roadway as designated on the Year 2000 Urban Functional Street Classification Map (and as amended);

~~(3) — The site is next to an existing or planned public park or development that offers substantial open space and recreational activities to its residents, or development of the site offers substantial open space and recreation activities to its residents.~~

~~In all cases, the approval of higher density development shall also be subject to limitations of neighborhood compatibility, environmental impacts, urban service capabilities and conformity with design standards of the planned development regulations of Ada County.~~

~~d. — Infilling of vacant land in areas surrounded by existing development where a variety of urban services have already been developed and are provided, shall be encouraged within the Boise Urban Service Planning Area. Infill areas shall be defined as vacant enclaves where at least three fourths (3/4) of the land within a six hundred to eight hundred foot (600'—800') radius of the site has been developed or subdivided for urban uses, or where the responsible governing body determines that the purposes of this Section will be served in the public interest. The following standards shall be applied to such infill areas:~~

~~(1) — Infill projects must meet the test of neighborhood compatibility.~~

~~(2) — Utilities and essential public services, (sewer, water, fire protection, schools and streets) are or will be developed and capable of supporting the proposed development.~~

~~(3) — Proposed infill development which lies between two (2) different types of land use, shall be designed to be compatible with both uses.~~

~~(4) — Intensity of development for infill parcels of land shall not exceed the maximum allowable density standards of subsection A2ba above. Subsection 2Ae shall not apply.~~

~~3. — in addition to the Metro Plan, with the exception of the Southwest Community Comprehensive Plan, the objectives and policies of the Ada County Comprehensive Plan Rural Area Section, Goal 6.1, Protect Gravity Flow Irrigation Systems, adopted by Resolution No. 374 on May 18, 1983, shall apply.~~

~~4. — The Transportation Plan for Northern Ada County, adopted October 1982 and as it may be amended from time to time, including all maps, and supplements, and the Year 2000 Urban Functional Street Classification for the Boise Metropolitan Area, adopted May 1982 and as it may be amended from time to time, are adopted herein by reference and shall be used to review development applications.~~

~~5. — The Demographic Report, Ada County, Idaho, (APA Report No. 8-88) adopted July 1984 and as it may be amended from time to time, is adopted herein by reference as a guide for planning purposes.~~

~~6. — High trip generation use or uses which generate a major portion of trips during peak traffic hours should be avoided within that portion of the Boise Urban Service Planning Area which is south of I 84 in the Cole Road and Overland Road area. Land uses which provide services to interstate access, should be permitted in the vicinity of the interchange at this location. All uses will be evaluated according to the capacity of the transportation system in accommodating the projected traffic.~~

~~7. The Ustick Road Corridor Study (January 1976) is adopted.~~

~~B. The Southwest Community Comprehensive Plan adopted and amended by Ada County as of December 17, 1987, shall apply within the Southwest Community as identified in the above incorporated Boise City Area of City Impact Boundary Map. Drainage and drainage improvements shall be in accordance with the Ada County Zoning Ordinance.~~

~~C. The Ada County Comprehensive Plan Rural Area Section adopted by Ada County as of May 18, 1983, shall apply to the Rural Area as identified on the above incorporated Boise City Area of City Impact Boundary Map.~~

~~D. The more restrictive standards of either the Ada County Comprehensive Plan Wildlife Management Area Section adopted by Ada County as of February 3, 1982, or the Boise River Plan (see 9-3-3A1) shall apply to the Wildlife Management Area as identified on the above incorporated Boise City Area of City Impact Boundary Map.~~

~~E. Both Boise City and Ada County shall amend their Comprehensive Plans to be consistent with this Chapter within one year of the effective date of this Chapter.~~

~~F.B. The Ada County Code, Title 8, the Zoning (Development) Ordinance shall be used to implement this Chapter. All land use applications shall also comply with the provisions of this Chapter.~~

~~G. The Ada County Comprehensive Plan/Airport Influence Areas adopted by Ada County as of November 26, 1986, and as it may be amended from time to time, shall apply to the Airport Influence Areas as identified in the unincorporated area on the above incorporated Boise City Area of City Impact Boundary Map.~~

C. All subdivision plat applications in the Urban Service Planning Area for land zoned RT (Rural 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 Boise City 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 RT (Rural 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 Boise City Council prior to preliminary plat approval by the Board.

E. All lands zoned RT (Rural Transition) and RP (Rural Preservation) may be considered for rezones to urban densities as urban services become available.

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

A. All County and City amendments to their respective Comprehensive Plans and implementing ordinances which apply within the Boise City Area of City Impact shall be sent by the entity

considering such amendment to the other entity. A separate Referral Process Agreement (County Resolution Number 416, City Resolution Number 8158) shall be adopted, by resolution, by each entity regarding procedures and time periods for, and the effect of, sending such amendments.

- B. All County applications for planned developments, subdivisions, rezones, conditional use permits and private road within the Boise City Area of City Impact shall be sent to Boise City, in accordance with the Referral Agreement cited in subsection A above.
- C. Applications for planned developments, subdivisions and rezones within the Boise Urban Service Planning Area 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. All subdivision applications within the Boise Area of City Impact shall comply with Boise City Subdivision Ordinance as well as the Ada County Zoning Ordinance.

~~9-3-5 CONSISTENCY OF ZONING WITHIN THE BOISE CITY AREA OF CITY IMPACT.  
The County zoning districts shall be in accordance with the adopted plan policies identified in Section 9-3-3 above.~~

9-3-6 5: **RENEGOTIATIONS**

- A. In accordance with Idaho Code 67-6526(d), the Boise City 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) jurisdiction 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 ~~title 67, chapter 65 of Ada County and~~ Idaho Code §, or until a declaratory adjustment 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.

APPROVED THIS 2 DAY OF April, 1992.

BOARD OF COUNTY COMMISSIONERS

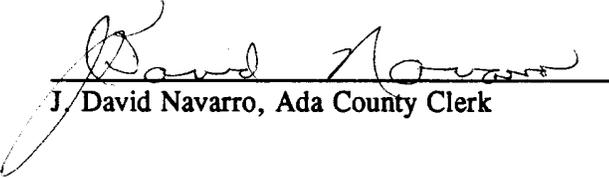
**ABSENT**

\_\_\_\_\_  
John Bastida, Chairman

  
\_\_\_\_\_  
Gary Glenn, Commissioner

  
\_\_\_\_\_  
Vernon L. Bisterfeldt, Commissioner

ATTEST:

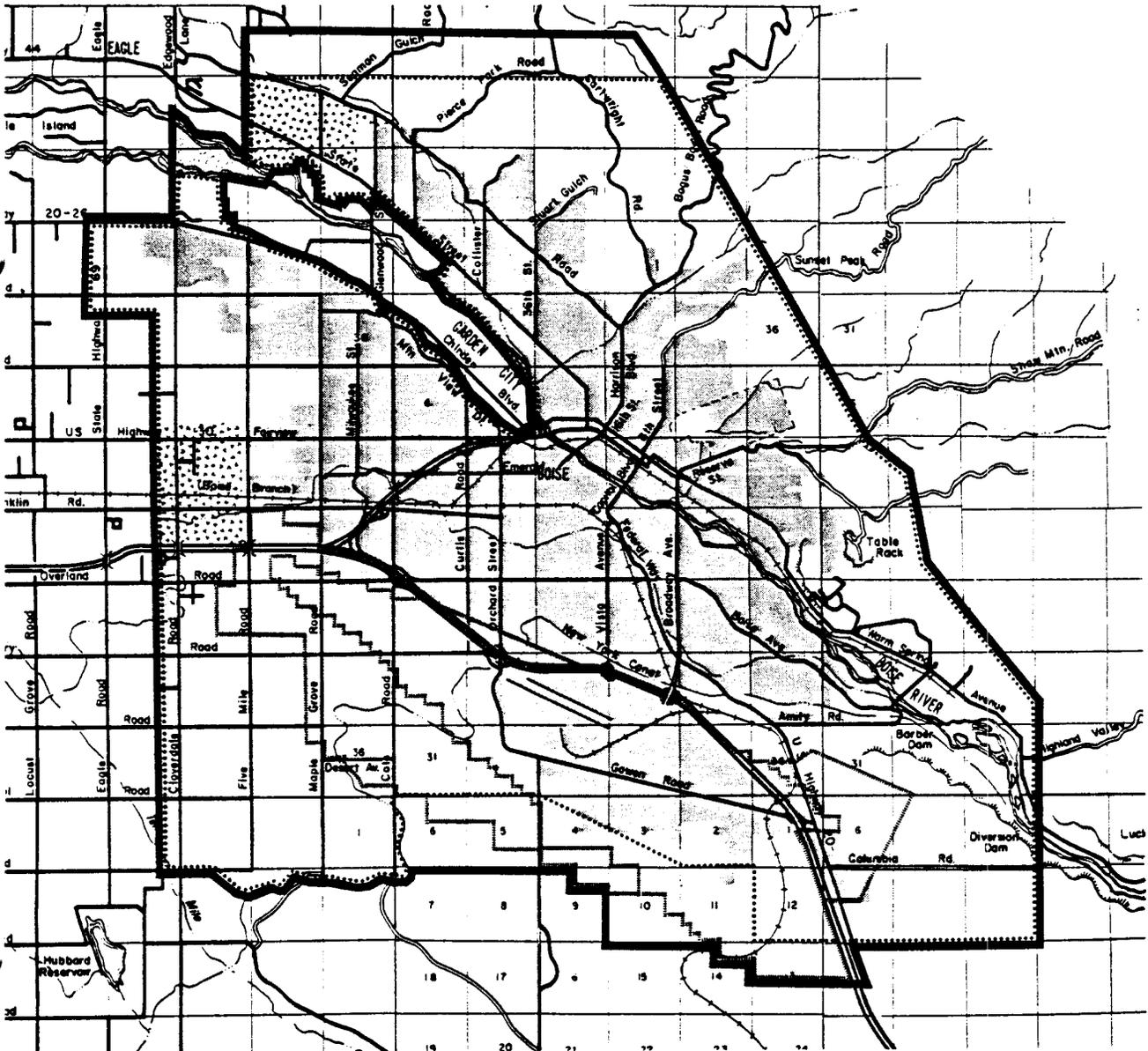
  
\_\_\_\_\_  
J. David Navarro, Ada County Clerk

# BOISE AREA OF CITY IMPACT

ADA COUNTY ORDINANCE NUMBER 138, 158, 187

BOISE CITY ORDINANCE NUMBER 4813, 4951, 4970

- |   |  |   |                           |
|---|--|---|---------------------------|
|  | AREA OF CITY IMPACT  |  | CITY LIMITS               |
|  | BOISE URBAN SERVICE PLANNING AREA (USPA) (Boise Metropolitan Plan) |  | BOISE RURAL AREA          |
|  | SOUTHWEST COMMUNITY COMPREHENSIVE PLAN                             |  | BOISE RIVER PLAN          |
|   |  |  | USPA URBAN EXPANSION AREA |
|   |  |  | AIRPORT INFLUENCE AREA    |



## ORDINANCE SUMMARY AND LEGAL NOTICE OF ZONE CHANGES

ON APRIL 2, 1992, THE BOARD OF ADA COUNTY COMMISSIONERS ADOPTED ORDINANCE NO. 245, WHICH AMENDED THE BOISE CITY AREA OF IMPACT AGREEMENT AND CALLED FOR ZONE CHANGES TO IMPLEMENT THE AGREEMENT. THE ORDINANCE AMENDS TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING ADDITIONAL LAND AREA TO BE INCLUDED WITHIN THE BOUNDARY (LANDS INSIDE THE AIRPORT INFLUENCE AREA SOUTH OF THE BOISE AIR TERMINAL, AND AN APPROXIMATE ONE SQUARE MILE AREA IN THE NORTHWEST PORTION OF THE IMPACT AREA ALONG EAGLE ROAD BETWEEN THE CITY OF EAGLE AND CITY OF MERIDIAN AREAS OF IMPACT); EXPANDING THE URBAN SERVICE PLANNING AREA IN AN APPROXIMATE ONE SQUARE MILE AREA IN THE NORTHWEST PORTION OF THE IMPACT AREA ALONG EAGLE ROAD BETWEEN THE CITY OF EAGLE AND CITY OF MERIDIAN AREAS OF IMPACT, AND ALONG CLOVERDALE ROAD (INCLUDING 1/4 MILE WEST OF CLOVERDALE BETWEEN MCMILLAN ROAD AND I-84) AND CORRECTING MINOR INCONSISTENCIES; PROVIDING THAT THE BOISE METRO PLAN OF NOVEMBER 1990 SHALL APPLY TO THE BOISE CITY AREA OF CITY IMPACT; DELETING REDUNDANT REFERENCES TO PLANNING DOCUMENTS NOW INCLUDED IN BOISE METRO PLAN; PROVIDING THAT THE ADA COUNTY CODE, TITLE 8, THE ZONING ORDINANCE, SHALL APPLY TO THE BOISE CITY AREA OF CITY IMPACT; PROVIDING THAT SUBDIVISION PLAT APPLICATIONS INSIDE URBAN SERVICE PLANNING AREA BOUNDARIES IN RURAL TRANSITION (RT) ZONES SHALL INCLUDE A STREET AND UTILITY EASEMENT PLAN FOR FUTURE RESUBDIVISION, WHICH MAY BE WAIVED BY THE BOISE CITY COUNCIL; PROVIDING THAT SUBDIVISION PLATS INSIDE URBAN SERVICE PLANNING AREA BOUNDARIES IN RURAL TRANSITION (RT) ZONES REQUIRE INSTALLATION OF DRY LINE SEWER AND WATER LINES PRIOR TO OCCUPANCY OF THE FIRST DWELLING UNIT, UNLESS WAIVED BY THE BOISE CITY COUNCIL; PROVIDING THAT ALL LANDS ZONED RURAL TRANSITION (RT) AND RURAL PRESERVATION (RP) MAY BE CONSIDERED FOR REZONES TO URBAN DENSITIES AS URBAN SERVICES BECOME AVAILABLE; AND FINALIZING REZONING OF AP-1, AP-2, AND RR PARCELS AND A PORTION OF AN AREA ZONED T-1 TO OTHER ZONING CATEGORIES.

AS SHOWN ON THE FOLLOWING MAP, AND AS AGREED BETWEEN ADA COUNTY AND THE CITY OF BOISE, IN ACCORDANCE WITH THE ADOPTED AREA OF CITY IMPACT AGREEMENT AND THE REFERRAL PROCESS, THE AREAS INSIDE THE BOISE CITY AREA OF CITY IMPACT BOUNDARY CURRENTLY ZONED AGRICULTURAL PRESERVATION (AP-1), AGRICULTURAL PRESERVATION/URBAN EXPANSION (AP-2), AND RURAL RESIDENTIAL (RR), ARE HEREBY REZONED TO RURAL PRESERVATION (RP), RURAL TRANSITION (RT), SOUTHWEST COMMUNITY RESIDENTIAL ZONE (RSW), ESTATE RESIDENTIAL (R1), AIRPORT INDUSTRIAL (M-4), AND LIMITED AIRPORT INDUSTRIAL (M-5).

Full and complete copies of the text and map may be obtained from Ada County Development Services, 650 Main Street, Boise, Idaho.

APPROVED THIS 22 DAY OF April, 1992.

BOARD OF COUNTY COMMISSIONERS

John Bastida  
John Bastida, Chairman

Gary Glenn  
Gary Glenn, Commissioner

Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt, Commissioner

STATEMENT OF APPROVAL

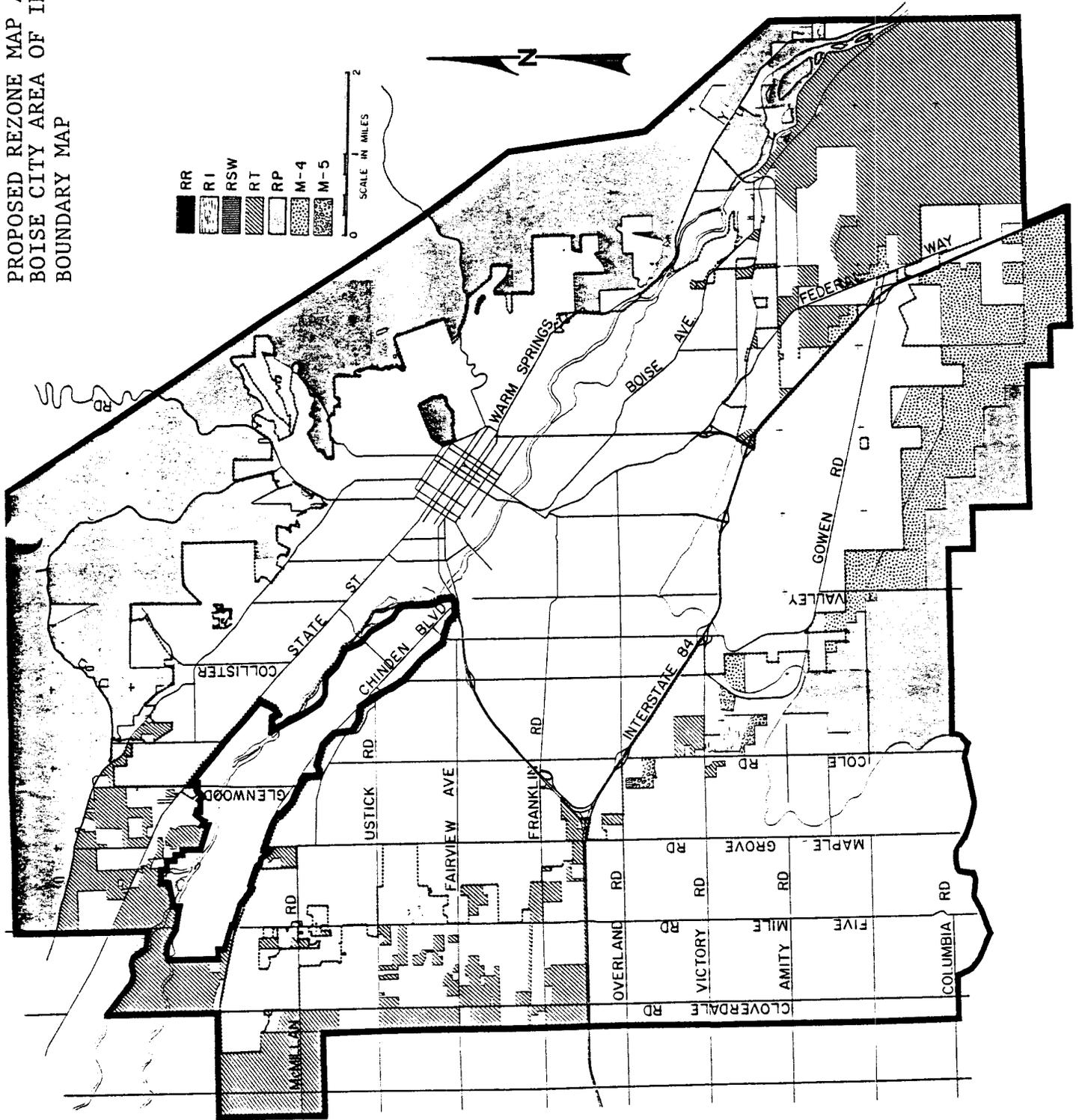
I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of Ada County Ordinance No. 245 is true and complete and provides adequate notice to the public, pursuant to I.C. Section 31-715A.

J. David Navarro  
J. David Navarro  
Ada County Clerk

SUBSCRIBED AND SWORN to and before me this 22 day of April, 1992.

Shari Strong  
Notary Public for Idaho  
Residing: Boise, Idaho

PROPOSED REZONE MAP AND  
BOISE CITY AREA OF IMPACT  
BOUNDARY MAP



AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING ADDITIONAL LAND AREA TO BE INCLUDED WITHIN THE BOISE CITY AREA OF CITY IMPACT.

BE IT ORDAINED THAT ADA COUNTY CODE TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, WILL BE AMENDED AS FOLLOWS:

CHAPTER 3

BOISE CITY AREA OF CITY IMPACT

SECTION:

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 maps are as follows:

- a. Ordinance No. 158, November 26, 1986
- b. Ordinance No. 187, June 9, 1988
- c. Ordinance No. 245, April 2, 1992
- d. Ordinance No. \_\_\_\_\_, 1992

ADOPTED THIS 3 DAY OF Dec., 1992.

BOARD OF ADA COUNTY COMMISSIONERS

By: John Bastida  
John Bastida  
Chairman

By: Gary Glenn  
Gary Glenn  
Commissioner

By: Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt  
Commissioner

ATTEST:

J. David Navarro  
J. David Navarro, Ada County Clerk

AN ORDINANCE AMENDING TITLE NINE, CHAPTER FOUR, MERIDIAN AREA OF CITY IMPACT, BY REMOVING LAND AREA FROM THE MERIDIAN AREA OF CITY IMPACT.

BE IT ORDAINED THAT ADA COUNTY CODE TITLE NINE, CHAPTER FOUR, MERIDIAN AREA OF CITY IMPACT, WILL BE AMENDED AS FOLLOWS:

CHAPTER 4

MERIDIAN AREA OF CITY IMPACT

SECTION:

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 maps are as follows:

- a. Ordinance No. 229, December 20, 1990
- b. Ordinance No. \_\_\_\_\_, 1992

ADOPTED THIS 3 DAY OF Dec, 1992.

BOARD OF ADA COUNTY COMMISSIONERS

By: John Bastida  
John Bastida  
Chairman

By: Gary Glenn  
Gary Glenn  
Commissioner

By: Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt  
Commissioner

ATTEST:

J. David Navarro  
J. David Navarro, Ada County Clerk

FRANKLIN ROAD  
N 89° 29' 19" W 2702.58

9 10  
16 15

1351.29

N 00° 06' 30" W  
558.08

IMPACT AREA BOUNDARY

NE 1/4 NE 1/4

PARCEL 1  
10.45 AC.

N 00° 06' 30" W  
1145.19

NE 1/16th CORNER

BEDELCO PURCHASE

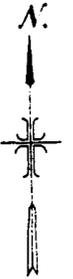
BOISE IMPACT AREA

N 00° 00' 00" E 2661.09  
CLOVERDALE ROAD  
(BASIS OF BEARING)

MERIDIAN IMPACT AREA

CHAFFIN DRAIN

RIDENBAUGH CANAL



I, Michael  
Land Surveyor  
map has been  
ground un  
accurate  
with the  
Code 55-  
relating to

Michael E.

282

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, ADA COUNTY CODE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING FOR THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE BOISE CITY AREA OF IMPACT; AND AMENDING TITLE NINE, CHAPTER FOUR, ADA COUNTY CODE, MERIDIAN AREA OF CITY IMPACT, BY PROVIDING FOR THE REMOVAL OF CERTAIN LAND FROM THE BOUNDARIES OF THE MERIDIAN AREA OF CITY IMPACT, TO WIT:

Commencing at a point marking the East 1/4 corner of the said Section 16; thence along the Easterly boundary of the said SE 1/4 of Section 16, which is also the centerline of South Cloverdale Road  
South 00°14'21" West 1327.47 feet to a point marking the Southeast corner of the NE 1/4 of the said SE 1/4 of Section 16; thence along the Southerly boundary of the said NE 1/4 of the SE 1/4 of Section 16  
North 89°15'06" West 1342.48 feet to the Southeast corner of the NW 1/4 of the said SE 1/4 of Section 16, also said point being the **REAL POINT OF BEGINNING**; thence along the Southerly boundary of the said NW 1/4 of the SE 1/4 of Section 16  
North 89°15'06" West 455.10 feet to a point on the centerline of the Ridenbaugh Canal; thence along the said centerline of the Ridenbaugh Canal  
North 13°45'44" East 1135.38 feet to a point on the Southerly boundary of Interstate 84, F.A.P. No. I-80N-1(29)45; thence along the said Southerly boundary of Interstate 84  
South 89°35'17" East 186.25 feet to a point on the Easterly boundary of the said NW 1/4 of the SE 1/4 of Section 16; thence along the said Easterly boundary of the said NW 1/4 of the SE 1/4 of Section 16  
South 00°03'59" West 1107.39 feet to the **POINT OF BEGINNING**.

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, THAT ADA COUNTY CODE, TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, AND ADA COUNTY CODE, TITLE NINE, CHAPTER FOUR, MERIDIAN AREA OF CITY IMPACT, BE AMENDED AS FOLLOWS:

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

A. Boise City Area of 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 No. 158, 11-26-86
- b. Ordinance No. 187, 6-9-88
- c. Ordinance No. 245, 4-2-92
- d. Ordinance No. 257, 12-3-92
- e. Ordinance No. \_\_\_\_\_, - -94

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 maps are as follows:

- a. Ordinance No. 229, December 20, 1990.
- b. Ordinance No. 257, December 03, 1992
- c. Ordinance No. 278, \_\_\_\_\_, 1994.

ADOPTED THIS 1st DAY OF December, 1994.

**Board of Ada County Commissioners**

By: Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt, Chairman

By: Gary Glenn  
Gary Glenn, Commissioner

By: Roger D. Simmons  
Roger D. Simmons, Commissioner

ATTEST:

David Navarro  
J. David Navarro, Ada County Clerk

AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, ADA COUNTY CODE, BOISE CITY AREA OF CITY IMPACT, BY PROVIDING FOR THE REMOVAL OF CERTAIN LAND FROM THE BOUNDARIES OF THE BOISE CITY AREA OF IMPACT AND THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE BOISE CITY AREA OF CITY IMPACT; AND AMENDING TITLE NINE, CHAPTER FIVE, ADA COUNTY CODE, GARDEN CITY AREA OF CITY IMPACT, BY PROVIDING FOR THE REMOVAL OF CERTAIN LAND FROM THE BOUNDARIES OF THE GARDEN CITY AREA OF CITY IMPACT, AND THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE GARDEN CITY AREA OF CITY IMPACT, TO WIT:

To be removed from the Boise City Area of City Impact and added to the Garden City Area of City Impact:

All that portion of Section 14, Section 23 and Section 24, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho described as follows:

All that land within the Boise City Area of Impact, lying southwesterly of State Street (State Highway 44), lying east of the west lines of said Sections 14 and 23, lying northerly of the northerly limits of the Garden City Area of Impact and lying westerly of the east line of Glenwood Street.

Excepting therefrom that portion of said Section 23 known as Eagle Island.

To be removed from the Garden City Area of City Impact and added to the Boise City Area of City Impact:

All that portion of Section 22 and Section 27, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho described as follows:

All that land within the Garden City Area of Impact, lying westerly of the east lines of said Section 22 and 27, lying northerly of Joplin street, lying easterly of the westerly limits of the Garden City Area of Impact and lying southerly of the Boise River's South Channel.

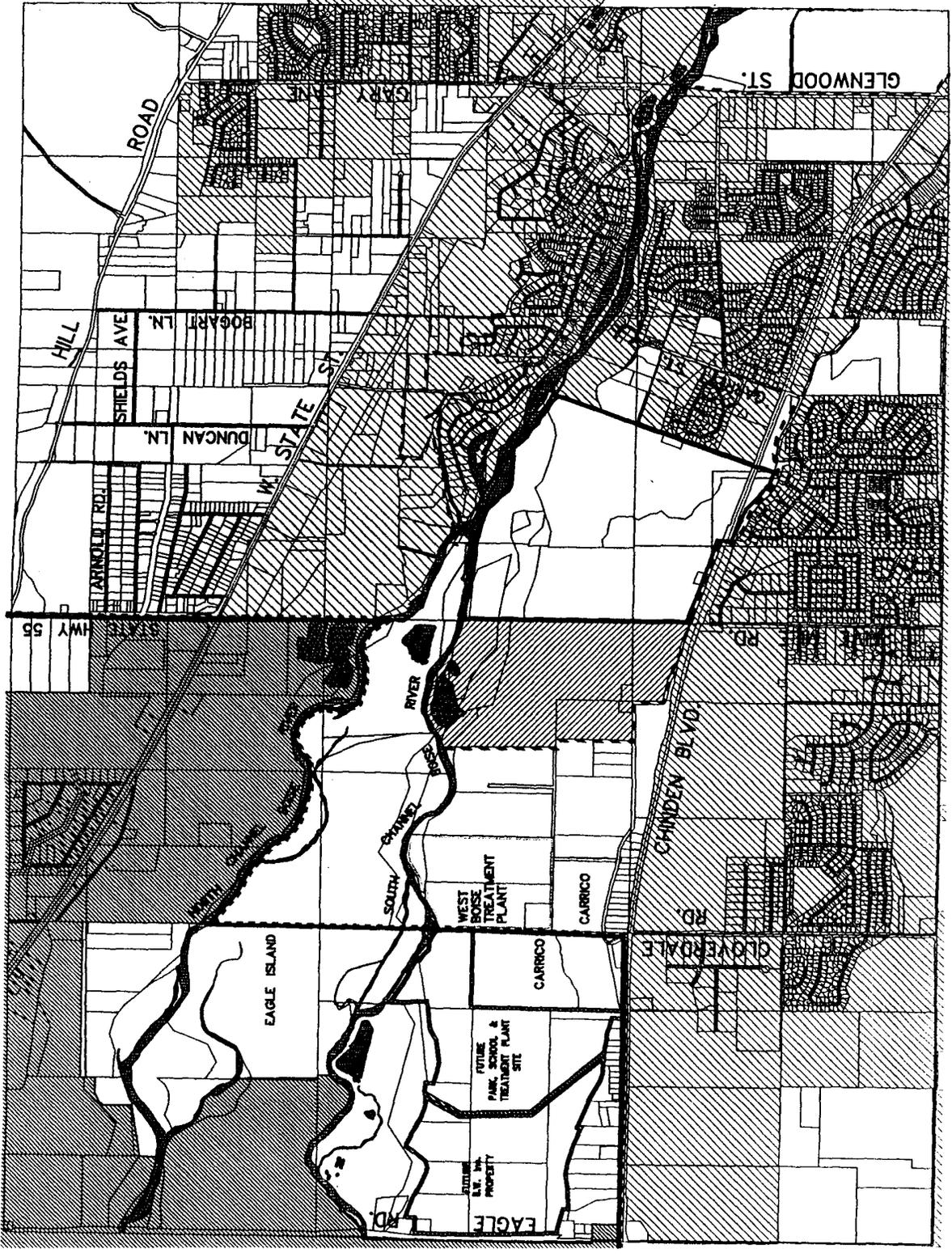
EXHIBIT "A"

AREA OF IMPACT  
BOUNDARIES  
AND  
PROPOSED MODIFICATIONS

- BOISEABLE AREA OF IMPACT BOUNDARY
- EAGLE CITY LIMITS
- GARDEN CITY LIMITS
- FIRST BOISE PLANT BOUNDARY
- BOISE CITY LIMITS
- BOISE CITY AREA OF IMPACT BOUNDARY
- PROPOSED BOISE ANNEXATIONS
- GARDEN CITY AREA OF IMPACT TO BOISE CITY (182 ACRES)
- BOISE CITY AREA OF IMPACT TO GARDEN CITY (47 ACRES)

This map is made from data copyrighted by Ada County. Ada County shall not be liable for inaccuracies or misuse of this map. Any digital form requires the written permission of Ada County. bearing this disclaimer may be photocopied freely. However,

10-25-94



THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND NOT FOR CONSTRUCTION OR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF BOISE PUBLIC WORKS.



150 N. CAPITOL BLVD.  
BOISE, IDAHO 83702  
(208) 384-3900

CM05-9301

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, THAT ADA COUNTY CODE, TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, AND ADA COUNTY CODE, TITLE NINE, CHAPTER FIVE, GARDEN CITY AREA OF CITY IMPACT, BE AMENDED AS FOLLOWS:

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

A. Boise City Area of 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 No. 158, 11-26-86
  - b. Ordinance No. 187, 6-9-88
  - c. Ordinance No. 245, 4-2-92
  - d. Ordinance No. 257, 12-3-92
  - e. Ordinance No. ~~282~~, 12 - 1 - 94
  - f. Ordinance No. 284, 12 22 94

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 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 No. 9471, October 7, 1987, and Garden City Resolution No. 557A, October 6, 1987.
- b. Ada County Ordinance No. 194.
- c. Ada County Ordinance No. 284

ADOPTED this 27 day of Dec., 1994.

**Board of Ada County Commissioners**

By: Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt, Chairman

By: Gary Glenn  
Gary Glenn, Commissioner

By: Roger D. Simmons  
Roger D. Simmons, Commissioner

ATTEST:

J. David Navarro  
J. David Navarro, Ada County Clerk

AN ORDINANCE AMENDING TITLE NINE, CHAPTER THREE, AND TITLE NINE, CHAPTER 4, ADA COUNTY CODE, BOISE CITY AREA OF CITY IMPACT BOUNDARY MAP AND MERIDIAN AREA OF CITY IMPACT BOUNDARY MAP, REMOVING A THREE HUNDRED FIFTY ONE ACRE SECTION OF LAND FROM THE MERIDIAN AREA OF CITY IMPACT AND PLACING IT IN THE BOISE CITY AREA OF CITY IMPACT, TO WIT:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO THAT ADA COUNTY CODE, TITLE NINE, CHAPTER THREE, BOISE CITY AREA OF CITY IMPACT, AND ADA COUNTY CODE, TITLE NINE, CHAPTER FOUR, MERIDIAN AREA OF CITY IMPACT, BE AMENDED AS FOLLOWS:

A parcel of land lying in Section 32 and Section 33, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 28, 29, 32, and 33, T.4N., R. 1E., B.M., thence S 00°00'20"W 1327.10 feet along the section line common to Sections 32 and 33, to the northwest corner of the S ½ of the NW ¼ of Section 33, the **REAL POINT OF BEGINNING** of this description;

Thence N 89°49'13" E 2656.31 feet along the north line of the S ½ of the NW ¼ to the northwest corner of the SW ¼ of the NE ¼, all of said Section 33;

Thence N 89°34'27" E 1331.15 feet to the northeast corner of the SW ¼ of the NE ¼ of said Section 33;

Thence S 00°12'51" E 1325.40 feet along the east line of the SW ¼ of the NE ¼ to the northeast corner of the W ½ of the SE ¼ of said Section 33;

Thence S 00°10'56" W 2653.57 feet along the east line of the W ½ of the SE ¼ to the southeast corner of the W ½ of the SE ¼ of said Section 33;

Thence S 89°45'37" W 1324.86 feet along the south line of the W ½ of the SE ¼ to the southwest corner of the W ½ of the SE ¼ (the south ¼ corner of Section 33);

Thence S 89°40'35" W 1329.65 feet along the south line of the SE ¼ of the SW ¼ to the southwest corner of the SE ¼ of the SW ¼ of said Section 33;

Thence N 00°01'12" W 1326.65 feet along the west line of the SE ¼ of the SW ¼ to the southeast corner of the NW ¼ of the SW ¼ of said Section 33;

Thence S 89°41'44" W 1329.17 feet along the south line of the NW ¼ of the SW ¼ to the southeast corner of the NE ¼ of the SE ¼ of Section 32;

Thence S 89°42'47" W 369.14 along the south line of the NE ¼ of the SE ¼ of Section 32 to a point on the southerly boundary of a parcel of land as described in that certain Warranty Deed filed as Instrument No. 9000952, records of Ada County, Idaho;

Northwesterly along the southerly boundary of said Warranty Deed the following courses and distances;

Thence N 84°06'58" W 265.94 feet to a point;

Thence N 73°22'58" W 243.40 feet to a point;

Thence N 38°04'58" W 193.50 feet to a point;

Thence N 63°04'58" W 37.96 feet to a point on the west line of Lot 3, Block 1, Jasmine Acres Subdivision extended south;

Thence leaving the southerly boundary of said Warranty Deed N 00°19'40" W 1056.70 feet along the west line of Lot 1 and Lot 3, Block 1, Jasmine Acres Subdivision, extended south, to a point on the north line of the NE ¼ of the SE ¼ of said Section 32, said point being the northwest corner of said Lot 1;

Thence N 89°40'14" E 370.22 feet along the north line of the NE ¼ of the SE ¼ (the north line of said Lot 1) to a point on the west line, extended south, of a parcel of land as described in that certain Warranty Deed filed as Instrument No. 9108729, records of Ada County, Idaho;

Thence N 00°00'20" E 1325.63 feet along the west line, extended south, of Warranty Deed, Instrument No. 9108729, said west line being 656.00 feet west and parallel with the east line of the SE ¼ of the NE ¼, to a point on the north line of the SE ¼ of the NE ¼, all of said Section 32;

Thence N 89°32'32" E 656.00 feet along the north line of the SE ¼ of the NE ¼ to the **REAL POINT OF BEGINNING** of this description;

Said parcel of land contains 373.74 acres, more or less.

This legal description was prepared from data of record and does not represent an actual boundary survey made on the ground.

9-3-1:

**BOISE CITY AREA OF CITY IMPACT BOUNDARY:**

A. Boise City Area of 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 No. 158, 11-26-86

b. Ordinance No. 187, 6-9-88

c. Ordinance No. 245, 4-2-92

d. Ordinance No. 257, 12-3-92

e. Ordinance No. 285, 1 26-94 5

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 maps are as follows:

a. Ordinance No. 229, December 20, 1990.

b. Ordinance No. 257, December 03, 1992

c. Ordinance No. 285, Jan. 26, 1994.

ADOPTED THIS 26 DAY OF January, 1995.

**Board of Ada County Commissioners**

By: *Vernon L. Bisterfeldt*  
Vernon L. Bisterfeldt, Chairman

By: ABSENT  
Gary Glenn, Commissioner

By: *Roger D. Simmons*  
Roger D. Simmons, Commissioner

ATTEST:

*David Navarro*  
J. David Navarro, Ada County Clerk

BY THE COUNCIL:

BAKER, FORNEY, HAUSRATH, MAPP,  
TERTELING AND WETHERELL.

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE PURPOSE OF CLARIFYING PROCEDURES FOR REFUND AND APPEAL; PROVIDING FOR A DEFINITION OF "MULTI FAMILY"; PROVIDING FOR THE ADDITION OF PARK PLANNING SUBAREA #6; DELETING LARGE URBAN PARKS AND LINEAR PARKS FROM THE IMPACT FEE METHODOLOGY STANDARDS SECTION; PROVIDING FOR CITY COUNCIL APPROVAL OF ALL INDIVIDUAL ASSESSMENT APPLICATIONS; PROVIDING MINOR CHANGES FOR CLARIFICATION; APPROVING THE SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Title 4, Chapter 12, Boise City Code, be, and the same is hereby amended to read as follows:

CHAPTER 4-12. IMPACT FEE ORDINANCE

- 4-12-01. SHORT TITLE, APPLICABILITY, AND PURPOSE
- 4-12-02. RULES OF CONSTRUCTION
- 4-12-03. DEFINITIONS
- 4-12-04. GENERAL PROVISIONS
- 4-12-05. DEVELOPMENT IMPACT FEE - STANDARDS AND PROCEDURES
- 4-12-06. DETERMINATION OF DEVELOPMENT IMPACT FEES
- 4-12-07. REFUND OF IMPACT FEES PAID
- 4-12-08. EXEMPTIONS
- 4-12-09. CREDITS
- 4-12-10. SUITABILITY OF LAND OFFERED FOR DEDICATION
- 4-12-11. IMPACT FEE SERVICE AREAS AND TRUST ACCOUNTS
- 4-12-12. IMPACT FEE EXPENDITURES
- 4-12-13. PARK AND RECREATION IMPACT FEES
- 4-12-14. APPEALS OF ADMINISTRATIVE DECISIONS
- 4-12-15. VESTED RIGHTS
- 4-12-16. OTHER POWERS AND RIGHTS NOT AFFECTED
- 4-12-17. SAVINGS CLAUSE

4-12-01. SHORT TITLE, APPLICABILITY, AND PURPOSE

- A. This Ordinance shall be known and may be cited as the "Boise City Impact Fee Ordinance."
- B. This Ordinance shall apply to the development of property located within the boundaries of Boise City as well as "service areas" identified in the Boise City/Ada County Area of Impact Agreement as the same is amended from time to time.
- C. The Boise City Council finds that an equitable program for planning and financing public facilities needed to serve new growth and development is necessary in order to promote and

accommodate orderly growth and development and to protect the public health, safety and general welfare of the citizens of Boise City. It is the intent by enacting this chapter to:

1. Ensure that adequate facilities are available to serve new growth and development;
2. Promote orderly growth and development by establishing uniform standards by which the City may require that those who benefit from new growth and development pay a proportionate share of the cost of new public facilities needed to serve new growth and development;
3. Ensure that those who benefit from new growth and development are required to pay no more than their proportionate share of the cost of public facilities needed to serve new growth and development and to prevent duplicate and ad hoc development requirements;
4. Collect and expend development impact fees pursuant to the enabling powers granted by the provisions of *The Idaho Development Impact Fee Act, Title 67, Chapter 82, Idaho Code*;
5. Provide the legal and procedural basis for the implementation of development impact fees within the area of city impact; and
6. Ensure that any capital improvement funded wholly or in part with impact fee revenue shall first be included in an approved capital improvements plan that lists the capital improvements that may be funded with impact fee revenues as well as the estimated costs and timing for each improvement.

- D. It is intended that this Chapter will be amended as capital improvements plans are approved and adopted as part of the Metro Plan, pursuant to the provisions of *Idaho Code 67-8208*, to include specific methodology for the calculation of development impact fees for specific categories of public facilities. Development impact fees shall not be charged, collected or expended for public facilities which are not included in an approved capital improvements plan that lists the capital improvements which may be funded with impact fee revenues, as well as the estimated costs and timing for each improvement. No amendment to this Chapter adopting an impact fee for public facilities or amending or adopting the methodology for calculating an impact fee shall be effective unless approved by ordinance adopted by the Boise City Council in accordance with the procedural requirements of *Idaho Code 67-8206*.

4-12-02. RULES OF CONSTRUCTION

- A. This Chapter shall be liberally construed to effectively carry out its purpose in the interest of the public health, safety and welfare.
- B. Unless otherwise stated, the following rules of construction shall apply to the text of this Chapter.
  - 1. If there is any conflict between the text of this Chapter and any table, summary table or illustration, the text shall control.
  - 2. The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
  - 3. The phrase "used for" includes "arranged for", "designed for", or "occupied for".
  - 4. The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
  - 5. The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.
  - 6. Words used in the present tense shall include the future; words used in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary; and use of the masculine gender shall include the feminine
  - 7. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and", "or" or "either... or", the conjunction shall be interpreted as follows:
    - a. "And" indicates that all the connected terms, conditions, provisions or events shall apply.
    - b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
    - c. "Either... or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

#### 4-12-03. DEFINITIONS

For the purpose of this Chapter, the following terms, phrases and words shall have the meaning given herein.

#### AFFORDABLE HOUSING

Housing affordable to families whose incomes do not exceed eighty percent (80%) of the median income for the service areas as defined in this Chapter.

#### APPROPRIATE

To legally obligate by contract or otherwise commit to use by appropriation or other official act of the City.

#### APPLICANT

Person who applies for a Building Permit or submits a plat or waiver of plat or is otherwise subject to the provisions of this chapter.

#### BUILDING

Any structure having a roof entirely separated from any other structure by space or by walls in which there are no communicating doors or windows or any similar opening and erected for the purpose of providing support or shelter for persons, animals, things or property of any kind.

#### BUILDING PERMIT

An official document or certificate by that name issued by the Boise City Building Department, authorizing the construction or citing of any Building. For purposes of this Chapter, the term "Building Permit" shall also include tie-down permits for those structures or Buildings, such as a mobile home, that do not require a Building Permit in order to be occupied.

#### CAPITAL IMPROVEMENTS

Improvements with a useful life of ten (10) years or more, by new construction or other action, which increase the service capacity of a public facility.

#### CAPITAL IMPROVEMENTS PLAN

A plan adopted and amended pursuant to the provisions of *The Development Impact Fee Act, Idaho Code 67-8208*, which identifies capital improvements for which development impact fees may be used as a funding source.

#### CITY COUNCIL

The City Council of Boise City, Idaho.

#### CREDITS

The present value of system improvements, contribution or dedication of land or money required by the City from a developer for system improvements of the category for which the development impact fee is being collected.

#### DEDICATION

A deliberate appropriation of land by its owner for use as public facilities as the same are defined herein.

#### DEVELOPMENT

Any construction or installation of a building or structure, or any change in use of a building or structure, or any change in the use, character or appearance of land, which creates additional demand and need for public facilities.

#### DEVELOPMENT APPROVAL

Any written authorization from the City or another governmental entity party to a joint powers agreement with the City, which authorizes the commencement of a development.

#### DEVELOPMENT IMPACT FEE

A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development. This term is also referred to as an impact fee in this ordinance. The term does not include the following:

- (a) A charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development;
- (b) Connection or hookup charges;
- (c) Availability charges for drainage, sewer, water, or transportation charges for services provided directly to the development.
- (d) Amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements, unless a written agreement is made pursuant to section 67-8209 (3) Idaho Code, for credit or reimbursement.

#### DEVELOPMENT REQUIREMENT

A requirement attached to a development approval or other governmental action approving or authorizing a particular development project including, but not limited to, a rezoning, which requirement compels the payment, dedication or contribution of goods, services, land, or money as a condition of approval.

#### DWELLING UNIT

A Building or portion of a Building designed for or whose primary purpose is for residential occupancy, and which consists of one or more rooms which are arranged, designed or used as living and/or sleeping quarters for one or more persons. Dwelling unit includes mobile home or motel/hotel/rooming house.

#### EXTRAORDINARY COSTS

Those costs incurred as a result of extraordinary impact.

#### EXTRAORDINARY IMPACT

An impact which is reasonably determined by the City to: (i) result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by section 67-8214(2) Idaho Code, or (ii) result in the need for system improvements which are not identified in the capital improvements plan.

#### FEE ADMINISTRATOR

The official or designee appointed by the Mayor with City Council approval, to administer this Chapter.

#### FEE PAYER

A person intending to commence a proposed development for which an impact fee computation is required, or a person who has paid an impact fee, provided a letter of credit, or made a contribution in-lieu-of-fee pursuant to this Chapter.

#### HEARING OFFICER

An experienced, fair and impartial individual with whom the City contracts for the purpose of hearing and deciding administrative appeals filed pursuant to the provisions of Section 14 of this Chapter.

#### IMPACT

The effect of on the local public facilities in a given area produced by the additional population attracted by development.

#### LAND USE ASSUMPTIONS

A description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a twenty (20) year period.

#### LEVEL OF SERVICE

A measure of the relationship between service capacity and service demand for public facilities.

#### LOW INCOME HOUSING

Housing affordable to families whose incomes do not exceed fifty per cent (50%) of the median income for the service area as defined in this Chapter.

#### MANUFACTURED HOME

A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight (8) feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the

requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. 5401, et sec.

#### METRO PLAN

The Boise City comprehensive plan known as "A Policy Plan for the Boise Metropolitan Area" as updated and amended from time to time pursuant to Idaho Code 67-6508.

#### MODULAR BUILDING

Any building or building component, other than a manufactured home, which is constructed according to standards contained in the Uniform Building Code, as adopted by the City, or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.

#### MULTI FAMILY

A building, or portion thereof, containing two (2) or more dwelling units excluding attached single family townhouse units located on individual lots.

#### NON-RESIDENTIAL DEVELOPMENT

Any development project not providing for residential dwelling units.

#### OWNER

The Person holding legal title to the real property, including the local, state or federal government or any subdivision thereof.

#### PRESENT VALUE

The total current monetary value of past, present, or future payments, contributions or dedications of goods, services, materials construction or money.

#### PROJECT

A particular development on an identifiable parcel of land.

#### PROJECT IMPROVEMENTS

Site improvements and facilities that are planned and designed to provide for a particular development project and that are necessary for the use and convenience of the occupants or users of the project.

#### PROPORTIONATE SHARE

That portion of the cost of system improvements determined pursuant to section 67-8207, Idaho Code and Section 4-12-05 of this ordinance, which reasonably relates to the service demands and needs of the project.

## PUBLIC FACILITIES

Shall include:

- (a) Wastewater collection, treatment and disposal facilities;
- (b) Storm water collection, retention, detention, treatment and disposal facilities, flood control facilities, and bank and shore protection and enhancement improvements;
- (c) Landscaping associated with roads, streets and bridges and the rights of way associated therewith;
- (d) Parks, open space and recreation areas, and related capital improvements; and (e) Public safety facilities, including law enforcement, fire, emergency medical and rescue and street lighting facilities.

## PUBLIC FACILITIES PLANNING AREA

A designated area identified in a capital facilities plan for which public facilities needs have been determined based upon assumptions made in accordance with generally accepted planning and engineering standards.

## RECREATIONAL VEHICLE

A vehicular type unit primarily designed as temporary quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

## SERVICE AREA

Any defined geographic area identified by the City in the Comprehensive Plan or by intergovernmental agreement between the City and another governmental entity, in which specific facilities provide service to development within the area defined, on the basis of sound planning or engineering principles or both.

## SERVICE UNIT

A standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

## SYSTEM IMPROVEMENTS

In contrast to project improvements, mean capital improvements to public facilities which are designed to provide service to a service area including, without limitation, the type of improvements described in section 50-1703, *Idaho Code*.

## SYSTEM IMPROVEMENT COSTS

Costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering and other costs attributable thereto, and also including, without limitation, the type of costs described in section 50-1702 (h), *Idaho Code*, to provide additional public facilities needed to serve new growth and development. For clarification, system improvement costs do not include:

- (a) Construction, acquisition or expansion of public facilities other than capital improvements identified in the capital improvements plan;
- (b) Repair, operation or maintenance of existing or new capital improvements;
- (c) Upgrading, updating, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
- (d) Upgrading, updating, expanding or replacing existing capital improvements to provide better service to existing development;
- (e) Administrative and operating costs of the City unless such costs are attributable to development of the capital improvements plan, as provided in section 67-8208, Idaho Code, or
- (f) Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the City to finance capital improvements identified in the capital improvements plan.

#### UNIT(S) OF DEVELOPMENT

A quantifiable increment of development activity dimensioned in terms of dwelling units, or other appropriate measurements contained in the impact fee schedule.

#### 4-12-04. GENERAL PROVISIONS

All development is deemed to create an impact and therefore an increased demand for public services. As such, the cost of new public facilities should be borne by new users to the extent new use requires new facilities. Therefore, any application for a building permit enabling the construction on or after the effective date of this impact fee ordinance or any amendment hereto which provides for impact fees for any additional allowed category of public facilities, adopted by the Boise City Council pursuant to the provisions of Idaho Code 67-8206, shall be subject to the imposition of impact fees in the manner and amount set forth in this Chapter as it is adopted initially or as it is amended as provided for in section 1 D. hereof.

- A. Applications for building permits received by the Building Department prior to the effective date of this Ordinance or amendments hereto adopting impact fees or amending or adopting any methodology by which impact fees are calculated, will be exempt from that portion of the Impact Fee Ordinance or amendment enacted after the application, if a complete building permit is issued within 120 days of the effective date of this Ordinance or amendment. A complete application for a building permit shall be defined as including permitted plans signed and sealed by a State of Idaho licensed engineer or architect showing all site work, zoning compliance, architectural, structural, electrical, and plumbing work.

Applications for building permits filed prior to the effective date of said Ordinance or amendment but which become null and void shall be subject to the provisions of the Impact Fee Ordinance in the event of reapplication. In the event that an amendment involves a change in the amount of impact fees charged for a particular category of public facility, the fee payer shall pay the lesser impact fee amount.

For building permits which expire or are revoked after the effective date of this Ordinance the fee payer shall be entitled to a refund of previously paid impact fees (see Section 7 of the Ordinance) provided that in the case of reapplication for permit, the impact fee in effect at that time shall be paid.

- B. All fee payments shall be made to the Fee Administrator prior to the issuance of a building permit unless otherwise agreed to in writing by the City and the Developer; and no building shall commence nor shall a building permit be issued unless and until the applicant has satisfied the provisions of this Chapter. Violation of this provision shall be subject to the sanctions set forth in section 4-12-05 (E).
- C. This Chapter shall not be construed to subject any development to double payment of the same impact fees.
- D. A Development Impact Fee shall not be deemed invalid because the intended improvement for which the fee was paid may result in an incidental benefit to owners or developers within a service area other than the person's paying the fee.
- E. Compliance with this Chapter shall not excuse the applicant from compliance with all other governmental development regulations. Building and/or use permits may be withheld until all such requirements are met.
- F. The Council recognizes that there may be circumstances where the anticipated fiscal impacts of a proposed development are of such magnitude that the City may be unable to accommodate the development without excessive or unscheduled public expenditures which exceed the amount of the anticipated impact fees from such development. If the Council determines that a proposed development activity would create such an extraordinary impact on the City's public facilities system, the Council may refuse to approve the proposed development activity and/or may recommend to the other affected government agencies that the project not be approved. In the alternative, the Council may calculate a pro rata share per service unit of the extraordinary impact and charge an impact fee greater than the fee indicated by use of the fee schedule.
- G. Individual assessments of development impact fees may be made by application to the Fee Administrator who shall evaluate

such individual assessments under the guidelines provided for in Section 13 H. of this Chapter. If the guidelines are met the individual assessment shall be recommended for approval approved by the Fee Administrator and forwarded to the City Council within thirty (30) days of receiving such application. ~~The applicant shall have the opportunity to present a case for individual assessment to the City Council regardless of the Fee Administrator's findings.~~ An adverse recommendation decision by the Fee Administrator may be appealed to the Council under section 13 H of this Chapter. Final determination regarding individual assessments shall be made by the City Council.

- H. The Fee Administrator shall periodically review the contents of the adopted Impact Fee Ordinance and, when appropriate, make recommendations for revisions to the Boise City Council. The Boise City Council shall consider the Fee Administrator's recommended revision(s) to the Boise City Development Impact Fee Ordinance at least once every twelve (12) months. The Fee Administrator's recommendations and the City Council's action are intended to ensure that the benefits to a fee paying development are equitable, in that the fee charged the development shall not exceed a proportionate share of the costs of system improvements, and the procedures for administering impact fees remain efficient.

#### 4-12-05. DEVELOPMENT IMPACT FEE - STANDARDS AND PROCEDURES

The development impact fee reflects the need for capital improvements to public facilities created by new development. Any person requesting a building permit for development or who is otherwise subject to this Chapter, shall pay the impact fee equal to the sum of impact fees reflected in the Impact Fee Schedules set forth in the Boise City Code and determined pursuant to the following:

- A. The development impact fee shall not exceed a "proportionate share" of the costs incurred or the costs that will be incurred by the City in the provision of "system improvements" to serve the new development.
- B. The "proportionate share" is the cost attributable to the new development after consideration by the City of the following factors:
1. Any appropriate credit, offset or contribution of money, dedication of land, or construction of system improvements;
  2. Payments reasonably anticipated to be made by or as a result of the new development in the form of user fees, debt service payments, or taxes which are dedicated for system improvements for which development impact fees would otherwise be imposed;

3. All other available sources of funding such system improvements.

C. In determining the "proportionate share" of the cost of system improvements to be paid by the developer, the following additional factors shall be considered.

1. The cost of existing system improvements within the service area or areas impacted by the new development;

2. The means by which existing system improvements have been financed;

3. The extent to which the new development will contribute to the cost of system improvements through taxation, assessments, or developer or landowner contributions;

4. The extent to which the new development is required to contribute to the cost of existing system improvements in the future;

5. The extent to which the new development should be credited for providing system improvements, without charge to other properties within the service area or areas impacted by the new development;

6. Extraordinary costs, if any, incurred in serving the new development;

7. The time and price differential inherent in a fair comparison of fees paid at different times; and

8. The availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation as set forth more specifically in the METRO PLAN as required by Idaho Code 67-8207 (2) (h).

D. After payment of development impact fees to the Fee Administrator or the execution of an agreement for payment of development impact fees, additional impact fees or increases in fees may not be assessed unless the number of service units increases or the scope or schedule of the development changes. In the event of an increase in the number of service units or schedule of the development changes, the additional development impact fees to be imposed are limited to the amount attributable to the additional service units or change in scope of the development.

E. To insure collection of development impact fees the Fee Administrator may use the following means and methods:

1. Additions to the fee for interest at the highest legally allowable rate as well as a penalty of five per cent (5%) for

each thirty (30) day period payment is late under the terms of this chapter or the agreement between the developer and the City;

2. Withholding the building permit or other approval until the impact fee is paid;

3. Withholding utility services until the impact fee is paid; and

4. Imposition of liens for failure to timely pay the impact fee following the procedures set forth in Chapter 5, Title 45, Idaho Code.

#### 4-12-06. DETERMINATION OF DEVELOPMENT IMPACT FEES

Prior to issuance of a building permit for development, or where no Building permit as defined herein is required, prior to the commencement of building construction, the applicant or owner will be required to pay monetary fees, dedicate land, provide system improvements, or a combination thereof in accordance with this section. It is intended that this requirement extend to any owner or builder, including the state of Idaho, the United States of America and any other governmental or quasi governmental entity.

A. General Formula: The development impact fee per service unit may not exceed the amount determined by dividing the costs of the capital improvements described in the Capital Improvements Plan and as required by Idaho Code 67-8208(1)(f), by the total number of projected service units as described in the Capital Improvements Plan and as required by Idaho Code 67-8208(1)(g). If the number of new service units projected over a reasonable period of time is less than the total number of service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units described in Idaho Code 67-8208(1)(g) by the total projected new service units described in that section.

B. An alternative methodology may be used provided that it can be demonstrated that such alternative methodology accurately calculates the proportionate share of the impact of the proposed development on the capacity of system improvements in terms of generally accepted engineering and planning principles.

Challenges to the methodology adopted by any impact fee ordinance approved by the Boise City Council may be brought by any interested individual within sixty (60) days of the adoption or modification of such impact fee methodology by filing formal protest with the Boise City Clerk who shall set the matter for hearing before the City Council within thirty (30) days of receiving such protest. The protesting party

shall be specific in identifying objections to the methodology. The City Council shall render a written decision within fifteen (15) days of the closure of the hearing on the protest. The decision of the City Council shall be final.

- C. In the case of development activity involving a change of use and/or magnitude of use in which a building permit is required, the applicant shall be required to pay the computed impact fee for any proposed development activity for which the impact fee has not been previously paid. When any building permit expires or is revoked after the effective date of this Ordinance and a fee has not previously been paid under this Chapter the applicant shall be required to comply with the provisions herein. No refunds will be given for proposed development activity resulting in a negative fee calculation.
  - D. No impact fee payment shall be required for any development activity when the total calculated fee is less than fifty dollars (\$50.00).
  - E. If the type of dwelling unit within a proposed or current development is not specified in the above impact fee schedule, the Fee Administrator shall use the dwelling unit most nearly comparable in computing the fee.
  - F. In determining existing development activity and the units of proposed or existing development, the Fee Administrator shall use the building permit and certificate of use information contained in the building or zoning records of Boise City.
  - G. A development impact fee will be assessed for installation of a modular building, manufactured home or recreational vehicle unless the fee payer can demonstrate by documentation such as utility bills and tax records either:
    - 1. That a modular building, manufactured home or recreational vehicle was legally in place on the lot or space prior to the effective date of this Chapter; or
    - 2. That a development impact fee has been paid previously for the installation of a modular building, manufactured home or recreational vehicle on that same lot or space.
- Lawful storage of a recreational vehicle shall not be deemed installation for purposes of this Chapter.
- H. Expansion or change in use shall be considered development subject to the provisions of this Chapter whether or not it requires a building permit. Impact fees for expansion of use or change in use shall be based upon the difference between the fee that would have been paid for the previous use and the fee for uses in the finished development. When a structure, other than a residential one, has been removed or demolished, the impact fee for any new development on the site shall be

calculated as provided in this Section, provided that the prior use was removed or demolished not more than twelve months prior to the application for a building permit, and documentation of its previous existence and size is available. In all other cases it will be treated as new development. This provision applies to structures that were in existence prior to the effective date of this ordinance. Any person who initiates expansion or change in use of a building shall first notify the Fee Administrator of the contemplated activity in those instances which do not require a building permit.

#### 4-12-07. REFUND OF IMPACT FEES PAID

- A. The fee payer or current owner shall be entitled to a refund of the impact fee if (1) a building permit encompassing fee paying development expires or is revoked, or (2) if the public facility for which the fee was paid is available but never provided, or (3) the City, after collecting the fee when the public facility for which the fee was paid is not available, has failed to appropriate and expend the collected development impact fees within ten (10) years [twenty (20) years for impact fees collected for wastewater collection treatment and disposal and drainage facilities] on a first-in, first-out (FIFO) basis, except that the City shall retain the General Administrative or Specified Administrative Charge portion of the fee to cover the cost of the administration of the impact fee calculation, collection and refund. However, no refund shall be provided for the cost of completed improvements contributed in lieu of fee unless otherwise provided for in a development agreement.
- B. Any impact fee trust funds refunded shall be returned to the fee payer or current owner by the Fee Administrator with accrued interest at one half (1/2) the legal rate as provided for in Idaho Code 28-22-104. The fee payer or current owner shall be required to submit a written request for refund to the Fee Administrator before issuance of the refund can be authorized. No refunds of development impact fees will be provided for in the event the fee payer or current owner does not request such a refund prior to the expiration of one year following the ten (10) year period [twenty (20) years for impact fees collected for wastewater collection treatment and disposal and drainage facilities] from the date the development impact fee was paid. ~~Funds shall be deemed expended for purposes of this Chapter when a contract or agreement obligating all or a portion of the payment of said funds has been approved by Boise City.~~
- C. Refunds shall be sent to the fee payer, or person entitled to such refund within ninety (90) days of their approval by the City.
- D. Funds shall be deemed expended for purposes of this Chapter when payment of said funds has been approved by Boise City.

**4-12-08. EXEMPTIONS**

- A. The following shall be exempted from payment of Development Impact Fees:
1. Rebuilding the same amount of floor space of a structure which was destroyed by fire or other catastrophe, providing the structure is rebuilt and ready for occupancy within two (2) years of its destruction;
  2. Remodeling or repairing a structure which does not increase the number of service units;
  3. Replacing a residential unit, including a manufactured home, with another residential unit on the same lot, provided that the number of service units does not increase;
  4. Placing a temporary construction trailer or office on a lot;
  5. Constructing an addition on a residential structure which does not increase the number of service units; and
  6. Adding uses that are typically accessory to residential uses, such as tennis courts or clubhouses, unless it can be clearly demonstrated that the use creates a significant impact on the capacity of system improvements.
  7. Constructing housing units for the purpose of providing shelter for the Homeless.
- B. Developments determined by the Boise City Council to be consistent with the METRO PLAN and that provide affordable or low income housing as defined herein, may be exempt from the impact fee requirement, provided that the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees. Current guidelines published by the Department of Housing and Urban Development (HUD) shall be used to determine whether housing units in the development qualify as low income housing.
- C. An exemption must be claimed by the fee payer upon application for a building permit. Any exemption not so claimed shall be deemed waived by the fee payer. Applications for exemption under Section 8 B. shall be heard by the City Council within thirty (30) days of the date submitted. All other requests for exemptions shall be submitted to and determined by the Fee Administrator. Appeals of the Fee Administrator's determination shall be made under the provisions of Section 14 of this Chapter.

#### 4-12-09. CREDITS

- A. In the calculation of impact fees for a particular project, credit shall only be given for the present value of any construction of system improvements or contribution or dedication of land or an interest in land or money required by the City from a developer for system improvements. Credit shall not be given for project improvements.
- B. A developer who is required to construct, fund or contribute system improvements in excess of the impact fees which would otherwise have been paid by the development project, shall be reimbursed for such excess construction, funding or contribution from analogous impact fees paid by future development located in the service area which is benefited by such improvements.
- C. If credit or reimbursement is due to the developer pursuant to this section, the City and the developer shall enter into a written agreement, negotiated in good faith, prior to the construction, funding or contribution. The agreement shall provide for the amount of credit or the amount, time and form of reimbursement.
- D. Any person ~~claiming~~ requesting such credit or reimbursement shall present documentation of ~~his~~ costs or payments for facilities to be considered by the Fee Administrator for use in determining the amount of credit or reimbursement to be given. The determination shall be made no more than thirty (30) days after complete documentation is submitted to the Fee Administrator, ~~and shall be subject to administrative charges. No refunds may be made under this provision.~~ Any appeal from such a determination by the Fee Administrator will be reviewed by a qualified hearing officer pursuant to the procedures set forth in Section 14 of this Chapter.

#### 4-12-10. SUITABILITY OF LAND OFFERED FOR DEDICATION

In the event that a developer intends to contribute or dedicate an interest in land in lieu of paying impact fees or a portion thereof, the following procedures and criteria shall be applied:

- A. The Fee Administrator with the advice of the appropriate Department Head and the City Attorney will determine whether the land proposed for dedication is acceptable. He will be guided by the following considerations:
  1. Size: The size of the parcel is expressed as a net amount and is exclusive of street right-of-way, existing and proposed easements, borrow pits, lakes and other man-made or natural conditions which restrict or impede the intended use of such areas.

2. Unity: The land to be dedicated shall form a single parcel of land except where aforesaid review determines that two or more parcels would be in the best public interest.

3. Shape: The configuration of the parcel of land is such as to be usable for public facilities purposes as determined by the City.

4. Location: The land to be dedicated is so located as to serve the needs of the development, by being within the Service Area and/or Public Facilities Service Zone.

5. Access: Appropriate access to the land to be dedicated is provided by improved public street frontage.

6. Utility: Dedicated land should be usable for public facilities purposes and meet the following criteria prior to its final acceptance by the City Council:

a. The property is platted and ready to be developed so that no funds would be required to be expended for site development.

b. All utilities are in place and are at the perimeter of the site and include roads, walks, curbs, water lines, sewer lines, electric service lines, and telephone service lines.

c. All utilities are of sufficient quality and quantity to adequately service the site.

d. The property is filled and compacted to comply with all appropriate subdivision codes, building and zoning codes, and flood insurance laws and regulations. The fill and compaction are of sufficient quality to accept the improvements contemplated.

7. Plans: City, Regional and State plans shall be taken into consideration when evaluating land proposals for dedication.

8. The Fee Administrator shall determine, based on specific review of each application, whether the proposed site contains the requisite site characteristics consistent with public facilities criteria. This determination shall be in writing and shall specify the reasons the site was approved or denied credit for inclusion in the land dedication requirement. The Fee Administrator's determination shall be made within thirty (30) days from the date of receipt of the request and shall be forwarded to the Council for action. The Council may affirm, reject or revise the determination of the Fee Administrator providing written findings of fact and conclusions of law.

B. Appeals of the Fee Administrators determination of land suitability shall made to the City Council by the filing of an appeal with the Boise City Clerk no later than ten (10) days

following the date of the decision of the Fee Administrator.

#### 4-12-11. IMPACT FEE SERVICE AREAS AND TRUST ACCOUNTS

- A. To insure that impact fees will benefit the appropriate development, all impact fees will be deposited in a designated "Trust Fund" for the individual system improvement and service area. A combination of interest bearing trust accounts for each planning sub-area and for the various system improvements shall be established and maintained by the Finance Department of Boise City and with fees accountable to the individual Department designated to provide the specific service facilities. Said trust accounts shall correspond to the official Service Area Map or Maps as the same are adopted and amended from time to time by action of the Boise City Council, and each account shall be so designated as a separate and distinct account.
- B. Public Facilities Planning Subareas (service areas) shall correspond to the Boise City Planning Subarea Maps as the same are adopted as part of Capital Improvements Plans approved by the City Council, indicating the designated planning subareas for the public facilities needed, including but not limited to, those associated with parks and recreation, fire prevention and suppression, law enforcement, emergency medical, and street lighting.
- C. All impact fees collected by the Fee Administrator will be promptly deposited into the proper trust account, excepting General Administrative charges which ~~will~~ may be directed to the appropriate Department to underwrite the cost of administering this Chapter.

#### 4-12-12. IMPACT FEE EXPENDITURES

- A. Except as otherwise provided herein, funds from the Impact Fee Trust Funds, including any accrued interest, shall be limited to the financing of acquisition, expansion, and/or improvement of real property, capital facilities, or for principal and interest payments (including sinking fund payments) on bonds or other borrowed revenues used to acquire, expand or improve such facilities necessitated to mitigate the impact of new development within the respective Public Facilities Planning Subarea from which the fees are collected. Expenditures may be made to purchase additional land from a fee payer where such purchase is consistent with the purpose of this Chapter.
- B. Trust account funds shall be deemed expended in the order in which they are collected.
- C. In the event that the Boise City Level of Service Standards for public facilities have been met within the Public Facilities Planning Subarea, the Boise City Council may authorize the Mayor or his designee, following a public hearing, to expend the funds for land acquisition in an

adjacent Planning Subarea or for system improvements of the same category, in a fair and reasonable proportion to the fees charged and benefits conferred to the development paying the fee. Said authorization shall only be permitted upon a finding that the expenditure will fairly and proportionately mitigate the impacts of and will fairly and proportionately benefit the development paying the fees in question.

- D. In the event compliance with the Boise City Level of Service Standard for public facilities meets or exceeds the projected population estimates adopted in the METRO PLAN through the year 2015 within a Public Service Planning Subarea, the Boise City Council may authorize the Mayor or his designee, following a public hearing, to expend the additional impact fees collected from the development in excess of original projections, for system improvements within the Public Facilities Planning Subarea from which the fees were collected. Said authorization shall be permitted upon a finding that the expenditure will mitigate the impacts of and will benefit the development paying the fees in question in a fair and proportionate manner.
- E. A financial report on the Impact Fee Trust Funds shall be provided annually by the Fee Administrator to the Mayor and Council.
- F. Any interested citizen may challenge the expenditure of any impact fee funds within two (2) years of said expenditure by filing a protest with the Boise City Clerk. The City Clerk shall set the matter for hearing before the City Council within thirty (30) days of the filing of such protest. The protesting party shall specifically identify the impact fee expenditure and the basis of the protest. The City Council shall render a decision regarding the protest within fifteen (15) days after the close of the hearing on the matter.

#### **4-12-13. PARK AND RECREATION IMPACT FEES**

- A. **INCORPORATION OF CPRSP:** This section addresses the Development Impact Fees collected for Boise City Park and Recreation System Improvements. The Boise City Comprehensive Park and Recreation System Plan as adopted by the Boise City Council and incorporated in the Metro Plan, together with the land use, acquisition and construction cost and service unit assumptions upon which said plan is based are hereby incorporated into this section by reference.
- B. **INCORPORATION OF MAPS:** The maps contained within the Boise City Comprehensive Park and Recreation system plan describing "Park Planning Subareas", "Community Park Service Areas" and "Neighborhood Park Service Areas" are hereby incorporated into this section by reference. Copies of said maps may be obtained at the office of the Boise City Clerk or viewed and obtained at the Administrative office of the Boise City Parks and Recreation Department.

- C. **DEFINITIONS:** The following terms are specific to this section and shall apply only to Park and Recreation Impact Fees.

**COMMUNITY PARK**

A park planned primarily to provide active and structured recreation activities for young people and adults. In general, community park facilities are designed for organized activities and sports, although individual and family activities are also encouraged. Community parks can also provide indoor facilities to meet a wider range of recreation interests. Where there are no neighborhood parks, the community park can also serve this function.

In comparison to neighborhood parks, community parks serve a much larger area and offer more facilities. Their service area is roughly a 1-2 mile radius, and will support a population of approximately 7,500-15,000 persons, depending upon size and facilities. As a result they require more support facilities such as parking, rest rooms, covered play areas, etc. Community parks usually exceed 20 acres in size and often have sports fields or similar facilities as the central focus of the park.

**COMPREHENSIVE (CPRS) PARK AND RECREATION SYSTEM PLAN**

The comprehensive plan of the City as it relates to parks and recreation, as adopted and amended pursuant to the Local Planning Act, Title 67, Chapter 65, Idaho Code.

**CITY PARK SYSTEM OR PARK SYSTEM**

Includes all Park and Recreation Facilities operated by the City.

**EXISTING DEVELOPMENT**

The lawful land use which physically exists or for which the landowner holds a valid building permit as of the effective date of this ordinance or that maximum level of development activity for which a previous impact fee was paid under the provisions of this Chapter. As used in this Chapter, the term "lawful land use" shall not include a land use which has been established or maintained in violation of this Chapter or applicable codes.

**NEIGHBORHOOD PARK**

A combination playground and park, designed primarily for non-supervised, non-organized recreation activities. They are generally small in size (3 to 10 acres), and typically serve residents within a half-mile radius. At average residential densities, this amounts to a service area population of about 3,000 to 5,000 residents. Since these parks are located within walking and bicycling distance of most users, the activities they support often become a daily pastime for neighborhood children.

**PARK AND RECREATION FACILITIES**

All park lands and facilities as described in the Comprehensive Park and Recreation System Plan including Neighborhood, Community, Linear, Large Urban and Regional parks as well as Special Use and Open Space Areas together with the park

Park Description

Standard

Neighborhood Parks	1.1	Ac/1,000 Pop.
Community Parks	0.5	Ac/1,000 Pop.
Special Use Parks	2.4	Ac/1,000 Pop.
Recreational Trails	0.41	Mi/1,000 Pop.
Natural Open Space	8.3	Ac/1,000 Pop.
<del>Large Urban Parks</del>	<del>1.7</del>	<del>Ac/1,000 Pop.</del>
<del>Linear Parks</del>	<del>1.3</del>	<del>Ac/1,000 Pop.</del>

Additionally the CPRSP assumes the following in numbers of people per dwelling unit.

Single Family Residential	2.28/Unit
Multi-Family Residential	1.81/Unit
Hotel	0.71/Room

G. DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS: Pursuant to the assumptions in the CPRSP, development impact fees for parks are set forth in the following table:

<u>Park Description</u>	<u>Impact Fee \$/Person</u>	<u>Single Family \$/Residence</u>	<u>Multi Family \$/Residence</u>	<u>Hotel/ Motel \$/Room</u>
Neighborhood Parks	\$114.45	\$260.95	\$207.15	\$ 81.26
Community Parks	34.98	79.75	63.31	24.84
Special Use Parks	87.55	199.61	158.47	62.16
Recreational Trails	6.75	15.39	12.22	4.79
Natural Open Space	<u>43.86</u>	<u>100.00</u>	<u>79.39</u>	<u>31.14</u>
TOTAL	<u>\$287.59</u>	<u>\$655.70</u>	<u>\$520.54</u>	<u>\$204.19</u>

H. INDIVIDUAL ASSESSMENT: Individual assessment of park impact fees is permitted in situations where the fee payer can demonstrate by clear and convincing evidence that the established impact fee is inappropriate.

1. ~~Written application for individual assessment shall be made to the Fee Administrator on forms provided by that office, prior to receiving building permits or other necessary approvals from the city in instances where building permits are not required, not later than sixty (60) days after preliminary plat approval by the Boise City Council. Late applications for individual assessment of park impact fees will may be considered for a period of sixty (60) days after the receipt of a building permit only if the fee payer makes a showing that the facts supporting such application were not known or discoverable prior to receipt of the building permit during the sixty (60) day period and that undue hardship would result if said application is not considered.~~

2. The Fee Administrator shall render a written decision regarding the individual assessment of Park Impact Fees within thirty (30) days of the date ~~the~~ a complete application is fully submitted. The decision of the Fee Administrator shall establish the Park Impact Fee for the project in question for

system improvements necessary to support the recreation needs of the population served and to be served as identified in the Plan.

#### PARK PLANNING SUBAREA

A statistical area of the Official Boise City Park Planning Area Map indicating ~~five (5)~~ six (6) Districts as determined by geographical boundaries. Sometimes referred to as "Park Service Area" or "Service Area." The Park Service Areas identified in the CPRSP include #1-Foothills Area, #2-Northwest, North End, Downtown and Warm Springs Areas, #3-Southeast Area, #4-Central Bench and Airport Areas, ~~and #5-West Bench area, and #6 Southwest Areas.~~ The Park Planning Subareas are for the purpose of planning Neighborhood and Community Parks. ~~Large Urban Parks, Regional Parks, Linear Parks, Natural Open Space, Trails, and Special Use Park Facilities including but not limited to Sports Fields, Indoor Swimming Facilities, Trails, Golf Courses, Indoor Recreation Facilities, Senior Center Facilities, and Arts and Crafts Facilities and other Special Use Facilities~~ are deemed to serve the entire community and impact fees for such facilities shall be charged equally within the boundaries of the Boise City Area of City Impact, including Boise City.

- D. **PARK IMPACT FEE - PURPOSE AND IMPLEMENTATION:** All residential development is deemed to create an impact and therefore an increased demand for park and recreation services. As such the cost for new public park facilities should be borne by new users of park and recreation facilities to the extent new use requires new facilities. Therefore, any application for a building permit enabling the construction, and in the case of construction that does not require a building permit, any building that takes place, on or after the effective date of this impact fee ordinance shall be subject to the imposition of park and recreation impact fees in the manner and amount set forth in this section.
- E. **PAYMENT OF PARK IMPACT FEE:** Prior to receiving a building permit or commencing construction of any building for which park impact fees are to be paid pursuant to this chapter, whichever first occurs, the applicant therefore must demonstrate that the appropriate impact fee has been paid to the Fee Administrator. The Fee Administrator and/or the Building Department Director shall have the authority to withhold a building permit or stop construction, as the case may be, until the appropriate impact fee has been collected.
- F. **METHODOLOGY:** The methodology adopted for the purpose of determining park and recreation impact fees shall be based upon the assumptions set forth in the Comprehensive Park and Recreation System Plan. Said assumptions, based upon the Existing and Future Facilities Approach, set the existing standard for park needs as set forth in the following table:

a period of one (1) year from the date said decision becomes final. The decision of the Fee administrator shall be forwarded to the Council for action. The Council may accept, reject or revise the Fee administrator's decision regarding individual assessment and shall provide written findings of fact and conclusions of law.

~~3. The decision of the Fee Administrator may be appealed as provided in Section 14 of this Chapter. Appeals of the Fee Administrators determination of individual assessment shall made to the City Council by the filing of an appeal with the Boise City Clerk no later than ten (10) days following the date of the decision of the Fee Administrator.~~

I. CERTIFICATION: Certification of the park impact fee schedule for a particular project may be applied for in the following manner.

1. Written application may be made to the Fee Administrator ~~on forms provided by that office,~~ not later than sixty (60) days after preliminary plat approval by the Boise City Council. Late applications for certification of the park impact fee schedule will not be considered unless the fee payer makes a showing that the facts supporting such application were not known or discoverable until after the time had run and that undue hardship would result if said application is not considered.

2. The Fee Administrator shall provide the applicant with a written park impact fee schedule for the particular project within thirty (30) days of the date of application. The certified schedule provided by the Fee Administrator shall be based upon the CPRSP and shall establish the park impact fee for the project in question for a period of one (1) year from the date of certification.

3. The certification of the park impact fee schedule may be appealed as provided in Section 14 of this Chapter.

~~J. EXEMPTION FOR LOW INCOME HOUSING: Developments determined by the Boise City Council to be consistent with the METRO PLAN and that provide low income housing as defined herein, shall be exempt from the requirement that impact fees be paid, to the extent that low income housing is provided. Current guidelines published by the Department of Housing and Urban Development (HUD) shall be used to determine whether housing units in the development qualify as low income housing.~~

**4-12-14. APPEALS OF ADMINISTRATIVE DECISIONS**

A. The City shall contract with qualified individuals for the purpose of sitting as hearing officers. Said individuals

shall have a working knowledge of this ordinance as well as the Idaho Development Impact Fee Act.

- B. Except as otherwise provided in this Chapter, the decisions of the Fee Administrator may be appealed by the fee payer to the Hearing Officer. Decisions of the Hearing Officer shall be final.

1. If a fee payer wishes to appeal, the fee payer shall first file with the Boise City Clerk, a Notice of Administrative Appeal on the form provided by the Fee Administrator. All appeals shall be filed within thirty (30) days after the earlier of: (a) issuance of a written decision by the Fee Administrator; or (b) the Fee Administrator's acceptance of payment of the development impact fee. When filing an appeal the fee payer shall submit a letter providing a full explanation of the request, the reason for the appeal, as well as all supporting documentation. A fee payer may pay a development impact fee under protest in order to obtain a development approval or building permit and shall not be estopped from exercising the right of appeal provided herein, nor shall such fee payer be estopped from receiving a refund of any amount deemed to have been illegally collected.

2. The Boise City Clerk shall schedule the appeal before the Hearing Officer as soon as practical. The Hearing Officer may affirm, reject or revise the decision of the Fee Administrator, providing written findings of fact and conclusions of law. The written decision of the Hearing Officer shall be mailed to the fee payer, certified mail, return receipt requested.

3. A party aggrieved by the decision of the Hearing Officer may within twenty eight (28) days of receipt of the Hearing Officer's decision seek judicial review by filing a petition in the District Court in the manner provided by Chapter 52, Title 67, Idaho Code.

#### **4-12-15. VESTED RIGHTS**

Nothing in this Chapter shall limit or modify the rights of any person to complete any development for which a lawful building permit was issued prior to the effective date of this ordinance and on which there has been a good faith reliance and a substantial change of position.

#### **4-12-16. OTHER POWERS AND RIGHTS NOT AFFECTED**

- A. Nothing in this Chapter shall prevent the City from requiring a developer to construct reasonable project improvements in conjunction with a development project.
- B. Nothing in this Chapter shall be construed to prevent or prohibit private agreements between property owners or developers and the City in regard to the construction or

installation of system improvements or providing for credits or reimbursements for system improvement costs incurred by a developer including inter-project transfers of credits or providing for reimbursement for project improvements which are used or shared by more than one development project.

- C. Nothing in this Chapter shall obligate the City to approve development which results in extraordinary impact.
- D. Nothing in this Chapter shall obligate the City to approve any development request which may reasonably be expected to reduce levels of service below minimum acceptable levels as established herein.
- E. Nothing in this Chapter shall be construed to create any additional right to develop real property or diminish the power of the City in regulating the orderly development of real property within the service area.
- F. Nothing in this Chapter shall work to limit the use by the City of the power of eminent domain or supersede or conflict with requirements or procedures authorized in the *Idaho Code* for local improvement districts or general obligation bond issues.

#### 4-12-17. SAVINGS CLAUSE

If any section, subsection, sentence, clause or provision of this Chapter is held invalid, the remainder of this Chapter shall not be affected by such invalidity.

Section 2. That the Summary of this ordinance, a copy of which is attached hereto, is hereby approved for publication.

Section 3. That this Ordinance shall be in full force and effect within the city limits of Boise City from and after thirty (30) days from the date of its passage and approval by the Boise City Council provided that in the interim the summary approved herein has been published.

PASSED by the Council of the City of Boise, Idaho, this 28th day of November, 19 95.

APPROVED by the Mayor of the City of Boise, Idaho, this 28th  
day of November, 1995.

APPROVED:

*Al Brent Cobb*

\_\_\_\_\_  
MAYOR

ATTEST:

*Janette P. Brown*  
\_\_\_\_\_  
CITY CLERK

STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 5685

The Undersigned, GEORGE G. HICKS, in his capacity as Deputy City Attorney of the City of Boise City, Idaho, pursuant to Section 50-901A(3) of the Idaho Code, as amended, hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. 5685 of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public.

DATED this 29th day of November, 1995.

  
\_\_\_\_\_  
GEORGE/G. HICKS  
Deputy Boise City Attorney

SUMMARY OF ORDINANCE NO. 5685  
OF THE CITY OF BOISE CITY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of November 28, 1995, that Ordinance No. 5685 entitled:

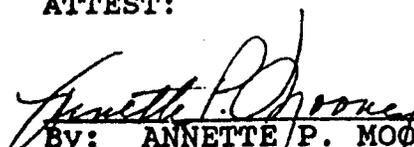
AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE PURPOSE OF CLARIFYING PROCEDURES FOR REFUND AND APPEAL; PROVIDING FOR A DEFINITION OF "MULTI FAMILY"; PROVIDING FOR THE ADDITION OF PARK PLANNING SUBAREA #6; DELETING LARGE URBAN PARKS AND LINEAR PARKS FROM THE IMPACT FEE METHODOLOGY STANDARDS SECTION; PROVIDING FOR CITY COUNCIL APPROVAL OF ALL INDIVIDUAL ASSESSMENT APPLICATIONS; PROVIDING MINOR CHANGES FOR CLARIFICATION; APPROVING THE SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance is on file in the office of the City Clerk of the City at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

DATED this 29th day of November, 1995.  
City of Boise City, Idaho

  
\_\_\_\_\_  
By: H. BRENT COLES  
MAYOR

ATTEST:

  
\_\_\_\_\_  
By: ANNETTE P. MOONEY  
CITY CLERK

**BOISE CITY**  
**Inter-Departmental Correspondence**

**DATE:** November 22, 1995

**TO:** MAYOR AND COUNCIL

**FROM:** David Selvage, Impact Fee Administrator  
Boise Parks & Recreation Department  
George G. Hicks, Deputy City Attorney

**SUBJ:** Request introduction and Council consideration for additional amendments to Impact Fee Ordinance. O-76A-95

The Ada County Attorney's Office recently completed its review of proposed Impact Fee Ordinance Amendments and has expressed a concern over several sections of the ordinance and proposed amendments thereto. The County's major concern is over the lack of clear appeal provisions for Ordinance sections involving Fee Administrator determinations that are required to be reviewed by City Council. The County's concerns will require amendments to the Ordinance before Ada County would update the Agreement for Collection of Park Impact Fees inside Boise's Area of City Impact. Such action is necessary to reflect the City's adoption of a revised ordinance.

Sections of the Ordinance affected by this issue include:

4-14-04.G (Individual Assessments)  
4-12-10.A(8) (Suitability of land offered for dedication)  
4-12-13.H (Individual Assessment)

Several corrections have also been identified for the following sections:

4-12-07.B - add words or current owner  
4-12-08.C - add word days  
4-12-13.J - strike section except last sentence which is moved to 4-12-08.B  
4-12-14.B(3) - strike addition by the Fee Administrator

In light of the County's concerns, I request that you introduce additional Ordinance revisions for the Mayor and Council's consideration prior to the final public hearing on proposed Ordinance amendments (revisions attached). The additional amendments have been discussed with County and would appear to address their concerns.

The City Attorney's Office advises that these additional ordinance amendments are within the scope of Impact Fee Ordinance amendments already advertised. The added amendments are clarifications on process, and would not be considered substantive changes to the Ordinance.

**cc:** Development Impact Fee Advisory Committee  
Susan L. Mimura, Boise City Attorney  
Cheri Morgan, Ada County Attorney's Office  
James R. Hall, Director BPR

**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on the 9th day of August, 1995, the Council of Boise City received a report and recommendations from the Impact Fee Task Force for amendments to the Boise City Development Impact Fee Ordinance.

**THE RECOMMENDATION(S) ARE AS FOLLOWS:**

The majority of recommended amendments are for the purpose of improving administration of the ordinance and clarifying decision paths for the various provisions of the ordinance.

Two substantive amendments are recommended. The first amendment under Section 4-12-07, (Refunds) provides that refunds for unexpended funds are to be paid to either the fee payor or to the owner of the lot on which a fee has been paid.

The second adds a provision for judicial review of decisions of the hearing officer in accordance with the provisions of the Idaho Administrative Procedures Act.

A full text of the proposed ordinance together with the Impact Fee Advisory Committee Report are on file in the office of the City Clerk, City Hall Building, 150 North Capitol Blvd., phone 384-3710, and the Boise City Planning Administration Office, City Hall, phone 384-3830, and shall be made available to the public upon request.

NOTICE IS FURTHER GIVEN that the Mayor and Council have set Tuesday, the 28th day of November, 1995, in Council Chambers of City Hall, when Council meets in regular session, commencing at 7:30 P.M., as the time and place for a public hearing thereon, at which time and place interested parties and citizens alike shall have an opportunity to be heard.

At such hearing the Council may, after due consideration, either accept, reject or modify the foregoing Impact Fee Advisory Committee recommendations for amendments to the Boise City Development Impact Fee Ordinance.

Auxiliary aids or services are available upon request. Please call the City Clerk's office at 384-3710 three days prior to November 28th, 1995 so that accommodations can be made.

**BY ORDER OF THE MAYOR AND COUNCIL**

**DATED THIS 10TH DAY OF MARCH, 1994.**

Annette P. Mooney, CITY CLERK

Pub. Oct. 29 & Nov. 5, 19, 1995 3240

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE 9, CHAPTER 3, THE BOISE CITY AREA OF CITY IMPACT BY PROVIDING FOR THE ADDITION OF CERTAIN LAND WITHIN THE BOUNDARIES OF THE BOISE AREA OF CITY IMPACT; THE LAND TO BE ADDED TO THE BOISE AREA OF CITY IMPACT IS DESCRIBED AS FOLLOWS:

A parcel of land being the W 1/2 of the SE 1/4 of Section 29, T.4N., R.1E., B.M., Ada County, Idaho more particularly described as follows:

Beginning at a 5/8" iron pin marking the S 1/4 corner of said Section 29 from which an aluminum cap monument marking the southeast corner of said Section 29 bears south 89°55'18" east, 2655.72 feet;

Thence along the north-south centerline of said Section 29 north 00°32'03" east, 2677.61 feet to a 5/8" iron pin marking the C 1/4 corner of said Section 29;

Thence along the east-west centerline of said Section 29 south 89°45'04" east, 1327.58 feet to a 5/8" iron pin marking the CE 1/16 corner of said Section 29;

Thence along the east boundary line of the W 1/2 of the SE 1/4 of said Section 29 south 00°31'44" west, 2670.02 feet to a 5/8" iron pin marking the E 1/16 corner of said Section 29;

Thence along the south boundary line of said Section 29 north 89°55'18" west, 1327.86 feet to the POINT OF BEGINNING, containing 81.50 acres, more or less

Subject to: rights-of-way for McMillan Road and an ingress-egress easement located in the SW 1/4 of the SE 1/4 of said Section 29 per Warranty Deed recorded as Instrument No. 9239969, records of Ada County, Idaho.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT TITLE 9, CHAPTER 3, ADA COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

Ada County Code Section 9-3-1(A) Boise City Area of City Impact Boundary shall be amended to read as follows:

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

A. Boise City Area of 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 follow:

- a. Ordinance No. 158, 11-26-86
- b. Ordinance No. 187, 6-9-88
- c. Ordinance No. 245, 4-2-92
- d. Ordinance No. 257, 12-3-92
- e. Ordinance No. 282, 12-1-94
- f. Ordinance No. 284, 12-22-94
- g. Ordinance No. 285, 1-26-95. (Ord. 138, 11-30-84; amd. Ord. 139, 11-30-84; amd. Ord. 158, 11-26-86; amd. Ord. 245, 4-22-92; amd. Ord 257, 12-3-92; amd. Ord. 282, 12-1-94; amd. Ord. 284, 12-22-94; amd. Ord. 285, 1-26-95)
- h. Ordinance No. \_\_\_\_\_, (Month) \_\_\_\_\_, (Day), 1997

APPROVED AND ADOPTED THIS 9 DAY OF April, 1997.

Board of Ada County Commissioners

By: *Vernon L. Bisterfeldt*  
Vernon L. Bisterfeldt, Chairman

By: *Frank Walker*  
Frank Walker, Commissioner

By: *Roger D. Simmons*  
Roger D. Simmons, Commissioner

ATTEST *David Navarro*  
*Jody Dodd*  
Chief Deputy

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE THE HARRIS RANCH DEVELOPMENT AREA INTO THE BOISE CITY AREA OF CITY IMPACT, TO WIT:**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, BOISE CITY AREA OF CITY IMPACT BE AMENDED AS SHOWN IN EXHIBIT "A" ATTACHED HERETO:**

**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.

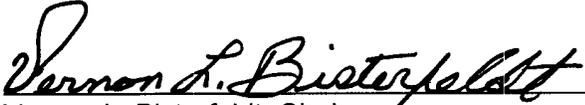
2. Amendments to the map are as follows:

- a. Ordinance No. 158, 11-26-86
- b. Ordinance No. 187, 6-9-88
- c. Ordinance No. 245, 4-2-92
- d. Ordinance No. 257, 12-3-92
- e. Ordinance No. 282, 12-1-94
- f. Ordinance No. 284, 12-22-94
- g. Ordinance No. 285, 1-26-95
- h. Ordinance No. 354, 3-11-98

This Ordinance shall be effective upon publication.

APPROVED AND ADOPTED THIS 11<sup>TH</sup> DAY OF MARCH, 1998.

**Board of Ada County Commissioners**

By:   
Vernon L. Bisterfeldt, Chairman

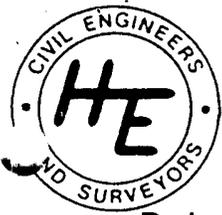
By:   
Frank Walker, Commissioner

By:   
Roger Simmons, Commissioner

ATTEST:

  
David Navarro, Ada County Clerk

PUBLICATION DATE \_\_\_\_\_



# HUBBLE ENGINEERING, INC.

9550 Bethel Court ■ Boise, Idaho 83709

EXHIBIT A  
ORDINANCE 354

208/322-8992 ■ Fax 208/378-0329

Project No. 9601501

September 11, 1997

## DESCRIPTION FOR HARRIS RANCH ANNEXATION

A parcel of land located in the E1/2 of Section 17, the S1/2 of Section 19, Section 20, the NW1/4 of Section 21, the E1/2 of Section 28, Section 29 and the N1/2 of Section 30, T.3N., R.3E., B.M. and the SW1/4 of Section 24, T.3N., R.2E., B.M., Ada County, Idaho, more particularly described as follows;

Beginning at the 1/4 corner common to said Section 19 and 20;

thence along the West boundary line of said Section 20 North 00°45'13" West, 2627.53 feet to the northwest corner of said Section 20;

thence along the West boundary line of said Section 17 North 00°39'16" East, 2627.41 feet to the W1/4 corner of said Section 17;

thence continuing along said West boundary line North 00°06'38" East, 1313.85 feet to the northwest corner of the SW1/4 of the NW1/4 of said Section 17;

thence along the North boundary line of the said SW1/4 of the NW1/4 of Section 17 North 89°34'35" East, 1355.14 feet to the northeast corner of the said SW1/4 of the NW1/4 of Section 17;

thence along the East boundary line of the said SW1/4 of the NW1/4 of Section 17 South 00°35'46" West, 1322.66 feet to the C-W1/16 corner of said Section 17;

thence along the East-West centerline of said Section 17 North 89°56'43" East, 669.00 feet to the northeast corner of the W1/2 of the NE1/4 of the SW1/4 of said Section 17;

thence along the East boundary line of the said W1/2 of the NE1/4 of the SW1/4 of Section 17 South 01°05'52" West, 1327.14 feet to the southeast corner of the said W1/2 of the NE1/4 of the SW1/4 of Section 17;

thence along the East-West centerline of the SW1/4 of said Section 17 South 89°40'30" East, 667.50 feet to the C-S1/16 corner of said Section 17;

thence along the North-South centerline of said Section 17 South 01°14'37" West, 1331.64 feet to the 1/4 corner common to said Sections 17 and 20;

thence along the North boundary line of said Section 20 North 89°52'06" East, 2651.12 feet to the northeast corner of said Section 20;

thence along the North boundary line of Government Lot 1 of said Section 21 South 90°00'00" East, 1194.44 feet to the northeast corner of said Government Lot 1;

thence along the East boundary line of said Government Lot 1, South 00°56'22" East, 1306.51 feet to the southeast corner of said Government Lot 1;

thence along the South boundary line of said Government Lot 1, North 89°54'24" West, 1230.95 feet to a point on the East boundary line of said Section 20;

thence along said East boundary line South 00°39'47" West, 1304.42 feet to the E1/4 of said Section 20;

thence continuing along said East boundary line South 00°50'33" East, 2690.52 feet to the southeast corner of said Section 20;

thence along the North boundary line of said Section 28 North 89°19'55" East, 2625.47 feet to the N1/4 corner of said Section 28;

thence along the North-South centerline of said Section 28 South 00°07'09" West, 2645.43 feet to the C1/4 corner of said Section 28;

thence along the East-West centerline of said Section 28 North 89°57'42" West, 1307.88 feet to the C-W1/16 corner of said Section 28;

thence along the North-South centerline of the SW1/4 of said Section 28 South 00°31'10" West, 1498.20 feet to a point on the southerly right-of-way line of Idaho State Highway 21;

thence along said southerly right-of-way line North 65°15'21" West, 1043.65 feet to the beginning of a curve to the left;

thence continuing along said right-of-way line and said curve 298.64 feet, said curve having a radius of 1226.00 feet, a central angle of 13°57'24" and a long chord of 297.91 feet which bears North 58°16'39" West, to the point of tangency;

thence continuing along said right-of-way line North 51°17'57" West, 1.21 feet;

thence leaving said right-of-way line South 38°39'55" West, 873.83 feet to the northeasterly corner of that parcel of land described in that Warranty Deed Recorded as Instrument Number 7643662, Records of Ada County;

thence along the boundary line of said parcel the following courses and distances;

North 51°20'05" West, 456.74 feet (formerly described as North 51°37' East);

thence North 43°17'35" West, 135.74 feet (formerly described as North 43°34'30" West);

thence North 59°51'05" West, 92.78 feet (formerly described as North 60°08' West);

thence South 38°50'01" West, 914.32 feet (formerly described as South 38°33' West);

thence South 71°41'50" East, 242.56 feet (formerly described as South 71°58'45" East);

thence North 89°06'25" East, 129.82 feet (formerly described as North 88°49'30" East);

thence South 69°25'15" East, 111.53 feet (formerly described as South 69°42'10" East);

thence leaving the said boundary line South 47°24'36" West, 540.93 feet to a point on the northerly boundary line of that parcel of land described in that Ada County Tax Deed recorded as Instrument Number 7708952, Records of Ada County;

thence along said northerly boundary line the following courses and distances;

North 51°37'25" West, 416.80 feet;

thence North 51°37'25" West, 164.15 feet;

thence North 65°23'25" West, 81.60 feet;

thence South 29°55'35" West, 94.60 feet;

thence North 47°40'25" West, 79.60 feet;

thence South 33°10'16" West, 74.52 feet to a point on the northerly mean high water line of the Boise River;

thence leaving said northerly boundary line and along the northerly mean high water line of the Boise River the following courses and distances;

South 89°07'10" West, 95.62 feet;

thence North 66°34'48" West, 151.83 feet;

thence North 63°21'03" West, 283.95 feet;  
thence North 81°57'25" West, 29.05 feet;  
thence North 84°05'27" West, 137.56 feet;  
thence South 83°54'18" West, 201.44 feet;  
thence South 81°46'46" West, 327.06 feet;  
thence North 85°00'10" West, 290.65 feet;  
thence North 73°30'40" West, 157.48 feet;  
thence North 56°57'50" West, 178.96 feet;  
thence North 47°21'15" West, 190.62 feet;  
thence North 36°38'05" West, 400.82 feet;  
thence North 32°16'03" West, 171.01 feet;  
thence North 27°50'38" West, 88.54 feet;  
thence North 33°09'57" West, 207.74 feet;  
thence North 43°19'22" West, 86.24 feet;  
thence North 28°28'00" West, 50.35 feet;  
thence North 26°16'29" East, 26.61 feet;  
thence North 11°01'36" West, 126.73;  
thence North 26°42'22" West, 143.78 feet;  
thence North 51°23'40" West, 298.34 feet;  
thence North 29°51'00" West, 319.07 feet;  
thence North 15°22'23" West, 109.33 feet;  
thence North 13°31'39" East, 93.53 feet;  
thence North 05°06'39" East, 237.01 feet;

thence North 15°09'13" West, 177.42 feet;

thence North 80°09'11" West, 70.03 feet;

thence North 47°01'28" West, 349.12 feet;

thence North 54°21'53" West, 71.40 feet;

thence North 55°32'34" West, 367.84 feet;

thence North 75°17'00" West, 132.39 feet;

thence North 69°08'03" West, 92.50 feet;

thence North 82°45'14" West, 59.48 feet;

thence North 49°01'03" West, 9.15 feet to an angle point on the boundary line described in that Disclaimer of Interest Deed recorded as Instrument Number 8750962, Records of Ada County, Idaho;

thence continuing along said mean high water line and along the southerly boundary line of said Disclaimer of Interest Deed the following courses and distances;

North 68°16'15" West, 317.37 feet (formerly described as North 68°32'24" West);

thence South 86°06'39" West, 455.06 feet (formerly described as South 85°51'30" West);

thence South 62°29'58" West, 782.92 feet (formerly described as South 62°14'49" West);

thence North 86°22'28" West, 166.87 feet (formerly described as North 86°37'37" West);

thence North 76°06'04" West, 124.97 feet (formerly described as North 76°21'13" West);

thence North 51°30'53" West, 88.59 feet (formerly described as North 51°46'02" West);

thence North 24°18'00" West, 240.04 feet (formerly described as North 24°33'09" West);

thence North 05°04'05" East, 381.58 feet (formerly described as North 04°48'56" East);

thence North 32°36'46" West, 193.50 feet (formerly described as North 32°51'55" West);

thence North 13°22'49" West, 207.28 feet (formerly described as North 13°37'58" West);

thence North 34°00'37" West, 240.13 feet (formerly described as North 34°15'46" West);

thence North 20°22'29" West, 316.77 feet (formerly described as North 20°37'38" West);

thence North 40°25'53" West, 206.20 feet (formerly described as North 40°41'02" West);

thence North 57°32'13" West, 400.74 feet (formerly described as North 57°47'22" West);

thence North 79°42'59" West, 285.40 feet (formerly described as North 79°58'08" West);

thence North 74°07'58" West, 467.90 feet (formerly described as North 74°23'02" West);

thence leaving said southerly boundary line of said Disclaimer of Interest Deed and said northerly mean high water line South 34°15'03" West, 155.38 feet to an angle point in Ivan Harris Survey, recorded as Record of Survey Number 1126, Records of Ada County, Idaho;

thence along the northerly line of said survey North 63°08'10" West, 276.86 feet;

thence continuing along said northerly line North 41°02'24" West, 209.01 feet;

thence continuing along said northerly line and the northerly boundary line of Spring Meadow No. 2, Phase B as filed in Book 57 of Plats at Page 5384, Records of Ada County, Idaho, North 33°07'01" West, 754.96 feet;

thence continuing along the northerly boundary line of said Spring Meadow No. 2, Phase B, North 22°37'55" West, 245.89 feet;

thence leaving said northerly boundary line North 39°23'36" East, 500.68 feet;

thence South 49°03'39" East, 346.14 feet (formerly described as South 49°19'06" East);

thence South 64°49'40" East, 293.59 feet (formerly described as South 65°05'07", East, 293.97 feet) to a point on the boundary line contained in said Disclaimer of Interest Deed, Instrument Number 8750962;

thence along said boundary line the following courses and distances;

North 40°48'16" East, 1.45 feet (formerly described as North 40°33'07" East);

thence South 89°36'57" East, 78.51 feet (formerly described as South 89°52'06" East);

thence North 14°02'27" East, 15.07 feet (formerly described as North 13°47'18" East) to a point on the southerly right-of-way line of the Oregon Short Line Railroad, said point being 25.00 feet southerly of centerline Station 1241+44.13 and on a curve to the left;

thence along said southerly right-of-way line and said curve 177.50 feet, said curve having a radius of 1194.30 feet, a central angle of 8°30'56" and a long chord of 177.34 feet which bears South 80°13'01" East to centerline P.C.S. Station 1243+17.92;

thence leaving said boundary line described in said Disclaimer of Interest and said right-of-way line North 75°00'33" East, 668.07 feet to a point on the northwesterly right-of-way line of Barber Road, said point also being the beginning of a curve to the left;

thence along said northwesterly right-of-way line the following courses and distances;

along said curve 194.65 feet, said curve having a radius of 675.00 feet, a central angle of 16°31'20" and a long chord of 193.98 feet which bears North 66°44'53" East, to the point of tangency;

thence North 58°29'13" East, 62.14 feet to the beginning of a curve right;

thence along said curve 74.47 feet, said curve having a radius of 1025.00 feet, a central angle of 4°09'46" and a long chord of 74.45 feet which bears North 60°34'06" East to the point of tangency;

thence North 62°38'59" East, 174.60 feet to the beginning of a curve to the right;

thence along said curve 15.51 feet, said curve having a radius of 725.00 feet, a central angle of 1°13'31" and a long chord of 15.51 feet which bears North 63°15'45" East;

thence leaving said northwesterly right-of-way line and said curve North 13°18'05" West, 62.72 feet (formerly described as North 12°57' West);

thence North 51°35'00" East, 51.65 feet (formerly described as North 51°37' East);

thence North 39°17'00" East, 96.00 feet (formerly described as North 39°19' East);  
thence South 28°34'00" East, 59.35 feet (formerly described as South 28°32' East);  
thence South 42°26'00" East, 77.27 feet (formerly described as South 42°24'00" East) to a point on the northerly right-of-way line of Barber Road;  
thence along said northerly right-of-way line North 76°16'20" East, 39.87 feet to the beginning of a curve to the right;  
thence continuing along said right-of-way line and along said curve 207.36 feet, said curve having a radius of 1625.00 feet a central angle of 7°18'41" and a long chord of 207.22 feet which bears North 79°55'41" East to a point on the easterly boundary line of Government Lot 4 of said Section 19;  
thence leaving said right-of-way line and said curve South 00°18'00" West, 451.80 feet along the East boundary line of said Government Lot 4 to the southeast corner of said Government Lot 4;  
thence along the South boundary line of the NW1/4 of the SE1/4 of said Section 19 South 88°16'44" East, 1322.55 feet to the SE1/16 corner of said Section 19;  
thence along the East boundary line of the NW1/4 of the SE1/4 of Section 19 North 00°20'53" East, 636.76 feet to a point on the northerly right-of-way line of Barber Road;  
thence along said right-of-way line North 84°06'30" East, 1330.75 feet to a point on the West boundary line of said Section 20;  
thence leaving said right-of-way line North 00°23'48" East, 509.10 feet along said West boundary line to the Point of Beginning.

**EXCEPTING THEREFROM:**

**DESCRIPTION FOR  
EXCEPTION PARCEL 1  
HARRIS RANCH ANNEXATION**

A parcel of land being all of Golden Dawn Mobile Home Subdivision Unit No. 1, as filed in Book 22 of Plats at Page 1418, Records of Ada County, Idaho, all of Golden Dawn Mobile Home Subdivision Unit No. 2, as filed in book 24 of Plats at Page 1526, Records of Ada County, Idaho, all of Golden Dawn Mobile Home Subdivision Unit No. 3, as filed in Book 33 of Plats at Page 2036, Records of Ada County, Idaho, all of Barberton Subdivision No. 1, as filed in Book 44 of Plats at Page 3617, Records of Ada County, Idaho, all of Barberton Subdivision No. 2 as filed in Book 50 of Plats at Page 4080 Records of Ada County, Idaho and a portion of the E1/2 of the NW1/4 of Section 28, T. 3N., R.3E., B.M.,

located in the NW1/4 of the SE1/4 and the NE1/4 of Section 29, T.3N., R.3E., B.M., and the E1/2 of the NW1/4 of Section 28, T.3N., R.3E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at the 1/4 corner common to said Sections 28 and 29 from which the northwest corner of said Section 28 bears North 00°05'18" West, 2613.06 feet;

thence South 42°13'06" West, 338.47 feet (formerly described as South 41°54'24" West) to the northeasterly corner of said Golden Dawn Mobile Home Subdivision Unit No. 1, said point being the **REAL POINT OF BEGINNING**;

thence along the southeasterly boundary line of said Golden Dawn Mobile Home Subdivision Unit No. 1, South 38°45'32" West, 231.49 feet (formerly described as South 38°26'50" West) to a point on the northerly right-of-way line of Idaho State Highway No. 21;

thence along said right-of-way line North 51°18'18" West, 990.01 feet (formerly described as North 51°37' West);

thence leaving said right-of-way line and along the northwesterly boundary line of said Golden Dawn Mobile Home Subdivision Units No. 1, No. 2 and No. 3 and said Barberton Subdivision No. 1 and the extension thereof North 38°45'32" East, 1976.31 feet (formerly described as North 38°26'50" East) to a point on that parcel of land described in that Warranty Deed recorded as Instrument Number 7635800, Records of Ada County, Idaho;

thence along said parcel the following four (4) courses and distances;

North 53°39'18" West, 60.00 feet (formerly described as North 53°58' West);

thence North 38°54'42" East, 434.00 feet (formerly described as North 38°36' East);

thence South 51°05'18" East, 196.00 feet (formerly described as South 51°24' East);

thence South 38°54'42" West, 332.50 feet (formerly described as South 38°36' West, 338.54 feet) to a point on that parcel of land described in that Warranty Deed filed as Instrument Number 8751249 Records of Ada County, Idaho;

thence along said parcel of land described in said Warranty Deed, Instrument Number 8751249, the following four (4) courses and distances;

South 51°14'28" East, 1343.93 feet (formerly described as South 51°24' East, 1485.50 feet) to a point on the North-South centerline of the NW1/4 of said Section 28;

thence along said North-South centerline South 00°00'58" West, 847.38 feet (formerly described as South 00°03' East, 845.50 feet)

thence along a line parallel with and 25.00 feet northerly of the centerline of the Penitentiary Canal North 64°50'30" West, 791.82 feet (formerly described as 794.40 feet) to a point on the southeasterly boundary line of said Barberton Subdivision No. 2;

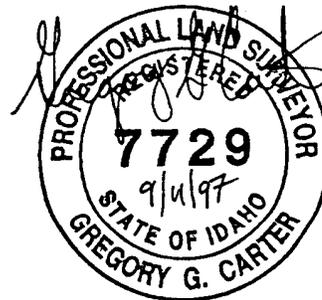
thence along said southeasterly boundary line and the extension thereof South 85°05'58" West, 346.86 feet (formerly described as South 84°56'30" West) to a point on the southeasterly boundary line of said Golden Dawn Mobile Home Subdivision Unit No. 3;

thence along the southeasterly boundary line of said Golden Dawn Mobile Home Subdivision Units No. 3 and No. 2 South 38°45'32" West, 755.59 feet (formerly described as South 38°26'50" West) to the **REAL POINT OF BEGINNING**, containing 63.64 acres more or less;

The net area to be annexed is 1778.94 acres, more or less.

This description was written from a compilation of public records and was not verified with a survey on the ground by Hubble Engineering, Inc.

Prepared by:  
HUBBLE ENGINEERING, INC.



GGC/ww/1258.des

Gregory G. Carter, P.L.S.

LEGAL NOTICE

SUMMARY OF ADA COUNTY ORDINANCE NO. 354

THE COUNTY OF ADA, STATE OF IDAHO, PROPOSES A CHANGE TO THE ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE THE HARRIS RANCH DEVELOPMENT AREA INTO THE BOISE CITY AREA OF CITY IMPACT.

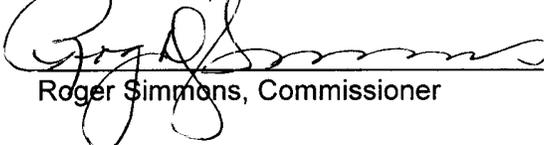
ORDINANCE NO. 354 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 650 MAIN STREET, BOISE, IDAHO.

APPROVED AND ADOPTED THIS 11<sup>TH</sup> DAY OF MARCH 1998.

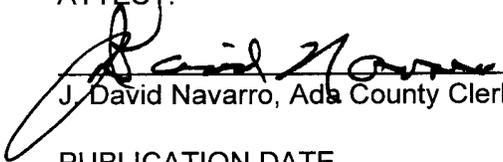
Board of Ada County Commissioners

By:   
Vernon L. Bisterfeldt, Chairman

By: \_\_\_\_\_  
Frank Walker, Commissioner

By:   
Roger Simmons, Commissioner

ATTEST:

  
J. David Navarro, Ada County Clerk

PUBLICATION DATE \_\_\_\_\_

STATEMENT OF APPROVAL

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached Ada County Ordinance No. 354 is true and complete and provides adequate notice to the public, pursuant to Idaho Code §31-715A.

J. David Navarro  
J. David Navarro  
Ada County Clerk

STATE OF IDAHO                    )  
  )ss.  
County of Ada                    )

SUBSCRIBED AND SWORN to before me this 11 day of  
March, 1998.

Shari Strong  
Notary Public for Idaho  
Commission Expires 2-4-00

AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 17.88 ACRES OF LAND INTO THE BOISE CITY AREA OF CITY IMPACT, TO WIT:

A parcel of land located in NW4 of the NE4 of Section 29, T. 4 N. R. 1 E., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the North Quarter Corner of said Section 29 and being the REAL POINT OF BEGINNING.

Thence N. 89° 21' 00" E. 850.55 feet along the section line to the northeast corner of a Quitclaim Deed Instrument #9229571 as recorded in records for Ada County;

Thence S. 00° 03' 00" E. 502.23 feet to the southeast corner of said instrument;

Thence N. 41° 50' 00" W 136.21 feet;

Thence S. 89° 37' 48" W. 559.67 feet to the southwest corner of said instrument;

Thence S. 89° 37' 47" W. 200.09 feet (S. 89° 45' 00" W. 200.00 feet of record) to the southwest corner of Warranty Deed Instrument No. 906989 as recorded in the records for Ada County;

Thence N. 00° 03' 00" W. 396.00 feet along the west boundary of said Instrument No. 906989 to the REAL POINT OF BEGINNING, said parcel contains 7.88 Acres.

This description is not based on an actual field survey.

and

A parcel of land located in NE4 of the NE4 of Section 32, T. 4 N. R. 1 E., B.M., Ada County, Idaho more particularly described as follows:

The Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 23, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, BOISE CITY AREA OF CITY IMPACT BE AMENDED:

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 No. 158, 11-26-86
- b. Ordinance No. 187, 6-9-88
- c. Ordinance No. 245, 4-2-92
- d. Ordinance No. 257, 12-3-92
- e. Ordinance No. 282, 12-1-94
- f. Ordinance No. 284, 12-22-94
- g. Ordinance No. 285, 1-26-95
- h. Ordinance No. 327, 4-9-97
- i. Ordinance No. 354, 3-11-98
- j. Ordinance No. 366, 10-7-98

This Ordinance shall be effective upon publication.

APPROVED AND ADOPTED THIS 7th DAY OF October, 1998.

Board of Ada County Commissioners

By: Vernon L. Bisterfeldt  
Vernon L. Bisterfeldt, Chairman

By: Frank Walker  
Frank Walker, Commissioner

By: Roger Simmons  
Roger Simmons, Commissioner

ATTEST:

J. David Navarro  
J. David Navarro, Ada County Clerk

PUBLICATION DATE: 10-14-98

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 8 ACRES OF LAND INTO THE BOISE CITY AREA OF CITY IMPACT, TO WIT:**

Beginning at the NE corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  corner of Section 16, T. 3 N., R. 1 E., B.M., Ada County, Idaho and being the REAL POINT OF BEGINNING.

Thence southerly along the eastern boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  approximately 750 feet to the centerline of the Ridenbaugh Canal;

Thence westerly and northerly along the centerline of the Ridenbaugh Canal;

Thence easterly approximately 455 feet along the northern boundary of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16 to the NE corner of the SW $\frac{1}{4}$  of the said SE $\frac{1}{4}$  of Section 16, the REAL POINT OF BEGINNING.

This description is not based on an actual field survey.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, BOISE CITY AREA OF CITY IMPACT BE AMENDED AS FOLLOWS:**

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

**A. Boise City Area of City Impact Boundary Map.**

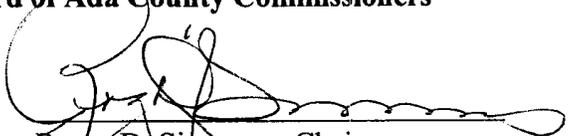
1. The Boise City Area of City Impact is the area designated on the Boise City Area of City Impact boundary map, hereby fully incorporated by reference, copies of which are available for inspection at the Ada County Development Services Department.
2. Amendments to the map are as follows:
  - a. Ordinance No. 158, 11-26-86
  - b. Ordinance No. 187, 6-9-88
  - c. Ordinance No. 245, 4-2-92
  - d. Ordinance No. 257, 12-3-92
  - e. Ordinance No. 282, 12-1-94
  - f. Ordinance No. 284, 12-22-94
  - g. Ordinance No. 285, 1-26-95
  - h. Ordinance No. 327, 4-9-97
  - i. Ordinance No. 354, 3-11-98
  - j. Ordinance No. 366, 10-7-98
  - k. Ordinance No. 425, 5-23-01

This Ordinance shall be effective upon publication.

APPROVED AND ADOPTED THIS 23<sup>rd</sup> DAY OF May, 2001.

**Board of Ada County Commissioners**

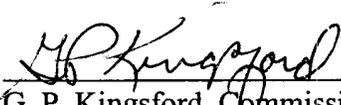
By:

  
Roger D. Simmons, Chairman

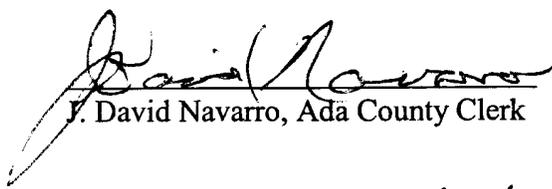
By:

  
Sharon M. Ullman, Commissioner

By:

  
G. P. Kingsford, Commissioner

ATTEST:

  
J. David Navarro, Ada County Clerk

PUBLICATION DATE: 5/30/01

ORDINANCE NO. 6114

BY THE COUNCIL:

BAKER, FORNEY, MASON, MAPP,  
TERTELING-PAYNE AND WETHERELL.

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Title 4, Chapter 12, Boise City Code, be, and the same is hereby amended to read as follows:

CHAPTER 4-12. IMPACT FEE ORDINANCE

4-12-03. DEFINITIONS:

For the purpose of this Chapter the following terms, phrases and words have the meaning given herein.

CAPITAL IMPROVEMENTS PLAN SURCHARGE. A surcharge imposed on the collection of a development impact fee pursuant to Idaho Code 67-8208, which surcharge does not exceed the development's proportionate share of the cost of preparing the Capital Improvements Plan.

4-12-13. PARK AND RECREATION IMPACT FEES

C. DEFINITIONS:

The following terms are specific to the section and shall apply only to Park and Recreation Impact Fees.

PARK CAPITAL IMPROVEMENTS PLAN SURCHARGE. A surcharge on the collection of a development impact fee which surcharge does not exceed the development's proportionate share of the cost of preparing the Park Capital Improvements Plan.

F. METHODOLOGY: The methodology adopted for the purpose of determining park and recreation impact fees shall be based upon the assumptions set forth in the Comprehensive Park and Recreation System Plan (CPRSP). Said assumptions, based upon the Existing and Future Facilities Approach, set the existing standard for park needs as set forth in the following table:

<u>Park Description</u>	<u>Standard</u>
Neighborhood Parks	1.1 Ac/1,000 Pop.
Community Parks	0.5 Ac/1,000 Pop.
Special Use Parks	2.4 Ac/1,000 Pop.
Recreational Trails	0.41 Mi/1,000 Pop.
Natural Open Space	8.3 Ac/1,000 Pop.

Additionally the CPRSP assumes the following in numbers of people per dwelling unit. (An "accessory dwelling unit" was not contemplated as part of the CPRSP assumptions, however it is reasonable to assume that at least one individual will dwell in such a dwelling unit.)

Single Family Residential	2.28/Unit
Multi-Family Residential ( <u>800 sq.ft&amp; more</u> )	1.81/Unit
Multi-Family Residential ( <u>Under 800 sq.ft.</u> )	1.24/Unit
Accessory Dwelling Unit	1.00/Unit
Hotel	0.71/Room

G. DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS: Pursuant to the assumptions in the CPRSP, development impact fees for parks are set forth in the following table:

Park Description	Impact Fee \$/Person		Single Family Residence		Multi Family \$/Residence Under 800sq ft (New)	Multi Family \$/Residence 800 sq ft and Over		Hotel/Motel \$/Room	
Neighborhood Parks	<del>\$125.90</del>	<u>\$138.49</u>	<del>\$287.05</del>	<u>\$315.76</u>	<u>\$171.72</u>	<del>\$227.88</del>	<u>\$250.67</u>	<del>\$89.39</del>	<u>\$98.33</u>
Community Parks	<del>\$ 38.48</del>	<u>\$ 42.33</u>	<del>\$ 87.73</del>	<u>\$ 96.50</u>	<u>\$52.49</u>	<del>\$ 69.65</del>	<u>\$ 76.62</u>	<del>\$ 27.32</del>	<u>\$ 30.05</u>
Special Use Parks	<del>\$ 96.30</del>	<u>\$105.93</u>	<del>\$219.56</del>	<u>\$241.52</u>	<u>\$131.35</u>	<del>\$174.30</del>	<u>\$191.73</u>	<del>\$68.37</del>	<u>\$75.21</u>
Recreational Trails	<del>\$ 7.42</del>	<u>\$ 8.16</u>	<del>\$ 16.92</del>	<u>\$ 18.61</u>	<u>\$10.12</u>	<del>\$ 13.43</del>	<u>\$ 14.77</u>	<del>\$ 5.27</del>	<u>\$ 5.80</u>
Natural Open Space	<del>\$ 48.25</del>	<u>\$ 53.08</u>	<del>\$110.01</del>	<u>\$121.01</u>	<u>\$ 65.81</u>	<del>\$ 87.33</del>	<u>\$ 96.06</u>	<del>\$34.26</del>	<u>\$37.68</u>
<u>Park Capital Improvements Plan Surcharge</u>		<u>\$3.50</u>		<u>\$7.98</u>	<u>\$4.34</u>		<u>\$6.34</u>		<u>\$2.49</u>
<b>TOTAL</b>	<del><b>\$316.35</b></del>	<u><b>\$351.49</b></u>	<del><b>\$721.27</b></del>	<u><b>\$801.38</b></u>	<u><b>\$435.83</b></u>	<del><b>\$572.59</b></del>	<u><b>\$636.19</b></u>	<del><b>\$224.61</b></del>	<u><b>\$249.56</b></u>

Section 2. That the Summary of this Ordinance, a copy of which is attached hereto, is hereby approved for publication.

Section 3. That this Ordinance shall be in full force and effect within the city limits of Boise City from and after thirty (30) days from the date of its passage and approval by the Boise City Council provided that in the interim this ordinance has been published.

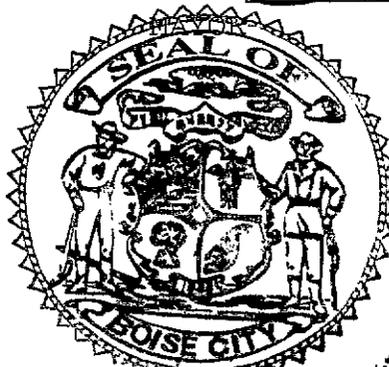
PASSED by the Council of the City of Boise, Idaho, this 11th day of December, 2001.

APPROVED by the Mayor of the City of Boise, Idaho, this 11th day of December, 2001.

APPROVED:

ATTEST:

*Annette P. Mooney*  
CITY CLERK



STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 6114

The Undersigned, Ted W. Baird, in his capacity as an Assistant City Attorney of the City of Boise City, Idaho, pursuant to Section 50-901A(3) of the Idaho Code, as amended, hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. 6114 of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public. DATED this 11th day of December, 2001.

\_\_\_\_\_  
TED W. BAIRD, Assistant Boise City Attorney

SUMMARY OF ORDINANCE NO. 6114  
OF THE CITY OF BOISE CITY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of December 11, 2001, that Ordinance No. 6114 entitled:

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

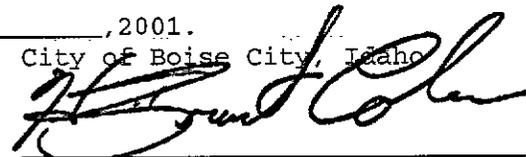
The principal provisions of the ordinance include: 1) Imposing a surcharge on the collection of development impact fees to provide for the funding of an updated park capital improvements plan. 2) Amending the park development impact fee schedule to reflect acquisition and development cost increases of 10%. 3) Amending the methodology for determining park and recreation impact fees by adding a category to the development impact fee schedule for "multi-family residential unit (under 800 sq ft).

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance is on file in the office of the City Clerk of the City at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

DATED this 11th day of December, 2001.

ATTEST:

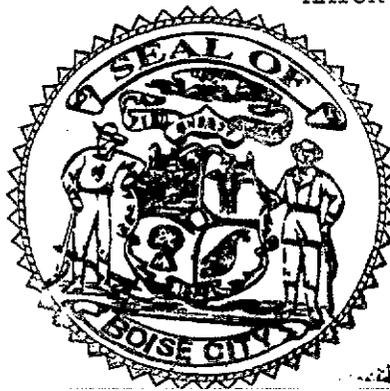
City of Boise City, Idaho



By: H. BRENT COLES  
MAYOR

ATTEST:

  
By: ANNETTE P. MOONEY  
CITY CLERK



**LEGAL NOTICE  
STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 6114**

The Undersigned, Ted W. Baird, in his capacity as an Assistant City Attorney of the City of Boise City, Idaho, pursuant to Section 50-901A(3) of the Idaho Code, as amended, hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. 6114 of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public.  
DATED this 11th day of December, 2001.  
TED W. BAIRD, Assistant Boise City Attorney

**SUMMARY OF ORDINANCE NO. 6114  
OF THE CITY OF BOISE CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of December 11, 2001, that Ordinance No. 6114 entitled:

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)". APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

The principal provisions of the ordinance include: 1) imposing a surcharge on the collection of development impact fees to provide for the funding of an updated park capital improvements plan. 2) Amending the park development impact fee schedule to reflect acquisition and development cost increases of 10%. 3) Amending the methodology for determining park and recreation impact fees by adding a category to the development impact fee schedule for "multi-family residential unit (under 800 sq ft).

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance is on file in the office of the City Clerk of the City at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

DATED this 11th day of December, 2001.  
City of Boise City, Idaho  
APPROVED by H. Brent Coles, the Mayor  
of the City of Boise, Idaho, this 11th day of  
December, 2001.  
ATTEST: Annette P. Mooney, City Clerk

Pub. Dec. 14, 2001

12188

NOTICE OF PUBLIC HEARING  
PROPOSED PARK IMPACT FEE SURCHARGE  
PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
PROPOSED AMENDMENT TO THE PARK IMPACT FEE METHODOLOGY  
CITY OF BOISE, IDAHO

Title of Proposed Ordinance \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

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In compliance with Idaho Code 67-8206, NOTICE IS HEREBY GIVEN that the Mayor and Council have set **December 11, 2001** \*, in Council Chambers of City Hall, when Council meets in regular session, commencing at 7:30 P.M., as the time and place for a public hearing thereon, at which time and place any member of the public affected by the proposed Ordinance may have the right to appear at the public hearing and present evidence regarding the proposals. Written or oral comments regarding the new fee, fee increase, and amended methodology are welcome.

Auxiliary aids or services are available upon request.  
Please call the City Clerk's office at 384-3710 three days prior to the hearing date so that arrangements can be made.

\*IF the Council sets the 12/11/01 hearing date:  
PLEASE PUBLISH ON: FRIDAY NOVEMBER 16, 23, AND 30.

BOISE PARKS & RECREATION



H. BRENT COLES  
MAYOR

COUNCIL MEMBERS

CAROLYN TERTEILING-PAYNE  
COUNCIL PRESIDENT

MIKE WETHERELL  
COUNCIL PRO TEM

SARA BAKER  
PAULA B. FORNEY  
M. JEROME MAPP  
JON MASON

October 8, 2001

Mayor Coles  
Boise City Council Members  
150 N. Capital Blvd  
Boise, ID 83702-0500

**Subj: Impact Fee Ord. Amendment - Fee increase**

Dear Mayor Coles and City Council Members;

On behalf of the Development Impact Fee Advisory Committee, I respectfully request action on the attached proposal for amending the Impact Fee Ordinance by the Mayor and City Council. The Committee also recommends the Mayor & Council formally request negotiation with the Board of County Commissioners to amend the Area of City Impact Agreement in order to adopt the amended Impact Fee Ordinance upon passage. A procedure summary is attached showing how the review process may be handled by the City and County for amending and implementing the Impact Fee Ordinance.

The Committee has conducted its review of the City's Impact Fee Ordinance with the Fee Administrator in accordance with **Boise City Code, Chapter 4-12** (Impact Fee Ordinance). Their review has resulted in a unanimous recommendation for a 10% increase of the Park Impact Fee Schedule. The committee also recommends imposing a surcharge on the collection of development impact fees for the purpose of funding updates to the Capital Improvement Plan, pursuant to Idaho Code 67-8208. The Committee has also recommended the Park Impact Fee Schedule be amended to distinguish "apartment units under 800 square feet in size" from other types of apartment units. This will formally address the number of individual assessments for this unit type that have come before Committee and the Mayor and Council for review and approval over the last few years.

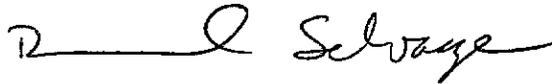
The Committee began work on the Park Impact Fee increase proposal early in 2001. The Committee reviewed current and historical park development costs and commissioned a review of park land acquisition costs to support this effort. The Committee directed staff to work with

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the Idaho Building & Contractors Association of Southwest Idaho (BCA) to ensure they have opportunity to review the City's costs and justifications for the proposed fee increase and provide input. City Staff met twice with BCA's Developer's Council (3/19/01 and 5/21/01) to review park acquisition and development cost data and take comments and concerns back to the committee. BCA's letter of June 12, 2001 (enclosed) indicates no opposition to the proposed fee increase.

If you have any questions, please call me at 384-4060, ext 310 or Ted Baird at 384-3870.

Sincerely,



David Selvage, Park Impact Fee Administrator  
Boise Parks & Recreation Department

Enclosures (17)

Proposed Ordinance amendments  
Flow chart for review and approval process  
DIFAC Minutes for 7/11/01, 6/13/01, 5/11/01 and 2/14/01  
Park Fee Increase background materials  
Staff Reports dated 6/8/01, 3/20/01, and 2/8/01  
Comparison park develop unit costs (1989 - 2000)  
Land Price Trend Analysis  
Supporting BCA Correspondence  
Administrative Fee background materials  
Staff Memo's dated 1/7/01, 1/31/01, 3/13/01, 4/5/01 and 6/11/01

cc: Annette Mooney, City Clerk  
Gary Lyman, Mayor's Assistant  
James R. Hall, Director BPR  
John Eaton, Govt. Affairs Director BCA  
Ted Baird, Deputy City Attorney  
Board of Ada County Commissioners  
Development Impact Fee Advisory Committee  
Tom Governale, Supt. Resources  
Cheyne Weston, Park Planner

**AMENDING THE IMPACT FEE ORDINANCE**  
**Boise City - Ada County (Area of City Impact)**

**Codes, Ordinances & Agreements involved**

Idaho Code: 67-8206 (Development Impact Fees) and 67-6526 (negotiated Area of City Impact)

Boise City: B.C.C., Chapters 4-12 (Impact Fee), and  
11-15 (Area of City Impact)

Ada County: Agreement #2431 (Collection of Park Impact Fees - inside Area of City Impact), and  
A.C.C., Chapter 9-3-3 A. (Boise City's Area of Impact Ordinance)

**Amendment of Impact Fee Ordinance**

Idaho Code 67-8206 generally provides that:

At least one (1) public hearing shall be held to consider adoption, amendment, or repeal of a Development Impact Fee Ordinance. Two (2) notices, at least one (1) week apart, of the time, place and purpose of the hearing shall be published not less than fifteen (15) nor more than thirty (30) days before the scheduled date of the hearing, in a newspaper of general circulation within the jurisdiction of the governmental entity. A second notice of the hearing on adoption of the [proposed amendment], containing the same information, shall be published in the same manner at least seven (7) days before the scheduled date of the hearing. Such notices shall also include a statement that the governmental entity shall make available to the public, upon request, the following: ..... copy of the [proposed amendments] thereto, and a statement that any member of the public affected by the ... amendments shall have the right to appear at the public hearing and present evidence regarding the proposed ... amendments. The governmental entity shall send notice of the intent to hold a public hearing by mail to any person who has requested in writing notification of the hearing date at least fifteen (15) days prior to the hearing date.

Idaho Code 8706(6) states that nothing contained in [section 8706(3)] shall be construed to alter the procedures for adoption of an ordinance by the governmental entity. Provided, however, a development impact fee ordinance shall not be adopted as an emergency measure and shall not take effect earlier than thirty (30) days subsequent to adoption.

## GENERAL PROCEDURE FOR AMENDING THE IMPACT FEE ORDINANCE

1. City Clerk requests Mayor and Council schedule proposed amendments for a public hearing date. 30 days notice, published 3 times.
2. The ordinance is placed on the City Council Consent Agenda and is read for three consecutive weeks, the last reading to coincide with the scheduled hearing date.
3. Fee Administrator sends copies of the proposed ordinance together with a draft of a revised Area of Boise City Impact Fee Agreement to Ada County Development Services and Ada County Attorney for consideration and input.
3. City Council hears and approves amendments and establishes an effective date (at least 30 days out).
4. Subject to City approval, Fee Administrator/City Attorney sends formal request to the Ada County Board of County Commissioners for consideration of revising Boise's Area of City Impact Agreement to recognize amendments to the Impact Fee Ordinance (Ada County Agreement #2431, paragraph B). A copy of the adopted revised ordinance must be attached to the request.
5. Under provisions of the Area of Impact Agreement, Ada County and Boise City are required to meet within 30 days. If the County wishes to recognize the City's adopted amendments, the County must proceed to formally amend the Agreement for Collection of Park Impact Fees (#2431) or adopt a new agreement if necessary.
6. Upon completion of necessary approval processes, Ada County shall forward the approved agreement to the Mayor and Council for City consideration and adoption (by resolution).
7. City Attorney's Office prepares ordinance for Mayor and Council which approves the revised agreement, authorizes the Mayor and City Clerk to execute and attest, and establishes effective date. Staff recommends the effective date for implementation of the amended ordinance be the same for both the City and County to ensure consistency and streamline the administration of the proposed fee increase as well as minimize potential confusion by Building Permit customers.

NOTICE OF PUBLIC HEARING  
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PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
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\*IF the Council sets the 12/11/01 hearing date:

PLEASE PUBLISH ON: FRIDAY NOVEMBER 16, 23, AND 30.

ORDINANCE NO. \_\_\_\_\_

BY THE COUNCIL:

BAKER, FORNEY, MASON, MAPP,  
TERTELING-PAYNE AND WETHERELL.

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That Title 4, Chapter 12, Boise City Code, be, and the same is hereby amended to read as follows:

CHAPTER 4-12. IMPACT FEE ORDINANCE

4-12-03. DEFINITIONS:

For the purpose of this Chapter the following terms, phrases and words have the meaning given herein.

CAPITAL IMPROVEMENTS PLAN SURCHARGE. A surcharge imposed on the collection of a development impact fee pursuant to Idaho Code 67-8208, which surcharge does not exceed the development's proportionate share of the cost of preparing the Capital Improvements Plan.

#### 4-12-13. PARK AND RECREATION IMPACT FEES

##### C. DEFINITIONS:

The following terms are specific to the section and shall apply only to Park and Recreation Impact Fees.

PARK CAPITAL IMPROVEMENTS PLAN SURCHARGE. A surcharge on the collection of a development impact fee which surcharge does not exceed the development's proportionate share of the cost of preparing the Park Capital Improvements Plan.

F. METHODOLOGY: The methodology adopted for the purpose of determining park and recreation impact fees shall be based upon the assumptions set forth in the Comprehensive Park and Recreation System Plan (CPRSP). Said assumptions, based upon the Existing and Future Facilities Approach, set the existing standard for park needs as set forth in the following table:

<u>Park Description</u>	<u>Standard</u>
Neighborhood Parks	1.1 Ac/1,000 Pop.
Community Parks	0.5 Ac/1,000 Pop.
Special Use Parks	2.4 Ac/1,000 Pop.
Recreational Trails	0.41 Mi/1,000 Pop.
Natural Open Space	8.3 Ac/1,000 Pop.

Additionally the CPRSP assumes the following in numbers of people per dwelling unit. (An "accessory dwelling unit" was not contemplated as part of the CPRSP assumptions, however it is reasonable to assume that at least one individual will dwell in such a dwelling unit.)

Single Family Residential	2.28/Unit
Multi-Family Residential (800 sq.ft & more)	1.81/Unit
<u>Multi-Family Residential (Under 800 sq.ft.)</u>	<u>1.24/Unit</u>
Accessory Dwelling Unit	1.00/Unit
Hotel	0.71/Room

G. DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS: Pursuant to the assumptions in the CPRSP, development impact fees for parks are set forth in the following table:

Park Description	Impact Fee \$/Person		Single Family Residence		Multi Family \$/Residence Under 800sq ft (New)	Multi Family \$/Residence 800 sq ft and Over		Hotel/Motel \$/Room	
Neighborhood Parks	<del>\$125.90</del>	<u>\$138.49</u>	<del>\$287.05</del>	<u>\$315.76</u>	<u>\$171.72</u>	<del>\$227.88</del>	<u>\$250.67</u>	<del>\$89.39</del>	<u>\$98.33</u>
Community Parks	<del>\$38.48</del>	<u>\$42.33</u>	<del>\$87.73</del>	<u>\$96.50</u>	<u>\$52.49</u>	<del>\$69.65</del>	<u>\$76.62</u>	<del>\$27.32</del>	<u>\$30.05</u>
Special Use Parks	<del>\$96.30</del>	<u>\$105.93</u>	<del>\$219.56</del>	<u>\$241.52</u>	<u>\$131.35</u>	<del>\$174.30</del>	<u>\$191.73</u>	<del>\$68.37</del>	<u>\$75.21</u>
Recreational Trails	<del>\$7.42</del>	<u>\$8.16</u>	<del>\$16.92</del>	<u>\$18.61</u>	<u>\$10.12</u>	<del>\$13.43</del>	<u>\$14.77</u>	<del>\$5.27</del>	<u>\$5.80</u>
Natural Open Space	<del>\$48.25</del>	<u>\$53.08</u>	<del>\$110.01</del>	<u>\$121.01</u>	<u>\$65.81</u>	<del>\$87.33</del>	<u>\$96.06</u>	<del>\$34.26</del>	<u>\$37.68</u>
<u>Park Capital Improvements Plan Surcharge</u>		<u>\$3.50</u>		<u>\$7.98</u>	<u>\$4.34</u>		<u>\$6.34</u>		<u>\$2.49</u>
<b>TOTAL</b>	<del><b>\$316.35</b></del>	<u><b>\$351.49</b></u>	<del><b>\$721.27</b></del>	<u><b>\$801.38</b></u>	<u><b>\$435.83</b></u>	<del><b>\$572.59</b></del>	<u><b>\$636.19</b></u>	<del><b>\$224.61</b></del>	<u><b>\$249.56</b></u>

Section 2. That the Summary of this Ordinance, a copy of which is attached hereto, is hereby approved for publication.

Section 3. That this Ordinance shall be in full force and effect within the city limits of Boise City from and after thirty (30) days from the date of its passage and approval by the Boise City Council provided that in the interim this ordinance has been published.

PASSED by the Council of the City of Boise, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

APPROVED by the Mayor of the City of Boise, Idaho, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

APPROVED:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. \_\_\_\_\_

The Undersigned, Ted W. Baird, in his capacity as an Assistant City Attorney of the City of Boise City, Idaho, pursuant to Section 50-901A(3) of the Idaho Code, as amended, hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. \_\_\_\_\_ of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
TED W. BAIRD, Assistant Boise City Attorney

SUMMARY OF ORDINANCE NO. \_\_\_\_\_  
OF THE CITY OF BOISE CITY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of \_\_\_\_\_, 20\_\_\_\_, that Ordinance No. \_\_\_\_\_ entitled:

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
City of Boise City, Idaho

ATTEST:

\_\_\_\_\_  
By: H. BRENT COLES  
MAYOR

ATTEST:

\_\_\_\_\_  
By: ANNETTE P. MOONEY  
CITY CLERK

**DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE**  
**MEETING MINUTES**  
**July 11, 2001**

- I. The Meeting was called to order at 12:15 p.m.**
- II. Attendance**
- Members: Ramon Yorgason, Shelley Smith Eichmann, Matt McCoy, Bev Ross,  
Steve Scanlin, Virgil Moore
- Staff: Cheyne Weston, Dave Selvage, Tom Governale, Bobbie Kay Downend,  
Jim Dumont, Earl Kilian
- Guest: John Eaton,
- III. Approval of Minutes for June 13, 2001**
- A. Unanimous approval.
- IV. Action Items:**
- A. The Impact Fee Advisory Committee received a request to use special use park impact fee dollars to fund lighting one additional softball field at Willow Lane Athletic complex. Two other fields at this location will receive R & M (Repair & Maintenance) funds to cover lighting expenses. The motion was made and seconded recommend funding this project. The vote was unanimous in favor of the motion..
- B. The Advisory Committee continued discussion on the Fee Administrator's proposal recommending an impact fee rate increase. Staff and the committee member involved with the Development Council of the Building Contractors Association of Southwestern Idaho, Inc.(BCA) reiterated the fact the meeting went a long ways in providing a better understanding of City bid procedures and costs. Motion was made and seconded to recommend Mayor and Council enact a 10% fee rate increase. The vote was unanimous in favor of the motion.
- C. The Advisory Committee continued discussion regarding implementing an Administrative Fee to fund future updates of the Boise Comprehensive Parks & Recreation System Plan, - Long Range Capital Improvement Plan as provided for by law. The Committee felt the fee was minimal and made adequate provision for funding future plan updates by placing the burden of funding on those creating the demand for new recreational facilities The proposed administrative fee schedule uses a base rate of \$3.50 multiplied by the City's occupant rate by housing type. General Fund dollars paid the cost of the original Plan and will again cover the Plan Update scheduled for FY2001. The proposed Administrative Fee should be sufficient to cover the cost of future Plan Updates assuming the City continues to grow. Any shortfall, should it occur, could be made up by requesting General Fund assistance. The fee is designed to raise between \$70,000-\$80,000 dollars over a five year period. The motion was made and seconded to recommend approval of an Administrative Fee to fund future Boise Comprehensive Park and Recreation System Plans - Long Range Capital Improvement Plans. The Administrative Fee is

based on a dollars per person rate. The vote was unanimous in favor of the motion.

- D. Staff presented a request by developer Scott Kimball to construct a trail head parking facility consisting of 14 spaces at the north side of Riverside Park along Shoreline Drive adjacent to the Boise River Greenbelt. The developer demonstrated he could achieve a 9% cost savings having his crew do the work as they construct the Riverwalk Apartments on the adjacent property to the east. The Committee discussed that the cost savings, while not typical, was reasonable in this situation considering the size of the project and the benefit of having future trailhead parking facility located on this section of the Greenbelt. The project will require a license agreement with ACHD since property is located within their R-O-W. The Advisory Committee directed staff to make certain that the term of the license agreement cover a ten year time horizon as per the statutory requirement for a capital improvement project as defined in Idaho Code 67-8203. A motion was made to accept the developer's bid proposal to establish a trailhead parking facility. The vote was unanimous in favor of the motion to support funding the project.

**V. Staff Reports**

- A. No discussion.

**VI. Unfinished Business/Other Business**

- A. None.

**VII. The meeting was adjourned at 1:30 p.m.**

**DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE**  
**MEETING MINUTES**  
**April 11, 2001**

- I. The Meeting was called to order at 12:15 p.m.**
- II. Attendance**  
Members: John Fleischer, Ramon Yorgason, Shelley Smith Eichmann, Matt McCoy  
Bev Ross  
Staff: Cheyne Weston, Dave Selvage, Donna Griffin
- III. Approval of Minutes for February 8, 2001**  
A. Motion approved to approve minutes
- IV. Action Items:**  
A. The Development Impact Fee Advisory Committee met to discuss the Fee Administrator's recommendations concerning park impact fees that are subject to the 5 year limitation. The Committee voted unanimously in recommending to Mayor and Council approval for a one year extension on identified Park Impact Fee accounts collected between July 1, 1996 and June 30, 1997. The one year time extension should designate that held funds are to be designated for purpose of park land acquisition or park development as specified in the attached memo.
- The Committee strongly encourages the City to seek to expend Park Impact Fee funds within the Five year limitation for the purposes designated in the Long Range Capitol Improvement Plan element of the adopted Comprehensive Parks & Recreation System Plan. The Committee recommended that any future requests for time extension be considered on an annual basis. The Committee also voted unanimously to recommend Mayor and Council to approve funding in FY2002 to up date the Comprehensive Parks & Recreation System Plan and associated five year capital improvement plan. The plan must be up-dated every five years to comply with Idaho State Code provisions concerning Development Impact Fees. The Boise City Comprehensive Parks & Recreation System Plan has not been updated since formal adoption by the City in 1994.
- BPR's legal advisor was requested to prepare a resolution to reflect the Committee's recommendations for extending the time the specified park impact fee account funds may be held. If possible, the Council should act on these recommendations prior to July 1, 2001. NOTE: The committee's recommendation also includes support for preparation of a master plan for the Pearl Jensen Community Park site. This recommendations must be reviewed by MBT and acted upon by Mayor and Council as capital project. There are no O&M costs associated with the Master Plan project request. The project must be let to contract prior to July 1, 2001.

- B. Staff discussed the Land Price Trend Analysis prepared by Knipe Janoush Knipe, LLC. This analysis compares land acquisition costs paid for park properties by planning area during the past ten years. The report was intended for discussion and business planning purposes and not intended to be specific to any one property or any particular location.

The primary factor influencing the price paid for park property was the allowable or developable density as it relates to the highest and best use of the parcel. The greater the density, the higher the unit price. While higher density zoned land typically yields a higher unit price, there is also the issue of size as it relates to economies of scale and physical characteristics such as availability of utilities. All trends considered, land prices demonstrate an upward spiral over the time.

Sale/resale data analyzed indicates land appreciation rates over the past ten years have ranged from 8% to 22%. Land prices have continued to escalate with high-density multifamily zoned land now ranging in price between \$110,000 to \$150,000 per acre and residential subdivision lots in the range of \$40,000 per acre for a fully serviced area with normal development costs. Planning areas where build out is fast approaching occasionally offer in-fill parcels. These type parcels tend to be the most expensive, followed closely by the higher density zoned parcels. Land prices are dependent on the economy and the impact on the local business climate. Notwithstanding a down trend in the local economy, the consultant represents it can reasonably be anticipated that land prices will continue their upward trend, albeit at a slower pace than the previous decade.

John Eaton, representing the Building Contractors Association of Southwestern Idaho (BCA), attended the meeting. Arrangement were made to establish a future meeting whereby the Builders Development Council representatives would meet with BPR project managers and staff to discuss the details associated with a proposed fee increase back to the Advisory Committee. Topics of discussion could include park acquisition and green-up costs, differences in private versus government bidding climates and practices.

**V. Staff Reports**

- A. Discussion of Park Impact Fee Revenue Reports.

**VI. Unfinished Business/Other Business**

- A. Use of Impact Fee monies to fund future update(s) of the Park & Recreation Comprehensive Plan.

**VII. The meeting was adjourned at 2:00 p.m.**

**DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE  
MEETING MINUTES  
FEBRUARY 14, 2001**

**I. The Meeting was called to order at 12:30 p.m.**

**II. Attendance**

Members: John Fleischer, Ramon Yorgason, Steve Scanlin, Sam Hudson, Matt McCoy

Staff: Cheyne Weston, Dave Selvage

**II Approval of Minutes for December 20, 2000**

A. Motion approved to approve minutes

**IV. Action Items:**

A. Individual Assessment approval was granted to Civic Partners reducing park impact fees for one hundred seventy-eight (178) one-bedroom units for the future Civic Plaza Apartments located at 250 East Front St. The remaining 130 two-bedroom units were not considered eligible for a fee reduction. Committee voted unanimously to recommend approval to Mayor and Council.

B. Discussion centered on comparing current park construction cost data with data from previous years to determine whether a fee increase would be in order. Discussion began by addressing land acquisition factors. Staff produced data showing acquisition costs paid for park properties over time. Land costs were recognized as a significant expense when considering overall park development costs. It was noted that park acquisition costs vary dramatically depending on whether donations are factored into the purchase price or whether the department finds itself obligated to purchase high-priced adjacent in-fill parcels in order to meet plan goals. Acquisition costs vary widely on a case by case basis. Staff, noted lack of recent comparable property data to factor into the discussion. The Advisory Committee asked staff to pursue obtaining a professional opinion on general land acquisition costs and requested this be completed prior to the next scheduled meeting.

Discussion then turned to discussion on park green-up costs based on average unit bid costs obtained from BPR bid reports. Data comparisons for comparable projects were presented based on bid years 1989-1994; 1995-1997; and 1998-2000. Staff pointed out that costs such as engineering, electrical power, asphalt and playground equipment had increased significantly. Other factors affecting a rise in green-up costs include emerging business practices as well as the time of year projects are put out to bid. Staff offered to reevaluate certain figures for accuracy including asphalt prices and was requested to arrange a meeting with Building Contractors Association (BCA) to present the committee's findings as part of the process in considering a potential fee increase.

**V. Staff Reports**

A. Discussion of Park Impact Fee Revenue Reports.

**VI. Unfinished Business/Other Business**

A. Use of Impact Fee monies to fund update of the Park & Recreation Comprehensive Plan.

**VII. The meeting was adjourned at 1:45 p.m.**

**2001 Park Impact Fee Schedule Increase  
Background Materials**

# Memo

**To:** Development Impact Fee Advisory Committee  
**From:** C.H. Weston, Park Planner & David Selvage, Fee Administrator  
**Date:** February 8, 2001  
**Subject:** Park Development Cost Analysis

The following is a brief analysis of land acquisition and park development costs per the Impact Fee Committee's request.

## **Park Development Costs:**

Land acquisition costs contribute significantly when considering total park development costs. There were, however, no significant neighborhood or special use park land purchases during the years 1998-2000 to use for comparison purposes. BPR feels that park land costs continue to increase. This analysis does not address land costs as part of this analysis other than to provided a current listing of acquisitions (See BPR property acquisition report dated March, 2000 for lands acquired since FY92).

In analyzing park development costs a number of unit item costs must be considered (See attached Unit Cost data). While some unit costs remain constant or demonstrate a decrease cost, a majority of park development unit costs have substantially increased including engineering, asphalt and electric power. Unit item cost increases have variable impacts on overall park development costs.

The attached park bid sheet cost estimates compare estimated current neighborhood park development costs to benchmark costs from the period 1995 - 1997 and for the period 1989 - 1994. The cost estimates demonstrate continued costs increases. Park construction costs for years 1989-94 indicated that a 7 acre neighborhood park "green-up project cost \$222,739 as compared to a cost of \$288,377 using 1995-97 cost data. The 1998-2000 estimate shows increased development of \$348,533.

The data demonstrates that the cost to construct a neighborhood park rose between the period 1989-94 and 1995-97 approximately 29%. Development costs rose again by approximately 21% when comparing 1996-97 cost figures to 1998-2000 costs. The net increase amounts to 56% or \$125,794 in actual dollar value over an eleven (11) year period . This analysis suggests that consideration should be given to increasing park impact fees in order to stay with current with Boise City's cost obligations to maintain adopted levels of park and recreation services to residents.

A 10% fee increase went into effect last year raising the park impact fee for a single family residence from \$655.70 to \$721.27. The fee increase should off-set a portion of the increased cost to develop parks, however, it clearly falls short of keeping pace with the overall 56% cost increase.

**Recommendations**

In light of current park development cost data and past committee discussions regarding Park Impact fee increases, staff recommends the Committee consider increasing the Park Impact Fee by 15% to 25%. The proposed increase would raise Park Impact fees for a single family residence from \$721.27 to between \$829.46 and \$901.59. Staff also recommends that prior to formalizing recommendations to Mayor and Council, the Committee direct staff to request an opportunity to present this analysis and supporting data to the Building Contractors Association of Southwest Idaho (BCA) in order to obtain their input.

If you have any questions, please call Cheyne Weston at 384-4060 ext 309, or David Selvage at 384-4060 ext 310.

Boise Parks & Recreation Department  
Property Acquisition Report  
March 2000

The following is a list of properties that have been acquired since 1992:

PROPERTY & #	Comp Plan Number	ACRES	Year ACQUIRED	COST	PARK NAME & COMMENTS
Maw/Bryson V-3-SU	V-3-SU	39.000	FY92	563,490	2 parcels, Charles F. McDevitt Youth Sports Complex
Armory		2.146	FY93	351,635	additional parking
Amyx V-3-SU	V-3-SU	7.000	FY93	144,515	Sycamore
Glaubitz		7.000	FY94	158,108	Magnolia
Molenaar - V-21-C	V-21-C	20.000	FY94	385,285 *	Molenaar Diamond
Patten - II -1- C	II-1-C	25.000	FY95	405,813	Optimist Youth Sports Complex
Bourbonus		7.000	FY95	239,276	Redwood
Hobble Creek V-2-C (Brighton)	V-2-C	10.000	FY95	158,609	Hobble Creek
Hobble Creek V-2-C (YMCA)	V-2-C	10.000	FY95	0 *	Hobble Creek
Breckenridge III-10-N	III-10-N	6.500	FY95	3,602	Cypress
Castle Rock - Open Space	OS	48.000	FY95	500,000	Castle Rock
Hulls Gulch - Open Space	OS	100.000	FY95	7,356 *	Hulls Gulch, exchange, gift
Blaser - V-22-N	V-22-N	7.000	FY95	113,073	Acer
Meikle - V-17-N	V-17-N	3.500	FY95	125,641	Unnamed
Bowler III - 11 -N	III-1-N	21.000	FY96	320,581	unnamed
Payton - IV-10-N	IV-10-N	2.900	FY96	127,712	Phillipi Park
Wrigley - VI-1-N	VI-1-N	13.500	FY96	139,783	Beech
Furhman - II-4-N	II-4-N	1.500	FY96	124,889	Catalpa Street
Hathaway II-4-N	II-4-N	1.900	FY96	130,665	Catalpa Street
Batliner - II-4-N	II-4-N	3.200	FY96	139,118	Catalpa Street
Norms - V-3-SU	V-3-SU	0.790	FY96	75,393	Charles F. McDevitt Youth Sports Complex
Murdoch - V24N	V-24-N	7.000	FY96	191,141	Cottonwood Pk.
Warm Springs Park		5.620	FY96	0 *	Land exchange for addition to Warm Springs Park
Foxridge/County VI-2-N	VI-2-N	15.992	FY96	6,791 *	Trails, transfer/gift
Foxridge / Bills VI-2-N	VI-2-N	14.910	FY96	28,903 *	Trails, transfer/gift
Jones - Open space/trails	OS	0.650	FY96	64,438	Willow Ln/Lake Harbor Grnbelt
Masonry Ctr/ Garden Street - Open Space Trail	OS	1.000	FY96	65,078	Garden Street Path
McCord - Open Space	OS	20.000	FY97	471,919	Hulls Gulch
Quinns Pond Open Space	OS	27.000	FY97	30,704 *	Quinns Park
Murgiotio - V-24 LU/SU	V-24-SU	163.000	FY97	655,000	Murgiotio
Hyatt - Open Space	OS	42.554	FY97/FY98	442,878 *	Hyatt - Open Space
Oregon Trail/ITD Open Space	OS	17.000	FY98	0 *	Oregon Trail O.S.
Hulls Gulch/BLM	OS	78.000	FY98	100 *	Transfer, Hulls Gulch Reserve
Hulls Gulch / Audubon Open Sp.	OS	58.000	FY98	0 *	Gift, Hulls Gulch Audubon
Garden St./Luxor Open Space/Trail	OS	0.500	FY98	3,000	Garden St./Luxor
Emkay and accretion parcels		2.000	FY99	0 *	estimate, Mark Stall Memorial
Myrtle Street		0.070	FY99	33,609	Addition to Julia Davis
Oregon Trail (BLM), RPP	OS	45.330	FY99	0 *	Oregon Trail Reserve Park
Odiaga Rose Creek Subdivision	OS	0.885	FY99	0 *	Trails
Surprise Valley		3.000	FY99	50,107	Barber Observation Point
Ryther Parcel	Libery Park	2.500	FY00	260,000	Add to Liberty Park
Jensen Parcel	VI-9-C	66.220	FY00	303,822 *	Pearl Jensen Community Park
Shaver Parcel					
Comba Parcel		3.410	FY01	0	Donation
Shaul Parcel	VI-9-C	19.220	FY01	0	Exchange for Morris Hill property
Morris Hill		-5.000	FY01	0	Exchange for Shaul property
<b>TOTALS</b>		<b>873</b>		<b>6,258,543</b>	

Donated Value (estimate)

4,294,000

Total Value of Land Acquired (parcels with whole/partial donation noted with \*)

10,552,543

**Boise Parks & Recreation  
Department Average Unit Cost  
Data\***

Type	Unit Measure	Unit Costs			Percent Increase/Decrease	
		1989 - 1994 Bids	1995 - 1997 Bids	1998 - 2000 Bids		
Hydrological Engineering N.P.	site	\$4,000.00	\$4,850.00	\$9,000.00	85.6%	125.00%
United Water Connection (2")	site	\$3,304.00	\$11,500.00	\$3,500.00	-69.6%	5.93%
Idaho Power Connection (3-phase)	site	\$2,900.00	\$9,000.00	\$3,700.00	-58.9%	27.59%
ACHD Impact Fees (Active use)	acre	\$0.00	\$369.00	\$470.00	27.4%	
Clear & Grub	sf	\$0.03	\$0.04	\$0.09	150.0%	200.00%
Rough Grade	sy	\$0.58	\$0.27	\$0.37	37.0%	-36.21%
Fine Grade	sy	\$0.33	\$0.33	\$0.25	-24.2%	-24.24%
Import Top Soil	cy	\$5.23	\$11.09	\$12.40	11.8%	137.09%
Asphalt Parking Lot	sf	\$1.01	\$1.15	\$1.98	72.2%	96.04%
Standard Concrete Curb & Gutter	lf	\$10.75	\$13.28	\$22.05	66.0%	105.12%
Concrete sidewalk	sf	\$3.75	\$3.00	\$3.40	13.3%	-9.33%
Irrigation System	sf	\$0.18	\$0.19	\$0.25	31.6%	38.89%
Turf (sod)	sf	\$0.14	\$0.24	\$0.20	-16.7%	42.86%
Trees - (2" caliper- planted)	ea	\$250.00	\$270.00	\$270.00	0.0%	8.00%
Complete Playground	ea	\$55,363.00	\$71,377.00	\$137,500.00	92.6%	148.36%
Tennis Court	ea	\$25,334.00	\$27,405.00	\$27,500.00	0.3%	8.55%
Pump Station	lump sum			\$40,000.00		
Restroom (2 stalls - unisex)	lump sum			\$125,000.00		
Fencing (6' chainlink)	lf			\$10.00		

\* Comparisons based on actual bid award unit costs for comparable projects.

H:\WP\impact fee\memo\lfrpercentagesfml.xls

# Memo

**To:** Development Impact Fee Advisory Committee  
**From:** C.H. Weston, Park Planner  
**Date:** March 20, 2001  
**Subject:** BCA Meeting Update

BPR staff met with the Developer's Council of the Building Contractors Association (BCA) on Monday, March 19<sup>th</sup> to discuss park development cost data relative to a proposed park fee increase. BPR staff distributed information to the Association regarding both land acquisition costs and park development costs. Staff clarified that while land acquisition costs often contribute significantly to the creation of a park project, the intent of the meeting was to discuss increased park green-up and facility development costs over time.

The general feeling of the BCA was to oppose any proposed fee increase, especially any increase over 15%. BCA, after a cursory review of the park development cost data, felt that BPR perhaps was not stretching their dollars to the greatest extent possible. Other issues of concern to BCA include:

- asphalt paving/curb and gutter costs cited appear high and unreasonable
- BPR specs should be reviewed
- business practices used by City should be changed (ie. - paying bills in more than 90 days)

BPR staff explained that it was challenging finding comparable park development projects relative to private development projects. BPR represented it rarely has the opportunity to complete a park development project from acquisition through build-out. Further, the difference in operating methods and potential cost savings are substantive issues relative to the ways in which BPR conduct its construction affairs versus the methods used by the construction community.

BPR staff explained that large scale cost-saving projects such as development of community or special-use parks are the exception rather than the rule. Most often park projects tend to be of smaller scale, completed on a project-by-project basis, and subject to politics. The City prefers to see incremental progress made in several locations throughout town as compared to concentrating on larger scale projects. Another factor influencing development costs involves the number of applicants bidding on a particular project. BPR would prefer to see more companies bidding on park related projects. Another variable cost relates to the time of year a project is bid, if asphalt projects are delayed for one reason or another until Fall, the associated costs can rise dramatically.

**BCA/Development Impact Fee Advisory Committee Mtg. - Monday, March 19 - Page 2 of 2**

BPR staff reminded BCA the proposed fee increase is part of a stepped process with last year's 10% increase being the first increase since adoption of the ordinance in 1984. The Development Impact Fee Advisory Committee believes that fees should stay in line with escalating development costs and that BPR bid schedules indicate development costs have risen approximately 56% since 1989.

BCA noted that if fee increases is set between 15-25 % there is a good chance local developers will loose new home starts to places like Canyon County where fees are less expensive. The meeting ended with BCA representatives upholding their previous argument that if the proposed fee increase is unreasonable in their estimation, then more dialogue will be needed prior to a request going before City Council or they will likey be in protest. Lastly, BCA recommended the park department scrutinize their bidding procedures to see if further cost savings could be realized.

interoffice  
MEMORANDUM

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**DATE:** June 8, 2001

**TO:** Development Impact Fee Advisory Committee

**FROM:** David Selvage, Park Fee Administrator   
Boise Parks & Recreation Department

**SUBJ:** BCA meetings & Fee Increase proposal

Boise Parks & Recreation staff have had two lively meetings with Building Contractors Association of Southwest Idaho's staff and their Developer's Council since the Committee's April meeting. The purpose of the meetings was to obtain BCA's review and input on the proposed Park Impact Fee increase data. I have not yet received a final written position from BCA, however, their staff has indicated that BCA's letter will essentially state that their membership would oppose any fee increase if over 10% of the current fee schedule.

Certainly, the City has a vested interest in working with area builders and developers to help maintain a vibrant local economy and to encourage development of affordable housing units. The key question for the Committee is whether a 10% fee increase would be just right, too, much or not enough to maintain the overall health of the Community and keep pace with the impacts of growth; or, if a larger increase should be considered based on other factors concerning the long range view of the local economy and community service needs.

I look forward to your discussions on this matter.

BOISE PARKS & RECREATION



H. BRENT COLES  
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELLING-PAYNE  
COUNCIL PRESIDENT  
MIKE WETHERELL  
COUNCIL PRO TEM

SARA BAKER  
PAULA B. FORNEY  
M. JEROME MAPP  
JON MASON

March 7, 2001

Trey Knipe  
Knipe, Janoush, Knipe, LLC  
P.O. Box 1696  
608 W Hays  
Boise, ID 83701

Dear Sirs:

Boise Parks & Recreation Department (BPR) is interested in obtaining a brief professional analysis of general land cost trends in the valley between 1990 and 2000. The information is intended to assist Boise City's Development Impact Fee Advisory Committee consider the ramifications of land acquisitions costs relative to park development.

Please provide a cost estimate as soon as possible by fax as we are in need of this analysis by April 5th. BPR's budget allocation does not allow us to exceed spending \$1,499.99.

The report format would consist of the following information. A statement of the purpose of the report, brief analysis of general land cost trends, and a conclusion stating cost increases as \$/acre and as a percentage (%). Enclosed please find a property acquisition report, existing parks and recreation facility inventories and BPR's Comprehensive Park and Recreation System Plan to assist you in this endeavor.

To help you prepare a cost estimate for this work I am providing information regarding park properties acquired during this time period. Park parcels generally contain the following characteristics:

- the land is vacant of structures
- there is at least one significant street frontage bordering the property
- surface irrigation rights are generally available
- zoning is typically A-Open or R-Residential
- utilities are available in at least half the cases
- the shape of the parcel is generally square or rectangular

Please fax your cost estimate and the date by which you can complete the analysis to 384-4127. If the cost estimate is acceptable, I will contact you to proceed to start paperwork. If you have further questions please call me at 384-4060 ext.309 or e-mail [cweston@cityofboise.org](mailto:cweston@cityofboise.org).

Sincerely,

Cheyne Weston, Park Planner



MISSION STATEMENT

Boise Park & Recreation's mission is to enhance Boise's quality of life by working in partnership with the community to foster and support citizen well-being and healthy community environments.

1104 ROYAL BOULEVARD • BOISE, IDAHO 83706-2898 • 208/384-4240 • FAX 208/384-4127

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**Consultation Letter**

**LAND PRICE TREND ANALYSIS**

**Boise Planning Area**

**Boise Parks & Recreation Department  
Boise, Ada County, Idaho  
KJK File ID: 01.3012**

**Client**

Mr. Cheyne Weston, Park Planner  
BOISE PARKS & RECREATION DEPARTMENT  
1104 Royal Boulevard  
Boise, ID 83706

**Effective Date**

April 5, 2001

**Report Date**

April 5, 2001

**Prepared by**

Trey Knipe, MAI,  
Idaho Certified General Appraiser 14

**KNIFE JANOUSH KNIFE, LLC  
Commercial Real Estate Advisory Services**

April 5, 2001

Mr. Cheyne Weston, Park Planner  
Boise Parks & Recreation Department  
1104 Royal Boulevard  
Boise, ID 83706

Re: Consultation Letter regarding land cost trends within the City  
of Boise, Ada County, Idaho.  
Knipe Janoush Knipe, LLC File # 01.3012

Dear Mr. Weston:

In accordance with your request for consulting regarding land cost trends within the City of Boise, we have conducted market investigations, gathered pertinent data, and performed certain analyses necessary for us to prepare the following report. This report is provided for discussion and business planning purposes only and is not intended to be specific to any one property at any particular location. As indicated, this is a consultation letter and is not intended to be an appraisal.

From information gathered for this assignment, together with extensive file data on properties we have appraised over the last decade, we have formed an opinion of the historical land cost trends for residential land prices throughout the city between 1990 and 2000. In forming our opinion, we have focused on residential zoned land since this is the general land classification typically acquired for conversion into city parks and recreation land.

Based on the Comprehensive Park and Recreation Plan System map prepared by the Boise Parks and Recreation Department (BPR), which outlines the six districts noted following, we have directed our attention to these general areas for discussion purposes. The six districts of the city identified by the "Plan System" map, include: the Foothills, North River, Southwest, West Bench, Central Bench and Southeast, as may be noted on the referenced map, a copy of which has been included in the body of the report.

Within each of these districts, the BPR has identified targeted areas (generally) where they envision future parks to be acquired and we have attempted to reflect land price trends in those general areas to the degree possible within our analysis. However, it must be clearly understood by the reader of this report, historical data has been relied upon to the extent of its availability and may or may not fully encompass all areas identified by the "Plan System" map. Where such data was sparse or nonexistent, we have reflected our best estimate for the particular district based on the data available in other districts during that time.



KNIPE  
JANOUSH  
KNIPE  
LLC

Commercial Real Estate  
Advisory Services

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Boise, Idaho 83702

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Knipe Janoush Knipe

Knipe Janoush Knipe  
Certified General Appraisers  
Idaho, Oregon, Washington  
Montana, Colorado, Nevada

Certified General Appraisers  
Idaho, Oregon, Washington  
Montana, Colorado, Nevada

The data and information put forth for this report has been researched with the due diligence expected of a professional real estate appraiser in the course of performing the stated consulting services.

This report is considered the product of both the appraiser and the firm of Knipe Janoush Knipe, LLC. Therefore, we prefer to utilize the plural pronouns ("we", "our", "ours" and "us") in the narrative.

In the interest of disclosure as mandated by the USPAP, Trey Knipe conducted the investigations and analysis presented in the report and has the necessary background and experience to fulfill the Competency Provision of USPAP.

The following consulting report sets forth the six districts referenced above, pertinent facts about the investigations and analyses, and the conclusions set forth. We trust you will find the information contained in the report relevant to your business decisions regarding the property and its environs. Should you have any questions regarding this report, or if we may be of further service to you on this or future projects, please contact us at your convenience.

Respectfully submitted,

Knipe Janoush Knipe, LLC  
Commercial Real Estate Advisory Services

A handwritten signature in black ink, appearing to read 'Trey Knipe', with a large, stylized flourish extending from the end of the signature.

Trey Knipe, MAI

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Assumptions & Limiting Conditions  
Letter from Client with attachments  
Qualifications of Consultant

### Certificate of Consultation Report

I certify to the best of my knowledge and belief, as of April 5, 2001:

1. All statements contained in this consulting report are believed to be true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and is my personal, unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this consulting report, and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the estimates made, the attainment of a stipulated result, or the occurrence of a subsequent event. The consulting assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
5. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics of the Appraisal Institute and the Uniform Standards of Professional Appraisal Practice.
6. The use of this consulting report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
7. Trey Knipe, MAI, is familiar with the property type that is the subject of this report.
8. No one provided significant professional assistance to the person signing this report.
9. I have the necessary level of knowledge and experience to credibly estimate the market trends discussed for property type and to provide a professional consulting report in accordance with the Uniform Standards of Professional Appraisal Practice.
10. As of the date of this consulting report, I have completed the requirements of the continuing education program of the Appraisal Institute and the states, which I am certified.
11. Trey Knipe has met the professional license/certification requirements for real estate appraisers practicing in the States of Idaho, Oregon and Montana. He is a State Certified General Appraiser, and has been issued Certificate No. CGA-14 in the State of Idaho, Certificate No. C000466 in the State of Oregon and Certificate No. 502 in the State of Montana.

**Specific and Extraordinary Assumptions & Limiting Conditions**

This report is study of residentially zoned land price trends over the period between 1990 and 2000 within the City of Boise, Ada County, Idaho. The price points reflected within the analysis represent data from the market during the referenced time.

The historical data has been relied upon to the extent of its availability and may or may not fully encompass all areas identified by the "Plan System" map. Where such data was sparse or nonexistent, we have reflected our best estimate for the particular district based on the data available in other districts during that time.

Respectfully submitted,

Knipe Janoush Knipe, LLC  
Commercial Real Estate Advisory Services



Trey Knipe, MAI

## Overview of Assumptions and Limiting Conditions

### Overview

In the course of the normal consulting process, situations arise wherein we must make standard (generic) and specific and/or extraordinary assumptions with regard to information not readily available to us. All Standard, Specific and/or Extraordinary Assumptions & Limiting Conditions, which may appear in the report, are believed to be compatible with generally accepted appraisal principles, Uniform Standards of Professional Appraisal Practice (USPAP), and Appraisal Institute requirements. All are to be considered a part of the report, and the reader is advised that acceptance of the report constitutes acceptance of all Assumptions and Limiting Conditions.

### Standard Underlying Assumptions & Limiting Conditions

Standard Assumptions and Limiting Conditions include such issues as construction components of proposed construction; adaptability of soils to development; existence of typical easements, etc. Such generic assumptions are provided for in the Standard (Generic) Underlying Assumptions and Limiting Conditions, located in the Addenda of the report. The reader is encouraged to peruse this section of the report at this point.

### Specific and Extraordinary Underlying Assumptions & Limiting Conditions

More Specific Assumptions & Limiting Conditions are sometimes required depending upon the individual nature of the consulting problem, and are clearly disclosed in the Certificate of Consulting Report, and/or in the discussions within the report to which they pertain. These assumptions are of matters, which we have no knowledge, expertise, or timely ability to clarify.

Standard Rule 2-1c of the Uniform Standards of Professional Appraisal Practice require, as applicable to the consulting problem, clear and accurate disclosure of, and an indication of any impact on value of, a third classification of assumption: "extraordinary assumptions and limiting conditions" that directly affect the outcome of the estimates. In the event any specific and/or extraordinary assumptions and limiting conditions are deemed relevant to the subject and its evaluation, they will be set forth in the Certificate of Consulting Report, and/or in the discussions within the report to which they pertain.

**Summary of Important Facts & Conclusions**

**Property Type:** Residential Zoned Acreage

**Location:** Six identified districts within the Planning Area Boundary of Boise, Ada County, Idaho, as noted following: Foothills, North River, Southwest, West Bench, Central Bench and Southeast.

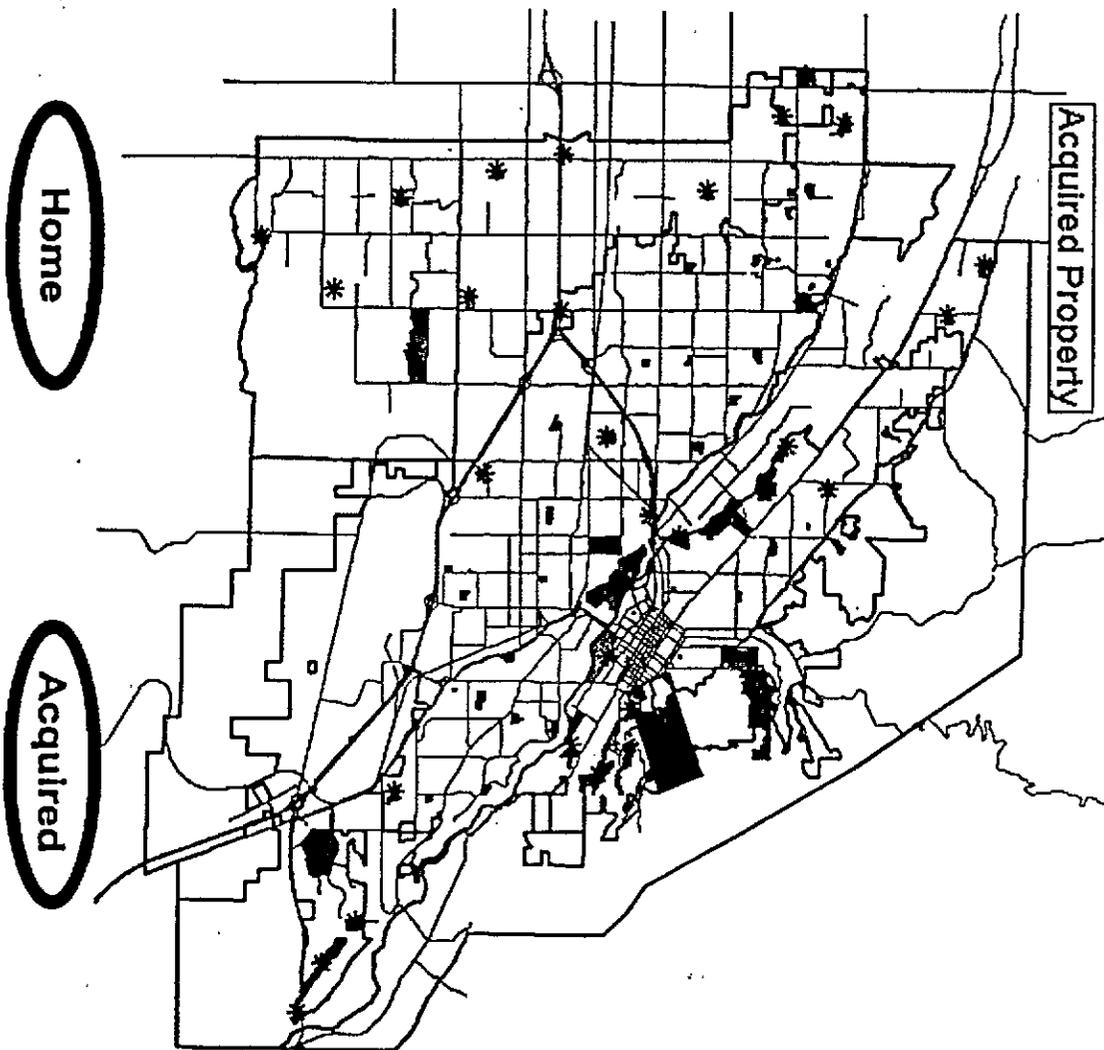
**Parcel Size/Configuration:** Parcel sizes identified for neighborhood parks are targeted in the range of 5.5 to 7 acres in size and are typically square or rectangular shaped, with adequate street frontage.

**Zoning:** The "R" Zoning District; RR, RT, R-1, R-2, R-3 R-4, and R-8

**Date of the Report:** As indicated on Letter of Transmittal

**Price/Rate Trends Estimated:**

Typical Annual Appreciation Rate:	15% TO 25%/Year
Current Average Price/Acre:	\$35,000 to \$40,000



Home

Acquired

To Acquire

PROPERTY # & #	County	Area	Year
MARSHBURN V-3-SU	V-3-SU	39.0	FY82
ARMY V-3-SU	V-3-SU	2.1	FY83
ARMY V-3-SU	V-3-SU	7.0	FY84
MADEIRA V-21-C	V-21-C	20.0	FY84
PADINA II-1-C	M-1-C	25.0	FY85
BARBAROUS		7.0	FY85
WESLEY CREEK V-2-G (BURNETT)	V-2-G	10.0	FY85
WESLEY CREEK V-2-G (DICKIN)	V-2-G	10.0	FY85
WYCKOFF II-10-N	M-10-N	8.9	FY85
CASTLE ROCK - Open Space	OS	48.0	FY86
HILLS GLEN - Open Space	OS	100.0	FY86
BILBLET V-22-N	V-22-N	7.0	FY86
MAHLE V-17-N	V-17-N	1.8	FY86
ROSEBUD III - 11-N	M-11-N	27.0	FY86
FOYON W-10-N	M-10-N	7.9	FY86
WYCKOFF V-11-N	V-11-N	13.5	FY86
FURNISSON II-4-N	M-4-N	1.5	FY86
HALLWAY II-4-N	M-4-N	1.9	FY86
BAYNE II-4-N	M-4-N	3.2	FY86
NORTH V-3-SU	V-3-SU	0.8	FY86
LARDOCH V-24-N	V-24-N	7.0	FY86
WARM SPRINGS PARK		5.6	FY86
POTTERY COUNTRY V-21-N	V-21-N	16.0	FY86
FORTMORRIS V-21-N	V-21-N	14.9	FY86
JONES - Open Space	OS	0.7	FY86
Open Space Trail	OS	1.0	FY86
MACCORD - Open Space	OS	20.0	FY87
OSWALD HAYDEN OPEN SPACE	OS	37.0	FY87
LARGENTON V-24 LUSU	V-24-SU	163.0	FY87
WALL - Open Space	OS	47.6	FY87/FY88
OREGON TRAIL/ID Open Space	OS	17.0	FY88
HILL GARDEN/BLM	OS	78.0	FY88
HILL GLEN/Audubon	OS	54.0	FY88
GARDEN BIRCH/Luxor	OS	0.5	FY88
EMERSON and acreage parcel		2.0	FY88
MARIE STREET		0.1	FY89
OSWALD TRAIL (BLM) RPP	OS	46.3	FY89
OSWALD HAYDEN CREEK SUBDIVISION	OS	0.9	FY89
SURPRISE VALLEY		3.0	FY89
RYAN PARCEL	UNDEVELOPED	1.5	FY90
JENSEN PARCEL	V-9-C	66.2	FY90



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## Definitions, Descriptions & Analyses

### Purpose of the Consulting Report

The purpose of this consulting report is to estimate the average annual appreciation rate for the identified land classification, together with the current average price per acre in the appropriate district, and to clearly communicate the data and reasoning leading to the formulation of the identified conclusions.

### Intended Use of the Study

It is the understanding of *Knipe Janoush Knipe, LLC*, the intended use of this report is to evaluate the property class in order to make decisions regarding future land acquisitions in the identified areas.

### Intended User of the Study

The client for this consulting report is the Boise Parks and Recreation Department. The intended users of this report are the client, the Development Impact Fee Advisory Committee and their assigns.

### Identification of the Property

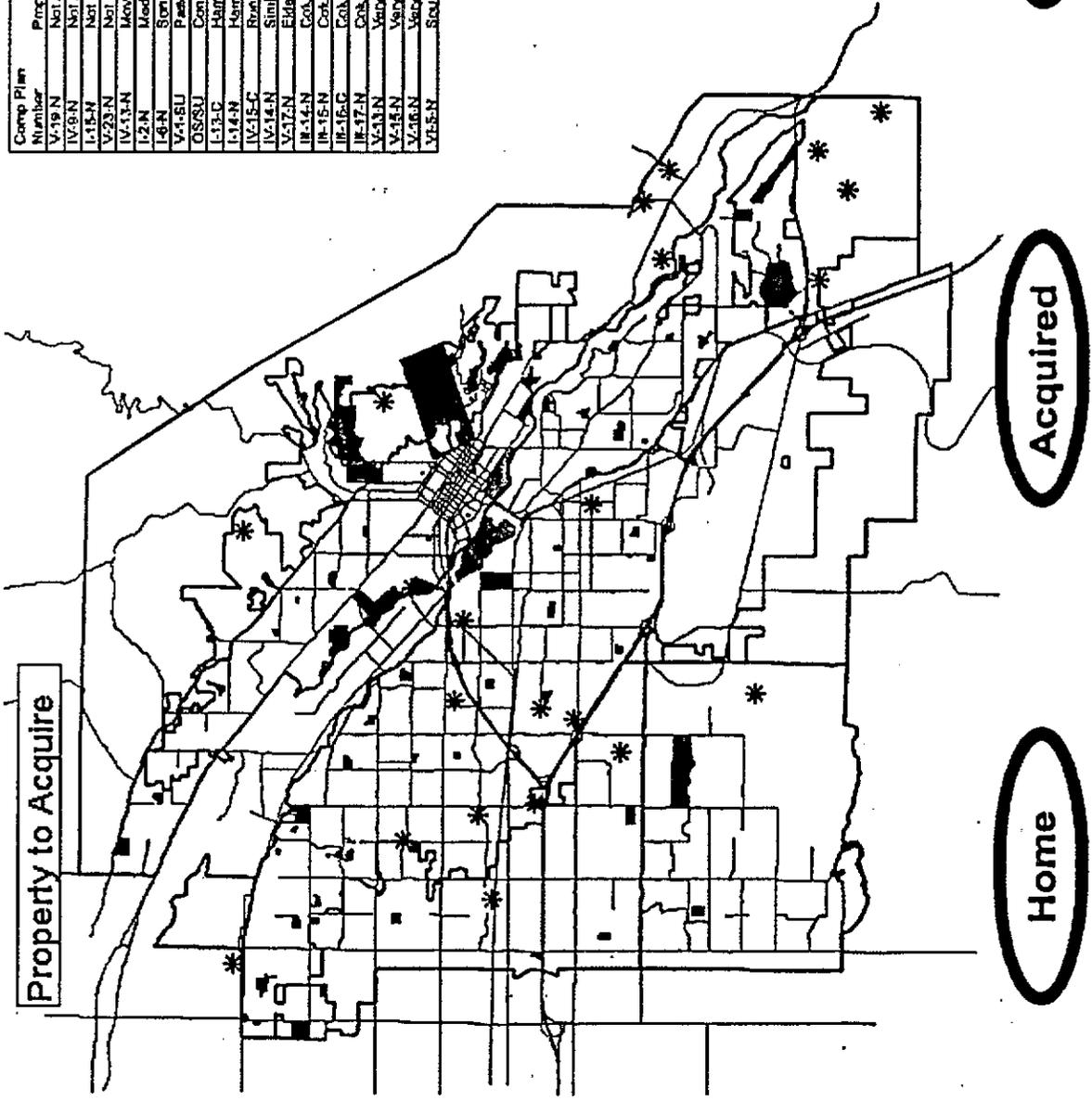
#### Common Description:

The property evaluated for this assignment is identified by the Comprehensive Park and Recreation Plan System map which outlines six districts within the City of Boise, Ada County, Idaho, as noted following: Foothills, North River, Southwest, West Bench, Central Bench and Southeast, as may be noted on the facing map.

### Scope of the Assignment

Real property consulting is the systematic acquisition, classification, analysis and presentation of data directed at the goal of arriving at a reliable and supportable opinion of the issues discussed for a subject property. While relevant and necessary investigations were undertaken in the local marketplace to identify and summarize comparable market data, which assisted us in the formulation of our opinions, the scope of the analysis was limited by the amount of time allotted for the assignment by the client. Notwithstanding, the trends indicated are believed reliable for business planning purposes.

Camp Plan Number	Property	Priority	ACRES	EST. COST
V-19-N	Not Available	0	7.0	7.0
V-9-N	Not Available	0	7.0	7.0
V-15-N	Not Needed	0		
V-23-N	Not Needed	0		
V-13-N	Moved	0		
V-2-N	Medicine Creek	1	5.0	0
V-1-N	Bonanza	2	5.0	75,000
V-1-6U	Pastan	3	25.0	1,000,000
OS/SU	Controlled Concrete	4	37.2	645,000
V-13-C	Harris Ranch	5	36.0	1,550,000
V-14-N	Harris Ranch	6	7.0	200,000
V-15-C	Bonanza Catholic Church	7	14.0	475,000
V-14-N	Simultaneous	8	7.0	350,000
V-17-N	Elgin	9	3.5	105,000
V-14-N	Columbia Development	10	7.0	200,000
V-15-N	Columbia Development	11	7.0	200,000
V-15-C	Columbia Development	12	15.0	450,000
V-17-N	Columbia Development	13	7.0	200,000
V-18-N	Very difficult to acquire	14	7.0	
V-18-N	Very difficult to acquire	15	7.0	
V-16-N	Very difficult to acquire	16	7.0	
V-15-N	Southwest Methodist Hospital	17	7.0	200,000



Property to Acquire

Home

Acquired

To Acquire

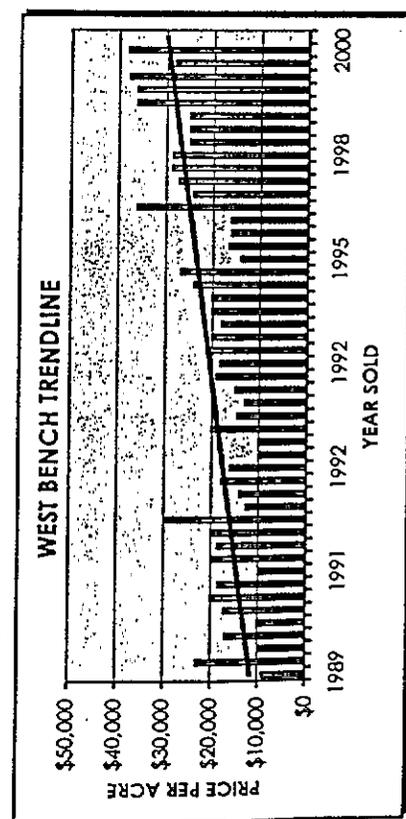
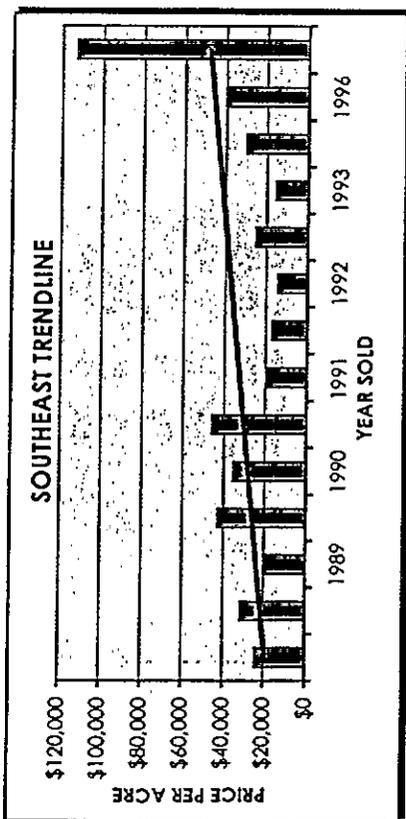
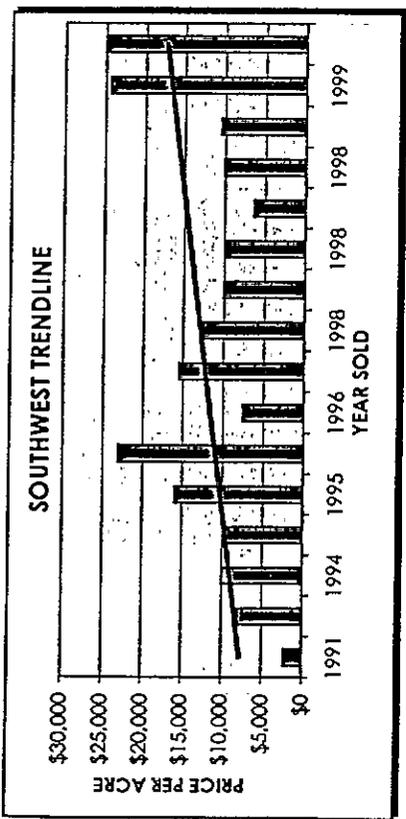


For this assignment, the subject property is a defined area within the Planning Area Boundary of the City of Boise, which may be more succinctly described in the six delineated districts within the Plan System, as follows:

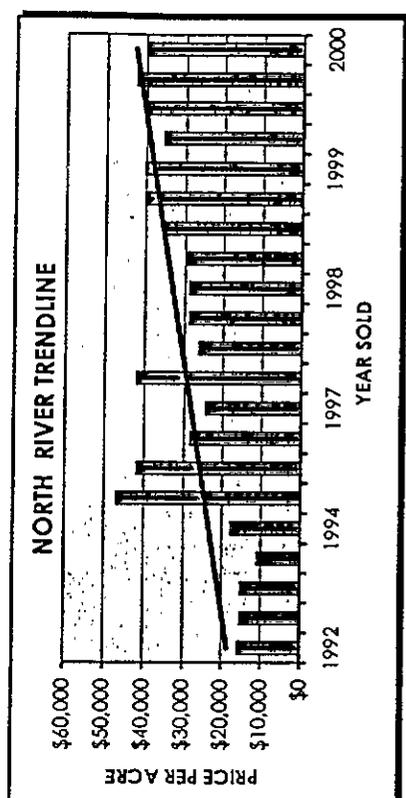
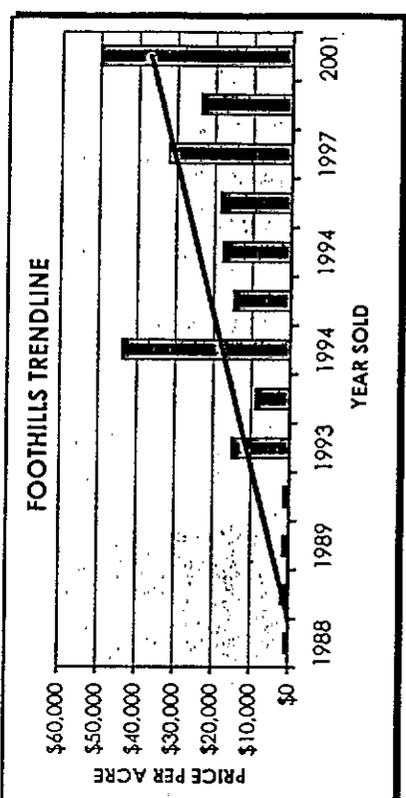
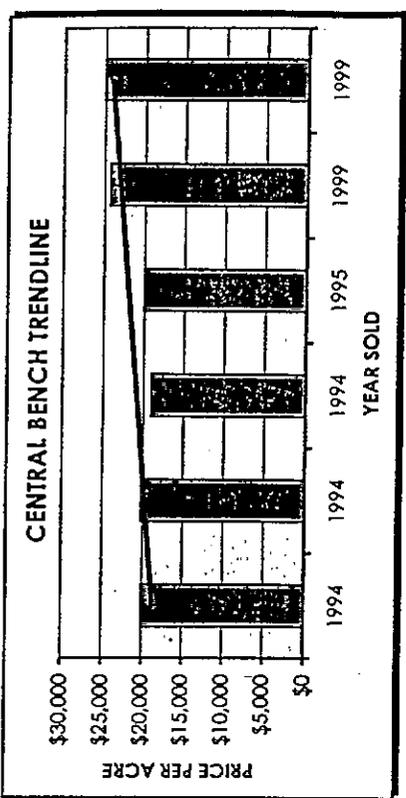
- Foothills – generally running north of existing development in the foothills to the Planning Area Boundary, Five Mile Road (extended) to the west, Eckert Road to the East (Harris Ranch), and south to Hill Road on the west and the Boise River on the east.
- North River – generally running north to the south boundary established above for the Foothills District, south to the Boise River (jogging to State Street at Lake Harbor), west to Five Mile Road (extended), and east to the end of Warm Springs Golf Course.
- West Bench - generally running north along the boundary established for the City Limits of Garden City, south to Victory Road, west to a ¼ mile west of Eagle Road jogging east to a ¼ mile west of Cloverdale Road at Ustick Road, and the eastern boundary is established by the "Flying Y".
- Southwest - generally running north to the boundary established above for the south boundary of the West Bench District or Victory Road, west to a ¼ mile west of Cloverdale Road, south to Kuna Mora Road, which is also the Planning Area Boundary to the south, and on the east South Curtis Road.
- Central Bench – is an irregular shape formed on the west boundary by the "Flying Y" which is then bisected by Curtis Road, the Planning Area Boundary to the south forms the south boundary which is generally past the City Limits of Boise approximately one mile, the east boundary is I-84 at the south end of the district jogging into Federal Way and then Capitol Boulevard, and the north boundary is formed by the Boise River.
- Southeast – is a triangular shaped parcel with the northeast boundary represented by the Boise River, the southwest boundary represented by Federal Way jogging into I-84 at the extreme south end, and the southern end of the district is formed by the Planning Area Boundary.

For this assignment, we considered file data over the past decade appraising numerous subdivisions throughout the planning district. In addition, we have also considered arms length transactions of land acquisitions made by the city for parks and recreation land. Finally, we considered over 250 comparable land sales that were plotted to establish valuation trends over the 10-year period of study. The analyzed data was then utilized as a basis for this analysis.

1990 2000



2576



## Synopsis of the Consulting Problem

At the request of the client, we have attempted to quantify price trends over the past decade by assembling file data and incorporating land acquisition data from the BPR for the six broad districts outlined. Additionally, based on our significant involvement in residential subdivisions throughout the valley, we have also set forth general parameters for current price trends within each of the six districts.

## Analyses of the Data

The data gathered for this assignment has been summarized on spreadsheets and analyzed on trendlines for each of the six districts, as set forth on the facing page.

Given the broad range of the data available for analysis, there is a variety of factors influencing land prices in each of the six districts referenced, which significantly affect price trends. The primary factor influencing the price paid is allowable or developable density as it relates to the highest and best use of a parcel. The greater the density, the higher the unit price, since the greatest influence on price is underlying economics relating to density. While higher density zoned land will typically yield a higher unit price, all other factors being equal, there is also the issue of size as it relates to economies of scale and physical characteristics such as the availability of utilities.

Because of the limited scope of our analysis as it relates the time allotted for the assignment, we have not attempted to break down the data into the various zoning classifications, or adjust for size differences. While all of the sales are residentially zoned, they vary somewhat in allowable density, utilities available to the site, and differences in size. As the trends indicate, there is broad disparity in the sale data, but importantly, all the trends point to significantly upward trending land prices over the time-period of the data presented.

For example, in the West Bench District where the data is most plentiful due to the significant growth experienced in this area over the last 10-12 years, residential acreage prices started the decade at about \$10,000 per acre, and have escalated to about \$40,000 per acre today. This represents about a 300% increase over the time-period from the end of 1989 to 2001, or about 25% per year straight-line. While this rate of increase appears uncharacteristically high based on what we have been able to verify through the analysis of sale/resale data in the marketplace, as the data indicates, there is no question we have seen significant increases in land prices during this time frame.

Sale/resale data we have analyzed during the course of our appraisal work over this period indicates land appreciation rates over shorter time spans have typically ranged from about 8% to 22%, but over a longer time-period, and considering that land does not necessarily move in a straight-line pattern, the data presented obviously suggests even greater appreciation.

The same is true in all of the other districts, to varying degrees. While the Central Bench District indicates the flattest line, or weakest growth rate of the districts represented, this may have more to do with the limited amount of data available from this district for analysis, rather than an indication of a slower pace of growth. This is also true of the Southeast District where we know land prices have continued to escalate based on land residual analyses we've done using lot prices from developments such as Harris Ranch, but there are no new significant sales available for consideration to otherwise support this observation.

Clearly, land prices have continued to escalate. While most of the districts reflect aberrations in the price trends indicated, this has more to do with smaller parcels and/or higher densities than true aberrations of the data. For example, high-density multifamily-zoned land within the city, today ranges in price from about \$110,000 to \$150,000 per acre, discounting any influence from amenities or property influenced by water. Several of the land acquisitions made by the BPR reflect prices in this range, which sales were undoubtedly influenced in some way by either size or zoning.

Although subdivision land is typically selling in the range of \$40,000 per acre in the western planning districts as of the current date, this is for fully serviced areas with normal development costs. The Foothills District is perhaps the most difficult district to estimate value since development costs can vary so dramatically, which obviously impacts the price that can reasonably be paid for the underlying land. The southern parts of the south districts will typically yield the best land prices, resulting from a lack of services in most cases. Those districts that are built-out and occasionally offer infill parcels will be the most expensive, followed closely by the higher density zoned parcels within all of the districts.

In the final analysis, the trends indicated by the data within each of the districts speak for themselves. While additional data may be added to any of the districts, it is doubtful the trends indicated will change; only the magnitude of change. Even though growth has occurred in each of the six districts at a double-digit pace, continued growth at these levels cannot necessarily be foretold from these historical trends. Obviously, much depends on the health of the national economy and its impact on the local business climate. Notwithstanding a downturn in the local economy, it can reasonably be anticipated that land prices will continue their upward trend, albeit at a slower pace than that which has been evidenced over the past decade.

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# BCA BUILDING CONTRACTORS ASSOCIATION OF SOUTHWESTERN IDAHO, INC.

"A Tradition of Building Excellence Since 1956"

6206 N. Discovery Way, Suite A  
Boise, Idaho 83713  
(208) 377-3550  
(208) 377-3553 fax



June 12, 2001

David Selvage  
Boise Parks and Recreation  
1104 Royal Boulevard  
Boise, ID 83706

Dear David:

Thank you for taking the time to meet with the Building Contractors Association's Developers Council on May 21, 2001, to discuss Park Impact Fees. Your presentation provided valuable insight into the request by the Parks and Recreation Department to increase said fees.

It is the opinion of the BCA Developers Council (The Council) that any increase in park impact fees by Boise City should be limited to ten percent – preferably less. The Council recognizes that development costs have increased in the recent term by five to seven percent, and would be more comfortable with an increase along those lines.

The Council also believes that any increase in fees should be tied to cost saving approaches by the Department as discussed at the May meeting. As we continue the discussion of impact fees, such innovative approaches will be vital to assuring future requests for increases are not an annual occurrence.

Increased use of Development Agreements can save (and have saved) up to fifty percent of the cost of building a park by transferring responsibility for construction to the developer. Simplification of the Development Agreement process could lead to more participation from the development community, and significant construction cost savings for the Department.

Long term contracts for materials and services could also be utilized in order to take advantage of the economies of scale they provide. Also, hiring subcontractors directly to provide specialized services, such as parking lot construction, could mean additional savings. The Council recognizes that such subcontracting puts additional administrative burdens on Parks and Recreation staff to act as Project Managers, but believes the option has tremendous potential to save needed funds, and should be thoroughly explored.

Again, thank you for including the BCA Developers Council in your decision process. We appreciate the time and effort you, and your staff, have expended in communicating and working with our Association. We look forward to continuing a positive working relationship in the future.

Sincerely,

Burt Smith, President  
BCASWI

cc: Mayor Brent Coles

BOISE PARKS & RECREATION



H. BRENT COLES  
MAYOR

COUNCIL MEMBERS

CAROLYN TERTELING-PAYNE  
COUNCIL PRESIDENT  
MIKE WETHERELL  
COUNCIL PRO TEM

SARA BAKER  
PAULA B. FORNEY  
M. JEROME MAPP  
JON MASON

March 5, 2001

John Eaton, Government Affairs Director  
Building Contractors Association of Southwestern Idaho  
6206 N. Discovery Way  
Boise, Idaho 83713

Dear Sirs:

Boise City Development Impact Fee Advisory Committee has directed that I request a meeting with BCA's Developer's Council to discuss the enclosed park development cost data in relation to a park fee increase. I would like to request you schedule a meeting at your earliest convenience.

Please call me at 384-4060 ext. 310.

Sincerely,

David Selvage,  
Fee Administrator

cc: Development Impact Fee Advisory Committee  
James R. Hall, BPR Director  
Tom Governale, BPR Supt. Resources  
C.H. Weston, PBR Park Planner



MISSION STATEMENT

Boise Park & Recreation's mission is to enhance Boise's quality of life by working in partnership with the community to foster and support citizen well-being and healthy community environments.

1104 ROYAL BOULEVARD • BOISE, IDAHO 83706-2898 • 208/384-4240 • FAX 208/384-4127

An Equal Opportunity Employer

Printed on recycled paper

**Park Administrative Fee  
Background Materials**

# Memo

**To:** Dave Selvage, BPR Manager - Planning & Design  
**From:** C.H. Weston, Park Planner  
**Date:** January 7, 2001  
**Subject:** Use of Park Impact Fees to Fund Comprehensive Park & Rec System Plan

You asked that I research and make recommendation whether it is appropriate or not to use park impact fees to update the Boise Comprehensive Park and Recreation System Plan. The short answer is no. I cannot find a provision that allows BPR to use park impact fees directly to update the Plan. Idaho Code however, lists two methods cited in the Code section below.

The Boise City Council, in adopting the impact fee ordinance April 12, 1994 determined that any capital improvement funded wholly or in part with impact fee revenue would first be included in an approved capital improvement plan, listing capital improvements that could be funded with impact fee revenues as well as estimated costs and timing for each improvement. The updating of plans is viewed as an administrative function and therefore does not qualify for direct funding. What is important to note in analyzing capital improvement funding is that capital improvement or system plans are required by Idaho Code Ordinance#5532 to be updated on a five-year schedule. That time period has obviously come and gone. I recommend we seek funding from mayor and Council as soon as possible. Fortunately, Idaho Code provides some other alternatives to fund comprehensive plans used in capital improvement programming.

**Idaho Code** - System improvements or capital improvements mean costs incurred for construction or reconstruction of system improvements which include design, acquisition, engineering, and other attributable costs to system improvement costs do not include: (e) Administrative and operating costs of the government entity unless such costs are attributable to development of the capital improvement plan, as provided in section 67-8208, Idaho Code.

## 67-8208. Capital Improvements Plan

(1) Each government entity intending to impose a development impact fee shall prepare a capital improvement plan. That portion of the cost of preparing a capital improvements plan which is attributable to determining the development impact fee may be **funded by:**

**a one (1) time ad valorem levy exempt from the provisions of sections 63-2225 and 63-923, Idaho Code, which does not exceed two one-hundredths per cent (.02%) of market value or,**

**by a surcharge imposed by ordinance on the collection of a development impact fee which surcharge does not exceed the development's proportionate share of the cost of preparing the plan.** For governmental entities required to undertake comprehensive planning pursuant to chapter 65, title 67, Idaho Code, such capital improvements plan shall be prepared and adopted according to the requirements contained in the local planning act, section 67-6509, Idaho Code, and shall be included as an element of the comprehensive plan. The capital improvements plan shall be prepared by qualified professionals in fields relating to finance, engineering, planning and transportation. The persons preparing the plan shall consult with the development impact fee advisory committee.

**Conclusion:** The Comprehensive Park and Recreation System Plan is necessary in determining the capital improvement needs of the City for Parks & Recreation. Considering the funding choices available, I believe using the surcharge (method) to fund future updates to the plan would be a good choice. This alternative avoids fundamental property tax related challenges which the other alternative may have difficulty with getting approved. Another alternative but appropriate to discuss since time is an issue, would be to request the Mayor and Council appropriate the necessary monies from the general fund. This method would no doubt prove to be the most expedient.

**DAVID Selvage - Re: Research to Determine if appropriate to use of Impact Fees to Fund Comp Plan Update**

---

**From:** Ted Baird  
**To:** Weston, Cheyne  
**Date:** 1/31/2001 1:00 PM  
**Subject:** Re: Research to Determine if appropriate to use of Impact Fees to Fund Comp Plan Update  
**CC:** Selvage, DAVID

---

I have reviewed Cheyne's Memo and reviewed the relevant statutes. I agree with your analysis and conclusions.

>>> Cheyne Weston 01/26/01 09:33AM >>>  
See attached.

interoffice  
MEMORANDUM

---

**DATE:** March 13, 2001

**TO:** David Selvage, Park Impact Fee Administrator

**FROM:** James R. Hall, Director  
Boise Parks & Recreation Department

**SUBJ:** Park Impact Fee Ordinance - Administrative Fee proposal

I have reviewed the memo regarding eligibility for use of park impact fees for purpose of updating the Comprehensive Parks & Recreation System Plan and Five Year Capital Budget. I request the Development Impact Fee Advisory Committee explore development and implementation of an Administrative Fee as provided for by State Law to help offset the future cost of up-dating the Comprehensive Parks & Recreation Plan and 5 year Capital Plan to address community needs associated with growth. I recommend that the administrative fee charge be advanced as part of the current park impact fee increase proposal.

cc: Development Impact Fee Advisory Committee  
Tom Governale, Supt. Resources  
Mollie Holt, Supt. Admin.  
Cheyne Weston, Park Planner  
Ted Baird, Deputy City Attorney

# Memo

**To:** Development Impact Fee Advisory Committee  
**From:** C. H. Weston, Park Planner  
**Date:** April 5, 2001  
**Subject:** Administrative charge to cover future Comprehensive Park Plan Updates

James R. Hall, Boise Parks and Recreation Department Director, in a memo dated March 13, 2001 requested this Committee explore the development and implementation of an Administrative Fee to off-set the cost of up-dating the Comprehensive Parks and Recreation Plan and 5 year Capital Plan. Idaho Code, Title 67-82, allows for

a surcharge imposed by ordinance on the collection of a development impact fee which surcharge does not exceed the development's proportionate share of the cost of preparing the plan.

The original Boise Comprehensive Park and Recreation System Plan (Technical Report) adopted September 28, 1993 was funded by general fund dollars at a cost of \$93,000. The Plan update, scheduled for 2002 will address changes brought on by new growth and is estimated to cost approximately \$85,000. Again, the monies requested to cover the cost of the updating the Plan are anticipated to come from general fund. Utilizing a surcharge, as provided for by Ordinance, would eliminate the need to request these general fund dollars from Mayor and Council and give us the ability to update the Plan in an orderly five year cycle.

Since collection of development impact fees began in 1994 until December 31, 2000, approximately 12,600 residential building permits were issued. This equates to approximately 1,938 permits issued per year. Based on permit history, approximately 56% of the permits issued were single family residential, 36% multi-family and 8% motel/hotel mix. If we were to assume that the city were to grow at the modest rate of 3% over the next 5 years and that growth rates would equate to roughly a 20% reduction in the amount of permits generated or 7,750 permits (or 1,550 permits per year x 5), and \$5 administrative fee were charged for each new single family dwelling multiplied by the average persons/unit, the following administrative fee schedule would generate approximately \$ 77,989.

**interoffice**  
MEMORANDUM

**DATE:** June 11, 2001

**TO:** Development Impact Fee Advisory Committee Members

**FROM:** Cheyne Weston, Park Planner  
Boise Parks & Recreation Department

**SUBJ:** Proposed Administrative Fee to cover future Comprehensive Parks and Recreation Plan and 5 Year Capital Plan Updates

Boise Parks and Recreation Director, James R. Hall, in a memo dated March 13, 2001, requested that the Committee explore development and implementation of an Administrative Fee as provided for by State Law to help offset the future cost of up-dating future Comprehensive Parks and Recreation Plan Updates. Mr Hall also made recommendation that the proposed administrative fee charge be advanced as part of the current park impact fee increase proposal.

The proposed Administrative Fee assumes the following. A reasonable administrative rate fee (example - \$3.50) would be multiplied by the number of persons per unit type to determine a reasonable and proportionate fee. This figure would then be multiplied over a 5-year time horizon to determine expected revenue generation needed to fund future Plan Updates. (Note. Slowing of the economy can effect revenue generation and vice versa ).

<u>Average # Units/ Year</u>	<u>Single Family Building:</u>		<u>Revenue Generation:</u>	
	<u>5 Years</u>	<u>Proportionate Fee Calculation</u>	<u>1 Year</u>	<u>5 Years</u>
1,420	7,100	\$3.50 x 2.28 Persons/Unit = \$7.98	\$11,332	56,660
<u>Average # Units/Year</u>	<u>Multi-Family Building</u>		<u>1 Year</u>	<u>5 Years</u>
	<u>5 Years</u>	<u>Proportionate Fee Calculation</u>		
584	2,920	\$3.50 x 1.81 Persons/Unit = \$6.34	\$3,703	\$18,515
<u>Average # Units/Year</u>	<u>Hotel/Motel Building</u>		<u>1 Year</u>	<u>5 Years</u>
	<u>5 Years</u>	<u>Proportionate Fee Calculation</u>		
151	755	\$3.50 x 0.71 Persons/Unit = \$2.49	\$376	\$1,880
			<b>TOTAL</b>	<b>\$15,411</b>
				<b>\$77,055</b>

In summary, staff believes that future plan updates will require between \$70,000 - \$80,000 to adequately fund the updating of future Comprehensive Park and Recreation System Plans and associated 5 Year Capital Plans. The burden of paying for these future plan updates rests with those persons requesting application to expand city facilities brought on by new growth. These requests should not adversely effect existing city taxpayers. Staff recommends that the Committee review this proposed Administrative Fee strategy so that we can make adjustments, if necessary, and proceed to making recommendation to Mayor and Council.

NOTICE OF PUBLIC HEARING  
PROPOSED PARK IMPACT FEE SURCHARGE  
PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
PROPOSED AMENDMENT TO THE PARK IMPACT FEE METHODOLOGY  
CITY OF BOISE, IDAHO

Title of Proposed Ordinance \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance and supporting documentation is available to the public, upon request, at the office of the City Clerk at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

In compliance with Idaho Code 67-8206, NOTICE IS HEREBY GIVEN that the Mayor and Council have set **December 11, 2001** \*, in Council Chambers of City Hall, when Council meets in regular session, commencing at 7:30 P.M., as the time and place for a public hearing thereon, at which time and place any member of the public affected by the proposed Ordinance may have the right to appear at the public hearing and present evidence regarding the proposals. Written or oral comments regarding the new fee, fee increase, and amended methodology are welcome.

Auxiliary aids or services are available upon request.

Please call the City Clerk's office at 384-3710 three days prior to the hearing date so that arrangements can be made.

BY ORDER OF THE MAYOR AND COUNCIL

DATED THIS 7TH DAY OF NOVEMBER, 2001.

\_\_\_\_\_  
ANNETTE P. MOONEY, CITY CLERK

PLEASE PUBLISH ON: FRIDAY NOVEMBER 16, 23, AND 30.

NOTICE OF PUBLIC HEARING  
PROPOSED PARK IMPACT FEE SURCHARGE  
PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
PROPOSED AMENDMENT TO THE PARK IMPACT FEE METHODOLOGY  
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Auxiliary aids or services are available upon request.  
Please call the City Clerk's office at 384-3710 three days prior to the hearing date so that arrangements can be made.

BY ORDER OF THE MAYOR AND COUNCIL

DATED THIS 7TH DAY OF NOVEMBER, 2001.

ANNETTE P. MOONEY, CITY CLERK

~~Wendy Burrows - The Notice Requirements for an Impact Fee Increase.~~

---

From: Ted Baird  
 To: Burrows, Wendy ; MOONEY, ANNETTE  
 Date: 11/2/01 2:14 PM  
 Subject: The Notice Requirements for an Impact Fee Increase.  
 CC: Selvage, DAVID

---

Annette,

Here is the statute that sets forth the newspaper notice requirements for the impact fee increases. We are also adding a new administrative fee. The ordinance will therefore be an ordinance amending the impact fees as discussed under section (5) below, which refers back to section (3) regarding notice requirements.

Now that I am taking a closer look at it, I see why there have traditionally been three published notices: The first two fall in the "not less than 15, but not more than 30 day" window. The third published notice is referred to as the "second notice" to be published at least 7 days prior to the hearing.

As we discussed in our phone conversation, you would like the Council to approve the scheduling of the hearing at their 11/13 meeting. If they approve a 12/11 hearing, here is what I would propose for the notice publication: 11/16, 11/23, and 11/30. The Ordinance could have its first reading at the 11/27 meeting, and the final reading could occur on the same date as the 12/11 public hearing. Does this make sense to you, Annette?

Ted Baird

TITLE 67  
 STATE GOVERNMENT AND STATE AFFAIRS  
 CHAPTER 82  
 DEVELOPMENT IMPACT FEES

67-8206. PROCEDURE FOR THE IMPOSITION OF DEVELOPMENT IMPACT FEES. (1) A development impact fee shall be imposed by a governmental entity in compliance with the provisions set forth in this section.

(2) A capital improvements plan shall be developed in coordination with the development impact fee advisory committee utilizing the land use assumptions most recently adopted by the appropriate land use planning agency or agencies.

(3) At least one (1) public hearing shall be held to consider adoption, amendment, or repeal of a capital improvements plan. Two (2) notices, at least one (1) week apart, of the time, place and purpose of the hearing shall be published not less than fifteen (15) nor more than thirty (30) days before the scheduled date of the hearing, in a newspaper of general circulation within the jurisdiction of the governmental entity. A second notice of the hearing on adoption of the capital improvements plan, containing the same information, shall be published in the same manner at least seven (7) days before the scheduled date of the hearing. Such notices shall also include a statement that the governmental entity shall make available to the public, upon request, the following: proposed land use assumptions, a copy of the proposed capital improvements plan or amendments thereto, and a statement that any member of the public affected by the capital improvements plan or amendments shall have the right to appear at the public hearing and present evidence regarding the proposed capital improvements plan or amendments. The governmental entity shall send notice of the intent to hold a public hearing by mail to any person who has requested in writing notification of the hearing date at least fifteen (15) days prior to the hearing date, provided that the governmental entity may require that any person making such request renew the request for

notification, not more frequently than once each year, in accordance with a schedule determined by the governmental entity, in order to continue receiving such notices.

(4) If the governmental entity makes a material change in the capital improvements plan or amendment, further notice and hearing may be provided before the governmental entity adopts the revision if the governmental entity makes a finding that further notice and hearing are required in the public interest.

(5) Following adoption of the initial capital improvements plan, a governmental entity shall conduct a public hearing to consider adoption of an ordinance authorizing the imposition of development impact fees or any amendment thereof. Notice of the hearing shall be provided in the same manner as set forth in subsection (3) of this section for adoption of a capital improvements plan.

(6) Nothing contained in this section shall be construed to alter the procedures for adoption of an ordinance by the governmental entity. Provided, however, a development impact fee ordinance shall not be adopted as an emergency measure and shall not take effect earlier than thirty (30) days subsequent to adoption.

NOTICE OF PUBLIC HEARING  
PROPOSED PARK IMPACT FEE SURCHARGE  
PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
PROPOSED AMENDMENT TO THE PARK IMPACT FEE METHODOLOGY  
CITY OF BOISE, IDAHO

Title of Proposed Ordinance \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance and supporting documentation is available to the public, upon request, at the office of the City Clerk at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m. to 5:00 p.m.

In compliance with Idaho Code 67-8206, NOTICE IS HEREBY GIVEN that the Mayor and Council have set December 11, 2001 \*, in Council Chambers of City Hall, when Council meets in regular session, commencing at 7:30 P.M., as the time and place for a public hearing thereon, at which time and place any member of the public affected by the proposed Ordinance may have the right to appear at the public hearing and present evidence regarding the proposals. Written or oral comments regarding the new fee, fee increase, and amended methodology are welcome.

Auxiliary aids or services are available upon request.

Please call the City Clerk's office at 384-3710 three days prior to the hearing date so that arrangements can be made.

BY ORDER OF THE MAYOR AND COUNCIL

DATED THIS 7TH DAY OF NOVEMBER, 2001.

ANNETTE P. MOONEY, CITY CLERK

NOTICE OF PUBLIC HEARING  
PROPOSED PARK IMPACT FEE SURCHARGE  
PROPOSED PARK IMPACT FEE SCHEDULE INCREASE  
PROPOSED AMENDMENT TO THE PARK IMPACT FEE METHODOLOGY  
CITY OF BOISE, IDAHO

Title of Proposed Ordinance \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 4, CHAPTER 12, BOISE CITY CODE FOR THE FOLLOWING PURPOSES: IMPOSING A SURCHARGE ON THE COLLECTION OF DEVELOPMENT IMPACT FEES TO PROVIDE FOR THE FUNDING OF AN UPDATED PARK CAPITAL IMPROVEMENTS PLAN, AMENDING THE PARK DEVELOPMENT IMPACT FEE SCHEDULE TO REFLECT ACQUISITION AND DEVELOPMENT COST INCREASES OF 10%, AND AMENDING THE METHODOLOGY FOR DETERMINING PARK AND RECREATION IMPACT FEES BY ADDING A CATEGORY TO THE DEVELOPMENT IMPACT FEE SCHEDULE FOR "MULTI-FAMILY RESIDENTIAL UNIT (UNDER 800 SQ FT)"; APPROVING THE SUMMARY OF THIS ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.

The effective date of the Ordinance is thirty (30) days from the date of its passage and approval. A copy of the full text of the Ordinance and supporting documentation is available to the public, upon request, at the office of the City Clerk at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m. to 5:00 p.m.

In compliance with Idaho Code 67-8206, NOTICE IS HEREBY GIVEN that the Mayor and Council have set December 11, 2001\*, in Council Chambers of City Hall, when Council meets in regular session, commencing at 7:30 P.M., as the time and place for a public hearing thereon, at which time and place any member of the public affected by the proposed Ordinance may have the right to appear at the public hearing and present evidence regarding the proposals. Written or oral comments regarding the new fee, fee increase, and amended methodology are welcome.

Auxiliary aids or services are available upon request.

Please call the City Clerk's office at 384-3710 three days prior to the hearing date so that arrangements can be made.

BY ORDER OF THE MAYOR AND COUNCIL

DATED THIS 7TH DAY OF NOVEMBER, 2001.

ANNETTE P. MOONEY, CITY CLERK

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 9.7 ACRES OF LAND INTO THE BOISE CITY AREA OF CITY IMPACT, AND AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT TO EXCLUDE SAID LAND FROM THE MERIDIAN AREA OF CITY IMPACT.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT THE BOISE CITY AREA OF CITY IMPACT AND THE MERIDIAN AREA OF CITY IMPACT ARE AMENDED TO INCLUDE APPROXIMATELY 9.7 ACRES OF LAND INTO THE BOISE CITY AREA OF CITY IMPACT AND TO EXCLUDE SAID LAND FROM THE MERIDIAN AREA OF CITY IMPACT, AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO, AND ADA COUNTY CODE, TITLE 9, CHAPTER 3, BOISE CITY AREA OF CITY IMPACT AND ADA COUNTY CODE, TITLE 9, CHAPTER 4, MERIDIAN AREA OF CITY IMPACT BE AMENDED AS FOLLOWS:**

**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.

- B. **Division By Boundary Line:** In the case where a property under single ownership is divided by the boundary line of the Boise City area of city impact and any other area of city impact boundary, and the lines divide 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 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 Boise City 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.

- C. **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.

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:

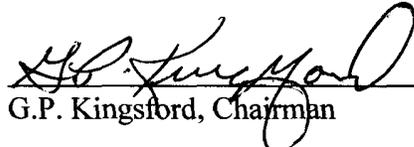
- a. Ordinance 229, December 20, 1990.
- b. Ordinance 257, December 3, 1992.
- c. Ordinance 282, December 1, 1994.
- d. Ordinance 285, January 26, 1995.
- e. Ordinance 345, September 24, 1997.
- f. Ordinance 473, November 20, 2002.

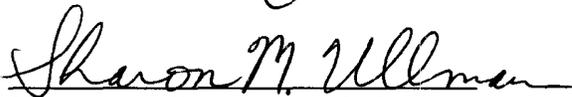
- B. **Division By Boundary:** In case a property under single ownership is divided by the boundary line of the Meridian area of city impact and any other area of city impact boundary and the line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less,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

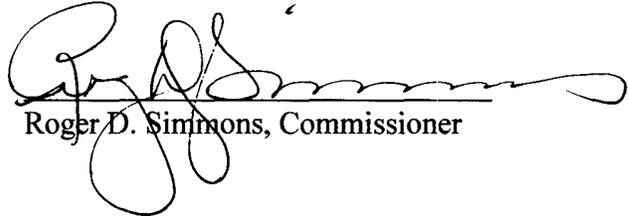
Exception: In the case where a property under a single ownership is divided by the boundary line of the Meridian area of city impact only, the smaller portion of such property may, without the three hundred foot (300') limitation stated above, be included in the jurisdiction within which the larger portion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

APPROVED AND ADOPTED THIS 20th DAY OF NOVEMBER, 2002.

**Board of Ada County Commissioners**

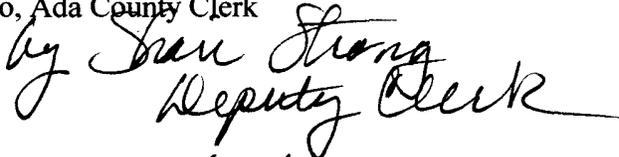
By:   
G.P. Kingsford, Chairman

By:   
Sharon M. Ullman, Commissioner

By:   
Roger D. Simmons, Commissioner

ATTEST:

  
David Navarro, Ada County Clerk

by   
Reputy Clerk

PUBLICATION DATE: 11/27/02

## EXHIBIT "A"

A parcel of land lying in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of section 29, T.4N., R.1E., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to sections 19, 20, 29 and 30 of said T.4N., R.1 E.,

Thence South  $89^{\circ}26'27''$  East on the section line common to said sections 20 and 29, 2653.24 feet to the  $\frac{1}{4}$  corner common to said sections 20 and 29;

Thence South  $0^{\circ}31'28''$  West along the North-South mid section line of said section 29, 40.00 feet to a point on the southerly Right-of-Way line of Chinden Boulevard (U.S. Highway 20-26), said point being the REAL POINT OF BEGINNING;

Thence continuing along said mid section line and along the westerly boundary line of Bristol Heights No. 17 Subdivision, as same is shown on the plat thereof recorded in Book 79 of Plats at Page 8378 of Ada County Records, South  $0^{\circ}31'28''$  West, 1280.93 feet to the center-north  $1/16^{\text{th}}$  corner of said section 29, said point also being the northeast corner of Dunwoody Subdivision, as same is shown on the Plat thereof recorded in Book 58 of Plats at Page 5482 of Ada County records;

Thence along the East-West  $1/16^{\text{th}}$  line and the northerly boundary line of said Dunwoody Subdivision, North  $89^{\circ}36'03''$  West, 329.59 feet;

Thence North  $0^{\circ}29'57''$  East, 1281.85 feet, a portion of this line being on the easterly boundary line of Fuller Ranchettes Subdivision as same is shown on the plat thereof recorded in Book 18 of Plats at Page 1179 of Ada County Records, to a point on the southerly Right-of-Way line of said Chinden Boulevard;

Thence along said southerly Right-of-Way line South  $89^{\circ}26'27''$  East, 330.16 feet to the real point of beginning. Containing 9.70 acres more or less.

**LEGAL NOTICE  
SUMMARY TO ADA COUNTY  
ORDINANCE NO. 473**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 9.7 ACRES OF LAND INTO THE BOISE CITY AREA OF CITY IMPACT, AND AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT TO EXCLUDE SAID LAND FROM THE MERIDIAN AREA OF CITY IMPACT.**

ORDINANCE NO. 473 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 20th DAY OF NOVEMBER, 2002.

Board of Ada County Commissioners  
By: G.P. Kingsford, Chairman  
By: Sharon M. Ullman, Commissioner  
By: Roger D. Simmons, Commissioner  
ATTEST: J. David Navarro,  
Ada County Clerk

**STATEMENT OF APPROVAL**

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 473 is true and complete and provides adequate notice to the public, pursuant to Idaho Code 31-715A.

J. David Navarro  
Ada County Clerk

STATE OF IDAHO }  
                          } ss.

County of Ada }  
SUBSCRIBED AND SWORN to before me  
this 21st day of November, 2002.

Shari Strong  
Notary Public for Idaho  
Commission Expires 2-4-06, Boise, Idaho

Pub. Nov. 27, 2002

15076

AN ORDINANCE AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 13 ACRES OF LAND LOCATED NORTHWEST OF THE INTERSECTION OF EAGLE ROAD AND USTICK ROAD INTO THE MERIDIAN AREA OF CITY IMPACT, AND AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO EXCLUDE SAID LAND FROM THE BOISE CITY AREA OF CITY IMPACT, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT TITLE 9, CHAPTER 3, AND TITLE 9, CHAPTER 4, OF THE ADA COUNTY CODE BE AMENDED AS FOLLOWS:

**SECTION 1:** Ada County Code Section 9-3-1, entitled Boise City Area of City Impact Boundary, is amended as follows:

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

- A. Boise City Area of 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.
- B. Division by Boundary Line: In the case where a property under single ownership is divided by the boundary line of the Boise City area of city impact and any other area of city impact boundary, and the lines divide 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 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 Boise City Area of City Impact only, the smaller portion of such property may, without the three hundred foot (300') limitation listed above, be included in the jurisdiction within which the larger portion of the property is located. (Ord. 138, 11-30-1984; amd. Ord. 139, 11-30-1984; amd. Ord. 158, 11-26, 1986; amd. Ord. 245, 4-22-1992; amd. Ord. 257, 12-3-1992).

- C. 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. 245, 4-22-1992; amd. Ord. 257, 12-3-1992; amd. Ord. 260, 12-3-1992).

**SECTION 2:** Ada County Code Section 9-4-1, entitled Meridian Area of City Impact Boundary, is amended as follows:

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

- D. 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.
- E. Division by Boundary: In the case where 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 lines divide 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 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. 345, 9-24-1997)
- 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 listed above, be

included in the jurisdiction within which the larger portion of the property is located.  
(Ord. 345, 9-24-1997)

**SECTION 3:** Ada County Code Section 9-4-3, entitled Applicable Plan Policies and Ordinances, is amended as follows:

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

1. The Meridian Comprehensive Plan, adopted by Meridian as on December 21, 1993, shall apply to the Meridian Area of City Impact. (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. 473, 11-20-2002)
2. All subdivision plat, 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.
3. All subdivision plat applications in the urban service planning area for land zone RT (Rural 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.
4. A condition of approval for all subdivision plats in the urban service planning area of land zoned RT (Rural 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 Council prior to preliminary plat approval by the Board.
5. Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provision of this chapter. (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)
6. 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.

APPROVED AND ADOPTED this 24 day of September, 2003.

**Board of Ada County Commissioners**

By: Judy M. Peavey-Derr  
Judy M. Peavey-Derr, Chairman

By: Rick Yzaguirre  
Rick Yzaguirre, Commissioner

By: Fred Tilman  
Fred Tilman, Commissioner

**ATTEST:**

J. David Navarro  
J. David Navarro, Ada County Clerk

PUBLICATION DATE: 10/3/03

EXHIBIT "A"

**BOUNDARY DESCRIPTION  
FOR  
ANNEXATION OF A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER,  
SECTION 32, T. 4 N., R. 1 E., B.M.  
ADA COUNTY IDAHO**

A parcel of land located in a portion of the east half of the southeast quarter of Section 32, T. 4 N., R. 1 E., B. M., Ada County Idaho and being more particularly described as follows: COMMENCING at the east quarter corner of Section 32, T. 4 N., R. 1 E., thence S 0° 01' 00" E. 889.52 feet along the easterly boundary of said Section 32 to the POINT OF BEGINNING:

Thence continuing S 0° 01' 00" E. 556.15 feet along the easterly boundary of said Section 32:

Thence S 89° 42' 00" W. 19.01 feet;

Thence N 64° 37' 00" W. 240.40 feet;

Thence N 84° 08' 00" W. 399.60 feet;

Thence N 73° 24' 00" W. 243.40 feet;

Thence N 38° 06' 00" W. 193.5 feet;

Thence N 63° 06' 00" W. 37.95 feet;

Thence N 0° 21' 00" W. 393.02 feet;

Thence N 89° 42' 00" E. 706.97 feet;

Thence S 0° 01' 00" E. 225.00 feet;

Thence N 89° 42' 00" E. 315.4 feet to the REAL POINT OF BEGINNING.

The area contained in this parcel described above is 13.19 acres.

**SUMMARY TO ADA COUNTY ORDINANCE NO. 508**

AN ORDINANCE AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT TO INCLUDE APPROXIMATELY 13 ACRES OF LAND LOCATED NORTHWEST OF THE INTERSECTION OF EAGLE ROAD AND USTICK ROAD INTO THE MERIDIAN AREA OF CITY IMPACT, AND AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT TO EXCLUDE SAID LAND FROM THE BOISE CITY AREA OF CITY IMPACT.

ORDINANCE NO. 508 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 24 DAY OF September, 2003.

**Board of Ada County Commissioners**

By: Judy M. Peavey-Derr  
Judy M. Peavey-Derr, Chairman

By: Rick Yzaguirre  
Rick Yzaguirre, Commissioner

By: Fred Tilman  
Fred Tilman, Commissioner

ATTEST:

J. David Navarro  
J. David Navarro, Ada County Clerk

Cliff DePuy  
Cliff DePuy

Published 10/3/03



RESOLUTION 17367

BY THE COUNCIL: BISTERFELT, FORNEY, MASON, MAPP AND TERTELING-PAYNE

A RESOLUTION (CAR02-00037/BOISE CITY) TO AMEND CHAPTER 8 OF THE COMPREHENSIVE PLAN CLARIFYING DENSITY STANDARDS ON THE LAND USE MAP AND MODIFYING DEFINITIONS TO BE CONSISTENT WITH THE BOISE CITY ZONING ORDINANCE; AND APPROVAL OF THE ADDITION OF A NEW POLICY 12 PROVIDING GUIDELINES FOR THE AREA WITHIN THE SOUTHWEST PLANNING AREA.

WHEREAS, the Comprehensive Plan text and map may be amended as provided by Section 67-6509 of the Idaho Code and the Boise City Zoning Ordinance; and

WHEREAS, no amendment to the Comprehensive Plan shall be recommended or approved unless such an amendment is consistent with the goals and policies of the Comprehensive Plan and internally consistent with the other components of the Comprehensive Plan; and

WHEREAS, amendments to the Comprehensive Plan shall address changes that have occurred in the Community since adoption of the Plan, or shall correct errors that existed in the Plan; and

WHEREAS, amendments to the Comprehensive Plan shall be adopted through a public hearing process;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BOISE CITY:

Section 1. Having been considered by the City Council in a public hearing on December 3, 2002, the City Council did amend the Boise City Comprehensive Plan by amending the policies of the Land Use chapter to clarify the intent of the residential Land Use density designations, and the density intent for the Estate Residential 3 Units/Acre designation for the Southwest Planning Area; and

Section 2. That the amendment to Chapter 8 of the Comprehensive Plan, being revision of Objective 1, Policy 4 and addition of a new policy 12 under Objective 13, a copy of which is marked Exhibit "A," and attached hereto and incorporated herein by reference, be, and the same

is hereby, approved as to both form and content.

Section 3. The City Council did approve the amendments pursuant to the following findings and conclusions:

- A. That the amendments are required for the public convenience or necessity, or for the general welfare of the community.

Findings:

1. The proposed amendments will provide clearer and more concise guidelines for residential development densities.
2. The proposed amendments are necessary for efficient and consistent utilization by the public of the Boise City Comprehensive Plan.

- B. That the amendments are necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more errors or deficiencies that exist in the Plan.

Findings:

1. The proposed amendment will correct inconsistencies between the Comprehensive Plan and the Zoning Ordinance regarding lot sizes in the Low Density Residential land use category.
2. The proposed amendment will clarify apparent inconsistencies between Policy 3 and Policy 4 of Objective 1, Chapter 8, of the Boise City Comprehensive Plan.

- C. That the amendment is in compliance with and will further the goals, objectives and policies of the Boise City Comprehensive Plan.

Finding: New Policy 12, Objective 13, Chapter 8 will clarify the goals and objectives of the Southwest Planning Area to have a maximum residential density of 3.5 dwelling units per acre in the Estate Density (3du/acre) land use category designated area, unless a PUD process is followed.

- D. That the amendments will not create inconsistencies between the goals, objectives and policies within or between any chapter of the Plan.

Finding: The amendments reduce and eliminate inconsistencies between policies of the Comprehensive Plan. They do not cause any inconsistencies between goals, objectives

and policies.

- E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area and does not adversely impact the delivery of services by any political subdivision providing services.

Findings:

1. The proposed amendments provide better guidelines on the levels of residential density that should occur in designated areas. This will allow for better planning for future transportation, service and public facility needs by geographic regions.
2. The more specific residential development guidelines will lead to better planning which will reduce the burdens on transportation and other public facilities in the planning areas and not adversely impact delivery of services.

Section 4. This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Council of the City of Boise City, Idaho, this 7th day of January, 2003.

APPROVED by the Mayor of the City of Boise City, Idaho, this 7th day of January, 2003.

APPROVED:



Mayor

ATTEST:



City Clerk



Exhibit 'A'

**Proposed language for amendments to Policy 4, Objective 1, Chapter 8.**

Unless otherwise stated by a location-specific Planned Community or master plan policy, the land use map density designations are considered to be maximums, not minimums. The land use map residential density designations are generalized descriptions of the type of development that is considered appropriate for a broadly defined area based upon current and anticipated zoning, land use, lotting and street patterns. The Townlot and lower density land use designations generally define a mid-point in the range of allowable densities permitted by the implementing zones depicted in the Land Use/Zoning Consistency Matrix and do not automatically disallow either lower density development nor higher density development up to the maximum allowed in the applicable zone by the Planned Unit Development and Infill Density Bonus provisions. The Medium and High Density designations define the upper limit of allowable density, with the exception that Infill Density Bonus provisions may still be added to the density.

**Proposed language for new Policy 12, Objective 13, Chapter 8.**

Properties on the south side of Overland Road, north of the Planned Community designation are intended for subdivision and development at densities generally between 2 and 4 dwelling units per acre. When development occurs with annexation, the R-1B zoning standards and attendant PUD provisions are applicable and appropriate. When development occurs in the county, zoning that closely replicates the R-1B should be selected. Unless open space is provided that approximates that required by the Boise PUD requirements, county subdivisions should not exceed 3.5 dwelling units per acre.

**Proposed change to Table 8-1.3: Definitions of Land Use Map Designations, Land Density Residential 4, Allowed Uses and/or Limitations.**

~~6000~~ 5000 square foot lots, overall density of 4 units per gross acre. PUDs, accessory units and applications of infill standards may allow higher densities on specific projects.

**ORDINANCE NO. 539**

AN ORDINANCE AMENDING ADA COUNTY CODE TITLE 9, CHAPTER 2, ENTITLED EAGLE AREA OF CITY IMPACT AND ADA COUNTY CODE TITLE 9, CHAPTER 3, ENTITLED BOISE CITY AREA OF CITY IMPACT, TO WIT:

The Eagle Area of City Impact boundary is amended to include approximately 503 acres of land as more particularly described in Exhibit "A" and Exhibit "C" attached hereto and to exclude approximately 190 acres of land as more particularly described in Exhibit "B" attached hereto.

And

The Boise City Area of City Impact boundary is amended to include approximately 190 acres of land as more particularly described in Exhibit "B" attached hereto and to exclude approximately 503 acres of land as more particularly described in Exhibit "A" and Exhibit "C" attached hereto. The land in Exhibit "A" shall be considered a referral area for Boise City and be so designated on the Boise City Area of City Impact Map.

BE IT ORDAINED BY THE BOARD OF ADA COUNTY COMMISSIONERS, ADA COUNTY, IDAHO THAT ADA COUNTY CODE TITLE 9, CHAPTERS 2 AND 3 ARE AMENDED AS FOLLOWS:

Section 1: Ada County Code Section 9-2-1 is amended as follows:

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

- A. 1. Eagle Area of City Impact And Urban Service Planning Area Boundary Map: 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 \_\_\_\_\_, \_\_\_\_\_, 2004.

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.

Section 2: Ada County Code Section 9-3-1 is amended as follows:

**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 \_\_\_\_\_, \_\_\_\_\_, 2004.

B. Division By Boundary Line: In the case where a property under single ownership is divided by the boundary line of the Boise City area of city impact and any other area of city impact boundary, and the lines divide 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 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 Boise City area of city impact only, the smaller portion of such property may, without the three hundred foot (300') limitation listed above, be included in the jurisdiction within which the larger portion of the property is located.

C. 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.

Section 3: Ada County Code Section 9-3-4 is amended as follows:

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

- A. All county and city amendments to their respective comprehensive plans and implementing ordinances which apply within the Boise City area of city impact shall be sent by the entity considering such amendment to the other entity. A separate referral process agreement (Ada County resolution 416, Boise City resolution 8158) shall be adopted, by resolution, by each entity regarding procedures and time periods for, and the effect of, sending such amendments.
- B. All county land use applications within the Boise City area of city impact to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners shall be sent to Boise City, in accordance with the referral process agreement cited in subsection A of this section.
- C. Applications for planned developments, subdivisions, and rezones within the Boise urban service planning area 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. All subdivision applications within the Boise area of city impact shall comply with Boise City subdivision ordinance as well as the Ada County zoning ordinance.
- E. 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.

F. Referral Areas:

1. 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.

**Board of Ada County Commissioners**

By: Judy M. Peavey-Derr  
Judy M. Peavey-Derr, Chairman

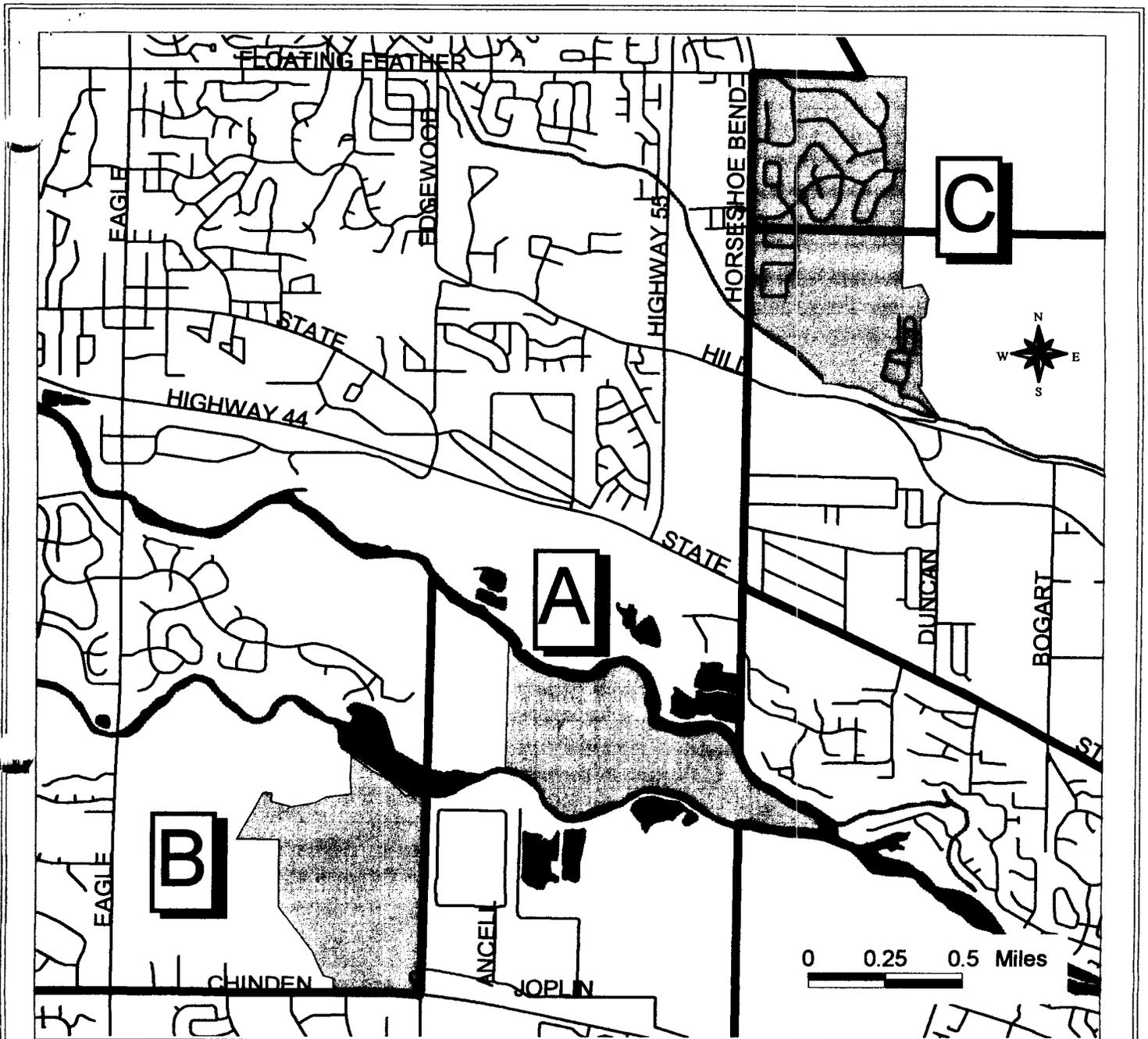
By: ABSENT  
Rick Yzaguirre, Commissioner

By: Fred Tilman  
Fred Tilman, Commissioner

ATTEST:

David Navarro  
J. David Navarro, Ada County Clerk

*Published 5/18/04*



**Ada County Ordinance No.**  
**Development Services File No.**

- A** East Tip Of Eagle Island Formerly Inside Boise Area Of City Impact To Be In Eagle Area Of City Impact.
- B** Area West Of Boise Sewage Treatment Plant Formerly In Eagle Area Of City Impact To Be Within Boise Area Of City Impact.
- C** Sage Acres - Dry Creek Cemetary Area Formerly in Boise Area Of City Impact and Ada County Jursidiction To Be Included In Eagle Area Of City Impact.

**Area Of City Impact Amendment**

Ada County  
 Development Services  
 200 West Front Street  
 Boise, Idaho 80702  
 208-287-7900



This map is made from data copyrighted by Ada County. Ada County shall not be liable for inaccuracies or misuse of this map. Maps bearing this disclaimer may be photocopied freely. However, use in any digital form requires the written permission of Ada County

# EXHIBIT



Commencing from the sw corner of section 15, Township 4 North, Range 1 East. B.M.

Line Course: S 89-45-45 E Length: 1319.94

Line Course: N 01-02-59 E Length: 804.35 to the TRUE POINT OF BEGINNING,  
Also being a point on the existing IMPACT AREA BOUNDARY and a point on the east  
parcel line of Ada County parcel 50515336110; thence

Line Course: S 01-02-59 W	Length: 2181.12	
North: 732108.3261		East : 2471886.5091
Line Course: S 78-47-11 E	Length: 204.40	
North: 732068.5769		East : 2472087.0069
Line Course: S 61-35-00 E	Length: 169.41	
North: 731987.9581		East : 2472236.0047
Line Course: S 53-38-41 E	Length: 186.63	
North: 731877.3256		East : 2472386.3085
Line Course: S 38-11-22 E	Length: 218.35	
North: 731705.7089		East : 2472521.3063
Line Course: S 18-14-06 E	Length: 166.82	
North: 731547.2664		East : 2472573.5068
Line Course: S 38-31-53 E	Length: 86.36	
North: 731479.7098		East : 2472627.3042
Line Course: S 53-56-04 E	Length: 239.63	
North: 731338.6371		East : 2472821.0077
Line Course: S 71-19-07 E	Length: 123.51	
North: 731299.0762		East : 2472938.0105
Line Course: S 90-00-00 E	Length: 174.30	
North: 731299.0762		East : 2473112.3105
Line Course: N 71-20-50 E	Length: 146.39	
North: 731345.8965		East : 2473251.0112
Line Course: N 66-01-48 E	Length: 254.44	
North: 731449.2648		East : 2473483.5079
Line Course: N 73-48-50 E	Length: 198.88	
North: 731504.7043		East : 2473674.5045
Line Course: N 83-06-30 E	Length: 151.60	
North: 731522.8951		East : 2473825.0092
Line Course: N 68-12-33 E	Length: 100.16	
North: 731560.0764		East : 2473918.0123
Line Course: N 40-15-37 E	Length: 124.25	
North: 731654.8937		East : 2473998.3102
Line Course: N 70-06-45 E	Length: 198.22	
North: 731722.3230		East : 2474184.7088
Line Course: N 58-28-57 E	Length: 105.57	
North: 731777.5107		East : 2474274.7052
Line Course: N 89-43-12 E	Length: 165.80	
North: 731778.3210		East : 2474440.5032
Line Course: S 79-18-41 E	Length: 500.15	
North: 731685.5575		East : 2474931.9755
Line Course: S 67-31-39 E	Length: 104.65	
North: 731645.5561		East : 2475028.6787
Line Course: S 49-28-48 E	Length: 437.79	
North: 731361.1180		East : 2475361.4775
Line Course: S 52-53-41 E	Length: 109.09	
North: 731295.3061		East : 2475448.4799
Line Course: S 71-29-23 E	Length: 192.14	
North: 731234.3065		East : 2475630.6799
Line Course: S 72-30-42 E	Length: 204.45	
North: 731172.8669		East : 2475825.6798

re3lega1

Line	Course: S 86-19-18 E	Length: 44.89	East : 2475870.4773
	North: 731169.9869		
Line	Course: S 00-39-33 W	Length: 86.94	East : 2475869.4771
	North: 731083.0527		
Line	Course: S 90-00-00 E	Length: 211.95	East : 2476081.4271
	North: 731083.0527		
Line	Course: S 74-28-42 E	Length: 219.77	East : 2476293.1820
	North: 731024.2416		
Line	Course: S 77-26-25 E	Length: 108.34	East : 2476398.9294
	North: 731000.6823		
Line	Course: S 81-29-00 E	Length: 289.95	East : 2476685.6821
	North: 730957.7416		
Line	Course: S 85-51-45 E	Length: 171.45	East : 2476856.6852
	North: 730945.3714		
Line	Course: S 89-10-24 E	Length: 173.27	East : 2477029.9372
	North: 730942.8716		
Line	Course: S 78-59-15 E	Length: 90.67	East : 2477118.9375
	North: 730925.5515		
Line	Course: S 82-22-57 E	Length: 74.91	East : 2477193.1865
	North: 730915.6215		
Line	Course: S 89-55-46 E	Length: 37.43	East : 2477230.6164
	North: 730915.5754		
Line	Course: N 59-57-08 E	Length: 50.16	East : 2477274.0353
	North: 730940.6916		
Line	Course: N 44-16-31 E	Length: 82.92	East : 2477331.9223
	North: 731000.0618		
Line	Course: N 02-07-21 W	Length: 82.27	East : 2477328.8754
	North: 731082.2754		
Line	Course: N 32-20-59 W	Length: 111.27	East : 2477269.3364
	North: 731176.2760		
Line	Course: N 47-14-29 W	Length: 100.91	East : 2477195.2462
	North: 731244.7850		
Line	Course: N 46-28-56 W	Length: 78.46	East : 2477138.3501
	North: 731298.8109		
Line	Course: N 69-55-09 W	Length: 103.85	East : 2477040.8132
	North: 731334.4673		
Line	Course: N 66-31-37 W	Length: 126.04	East : 2476925.2033
	North: 731384.6713		
Line	Course: N 78-15-40 W	Length: 42.21	East : 2476883.8762
	North: 731393.2590		
Line	Course: N 62-17-14 W	Length: 125.09	East : 2476773.1352
	North: 731451.4308		
Line	Course: N 56-26-28 W	Length: 118.11	East : 2476674.7120
	North: 731516.7213		
Line	Course: N 54-24-34 W	Length: 252.60	East : 2476469.2986
	North: 731663.7317		
Line	Course: N 66-28-08 W	Length: 134.99	East : 2476345.5339
	North: 731717.6260		
Line	Course: N 64-34-01 W	Length: 130.66	East : 2476227.5364
	North: 731773.7388		
Line	Course: N 58-38-34 W	Length: 81.86	East : 2476157.6329
	North: 731816.3364		
Line	Course: N 38-15-39 W	Length: 240.52	East : 2476008.6927
	North: 732005.1927		
Line	Course: N 27-04-37 W	Length: 115.30	East : 2475956.2097
	North: 732107.8554		
Line	Course: N 23-16-09 W	Length: 194.40	East : 2475879.4118
	North: 732286.4427		
Line	Course: N 23-16-09 W	Length: 170.89	East : 2475811.9015
	North: 732443.4324		
Line	Course: N 37-13-32 W	Length: 176.83	East : 2475704.9274
	North: 732584.2351		
Line	Course: N 46-18-59 W	Length: 177.00	

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Line	North: 732706.4846	East : 2475576.9272
	Course: N 68-45-55 W	Length: 110.77
Line	North: 732746.6044	East : 2475473.6780
	Course: N 83-57-28 W	Length: 90.25
Line	North: 732756.1042	East : 2475383.9294
	Course: S 62-45-21 W	Length: 75.08
Line	North: 732721.7338	East : 2475317.1785
	Course: N 87-20-52 W	Length: 82.34
Line	North: 732725.5440	East : 2475234.9267
	Course: S 65-43-48 W	Length: 83.64
Line	North: 732691.1648	East : 2475158.6789
	Course: S 85-28-24 W	Length: 241.50
Line	North: 732672.1049	East : 2474917.9322
	Course: N 74-53-35 W	Length: 542.24
Line	North: 732813.4243	East : 2474394.4315
	Course: N 02-44-15 W	Length: 198.91
Line	North: 733012.1073	East : 2474384.9315
	Course: N 02-23-54 E	Length: 47.79
	North: 733059.8555	East : 2474386.9313
	North: 733059.8526	East : 2474386.9288
Line	Course: N 28-47-03 W	Length: 111.11
	North: 733157.2338	East : 2474333.4280
Line	Course: N 07-13-35 W	Length: 61.61
	North: 733218.3545	East : 2474325.6781
Line	Course: N 13-37-44 E	Length: 192.04
	North: 733404.9871	East : 2474370.9289
Line	Course: N 38-25-48 W	Length: 49.07
	North: 733443.4269	East : 2474340.4290
Line	Course: N 18-18-40 W	Length: 136.07
	North: 733572.6070	East : 2474297.6790
Line	Course: N 33-08-34 W	Length: 155.93
	North: 733703.1688	East : 2474212.4278
Line	Course: N 48-47-10 W	Length: 196.08
	North: 733832.3604	East : 2474064.9256
Line	Course: N 70-40-26 W	Length: 145.98
	North: 733880.6717	East : 2473927.1716
Line	Course: N 77-16-11 W	Length: 77.15
	North: 733897.6726	East : 2473851.9181
Line	Course: S 73-51-20 W	Length: 158.24
	North: 733853.6724	East : 2473699.9185
Line	Course: S 58-11-41 W	Length: 153.56
	North: 733772.7411	East : 2473569.4164
Line	Course: S 26-15-13 W	Length: 102.86
	North: 733680.4916	East : 2473523.9168
Line	Course: S 71-43-40 W	Length: 131.37
	North: 733639.3029	East : 2473399.1707
Line	Course: S 73-24-33 W	Length: 129.13
	North: 733602.4317	East : 2473275.4167
Line	Course: N 86-57-11 W	Length: 346.74
	North: 733620.8624	East : 2472929.1668
Line	Course: N 64-21-15 W	Length: 108.15
	North: 733667.6705	East : 2472831.6711
Line	Course: N 77-29-55 W	Length: 253.25
	North: 733722.4898	East : 2472584.4254
Line	Course: N 68-26-08 W	Length: 107.80
	North: 733762.1114	East : 2472484.1709
Line	Course: N 64-52-25 W	Length: 164.57
	North: 733831.9906	East : 2472335.1736
Line	Course: N 55-58-56 W	Length: 112.50
	North: 733894.9287	East : 2472241.9264
Line	Course: N 55-10-46 W	Length: 195.81
	North: 734006.7378	East : 2472081.1773
Line	Course: N 11-30-56 W	Length: 116.46

re3legal  
North: 734120.8535 East : 2472057.9279  
Line Course: N 34-19-10 W Length: 132.58  
North: 734230.3523 East : 2471983.1785  
Line Course: N 43-59-57 W Length: 81.64  
North: 734289.0800 East : 2471926.4674  
to the TRUE POINT OF BEGINNING.  
Perimeter: 15842.22 Area: 7,972,946 sq. ft. 183.03 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)  
Error Closure: 0.0039 Course: N 42-04-48 E  
Error North: 0.00286 East : 0.00258  
Precision 1: 4,062,112.82

# EXHIBIT **B**

A parcel of land located in Section 21, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Southeast Corner for Section 21;

thence South  $89^{\circ} 56' 32''$  West 1502.57 feet along the southerly boundary of Section 21;

thence North  $01^{\circ} 10' 25''$  East 247.54 feet;

thence North  $73^{\circ} 42' 43''$  West 193.22 feet;

thence North  $22^{\circ} 05' 42''$  West 467.88 feet;

thence North  $37^{\circ} 11' 50''$  West 955.90 feet;

thence North  $00^{\circ} 04' 38''$  West 1164.07 feet to the northerly boundary of the South One-Half of Section 21;

thence North  $89^{\circ} 28' 39''$  West 719.22 feet along said northerly boundary;

thence North  $29^{\circ} 31' 34''$  East 930.18 feet;

thence South  $84^{\circ} 40' 46''$  East 141.81 feet;

thence South  $02^{\circ} 30' 44''$  West 136.88 feet;

thence South  $75^{\circ} 03' 25''$  East 352.68 feet;

thence North  $80^{\circ} 44' 22''$  East 395.40 feet;

thence North  $61^{\circ} 07' 26''$  East 207.84 feet;

thence North  $83^{\circ} 07' 57''$  East 434.87 feet;

thence North  $01^{\circ} 55' 29''$  West 275.40 feet;

thence North  $01^{\circ} 39' 10''$  East 372.71 feet;

---

thence South 55° 54' 34" East 428.06 feet;  
thence South 60° 57' 06" East 411.51 feet;

thence South 25° 47' 36" East 87.33 feet;

thence South 55° 44' 47" East 124.92 feet;

thence South 43° 40' 05" East 104.64 feet;

thence South 88° 13' 35" East 367.68 feet to the easterly boundary of  
Section 21;

thence South 01° 28' 34" West 786.13 feet along said easterly boundary  
to the East 1/4 corner of Section 21;

thence South 01° 14' 38" West 2637.12 feet along the easterly boundary  
of Section 21 to the Point of Beginning.

Said parcel of land containing 190.62 Acres more or less.

---

# EXHIBIT



Commencing from the NW corner of section 11 Township 4 North, Range 1 East, B.M. also being a point on the current impact area boundary,

thence S88° 49'16"E, 2606.15 feet;

thence S01° 02'29"W, 1320.66 feet;

thence S00° 58'27"W, 117.65 feet;

thence N87° 40'25"E, 3.20 feet;

thence S01° 09'10"W, 755.53 feet;

thence S01° 01'09"W, 449.75 feet;

thence S00° 42'14"W, 976.76 feet;

thence N78° 27'27"E, 331.10 feet;

thence S29° 26'07"E, 264.53 feet;

thence S18° 01'10"W, 111.20 feet;

thence S07° 08'49"W, 211.39 feet;

thence S65° 20'24"W, 85.83 feet;

thence S00° 35'44"E, 1154.50 feet;

thence S88° 42'36"W, 56.72 feet;

thence S34° 10'05"E, 638.15 feet;

thence N72° 44'00"W, 688.74 feet;

thence N73° 04'27"W, 191.29 feet;

thence N62° 18'14"W, 481.69 feet;

thence N76° 34'27"W, 159.35 feet;

thence N87° 06'18"W, 105.13 feet;

thence N77° 04'42"W, 143.64 feet;

thence N88° 21'00"W, 306.33 feet;

thence N00° 43'00"E, 111.95 feet;

thence N44° 37'53"W, 608.79 feet;

thence N57° 02'44"W, 419.14 feet;

thence N62° 43'22"W, 192.17 feet;

thence N55° 07'25"W, 174.55 feet;

thence N55° 07'39" W, 216.11 feet;

thence N67° 34'04"W, 28.67 feet to a point on the section line and the current impact area boundary;

thence, following the section line N01° 15'20"E a distance of 4208.01 feet back to the point of beginning.

**SUMMARY OF ADA COUNTY ORDINANCE NO. 539**

THE EAGLE AREA OF CITY IMPACT BOUNDARY IS AMENDED TO INCLUDE APPROXIMATELY 503 ACRES OF LAND IN SECTIONS 11 AND 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN AND TO EXCLUDE APPROXIMATELY 190 ACRES OF LAND IN SECTION 21, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN. THE BOISE CITY AREA OF CITY IMPACT BOUNDARY IS AMENDED TO INCLUDE APPROXIMATELY 190 ACRES OF LAND IN SECTION 21, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN AND TO EXCLUDE APPROXIMATELY 503 ACRES OF LAND IN SECTIONS 11 AND 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN. THE LAND IN SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN SHALL BE CONSIDERED A REFERRAL AREA FOR BOISE CITY AND BE SO DESIGNATED ON THE BOISE CITY AREA OF CITY IMPACT MAP.

ORDINANCE NO. 539 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED THIS 28 DAY OF April, 2004

**Board of Ada County Commissioners**

By: Judy M. Peavey-Derr  
Judy M. Peavey-Derr, Chairman

By: ABSENT  
Rick Yzaguirre, Commissioner

By: Fred Tilman  
Fred Tilman, Commissioner

ATTEST:

David Navarro  
David Navarro, Ada County Clerk

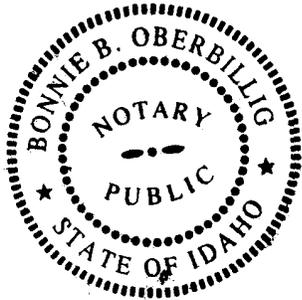
STATEMENT OF APPROVAL

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of Ada County Ordinance No. 539 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

J. David Navarro  
J. David Navarro, Ada County Clerk

STATE OF IDAHO )  
 ) ss.  
County of Ada )

April SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of \_\_\_\_\_, 2004.



Bonnie B. Oberbillig  
Notary Public for Idaho  
Commission Expires 8-27-09

*Published 5/18/04*

**LEGAL NOTICE  
SUMMARY OF ADA COUNTY  
ORDINANCE NO. 539**

THE EAGLE AREA OF CITY IMPACT BOUNDARY IS AMENDED TO INCLUDE APPROXIMATELY 503 ACRES OF LAND IN SECTIONS 11 AND 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN AND TO EXCLUDE APPROXIMATELY 190 ACRES OF LAND IN SECTION 21, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN. THE BOISE CITY AREA OF CITY IMPACT BOUNDARY IS AMENDED TO INCLUDE APPROXIMATELY 190 ACRES OF LAND IN SECTION 21, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN AND TO EXCLUDE APPROXIMATELY 503 ACRES OF LAND IN SECTIONS 11 AND 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN. THE LAND IN SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN SHALL BE CONSIDERED A REFERRAL AREA FOR BOISE CITY AND BE SO DESIGNATED ON THE BOISE CITY AREA OF CITY IMPACT MAP.

ORDINANCE NO. 539 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED THIS 28th DAY OF April, 2004  
Board of Ada County Commissioners  
By: Judy M. Peavey-Derr, Chairman  
By: ABSENT  
Rick Yzaguirre, Commissioner  
By: Fred Tilman, Commissioner  
ATTEST: J. David Navarro, Ada County Clerk

**STATEMENT OF APPROVAL**

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of Ada County Ordinance No. 539 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

J. David Navarro, Ada County Clerk  
STATE OF IDAHO )

) ss.

County of Ada )

SUBSCRIBED AND SWORN to before me this 28th day of April, 2004.

Bonnie B. Oberbillig  
Notary Public for Idaho  
Commission Expires 8-27-2009

Pub. May 18, 2004

19436

RESOLUTION NO. 18344

BY THE COUNCIL:

BISTERFELDT, CLEGG, EBERLE, JORDAN,  
MAPP AND SHEALY

**A RESOLUTION (CARO4-00019) TO AMEND THE BOISE CITY COMPREHENSIVE PLAN BY ADOPTING THE COMPREHENSIVE PARK & RECREATION PLAN 2004 BY REFERENCE, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE PARKS, RECREATION AND CULTURAL RESOURCES CHAPTER AND AMENDING A POLICY REGARDING THE WEST BENCH PLANNING AREA IN THE LAND USE CHAPTER TO REFLECT THE UPDATED PARK PLAN.**

**WHEREAS**, the Comprehensive Plan text may be amended as provided by Section 67-6509 of the Idaho Code and the Boise City Zoning Ordinance; and

**WHEREAS**, no amendment to the Comprehensive Plan shall be recommended or approved unless such an amendment is consistent with the goals and policies of the Comprehensive Plan and internally consistent with the other components of the Comprehensive Plan; and

**WHEREAS**, amendments to the Comprehensive Plan shall address changes that have occurred in the Community since adoption of the Plan, or shall correct errors that existed in the Plan; and

**WHEREAS**, amendments to the Comprehensive Plan shall be adopted through a public hearing process;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BOISE CITY:**

**Section 1.** Having been considered by the City Council in a public hearing on August 31, 2004, the City Council did adopt the Comprehensive Park & Recreation Plan 2004 as an amendment to, and by reference in, the Boise City Comprehensive Plan and did amend the Boise City Comprehensive Plan by amending the Parks, Recreation and Cultural Resources chapter and the Land Use chapter to reflect the updated Park Plan.

**Section 2.** That the amendment adopting the Comprehensive Park & Recreation Plan 2004 and updating the Goals, Objectives and Policies of the Parks, Recreation and Cultural Resources and Land Use chapters of the Boise City Comprehensive Plan, a copy of which is marked Exhibit 'A', and attached hereto and incorporated herein by reference, be, and the same is hereby, approved as to both form and content.

**Section 3.** The City Council did approve the amendments pursuant to the following findings and conclusions:

- A. That the amendment is required for the public convenience or necessity, or for the general welfare of the community;

**Finding:** This amendment is necessary to ensure the maintenance of community health, the enhancement of public safety and to ensure reinvestment in the economic health of our neighborhoods and businesses. The Parks and Recreation Plan is a benefit to the general welfare of the Community.

- B. That the amendment is necessary to address changes in conditions within the community that have occurred since the Comprehensive Plan was adopted; or is necessary to correct one or more that exist in the Plan;

**Finding:** This amendment is necessary to address the tremendous increase in population that has occurred since the first Comprehensive Park & Recreation Plan was adopted by the City in 1993 and the Boise City Comprehensive Plan was adopted in 1997. The updated Plan addresses the diversity of needs that are created by growth and urban development.

- C. That the amendment is in compliance with and will further the goals, objectives and policies of the plan;

**Finding:** Chapter 1.9 of the Boise City Comprehensive Plan recommends that the plan be reviewed and revised as necessary to reflect the availability of new implementation tools. The updated Park & Recreation Plan will assist the City in implementing the policies of the Comprehensive Plan. This amendment will further many of the goals, policies and objectives of the Comprehensive Plan, including but not limited to, the goal of providing parks, opens space, trails systems and recreational facilities for Boise residents; the goal of protecting historically and culturally significant resources; and the goal to protect and enhance the natural environment in the Boise foothills and along the Boise River.

- D. That the amendment will not create inconsistencies between the goals, objectives and policies within or between any chapters of the Plan;

**Finding:** Staff has reviewed the Park & Recreation Plan and found it to generally be consistent with the goals, policies and objectives of the Boise City Comprehensive Plan. Staff is recommending revisions to The Boise City Comprehensive Plan in areas where the adoption of the Park & Recreation Plan would have created inconsistencies. This amendment will not create inconsistencies between any of the chapters of the Boise City Comprehensive Plan.

- E. That the amendment will not place an undue burden on transportation or other public facilities in the planning area and does not adversely impact the delivery of services by any political subdivision providing services;

**Finding:** This amendment will not place an undue burden on transportation or other public facilities in the planning area, and does not adversely impact the delivery of services by any political subdivision providing services. The Parks & Recreation plan generally deals with open space and encourages pathway systems that tend to lessen the burden on transportation.

**Section 4.** This Resolution shall be in full force and effect immediately upon its adoption and approval.

**ADOPTED** by the Council of the City of Boise City, Idaho, this 5th day of October, 2004.

**APPROVED** by the Mayor of the City of Boise City, Idaho, this 5th day of October, 2004.

ATTEST:

APPROVED:

  
CITY CLERK

  
MAYOR



**Exhibit "A"**

**CHAPTER 5  
PARKS, RECREATION AND CULTURAL RESOURCES  
BOISE CITY COMPREHENSIVE PLAN — GOALS, OBJECTIVES AND  
POLICIES**

The following section presents the goals, objectives, policies and implementing program references for Parks, Recreation and Cultural Resources in the Boise Planning Area.

**5.1 Parks and Recreation**

**GOAL)** Provide parks, open space, trails systems and recreational facilities for Boise residents; offer safe and efficient recreation programs and activities that meet needs and desires; and enhance urban appearance and environment through use of landscaping, trees and open space.

**Objective 1)** Provide a park system made up of a hierarchy of park types, each offering a certain type of recreation and/or open space opportunity to ensure that every neighborhood and the entire community is served by a comprehensive park system. Provide parks at the standards in the following table:

<b>Park Standards Based On Population</b>	
<b>Park Type</b>	<b>Acres per 1,000 Population</b>
- Neighborhood Parks	1.1
- Community Parks	0.5
- Large Urban Parks	1.7
- Regional Parks	0.6
- Linear Parks	1.3
-Open Space	8.30
-Special-Use Parks*	2.40

\*Does not include acreage for golf courses, cemeteries, or specialized recreation facilities

**Policies**

1) The Comprehensive Park & Recreation Plan, dated May 2004, is adopted by reference as part of the Boise City Comprehensive Plan.

**PRC1 Studies, Mapping and Master Plans**

± 2) Where possible, the City shall strive to provide parks at the higher recommended standards identified in the adopted Comprehensive Parks and Recreation Plan.

**PRC1 Studies, Mapping and Master Plans**

± 3) Seek to finance acquisition and development of parks through a variety of sources including but not limited to: general tax, utility franchise fees, park impact fees, general obligation bonds, local option sales tax, public private partnerships, certificates of participation, public and private grants and foundations.

**PRC1 Studies, Mapping and Master Plans**

± 4) The City shall support a priority sequence for park acquisition and development as follows:

- a. Acquire land; preferably ahead of development

- b. Partially develop existing sites
- c. Partially develop new sites
- d. Complete all sites

**PRC1 Studies, Mapping and Master Plans**

4 5) Develop parks in accordance to the design standards and policies identified in the Comprehensive Park and Recreation System Plan.

**PRC1 Studies, Mapping and Master Plans**

5 6) Deny density transfer credits for park sites that have been sold to the city at full-market value based on highest and best use.

**PRC2 Inter/Intra-agency Participation and Coordination**

6 7) Place a priority on locating neighborhood parks in conjunction with school sites.

**PRC1 Studies, Mapping and Master Plans**

7 8) Pursue design and acquisition of ~~a linear park along the west side of Cloverdale Road canal and rails to trails pathways~~ to provide trail linkage from the Boise River Greenbelt to the Southwest Planning Area.

**PRC1 Studies, Mapping and Master Plans**

9) Develop an urban park plan for planned high-intensity urban-use areas and neighborhoods such as the downtown and near downtown areas.

**PRC1 Studies, Mapping and Master Plans**

**Objective 2)** Provide a balanced program of active and passive recreational services and facilities, in conjunction with private organizations, for residents of Boise of all ages, and in particular youth.

**Policies**

1) Encourage public/private partnerships between the City and private or nonprofit groups that operate youth programs.

**PRC8 Boise City Actions**

2) Promote participation in recreational programs as an alternative to delinquency.

**PRC8 Boise City Actions**

3) Offer a full range of indoor recreation services promoting greater youth and adult activities and to serve the therapeutic needs of the elderly and disabled.

**PRC8 Boise City Actions**

4) In order to continue to provide recreation services to nonresidents, the City shall: ~~encourage:~~

~~a. A county wide park and recreation district~~

~~b. Establishment of nonresident fees~~

~~c. Creation of park and recreation programs by other jurisdictions.~~

a. Offer adjacent communities technical and professional support for expanding their own parks and recreation system.

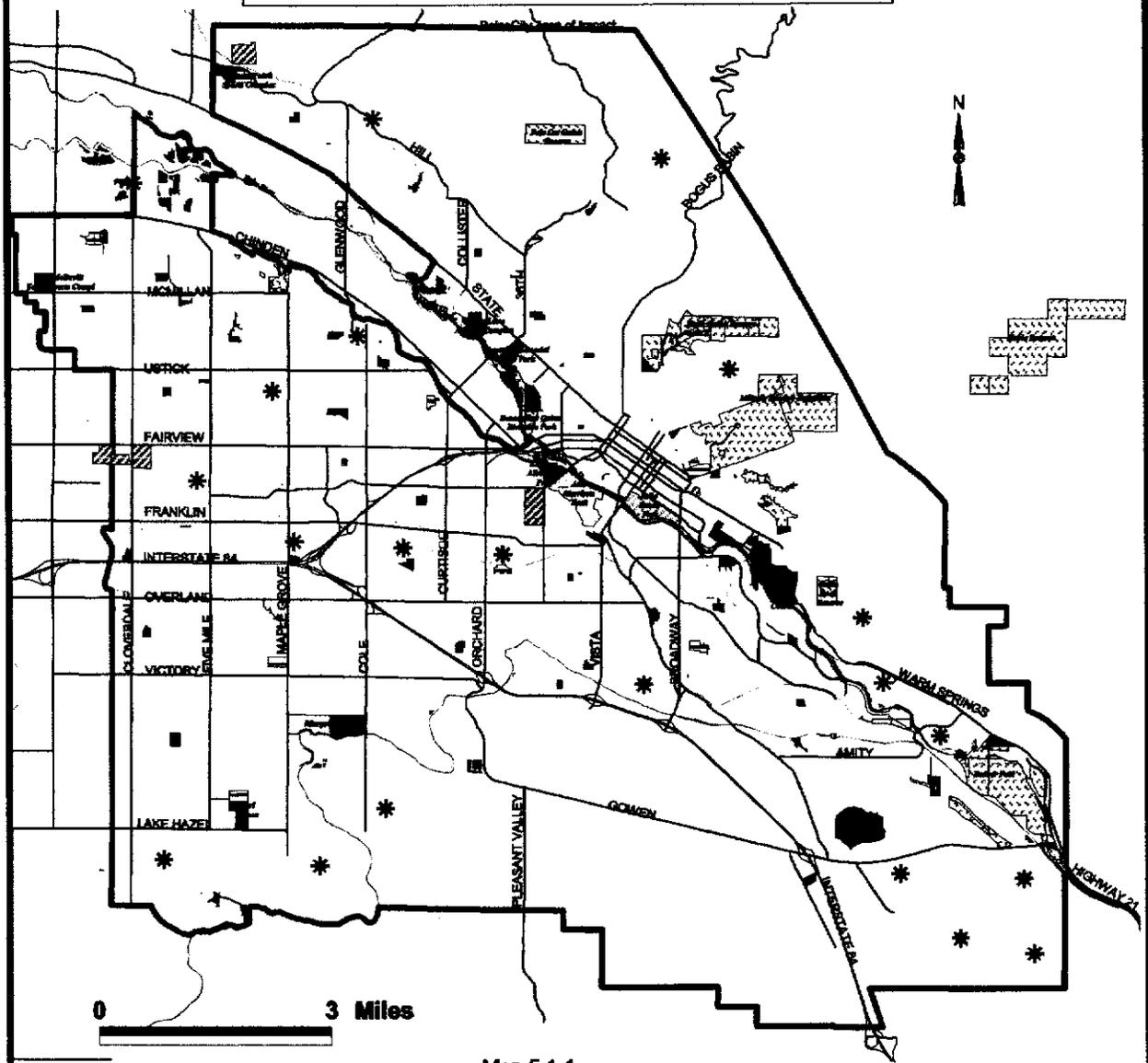
b. Continue fee equity policies that charge nonresidents a different fee schedule for participation in programs held at Boise's parks and recreation facilities.

**PRC2 Inter/Intra-Agency Participation and Coordination**

**Recreation and Open Spaces Map ~ 5.1-1 replace with updated map**

# Comprehensive Park & Recreation Plan 2004

Type of Park			
	Community Park		Future Parks
	Large Urban Park		Cemetery
	Linear Park		Roads
	Mini-Park		Boise Area of Impact
	Neighborhood Park		
	Open Space/Reserve		
	Regional Park		
	Special Use Area		



Note: See the Comprehensive Park & Recreation Plan 2004 for an Open Space Preservation Plan map.

Map 5.1-1

Source: Boise City Parks and Recreation Department  
Revised 2004

- 5) In order to anticipate future recreation facilities and program service needs, the City shall periodically review demographic projections and land use plans against the recreational standards contained in the Comprehensive Parks and Recreation System Plan.

**PRC8 Boise City Actions**

**Objective 3)** Provide trails and pathways that are designed for single or multiple types of users, that create linkages to other areas and facilities and can provide non-vehicular options for travel throughout the community. Strive to provide multiple use recreation trails at a ratio of 0.41 miles per 1,000 population.

**Policies**

- 1) Develop multiple-use trails in accordance to the standards and policies identified in the Comprehensive Park and Recreation System Plan.

**PRC1 Studies, Mapping and Master Plans**

- 2) Pursue the development of a "Rails to Trails" program in order to provide multiple-use trails along abandoned rail corridors. Multiple-use trails on railroad corridors shall be separate from transportation-oriented trails that are also appropriate for railroad corridors.

**PRC6 Continuation of Existing Programs**

- 3) Developers shall comply with the pathway plans identified in the Ridge to River pathway plan and the Comprehensive Park and Recreation System plan by designating and preserving multiple-use paths and trails for public acquisition, by dedicating land exchanges or cluster development in exchange for density transfers, or by other development bonuses.

**PRC3 Ordinances**

- 4) Preserve and extend a public trail corridor adjacent to the historic Oregon Trail route. Provide interpretive experiences along future sections of the Oregon Trail path.

**PRC6 Continuation of Existing Programs**

- 5) Continue the partnership for the Boise Foothills trails system.

**PRC6 Continuation of Existing Programs**

- 6) Maintain and expand the Boise River Greenbelt path system in accordance with the adopted recreation trails and pathways facility plan.

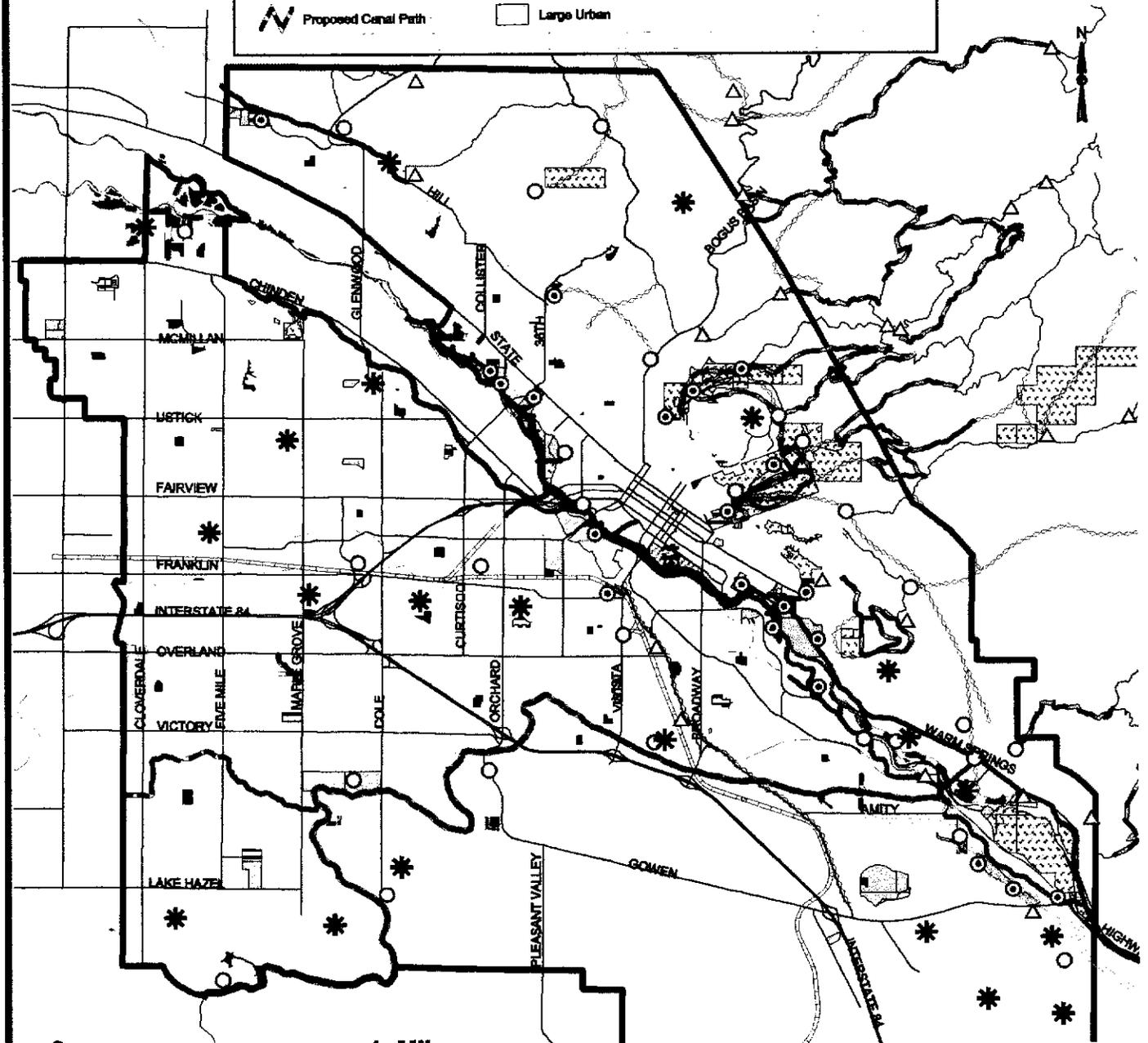
**PRC6 Continuation of Existing Programs**

**Insert Pathway System Plan Map 5.1-2**

# Pathway System Plan 2004

**Legend**

<b>Pathway System</b>		<b>Trailheads</b>	<ul style="list-style-type: none"> <li> Linear</li> <li> Mini</li> <li> Neighborhood</li> <li> Open Space</li> <li> Regional</li> <li> Special Use</li> <li> Boise Area of Impact Boundary</li> <li> Water</li> </ul>
<ul style="list-style-type: none"> <li> Greenbelt Path</li> <li> Federal Way Path</li> <li> Greenbelt Natural Path</li> <li> Proposed Ridge-to-Rivers Trail</li> <li> Proposed Rails with Trails</li> <li> Proposed Greenbelt Path</li> <li> Oregon Trail Path</li> <li> Proposed Canal Path</li> </ul>	<ul style="list-style-type: none"> <li> Existing by Boise City</li> <li> Proposed by Boise City</li> <li> Existing by Others</li> <li> Proposed by Others</li> <li> Proposed Parks</li> </ul>		
		<b>Parks</b>	
		<ul style="list-style-type: none"> <li> Community</li> <li> Large Urban</li> </ul>	



**Objective 4)** Provide natural open space areas where the public can observe nature and obtain a higher level of solitude than is typically found in developed parks. Strive to provide such natural open space areas at a ratio of 8.3 acres per 1,000 population.

### **Policies**

- 1) Acquire and provide natural open space and preserves in accordance to the standards and policies identified in the Comprehensive Park and Recreation System Plan.

#### **PRC1 Studies, Mapping and Master Plans**

- 2) Emphasize acquisition of areas offering unique features or opportunities to observe nature. With the exception of lands identified in the Heritage Preservation Report, lower priority shall be given to sites that, because of development constraints such as floodways, slopes and wetlands, will not be developed.

#### **PRC1 Studies, Mapping and Master Plans**

- 3) Public access shall be designed to minimize harm to wildlife.

#### **PRC1 Studies, Mapping and Master Plans**

- 4) Give priority status to Bald Eagle and Great Blue Heron habitat areas for public acquisition as natural open-space areas.

#### **PRC7 Funding; PRC8 Boise City Actions**

- 5) Pursue public acquisition of gravel pits, ponds and other areas of environmental concern adjacent to the Boise River, and selected waterways throughout the area of impact.

#### **PRC8 Boise City Actions**

- 6) Develop resource management plans for specific natural recreation resources such as riparian areas along the river and natural open space reserves.

#### **PRC1 Studies, Mapping and Master Plans**

- 7) Develop a Boise river front plan which addresses management, maintenance and program responsibility for uses in and along the river. Issues which should be addressed include but are not limited to the following:
  - a. Additional recreation uses along the shoreline
  - b. Development setbacks from the river
  - c. Management of the riparian areas along the river
  - d. Safety and use in and along the river
  - e. Access to the river (types and locations)
  - f. Environmental issues
  - g. Future river crossing

#### **PRC1 Studies, Mapping and Master Plans**

- 8) Pursue development of a desert education center in conjunction with the protection of the Southwest Boise Flats heritage sites.

#### **PRC8 Boise City Actions**

- 9) Pursue development of a wetlands education center at the Hyatt Hidden Lakes Reserve.

#### **PRC2 Inter/Intra-agency Participation and Coordination**

**Objective 5)** Mini-parks shall be primarily provided through the private development entitlement process, without city funding, construction or maintenance.

### **Policies**

- 1) The City shall develop mini-parks only if no other option exists for larger park sites.

#### **PRC1 Studies, Mapping, and Master Plans**

- 2) Mini-parks should be at least a half-acre to accommodate appropriate facilities which include a children's playground facility, an open grass play area and picnic tables and/or benches.

#### **PRC1 Studies, Mapping, and Master Plans**

- 3) Require through site selection that a mini-park be central to the area it serves and be relatively level. If possible,

walking distance to the site should not exceed one-quarter mile, ~~and not require crossing busy streets.~~

**PRC1 Studies, Mapping, and Master Plans**

- 4) Provide development incentives for the inclusion of mini-parks in new subdivisions.

**PRC3 Ordinances**

- 5) Offer limited utility services, such as trash and water, for community garden sites.

**PRC1 Studies, Mapping, and Master Plans**

**Objective 6)** Strive to provide special- use areas such as Warm Springs Golf Course and Willow Lane Athletic Complex at a service level of 2.4 acres per 1,000 population.

**Policies**

- 1) Prepare a detailed cost-benefit analysis and maintenance impact statement before adding any proposed special-use area.

**PRC1 Studies, Mapping, and Master Plans**

- 2) ~~Earmark all net revenues from park and recreation concessions, such as Warm Springs Golf Course, for continued capital expansion of park and recreation facilities.~~

**PRC7 Funding**

- 2) Identify Zoo Boise as a special-use park facility and pursue eligibility to use park impact fees for future zoo expansions.

**PRC1 Studies, Mapping, and Master Plans**

**Objective 7)** Strive to offer a diversity of recreation, arts, and social programming and activities with emphasis on quality, affordability, and safety.

**Policies**

- 1) Monitor neighborhood disinvestment indicators and be proactive in providing recreational services to disadvantaged neighborhoods.

**PRC1 Studies, Mapping, and Master Plans**

- 2) Decentralize recreation services by maintaining and developing strategically located neighborhood and community centers.

**PRC8 Boise City Actions**

- 3) Develop a mobile recreation program to deliver recreation services to city residents at parks, schools, etc.

**PRC8 Boise City Actions**

- 4) Develop recreational programming and activities that promote wellness for people of all ages.

**PRC8 Boise City Actions**

- 5) Continue efforts to implement the Healthy Community-Healthy Youth initiative in cooperation with community sponsors.

**PRC2 Inter/Intra-agency Participation and Coordination**

**CHAPTER 8**

**LAND USE**

**BOISE CITY COMPREHENSIVE PLAN — GOALS, OBJECTIVES AND POLICIES**

The following chapter presents the goals, objectives, policies and implementing program references for Land Use in the Boise Planning Area.

**Objective 11)** Land-use and development policies specific to the West Bench shall include the following.

**Policy**

4) The City shall pursue acquisition of ~~a greenbelt along the west side of Cloverdale Road. The greenbelt shall serve to create a distinctive area of transition between the cities of Boise and Meridian, and shall include the South Boise loop trail, canal and rails to trails pathways~~ to provide trail linkage from the Boise River Greenbelt to the Southwest Planning Area. (See the Recreation and Cultural Facilities chapter)

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT AND AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT: TO PROVIDE FOR INCLUDING PORTIONS OF THE MUIRWOOD AND ROCKHAMPTON SUBDIVISIONS INTO THE BOISE CITY AREA OF CITY IMPACT FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT AND TO EXCLUDE THOSE PORTIONS OF SAID SUBDIVISIONS FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING PORTIONS OF THE MEDALIST, UMPQUA AND CARMICHAEL SUBDIVISIONS FROM UNINCORPORATED ADA COUNTY INTO THE BOISE CITY AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING A PORTION OF THE RANCHO LOS ALTOS SUBDIVISION INTO THE CITY OF MERIDIAN'S AREA OF CITY IMPACT AND EXCLUDE SAID PORTION FROM BOISE CITY'S AREA OF CITY IMPACT.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT THE BOISE CITY AREA OF CITY IMPACT AND THE MERIDIAN AREA OF CITY IMPACT BOUNDARY MAPS ARE AMENDED AS SET FORTH IN EXHIBITS "A" THROUGH "F" ATTACHED HERETO, AND ADA COUNTY CODE, TITLE 9 CHAPTER 3, BOISE CITY AREA OF CITY IMPACT AND ADA COUNTY CODE, TITLE 9, CHAPTER 4, MERIDIAN AREA OF CITY IMPACT BE AMENDED AS FOLLOWS:**

**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 \_\_\_\_\_, \_\_\_\_\_, 2005.

B. Division By Boundary Line: In the case where a property under single ownership is divided by the boundary line of the Boise City area of city impact and any other area of city impact boundary, and the lines divide 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 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 Boise City 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.

C. 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.

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 \_\_\_\_\_, \_\_\_\_\_, 2005.

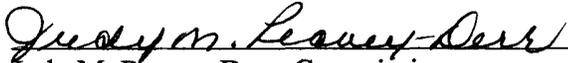
B. Division By Boundary: In case a property under single ownership is divided by the boundary line of the Meridian area of city impact and any other area of city impact boundary and the line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such 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.

APPROVED AND ADOPTED THIS 13th DAY OF April, 2005

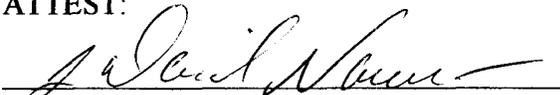
**Board of Ada County Commissioners**

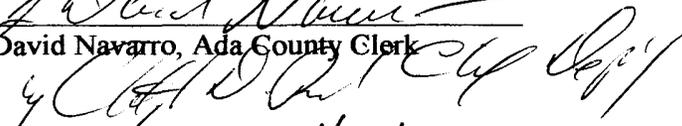
By:   
Rick Yzaguirre, Chairman

By:   
Judy M. Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

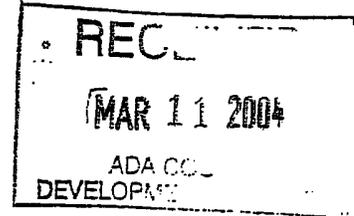
ATTEST:

  
David Navarro, Ada County Clerk

  
PUBLICATION DATE: 4/21/05

DESCRIPTION NO. 1

MERIDIAN AREA OF IMPACT  
TO  
BOISE AREA OF IMPACT



That portion of the Muirwood Subdivisions located in the West Half of the Southeast Quarter of Section 21, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the East Quarter Corner for Section 21; thence North  $89^{\circ} 19' 42''$  East 1328.07 feet to the northeast corner of said West Half; thence South  $00^{\circ} 01' 56''$  West 163.30 feet along the easterly boundary of said West Half to a point on the centerline of the Ridenbaugh Canal, said point being the TRUE POINT OF BEGINNING;

Thence North  $84^{\circ} 15' 00''$  West 164.81 feet along said centerline;

Thence South  $89^{\circ} 16' 51''$  West 136.02 feet along said centerline;

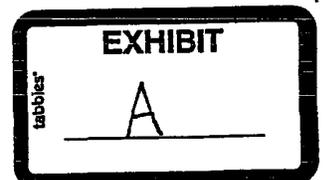
Thence leaving said centerline South  $00^{\circ} 01' 56''$  West 1183.47 feet to the northerly boundary of the South Half of said Southeast Quarter;

Thence South  $89^{\circ} 31' 29''$  East 218.87 feet along said northerly boundary;

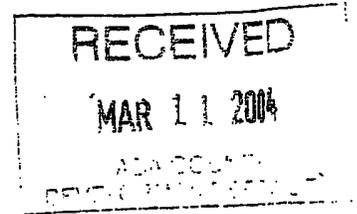
Thence South  $42^{\circ} 23' 46''$  East 120.26 feet to the easterly boundary of the West Half of said Southeast Quarter;

Thence North  $00^{\circ} 01' 56''$  East 1259.89 feet along the easterly boundary of the West Half of said Southeast Quarter to the TRUE POINT OF BEGINNING.

Area of land contains 8.22 Acres more or less.



DESCRIPTION NO. 2  
BOISE AREA OF IMPACT  
TO  
MERIDIAN AREA OF IMPACT



That portion of the Ranchos Los Altos Subdivision located in the Southeast Quarter of the Southeast Quarter of Section 21, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

----- Commencing at the Southeast Corner for Section 21; thence along the southerly boundary of Section 21 North  $89^{\circ} 43' 30''$  West 1327.01 feet to the southwest corner of said Southeast Quarter of the Southeast Quarter; thence North  $00^{\circ} 01' 57''$  East 25.00 feet to the northerly right of way of West Victory Road, the TRUE POINT OF BEGINNING;

Thence along the westerly boundary of the Southeast Quarter of the Southeast Quarter North  $00^{\circ} 01' 57''$  East 1221.39 feet;

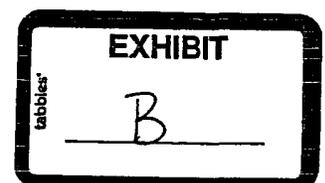
Thence South  $42^{\circ} 23' 46''$  East 163.30 feet;

Thence South  $12^{\circ} 26' 37''$  West 480.37 feet;

Thence South  $43^{\circ} 26' 21''$  East 874.01 feet to the northerly right of way of West Victory Road;

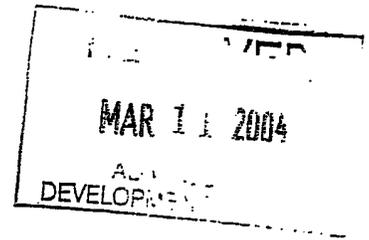
Thence along said right of way North  $89^{\circ} 43' 30''$  West 608.28 feet to the TRUE POINT OF BEGINNING.

Area of land contains 5.24 Acres more or less.



DESCRIPTION NO. 3

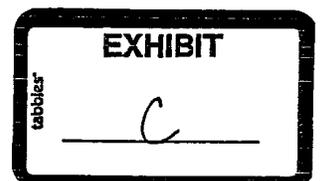
MERIDIAN AREA OF IMPACT  
TO  
BOISE CITY AREA OF IMPACT  
(ROCKHAMPTON SUBDIVISION)



The East Half of the Southwest Quarter of the Southeast Quarter of Section 33, Township 3 North, Range 1 East Boise Meridian, Ada County, Idaho, also being shown as Parcel 2 on Record of Survey No. 6122, Instrument No. 103061922, Records of Ada County.

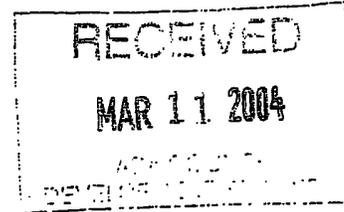
Together with the southerly right of way of Lake Hazel Road adjacent to the southerly boundary of said East Half.

Said East Half contains 40.98 Acres more or less.



DESCRIPTION NO. 4

ADA COUNTY  
TO  
BOISE CITY AREA OF IMPACT



That part of Medalist Subdivision No. 1, filed for record in Book 78 at Page 8326, Records of Ada County, located in the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of Section 4, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner for said Section 4; thence North  $89^{\circ} 56' 39''$  West 1325.79 feet along the northerly boundary of Section 4 to the northeast corner of the Northwest Quarter of the Northeast Quarter; thence South  $00^{\circ} 31' 22''$  West 40.00 feet to the southerly right of way of West Lake Hazel Road, the TRUE POINT OF BEGINNING;

Thence along the easterly boundary of the Northwest Quarter of the Northeast Quarter South  $00^{\circ} 31' 22''$  West 445.87 feet to the southerly boundary of Medalist Subdivision No. 1;

Thence along said southerly boundary North  $77^{\circ} 30' 00''$  West 269.61 feet to the southwesterly corner of Lot 1, Block 1, said Medalist Subdivision No. 1;

Thence along the westerly boundary of said Lot 1 North  $16^{\circ} 00' 00''$  East 179.48 feet to the southerly right of way of West Medalist Drive;

Thence along said southerly right of way North  $60^{\circ} 00' 00''$  West 51.25 feet to the beginning of a curve;

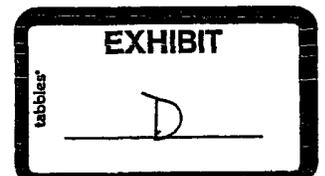
Thence 183.43 feet along the arc of a curve right having a radius of 175.00 feet, a central angle of  $60^{\circ} 03' 21''$ , and long chord bearing North  $29^{\circ} 58' 19''$  West 175.15 feet;

Thence continuing along said southerly right of way North  $00^{\circ} 03' 21''$  East 17.94 feet;

Thence continuing along said southerly right of way North  $44^{\circ} 56' 39''$  West 28.28 feet to the southerly right of way of West Lake Hazel Road;

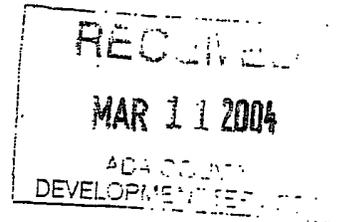
Thence along said right of way South  $89^{\circ} 56' 39''$  East 369.67 feet to the TRUE POINT OF BEGINNING.

Area described contains 2.70 Acres more or less.



DESCRIPTION NO. 5

ADA COUNTY  
TO  
BOISE CITY AREA OF IMPACT



That part of Umpqua Subdivision 1 and 2 shown as Parcel 2, on Record of Survey No. 5986, Instrument No. 102133541, Records of Ada County, located in the Northwest Quarter of the Southeast Quarter of Section 4, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows;

Commencing at the East Quarter Corner for said Section 4; thence along northerly boundary of the Southeast Quarter North  $89^{\circ} 40' 55''$  West 1337.37 feet to the northeast corner of the Northwest Quarter of the Southeast Quarter, the TRUE POINT OF BEGINNING;

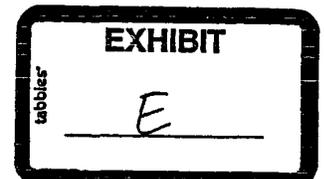
Thence South  $00^{\circ} 46' 41''$  West 1120.89 feet along the easterly boundary of the Northwest Quarter of the Southeast Quarter;

Thence North  $33^{\circ} 35' 59''$  West 531.29 feet;

Thence North  $00^{\circ} 46' 41''$  East 680.00 feet to the northerly boundary of the Southeast Quarter;

Thence along said northerly boundary South  $89^{\circ} 40' 51''$  East 300.00 feet to the TRUE POINT OF BEGINNING.

Parcel contains 6.20 Acres more or less.



DESCRIPTION NO. 6

ADA COUNTY  
TO  
BOISE CITY AREA OF IMPACT  
(CARMICHAEL SUBDIVISION)

RECEIVED  
MAR 11 2004

The Northeast Quarter of the Northwest Quarter of Section 10, Township 2 North, Range .  
1 East, Boise Meridian, Ada County, Idaho.

Excepting therefrom that part of said Northeast Quarter of the Northwest Quarter lying  
northeasterly of the Moore Lateral and currently within the Boise City Area of Impact.

EXHIBIT

tabbles

F

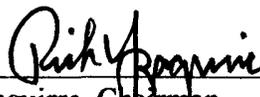
**SUMMARY OF ADA COUNTY ORDINANCE NO. 579**

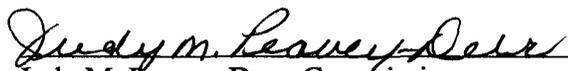
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT AND AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT: TO PROVIDE FOR INCLUDING PORTIONS OF THE MUIRWOOD AND ROCKHAMPTON SUBDIVISIONS INTO THE BOISE CITY AREA OF CITY IMPACT FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT AND TO EXCLUDE THOSE PORTIONS OF SAID SUBDIVISIONS FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING PORTIONS OF THE MEDALIST, UMPQUA AND CARMICHAEL SUBDIVISIONS FROM UNINCORPORATED ADA COUNTY INTO THE BOISE CITY AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING A PORTION OF THE RANCHO LOS ALTOS SUBDIVISION INTO THE CITY OF MERIDIAN'S AREA OF CITY IMPACT AND EXCLUDE SAID PORTION FROM BOISE CITY'S AREA OF CITY IMPACT.

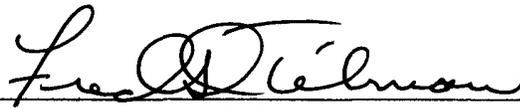
ORDINANCE NO.579 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 13<sup>th</sup> DAY OF April, 2005.

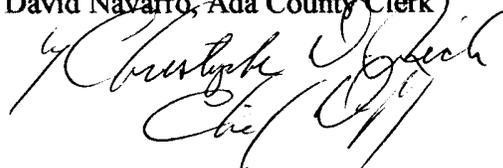
**Board of Ada County Commissioners**

By:   
Rick Yzaguirre, Chairman

By:   
Judy M. Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

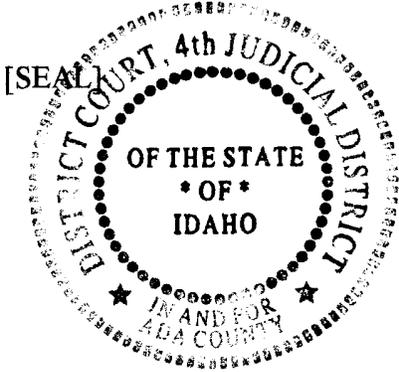
ATTEST:

  
David Navarro, Ada County Clerk  
  
Chief Clerk

**STATEMENT OF APPROVAL**

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 579 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

*J. David Navarro*  
\_\_\_\_\_  
J. David Navarro  
Ada County Clerk *Christy D. Paul*  
*Cliff Dyer*



**LEGAL NOTICE  
SUMMARY OF ADA COUNTY  
ORDINANCE NO. 579**

AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE, ENTITLED BOISE CITY AREA OF CITY IMPACT AND AMENDING TITLE 9, CHAPTER 4, ADA COUNTY CODE, ENTITLED MERIDIAN AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING PORTIONS OF THE MUIRWOOD AND ROCKHAMPTON SUBDIVISIONS INTO THE BOISE CITY AREA OF CITY IMPACT FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT AND TO EXCLUDE THOSE PORTIONS OF SAID SUBDIVISIONS FROM THE CITY OF MERIDIAN AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING PORTIONS OF THE MEDALIST, UMPQUA AND CARMICHAEL SUBDIVISIONS FROM UNINCORPORATED ADA COUNTY INTO THE BOISE CITY AREA OF CITY IMPACT; TO PROVIDE FOR INCLUDING A PORTION OF THE RANCHO LOS ALTOS SUBDIVISION INTO THE CITY OF MERIDIAN'S AREA OF CITY IMPACT AND EXCLUDE SAID PORTION FROM BOISE CITY'S AREA OF CITY IMPACT.

ORDINANCE NO. 579 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 13TH DAY OF APRIL, 2005.

Board of Ada County Commissioners  
By: Rick Yzaguirre, Chairman  
By: Judy M. Peavey-Derr, Commissioner  
By: Fred Tilman, Commissioner  
ATTEST: J. David Navarro,  
Ada County Clerk  
By Christopher D. Rich, Chief Deputy

**STATEMENT OF APPROVAL**

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 579 is true and complete and provides adequate notice to the public, pursuant to Idaho Code B 31-715A.

J. David Navarro  
Ada County Clerk  
By Christopher D. Rich  
Chief Deputy

Pub. Apr. 21, 2005

22238

AN ORDINANCE REPEALING ADA COUNTY ORDINANCES 539 AND 579 AND TO REENACT CERTAIN PROVISIONS 539 AND 579 AS TO AREA OF CITY IMPACT BOUNDARIES BETWEEN EAGLE, BOISE, MERIDIAN AND ADA COUNTY OF AND IN ORDER TO CURE TEXT INCONSISTENCIES BETWEEN THE SAID ORDINANCES AND ORDINANCE 525; PROVIDING FOR AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE ENTITLED THE BOISE CITY AREA OF CITY IMPACT TO ADOPT BOISE CITY RESOLUTION 17367 PROVIDING FOR CHANGES TO THE BOISE CITY COMPREHENSIVE PLAN WITH REGARD TO CLARIFYING DENSITY STANDARDS, MODIFYING DEFINITIONS AND GUIDELINES FOR SOUTHWEST PLANNING AREA DESIGNED AS ESTATE DENSITY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, THAT ORDINANCES 539 AND 579 ARE HEREBY REPEALED; THE EAGLE AREA OF CITY IMPACT BOUNDARY IS AMENDED TO INCLUDE APPROXIMATELY 503 ACRES OF LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND EXHIBIT "C" ATTACHED HERETO AND TO EXCLUDE APPROXIMATELY 190 ACRES OF LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND THAT THE BOISE CITY AREA OF CITY IMPACT IS AMENDED TO INCLUDE APPROXIMATELY 190 ACRES OF LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND TO EXCLUDE APPROXIMATELY 503 ACRES OF LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND EXHIBIT "C" ATTACHED HERETO AND THE LAND IN EXHIBIT "A" SHALL BE CONSIDERED A REFERRAL AREA FOR BOISE CITY AND BE SO DESIGNATED ON THE BOISE CITY AREA OF CITY IMPACT MAP; THAT THE BOISE CITY AREA OF CITY IMPACT BOUNDARY AND THE MERIDIAN AREA OF CITY IMPACT BOUNDARY ARE AMENDED AS SET FORTH IN EXHIBITS "D" THROUGH "I" ATTACHED HERETO; AND THAT ADA COUNTY CODE, TITLE 9, CHAPTERS 2, 3, AND 4 BE AMENDED AS FOLLOWS:

Section 1: Ada County Code Section 9-2-1 is amended as follows:

**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 \_\_\_\_\_, \_\_\_\_\_, 20\_\_\_\_\_.

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.

Section 2: Ada County Code Section 9-2-1 is amended as follows:

**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 \_\_\_\_\_, 20\_\_\_\_\_.

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.

Section 2: Ada County Code Section 9-3-3 is amended as follows:

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

A. The Boise City comprehensive plan, adopted by Boise 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, and February 11, 2003, including the Boise City comprehensive park and recreation system plan, 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, known also as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001, 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.

Section 3: Ada County Code Section 9-3-4 is amended as follows:

**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 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 30 days prior to a public hearing.

C. Applications For Subdivisions, And Rezones: Applications for subdivisions, and rezones within the Boise 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.

Section 4: Ada County Code Section 9-4-1 is amended as follows:

**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:

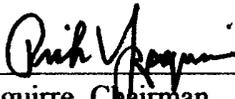
- a. Ordinance 229, December 20, 1990.
- b. Ordinance 257, December 3, 1992.
- c. Ordinance 282, December 1, 1994.
- d. Ordinance 285, January 26, 1995.
- e. Ordinance 345, September 24, 1997.
- f. Ordinance 473, November 20, 2002.
- g. Ordinance 508, September 24, 2003.
- h. Ordinance 579, April 13, 2005.
- i. Ordinance \_\_\_\_\_, 20\_\_\_\_\_.

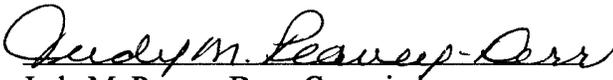
B. Division By Boundary: In case a property under single ownership is divided by the boundary line of the Meridian area of city impact and any other area of city impact boundary and the line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such 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.

ADOPTED AND APPROVED this 28<sup>th</sup> day of December, 2005.

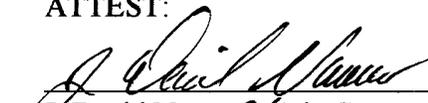
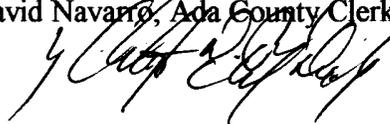
**Board of Ada County Commissioners**

By:   
Rick Yzaguirre, Chairman

By:   
Judy M. Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

ATTEST:

  
J. David Navarro, Ada County Clerk  


PUBLISHED: 1/13/06

SUMMARY OF ADA COUNTY ORDINANCE NO. 602

AN ORDINANCE REPEALING ADA COUNTY ORDINANCES 539 AND 579 AND TO REENACT CERTAIN PROVISIONS OF 539 AND 579 AS TO AREA OF CITY IMPACT BOUNDARIES BETWEEN EAGLE, BOISE, MERIDIAN AND ADA COUNTY AND IN ORDER TO CURE TEXT INCONSISTENCIES BETWEEN THEM AND ORDINANCE 525; PROVIDING FOR AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE ENTITLED THE BOISE CITY AREA OF CITY IMPACT TO ADOPT BOISE CITY RESOLUTION 17367 PROVIDING FOR CHANGES TO THE BOISE CITY COMPREHENSIVE PLAN WITH REGARD TO CLARIFYING DENSITY STANDARDS, MODIFYING DEFINITIONS AND GUIDELINES FOR SOUTHWEST PLANNING AREA DESIGNED AS ESTATE DENSITY.

ORDINANCE NO.602 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 28<sup>th</sup> DAY OF December, 2005.

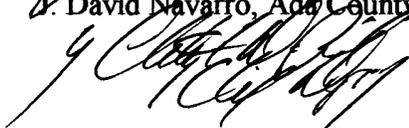
**Board of Ada County Commissioners**

By:   
Rick Yzaguirre, Chairman

By:   
Judy M. Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

ATTEST:

  
David Navarro, Ada County Clerk  


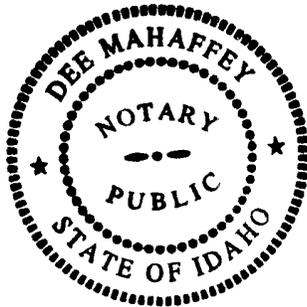
STATEMENT OF APPROVAL

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. \_\_\_\_\_ is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

J. David Navarro  
J. David Navarro  
Ada County Clerk  
[Signature]  
Chief Deputy

STATE OF IDAHO            )  
  ) ss.  
County of Ada            )

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of December, 2005.



[Signature]  
Notary Public for Idaho  
Commission Expires August 1, 2008



**LEGAL NOTICE  
SUMMARY OF ADA COUNTY  
ORDINANCE NO. 602**

AN ORDINANCE REPEALING ADA COUNTY ORDINANCES 539 AND 579 AND TO REENACT CERTAIN PROVISIONS OF 539 AND 579 AS TO AREA OF CITY IMPACT BOUNDARIES BETWEEN EAGLE, BOISE, MERIDIAN AND ADA COUNTY AND IN ORDER TO CURE TEXT INCONSISTENCIES BETWEEN THEM AND ORDINANCE 525; PROVIDING FOR AMENDING TITLE 9, CHAPTER 3, ADA COUNTY CODE ENTITLED THE BOISE CITY AREA OF CITY IMPACT TO ADOPT BOISE CITY RESOLUTION 17367 PROVIDING FOR CHANGES TO THE BOISE CITY COMPREHENSIVE PLAN WITH REGARD TO CLARIFYING DENSITY STANDARDS, MODIFYING DEFINITIONS AND GUIDELINES FOR SOUTHWEST PLANNING AREA DESIGNED AS ESTATE DENSITY.

ORDINANCE NO.602 SHALL BE EFFECTIVE UPON PUBLICATION. A FULL TEXT OF THE ORDINANCE IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE ADA COUNTY CLERK, 200 W. FRONT STREET, BOISE, IDAHO.

APPROVED BY THE BOARD OF ADA COUNTY COMMISSIONERS THIS 28th DAY OF December, 2005.

Board of Ada County Commissioners  
By: Rick Yzaguirre, Chairman  
By: Judy M. Peavey-Derr, Commissioner  
By: Fred Tilman, Commissioner  
ATTEST J. David Navarro,  
Ada County Clerk

**STATEMENT OF APPROVAL**

I, J. David Navarro, Ada County Clerk, do hereby declare that the attached summary of the Ada County Ordinance No. 602 is true and complete and provides adequate notice to the public, pursuant to Idaho Code § 31-715A.

J. David Navarro  
Ada County Clerk

STATE OF IDAHO     )  
                              ) ss.  
County of Ada        )

SUBSCRIBED AND SWORN to before me this 28th day of December, 2005.

Dee Mahaffey  
Notary Public for Idaho  
Commission Expires August 01, 2008

Pub. Jan. 13, 2006

24440

RESOLUTION NO. 18866

BY THE COUNCIL:

BISTERFELDT, CLEGG, EBERLE, JORDAN,  
MAPP AND SHEALY

**A RESOLUTION ACKNOWLEDGING THE RESULTS OF AREA OF IMPACT NEGOTIATIONS WITH ADA COUNTY REGARDING THE 2004 BOISE COMPREHENSIVE PARKS AND RECREATION SYSTEM PLAN UPDATE; OMITTING CERTAIN PROVISIONS OF THE COMPREHENSIVE PARKS AND RECREATION SYSTEM PLAN UPDATE RELATING TO THE BOISE CITY AREA OF CITY IMPACT, REAFFIRMING THE CITY OF BOISE'S CONTINUING COMMITMENT TO THE FOOTHILLS OPEN SPACE MANAGEMENT PLAN AND CONSERVATION EFFORTS IN THE BOISE FOOTHILLS UNDER THE FOOTHILLS SERIAL LEVY, REQUESTING THAT ADA COUNTY PROCEED WITH ADOPTION OF THE BOISE COMPREHENSIVE PARKS AND RECREATION SYSTEM PLAN UPDATE AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on October 5, 2004, the Boise City Council adopted the 2004 Boise Comprehensive Parks and Recreation System Plan Update by Resolution No. 18344, which the City thereafter submitted to Ada County for approval and ratification pursuant to the provisions of Idaho Code § 67-6526, and,

**WHEREAS**, Ada County declines to adopt certain provisions of the 2004 Boise Comprehensive Parks and Recreation System Plan Update as part of Ada County's comprehensive plan for the Boise City area of city impact as set forth in Ada County Code, Title 9, Chapter 3, and,

**WHEREAS**, on July 7, 2005, at a regularly scheduled meeting, the Mayor and City Council met with the Ada County Board of County Commissioners and completed negotiations concerning provisions of the 2004 Boise Comprehensive Parks and Recreation System Plan Update for inclusion in Ada County's comprehensive plan for the Boise City area of city impact as set forth in Ada County Code, Title 9, Chapter 3, and

**WHEREAS**, the negotiated omissions from the proposed 2004 Boise Comprehensive Parks and Recreation System Plan Update do not result in material changes to adopted Boise City policies, ordinances or agreements with other agencies, including, but not limited to the City of Boise's previously expressed intent to continue to carry out the provisions of the Foothills Open Space Management Plan and other conservation efforts in the Boise Foothills as contemplated by the Foothills Serial Levy.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF BOISE CITY:**

**Section 1.** That, having been considered at a regularly scheduled meeting of the City Council on November 14, 2005, the City of Boise acknowledges and agrees to Ada County's request to omit certain elements of the 2004 Boise Comprehensive Parks and Recreation System Plan Update only as those elements relate to Ada County's comprehensive plan for the Boise City area of city impact as set forth in Ada County Code, Title 9, Chapter 3.

**Section 2.** That the City Council adopts the omissions from the 2004 Boise Comprehensive Parks and Recreation System Plan Update attached hereto as Exhibit A and incorporated herein as if set forth in full only insofar as those omissions relate to Ada County's comprehensive plan for the Boise City area of city impact as set forth in Ada County Code Title 9, Chapter 3.

**Section 3.** That the City Council requests Ada County close negotiations for amendments to the Boise City area of city impact agreement and proceed with formal adoption of the 2004 Boise Comprehensive Parks and Recreation System Plan Update with those omissions attached hereto as Exhibit A as set forth in Ada County Code, Title 9, Chapter 3.

**Section 4.** That the City Clerk shall forthwith transmit a conformed copy of this resolution, including exhibits thereto, to the Ada County Ex-Officio Auditor and Recorder for approval and ratification by the Ada County Planning & Zoning Commission and Ada County Board of County Commissioners.

**Section 5.** That the City of Boise hereby reaffirms its commitment to carry out the provisions of the Foothills Open Space Management Plan together with all other conservation efforts in the Boise Foothills as contemplated by the 2001 Foothills Serial Levy.

**Section 7.** That Resolution No. 18847 previously adopted by the City Council and approved by the Mayor is hereby repealed in its entirety and this Resolution No. 18866 substituted therefor.

**Section 6.** That this Resolution shall be in full force and effect immediately upon its adoption and approval.

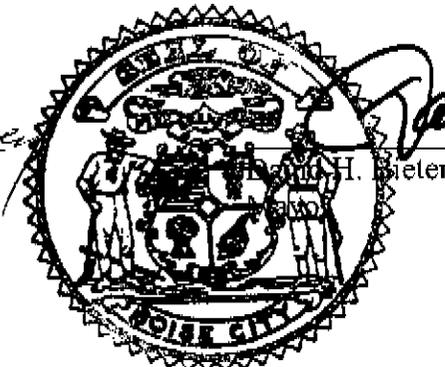
**ADOPTED** by the Council of the City of Boise, Idaho, this 15th day of November, 2005.

**APPROVED** by the Mayor of the City of Boise, Idaho, this 15th day of November, 2005.

**ATTEST:**

**APPROVED:**

  
Annette P. Mooney  
City Clerk



## 12. Public Open Space Needs

### Background

The region's Public open space values are affected by urban growth and increased use of these lands. Results of the 2003 recreation survey of households (see the appendices) suggest that the community strongly supports maintaining and expanding existing undeveloped lands along the Boise River and in the Boise Foothills for wildlife, aesthetic, recreational, and natural resources. Boise's long-term community health will be influenced by how well the community integrates preservation of its natural resources with economic and population growth demands.

As Boise continues to grow, conservation of open spaces will depend more heavily on coordination and cooperation among public land management agencies and private landowners. The City's current inventory of open space reserve land covers approximately 1,200 acres, which includes wetland areas; numerous ponds; and lands in the Boise Foothills, along the Boise River, and along the historic Oregon Trail. These properties are managed for their open space values and passive recreation uses.

Open space includes undeveloped lands that may contain natural and wildlife resources, provide recreational opportunities, have high communitywide scenic value and visual exposure, contain natural hazard areas, or contain significant historical or cultural heritage resources. Public open spaces are lands managed and maintained primarily in their natural condition, with recreational uses potentially accommodated where they do not conflict with natural values. Public open space lands allow people to observe nature and experience a higher level of solitude than is typically found in developed parks. Not all public open space lands are readily available to the general public due to the presence of wetlands, steep hillsides, sensitive wildlife, rare plants, habitat value, riparian functions, historical features, or other unique and important natural or cultural values.

### Survey Results

The 2003 survey of households provides insight regarding public opinion of open spaces and open space management issues. Surveyed households indicated that very large, natural open space reserves were a high priority in the list of parkland types most needed in Boise. Of the households surveyed, 13.5% responded that the most important park improvements necessary to serve the community included upgrading existing parks, recreation facilities, paths, and open space. Rated closely behind was the desire to expand and develop the Boise River Greenbelt and Ridge to Rivers trail system. The survey indicated that over 70% of the community uses the Greenbelt system. Nearly 60% of respondents ranked river management as being very important, and 45% of respondents ranked foothills management as being very important. Under the category of the five most needed public recreational facilities, development of additional walking and biking paths was rated first. These types of activities are typically earmarked for development in open space areas. Also receiving significant interest were bird and wildlife observation sites. Households also indicated strong preference for providing areas for activities such as mountain biking, rock climbing, and similar activities that can take place in public open space settings.

## ***Level of Service***

Boise's citizens consider all public open space in the area to be critical to the community's quality of life. The city of Boise has sought to acquire and manage many of the region's most important open space features. Public open spaces such as the Barber Pool (Idaho Foundation for Parks and Lands, Ada County) and Boise Foothills (Bureau of Land Management, U.S. Forest Service, Idaho Department of Fish and Game, Idaho Department of Lands [state lands], city of Boise, Ada County, and others) are equally important, as is evidenced by the City's leadership in developing and adopting the *Public Lands Open Space Management Plan for the Boise Foothills*, collaboration on this plan by all certain public land agencies, and passage of the \$10 million serial levy for foothills land acquisition in 2001.

The foothills serial levy initiative acknowledged that a vast amount of foothills land extends beyond city boundaries, yet these parcels remain important to the overall perception of Boise by both residents and nonresidents. These multijurisdictional local, state, and federal lands provide open space values in a grand scale. The importance of these lands includes serving as the backdrop to the state capital; protecting numerous resource values and functions, such as wildlife, habitat, watershed, and cultural heritage; and providing for recreational and educational activities.

Currently, approximately 6,100 acres of public lands are held as open space within Boise's area of impact. Approximately 2,000 acres are preserved in perpetuity by public resource agencies such as Boise Parks & Recreation (Department), Idaho Department of Fish and Game, and Idaho Department of Parks and Recreation. Around 247 acres are considered "semi-protected," that is, under the control of a public agency or other entity that uses lands for a specific purpose that may provide for some protection of open space values, such as the Boise Airport, Bureau of Reclamation, canal companies, or others. Idaho Department of Lands manages 3,850 acres in the Boise Foothills that are within or immediately adjacent to the City's area of impact. These lands are managed for financial benefit of the state's educational system and have been identified as important in the pursuit of an exchange to another agency to ensure protection as open space.

Two methodologies for determining public open space standards and needs are addressed. The first methodology uses only those open space reserve properties in City ownership to calculate the existing level of service (LOS) standard for purposes of using open space impact fees to help mitigate impacts of growth. The second methodology uses all publicly owned properties and proposed open space acquisition areas, as identified by the adopted heritage preservation report (*Potential Public Preservation Sites*) and *Public Lands Open Space Management Plan for the Boise Foothills*, to calculate what the City's overall public open space standard is now and what the need will be at build-out of the City and its area of impact. These documents identify a total of approximately 16,000 acres both in and adjacent to the City's area of impact that should be preserved in perpetuity.

The calculated 2002 open space LOS standard for the City is 6.11 acres/1,000 residents. However, several pending land acquisitions in the foothills will push this figure well beyond the adopted LOS standard of 8.3 acres/1,000 residents. Therefore, the City should retain the adopted open space LOS standard for purposes of impact fees. The 2002 communitywide public open space LOS standard is 30.5 acres/1,000 residents. The proposed communitywide public open space LOS standard for build-out (2025) is 49.2 acres/1,000 residents. While this proposed standard seems ambitious, it reflects what Boise residents indicate is a desirable level of open space to maintain the City's overall quality of life values.

## ***Open Space Plan***

The City should continue efforts to enact the recommendations of the Heritage Preservation Committee's report on potential sites (*Potential Public Preservation Sites*), the *Public Lands Open Space Management Plan for the Boise Foothills*, and other plans to meet increased demands for recreational access and use of open space areas due to growth and urban development. The heritage preservation report recommended preserving important open space parcels and linear open space features, including cultural sites, the Boise River, wetlands, trails, and other lands having significant environmental, recreational, or scenic values. The foothills serial levy, while supporting efforts to preserve a number of heritage preservation sites, included broader provisions for acquiring and preserving foothills open space parcels to connect existing public open space lands, preserve all public lands in the foothills for open space, protect critical winter range lands for deer and elk, promote recreational connectivity, and protect the scenic backdrop of the community. These provisions are incorporated into a single plan—the *Public Lands Open Space Management Plan for the Boise Foothills*—to guide future open space acquisitions and promote coordination and cooperation among agencies, open space interest groups, private landowners, and the public. See the open space preservation plan map.

Key components of implementing *Public Lands Open Space Management Plan for the Boise Foothills* include the following:

- Continue to assess open space impact fees to acquire identified heritage preservation sites.
- Pursue and maintain partnerships for acquisition and management of open space lands.
- Identify alternative funding sources and supplemental revenue streams that enhance limited acquisition and management resources (serial levies, grants, special purpose taxes, user supported services, exchanges, transfers, donations, volunteers, and others).
- Develop management plans and strategies to promote linkage of and connectivity to public open space parcels, meet wildlife needs, protect rare and endangered plants, provide public education, protect natural resources, and provide for recreational trails.
- Establish strategically located public access trailheads that promote the open space experience by providing adequate parking, restroom amenities, and management signage.

**Open space preservation plan map**



### ***Funding of Open Space Planning, Acquisition, Development Management, Maintenance, and Recreational Services***

Funding of open space-related activities requires a variety of tools and strategies. Until recently, the most prevalent funding mechanism was to request support from the Mayor and City Council to use general fund dollars. General funds have been used primarily to promote open space objectives, including development of the heritage preservation report, *Public Lands Open Space Management Plan for the Boise Foothills*, *Boise River Resource Management and Master Plan*, and others. The City began assessing a park impact fee for acquisition of open space and development of trails and related improvements such as trailheads. Open space impact fees have been used to fund a number of important public open space land acquisitions. The City has also used partnerships with public agencies and private entities to acquire strategic properties. In addition, the City has entered into interagency agreements to pursue public land trades and transfers, provide for open space management services, and pursue conservation easements. Successful passage of the foothills serial levy generated \$10 million for acquiring and leveraging funds to buy strategic open space lands and easements, as well as funding a land exchange between public agencies and the Idaho Department of Lands. The City should continue to pursue implementation of adopted open space plans using a variety of funding mechanisms such as partnerships, impact fees, tax funds, donations, and other sources.

### ***Previous Open Space Planning Efforts***

Various citizens' committees have been formed to address Boise residents' desire to preserve and protect important open spaces. Many of these efforts have occurred since 1990. The following sections outline the key elements of important open space reports and resource management plans. Goals and objectives related to open space acquisition are also summarized.

#### ***1993 Heritage Preservation Report (Potential Public Preservation Sites)***

Recognizing the importance of open space, the Boise City Council created the Heritage Preservation Committee in 1991 to evaluate the need for public acquisition of open space. The heritage preservation report summarizes the work of this committee and concentrates on identifying and evaluating potential sites for preservation. A rating and ranking score exists for 42 individual areas. The findings from this adopted report are incorporated into the *Comprehensive Parks & Recreation Systems Plan's* "Open Space Plan" element. The heritage preservation report prioritized site acquisitions, suggested use of multiple preservation techniques, provided recommendations for use of a variety of funding mechanisms, encouraged Department's involvement in planning and zoning processes, and recommended use of public and private partnerships to ensure adequate funding for implementation of plans and management of open spaces.

#### ***1996 Reserves Master Plan***

Boise Parks & Recreation commissioned the reserves plan study for three reserves: Hulls Gulch, Camel's Back, and Military. The reserves are immediately adjacent to the City's North End neighborhood. The reserves plan establishes a baseline of existing conditions, assesses the needs of users, and outlines both a management plan and a master facilities plan to guide development and management of these reserves. The fundamental components of the plan include roads and parking; trails and access; day-use facilities; interpretive facilities; and

management, maintenance, and acquisition of important adjacent parcels. Adopted goals of the reserves plan include the following:

- Recognize the uniqueness of the reserves' resources—open space, wildlife, diverse habitat, watershed values, and terrain.
- Protect and enhance the reserves' natural and cultural resources.
- Enhance appropriate recreational access to the reserves and the foothills environment beyond.
- Facilitate and support low-impact recreational uses within the reserves.
- Establish an ongoing management and conservation program that recognizes the reserves as a unique component of the Boise parks and recreation system.

#### ***1997 Oregon Trail Historic Reserve Resource Management Plan***

Boise Parks & Recreation obtained stewardship of approximately 62 acres of land from the Bureau of Land Management (45 acres) and the Idaho Department of Transportation (17 acres) to protect part of the Oregon Trail. The project is bordered by Columbia development to the south and Surprise Valley to the north. This reserve's pathway system is a crucial element toward connecting all major planned pathways intersecting in this area. The pathways include Boise River Greenbelt system and the Oregon Trail Pathway (from Bonneville Point to Barber Park). The *Oregon Trail Historic Reserve Resource Management Plan* establishes a sequence of short- and long-term management actions, including preservation of, education about, and public recreational use of the reserve. This resource management plan establishes goals and objectives for the Oregon Trail Historic Reserve, recommends management actions and strategies to guide Boise Parks & Recreation staff toward a desired future condition, and recommends a process for achieving and maintaining these conditions. The resource management plan also allows for a dynamic and flexible planning process, which is considered essential in addressing ever-changing public needs and desires of the public. The purpose of the plan is to accomplish the following:

- Protect resources within the reserve (cultural, biological, soils, aesthetics, and others).
- Educate visitors (provide interpretive components).
- Develop and manage for sustainable, passive recreation opportunities (walking, biking, viewing wildlife, and others).

#### ***1999 Boise River Resource Management and Master Plan***

Boise Parks & Recreation took a leadership role for the Boise riverfront by initiating development of a recreation and resource management plan, a planning process that was initiated in early 1999. The priority goal established by the plan is to protect and enhance public safety, health, and resource preservation associated with recreational uses of the river and its riparian area. The secondary goal of the plan is to provide policies that promote sustainable recreational use and enjoyment of the river. The plan governs Boise's resource management efforts along the Boise River from Barber Park to the city limits near Glenwood Bridge. Management challenges addressed in the plan are categorized into six major topic areas: public safety, recreation, wildlife and vegetation, riverbank stabilization, treatment and hydrology, and water quality and mitigation. General priorities are tied to certain sections of the river corridor. In

several areas, natural values—preventing further resource damage and revegetating riparian areas and riverbanks with native plant species—are emphasized. Overall, 32 sites are identified where some type of action is recommended. These sites are further analyzed in a channel assessment report, which discusses the technical hydrological and rehabilitation attributes of each site. The sites include proposed locations for emergency and public access, as well as where bank erosion is occurring and should be stemmed. The plan outlines areas where riparian enhancement and recreational opportunities exist and other areas where specific management needs and challenges exist.

### **2000 Public Lands Open Space Management Plan for the Boise Foothills**

This plan proposes a shared vision for the Boise Foothills to ensure the legacy of all public open spaces in the foothills in contributing to the ~~region~~ community's quality of life. The intent of this plan is to advance foothills open space needs across jurisdictional boundaries in cooperation with private and public landowners by recognizing that the entire area is part of a larger ecosystem. The plan does not propose to regulate private property rights, but it does propose a coordinated management structure for ~~37,835 acres of lands~~ held in public trust and increased maintenance to mitigate negative impacts. The plan provides the most current information about the environment, wildlife, vegetation, and visual sensitivity for the Foothills park planning area.<sup>1</sup> This plan provides goals and objectives for seeking funding to better manage open space resource values and functions. The plan also recommends partnerships to help preserve existing public lands as open space and acquiring additional open space lands appropriate to each agency's mission and function.

### **Trends and Challenges**

The key challenges to creating an environment that supports and perpetuates open space values are educating the public about resource impacts due to increased use and urban development, ensuring adequate funding for acquisition and maintenance needs, and monitoring impacts.

Through the Department, the City has taken the initiative to change its open space management strategy to become proactive in addressing needs and impacts. The City has been diligent in providing resources to evaluate open space resources, develop management plans, establish partnerships, provide leadership on open space issues, and acquire new open space lands. However, funding and staffing resources for education, management, and maintenance of public open space lands are now desperately needed to ensure that open space lands are maintained for future generations to use and enjoy. Creation of open space management plans, improvement of public access facilities, and successful passage of the serial levy has allowed citizens to benefit from the strategic purchase of open space parcels, mainly through increased recreational use of these properties. But funding for the management and maintenance of new and existing open spaces has not kept up. Residential development continues to occur adjacent to public open space boundaries in the foothills, along the Boise River, and near other sensitive sites and areas. Grading activities, roads, traffic, noxious weeds, dogs, trash, and other facets of urbanization are impacting the overall values found in open space areas. The community's fondness for living around and recreating in public open spaces is creating pressures that can

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<sup>1</sup> Chapter 4 includes a recommendation to combine this park planning area with the North River park planning area.

diminish these valuable resources unless the City and other open space land managers monitor key environmental indicators and seek to reduce or avoid impacts through maintenance and management actions.

## Policy Questions

1. What should the City's vision for open space be in 20 years?
2. Are there other lands that should be included in an open space plan?
3. Should the City maintain open space land standards?
4. Should the City continue to actively pursue land acquisition of open spaces?
5. Should the City adopt and implement open space management plans?
6. What funding sources should be considered to address costs for open space planning, acquisition, development, management, and maintenance and for recreational services associated with the City's open space needs?
7. What role should the City take to preserve and manage open space?

## Discussion

The City should continue to provide leadership in seeking funds and means to protect all identified areas in the region Boise Area of City Impact with open space values. These open spaces are important to maintaining the community's quality of life and have been formally acknowledged by the City. City-adopted open space planning efforts—including the heritage preservation report, Boise River management plan, *Public Lands Open Space Management Plan for the Boise Foothills*, and other adopted plans—should be used to maintain the region's Boise Area of City Impact's quality of life values and protect and enhance the environment and sustainable recreation activities. The City's leadership will be needed to bring agencies and private parties together; work with elected officials and decision makers to fund future acquisitions, maintenance, and recreation facilities; and facilitate the exchange of lands held by the Idaho Department of Lands with other open space management agencies.

The City's adopted open space LOS standard of 8.3 acres/1,000 residents is appropriate to maintain for purposes of impact fees. But community demands indicate a desire to protect all potential open space properties that have been identified through public planning processes. This desire suggests that a much higher communitywide LOS standard should be set; this LOS standard would equate to 49.2 acres/1,000 residents if fully implemented. Implementing the proposed communitywide LOS standard would protect larger blocks of open spaces in the foothills, along the Boise River, and where unique desert habitats exist.

The City must remain proactive in its efforts to plan, acquire, and maintain open space lands. Efforts to fund, develop, and implement management plans for public open space lands need to be stepped up. Open space efforts will require the addition of some new staff and development of additional recreation programs to address emerging needs such as environmental education, protection of open space land, mitigation of recreation and urban uses, and maintenance of recreational facilities located on these lands. The City will need to continue considering a wide

variety of funding sources to accomplish its open space goals. Potential funding sources include partnerships, general funds, impact fees, grants, donations, user fees, taxes, and others.

## Recommendations

1. Adopt and implement the open space preservation plan map. The map reflects the recommendations of the heritage preservation report (*Potential Public Preservation Sites*), *Public Lands Open Space Management Plan for the Boise Foothills*, and other recognized public open space preservation needs.
  - a. Maintain standards for City open space reserves and communitywide public open space needs.
    - i. Continue the City's open space LOS standard of 8.3 acres/1,000 residents for purposes of open space impact fees.
  - b. Adopt a communitywide open space LOS standard of 49.2 acres/1,000 residents to fully implement the community's open space vision, as outlined in adopted open space plans.
  - c. Acquire 10 acres of land adjacent to the Hyatt Hidden Lakes Reserve that is owned by Meridian School District and the Ada County Highway District to enhance protection for the existing reserve land and provide for development of a wetlands education center and public parking.
  - d. Develop a desert education center in conjunction with protection of the Southwest Boise Flats heritage sites.
2. Develop and implement resource management plans for all public open space lands, including the *Public Lands Open Space Management Plan for the Boise Foothills*, *Oregon Trail Historic Reserve Resource Management Plan*, *Reserves Master Plan*, *Boise River Resource Management and Master Plan*, Hyatt Hidden Lakes Reserve master plan, and others.
  - a. Establish priorities for funding implementation of plan recommendations such as staffing needs, maintenance, land acquisition, and improvements.
- ~~3. Become the coordinating agency for public lands in the Boise Foothills.~~
  - ~~a. Integrate the Boise Foothills trails program with the coordinating agency functions in such a way as to not preclude Ada County's involvement in the Boise Foothills trail system partnership.~~
34. Use a variety of funding mechanisms to provide for acquisition, management, and maintenance of public open spaces. In addition to others, funding options should include the following:
  - a. Partnerships with resource management agencies to promote cooperation in identifying and preserving strategic parcels for public open space preservation.
  - b. Impact fees, general tax funds, serial levy, grants, donations, land trusts, alternative purchase agreements (conservation easements, conservation buyers, deed restrictions, and others) for the purpose of open space land acquisition.

- c. General tax funds, partnerships, pooled public agency funds, volunteers, shared staffing, user fees, volunteers, and grants for the purpose of management and maintenance.
45. Provide educational opportunities for citizens and recreation users to help better preserve and protect the natural environment. Efforts could include the following:
- a. Public service announcements.
  - b. Management signage at trailheads.
  - c. Opportunities for environmental education and interpretation along appropriate open space trails and at trailheads.
  - d. Speaking engagements to special interest groups.
  - e. Space for recreational programs, educational classes, and meetings of groups and agencies involved in conservation activities.
    - i. Complete development of the Foothills Environmental Education Center.
    - ii. Develop the proposed Wetlands Education Center at the Hyatt Hidden Lakes Reserve in partnership with Meridian School District and others.
  - f. Incorporate a conservation curriculum/message into City recreation programs that appeal to open space users.
  - g. Seek funding to add an environmental education specialist position to the Department.
56. Continue to preserve and enhance natural and cultural resource values found in public open spaces.
- a. Hire a resource management specialist (conservation /biologist) to help address the Department's open space management needs.
  - b. Provide funding to monitor public open space resource values.
  - c. Secure adequate funding to maintain public open space lands and mitigate negative impacts associated with increased urbanization and recreational use.
  - d. Ensure compliance with all open space deed restrictions, conservation easements, and partnership agreements entered into by the City with any other entity, whether public or private.
  - e. Continue to review and advise the Planning and Zoning Commission on all permit applications concerning Greenbelt setbacks and mitigation of impacts from new development.

## Sources Mentioned

*Potential Public Preservation Sites*, developed by the Boise City Heritage Preservation Committee, February 1993

*Reserves Master Plan, 1996*

*Oregon Trail Historic Reserve Resource Management Plan, September 1997*

*Boise River Resource Management and Master Plan, adopted December 14, 1999*

*Public Lands Open Space Management Plan for the Boise Foothills, adopted December 5, 2000*

## 20. Regional Park and Recreation Needs

### Background

The city of Boise's parks and recreation system attracts the people of Ada County and the surrounding vicinity. The park system is the largest in the Treasure Valley, and standards established for acres of parkland and associated facilities are higher than those adopted by the communities of Meridian, Eagle, Garden City, and Kuna.

The surge in new residents has placed a burden on Boise's existing park system such that meeting the needs of Boise residents requires prioritization. Impacts to the City's park system resulting from surrounding communities' unmet park and recreation needs become more apparent over time. Tools such as the City's "Fair Share Policy" establish higher fees for nonresident users and give priority access to residents to create a more equitable situation for the municipality's taxpayers. Additional strategies are recommended to guard against Boise residents being burdened with providing park and recreation amenities for nonresidents. Such strategies include reciprocal agreements, development of regional facilities outside City boundaries, encouraging other park and recreation agencies to develop facilities, and assumption of ownership or maintenance responsibilities for Barber Park (which is surrounded by lands annexed to Boise City) through land exchange, purchase, lease or other mechanism as agreed to by both parties.

Reciprocal agreements encourage construction of youth-based facilities. These agreements encourage municipalities to form partnerships with foundations such as Idaho Youth Soccer, Optimist Football, and others to construct new sports fields. These partnerships encourage and allow youth from different communities to interact.

There are several park and recreational uses and/or activities requested by residents that the City either does not provide or has limited capabilities to provide. Facilities for these activities include dirt bike and mud tracks, gun and archery ranges, paint ball game areas, all-terrain vehicle and motorized model airplane courses, dog off-leash areas, equestrian trails, extreme sport venues, and others. Typically these recreational uses are best served where plenty of space is available and provisions are in place to provide adequate buffering and screening of adjacent properties. These uses also require sufficient access, parking, and provisions for public safety and convenience. Therefore, these activities and associated facilities may be better served through other agencies that could include these functions in their comprehensive plans.

Community growth sometimes results in annexed City property surrounding county-owned facilities such as Barber Park or Greenbelt sections along the Boise River. In these situations, it would be appropriate for Boise Parks & Recreation (Department) to consider acquiring ownership or maintenance responsibility for these properties if Ada County preferred decided that it could not provide the level of service needed to operate these facilities properly.

Currently, some western Ada County residents living within the area of impact are assessed property taxes for the Western Ada County Recreation District in addition to city fees. This case of double taxation could be corrected by the Department petitioning the district to "de-annex" those residents from its jurisdiction.

The Department participates with other agencies to fund the position of the Ridge to Rivers trail coordinator and recommends retaining these partnerships. However, securing additional

partners would help fund this position while providing additional coordination and oversight of important open space areas that aren't currently served. Possible partners might include the Idaho Department of Fish and Game and/or the city of Eagle.

Boise Parks & Recreation maintains a cooperative working relationship with several federal, state, and local agencies. The Department finds it important to foster these relationships to find win-win solutions to the myriad challenges related to land use, transportation, and environmental issues.

## Policy Questions

1. Should Boise Parks & Recreation continue to interact with other municipalities and Ada County regarding regional park and recreation needs and challenges?
2. Should the Department continue to encourage municipalities and Ada County to provide recreational lands and activities that are not feasible to provide in urban areas?
3. Should certain areas of Boise that are within the Western Ada County Recreation District be "de-annexed"?
4. If Ada County-owned sections of the Greenbelt or Barber Park become available, should the Department seek to acquire the properties?

## Discussion

The region's demand for parks and recreational amenities has never been greater. Boise's efforts to acquire and develop additional parks to meet demands of growth and provide quality recreation facilities and programming continue to evolve. At the same time, the City realizes that it cannot provide all the recreational amenities that its citizens request. Certain activities that are unsuitable for the urban environment would be better served by other entities whose authority extends to rural land areas that are better suited to those requests. Surrounding cities and Ada County should be encouraged to meet growing recreational needs that are consistent with the respective long-range comprehensive plans.

The City is also obligated to expend its residents' funds wisely. Therefore, it should also ensure that its residents are not unnecessarily taxed for services that the City can better provide. In particular, the City should try to ensure that residential taxpayers within the Western Ada County Recreation District are not double taxed for services that they probably do not use. A possible solution would be to advocate for de-annexation of properties from the Western Ada Recreation District that are annexed into the City's corporate limits.

In addition, some county-operated public recreational sites are surrounded by City-annexed lands. This is the case for Barber Park, the Simplot Sports Complex, and sections of the Greenbelt. Consideration should be given to the City seeking ownership or operational control of those facilities to better serve the community and proactively address potential conflicts between City and Ada County laws and facility policies. Specifically, the City should work with Ada County to assume ownership or maintenance responsibilities through land exchange, purchase, lease or other mechanism as agreed to by both parties.

The Department should continue to participate in and support the nationally recognized Ridge to Rivers partnership model. The City will continue to encourage partnership members to expand

their funding responsibilities commensurate with each entity's facility inventory, service objectives, and user group demands. The City should also consider securing additional partners to assist with funding and modifying the partnership agreement to meet changing conditions and demands on the trail system.

## Recommendations

1. Interact with other municipalities and Ada County regarding development and use of sports fields and facilities.
2. Safeguard against burdening Boise residents with provide park and recreation amenities for nonresidents.
3. ~~Encourage Ada County to develop recreational lands and activities that are incompatible with urbanized areas.~~
34. Seek solutions to ensure that west Ada County residents are not double taxed for recreational services currently received.
45. Encourage acquisition of recreation lands that are annexed and/or adjacent to City parks and facilities to ensure the orderly growth of urbanized areas.
56. Attempt to secure additional partners to help fund the Ridge to Rivers trail coordinator position.
67. Maintain and foster cooperative working relationships with federal, state, and local agencies to find win-win solutions to recreational, land use, transportation, and environmental challenges facing Boise Parks & Recreation.

## Sources Mentioned

Boise Parks & Recreation's fair share policy

## **EXECUTIVE SUMMARY**

# **2004 Boise Comprehensive Parks and Recreation System Plan**

## **Area of City Impact Addendum, August 2005**

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## **Plan Credits**

### ***Board Of Park and Recreation Commissioners***

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Eberle Consulting, Park Impact Fee  
Methodology Update

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## Value of Parks

Boise Parks & Recreation (Department) provides social, economic, health, environmental, and education benefits that enhance the quality of life for residents of the city of Boise. The Department's services add value by contributing to the following:

- Stable neighborhoods
- Economic growth
- Business reinvestment
- Recreation opportunities for people of all ages and abilities
- Healthy activities for youth

## Our Mission

To enhance Boise's quality of life by working in partnership with the community to foster and support citizen well being and healthy community environments.

## Who We Are

Boise Parks & Recreation maintains 90 parks, 23 miles of the Greenbelt, and 1,200 acres of open space in the Boise Foothills. The Department operates the Fort Boise Community Center, two neighborhood drop-in centers, Zoo Boise, Warm Springs Golf Course, and three cemeteries. In addition, the Department provides art, dance, fitness, and adapted recreation programs for thousands of children, teens, and adults, as well as coordinating basketball, volleyball, and softball leagues throughout Boise. Through Healthy Community-Healthy Youth and other youth-oriented programs, the Department addresses issues of concern and provides healthy activities for young people, giving them alternatives to lifestyle choices involving drugs and crime.

## Plan Development

The last *Comprehensive Parks & Recreation System Plan*, developed in 1993 and adopted in 1994, helped the City keep pace with population growth and changing community demands for parks and recreation services. The plan focused the City on providing recreation services for youth and acquiring, developing, and expanding park sites and recreation facilities. Some accomplishments from the 1993 plan include developing and upgrading numerous sites, including Optimist Youth Sports Complex, Fort Boise Community Center, Ivywild Pool, Hobble Creek Park, Willow Lane Athletic Complex, and Oregon Trail Historic Reserve. An updated comprehensive plan provides a blueprint for growth that will guide the Department for the next five to ten years. A volunteer steering committee provided oversight for the plan, the draft of which was reviewed by hundreds of citizens. The planning process included a citywide survey, neighborhood meetings, and other gatherings intended to identify issues and generate solutions for providing quality parks and recreation services in the years ahead. The draft plan was posted

on the Department website, and a link enabled citizens to send comments via e-mail. The Board of Parks & Recreation Commissioners and the Impact Fee Advisory Board carefully scrutinized the plan before submitting it to the Planning & Zoning Commission and City Council. In October, 2004, Boise City formally requested renegotiation of the Area of Impact agreement to Ada County for recognition of the plan. In July, 2005 the Board of Ada County Commissioners and the Boise City Mayor and Council reached substantial agreement on changes that are reflected by ~~strikeout and underline sections in the chapters identified as addendums.~~

## Key Findings

Several strong messages that have emerged through development of the updated plan include the need for more of the following:

- **Recreation**—Obesity, particularly in children, and an aging population are trends that can be addressed with more programming. Both populations are more inclined to participate in programs that emphasize and promote fun, individuality, and skill development. While organized youth sports will continue their draw, young people will also seek to learn skills for individually focused activities such as art, kayaking, and rock climbing.
- **Indoor space**—Classes offered in a partnership with the Boise School District fill quickly at Fort Boise Community Center and school sites.
- **Pools**—While there is increasing competition for recreational dollars, neighborhoods are concerned about improving existing facilities and adding new outdoor municipal pools.
- **Parks**—Neighborhoods that don't have parks close by are requesting parks to serve their areas. The community is also asking the City to pursue very large parks to provide for a wider variety of sport and recreation facilities than can be accommodated by 7- to 20-acre parks.
- **Pathways**—People want the City to continue developing and improving recreational trails and paved pathways like the Boise River Greenbelt path system. Residents support pathways to provide convenient access to recreation, parks, open spaces, neighborhoods, and businesses.
- **Open Space** - There is continued strong support for protecting and enhancing open space values in and around the community. The Boise Foothills, Boise River, and other identified preservation sites help define and maintain our quality of life values and fill many recreational and aesthetic needs.

## Benefits

Parks and recreation facilities provide numerous benefits to cities and their people. According to Peter Hamik, co-author of *Urban Parks and Open Space* and *Inside City Parks*:

Parks give a city a survival advantage. By performing the miraculous functions people appreciate—cleaning and cooling the air, supporting recreation and play, offering attractive vistas and environmental classrooms—parks improve a city's quality of life.

The following points about recreation came from a Canadian parks and recreation plan:

- Recreation is essential to personal health.
- Recreation is a key to balanced human development.
- Recreation and parks are essential to quality of life.
- Recreation reduces self-destructive and anti-social behavior.
- Recreation and parks build strong families and healthy communities.
- Recreation reduces health care, social service, and police/justice costs.
- Recreation and parks are significant economic generators in the community.
- Parks, open spaces, and natural areas are essential to ecological survival.

The Department agrees with these points. Strong parks and recreation facilities provide economic and real estate benefits, improve a community's quality of life, and encourage environment stewardship and cultural preservation. In addition, parks and recreation facilities maintain health by promoting physical activity and healthy living. Information about each of these areas of benefit is provided below.

### ***Economics***

(from the Trust for Public Land)

- Across the nation, parks, protected rivers, scenic lands, wildlife habitat, and recreational open space help support a \$502 billion tourism industry
- Travel and tourism is the nation's third largest retail sales industry, and tourism is one of the country's largest employers, supporting 7 million jobs.
- At present rates of growth, the tourism/leisure industry will soon become the leading industry of any kind in the United States.
- According to the Outdoor Recreation Coalition of America, outdoor recreation generated at least \$40 billion in 1996, accounting for 768,000 full-time jobs and \$14 billion in annual wages.

### ***Real Estate***

(from Economics Research Associates)

- A 1991 Denver survey revealed that the number of residents willing to pay more to live in a neighborhood near a park or greenway increased from 16 to 48% from 1980 to 1990.
- Lease/rental rates for units with views of an urban park command higher rates of 10 to 40%.

## **Quality of Life**

(from the Trust for Public Land)

- Corporate CEOs say quality of life for employees is the third most important factor in locating a business, following access to domestic markets and availability of skilled labor.
- Owners of small companies ranked recreation/parks/open space as the highest priority in choosing new locations for their businesses.
- Small businesses are the primary type of business in Idaho.
- In 1980, Portland established an urban growth boundary. The number of jobs in the metropolitan area increased by 57%, including high-tech companies and industries.
- According to an Intel spokesman, "companies that can locate anywhere they want will go where they can attract good people in good places."
- In a 1995 national poll, nearly 20,000 people said low crime, safe streets, and access to greenery and open space are crucial for a satisfactory quality of life.
- A 1996 report by Arthur Andersen found that mid- and high-level executives increasingly choose to work in locations that offer a high quality of life outside the workplace.

## **Environmental Stewardship**

- Trees provide several significant community benefits:
  - A single tree can provide home energy savings of \$30 per year (for summertime cooling).
  - One tree can clean 330 pounds of carbon dioxide from the atmosphere.
  - One tree can absorb 10 pounds of air pollutants, including 4 pounds of ozone and 3 pounds of particulates.
- The City's open space reserve lands support preservation efforts for three rare plant species: Mulford's milkvetch, Aase's onion, and Slickspot peppergrass.
- Parks help intercept stormwater and provide for natural treatment of urban runoff before it gets to the Boise River, ensuring that water is cleaner for people, animals, and fish.
- Volunteers help remove up to 30 cubic yards of trash from the Boise River each year.
- Boise Parks & Recreation promotes recycling in the parks. The Department recycles approximately 15 cubic yards of waste paper materials a year and composts over 600 cubic yards of leaves.

### **Cultural Preservation**

- Over \$150,000 in public art pieces have been added to parks and recreation facilities in the last five years. One such artwork is a casting of the bronze medallion, "The Old Oregon Trail," by the noted sculptor Avard T. Fairbanks.
- Boise has the longest and the best preserved section of the historic Oregon Trail within a urban area at the Oregon Trail Historic Reserve.
- The O'Farrell Cabin is Boise's first constructed home.

### **Health**

(from the Centers for Disease Control and Prevention)

According to Vice Admiral Richard H. Carmona, MD, U.S. Surgeon General:

As a society, we can no longer afford to make poor health choices such as being physically inactive and eating an unhealthy diet; these choices have led to a tremendous obesity epidemic.

Chronic diseases account for 7 of every 10 deaths in the United States and for more than 60% of medical care expenditures. Much of the chronic disease burden is preventable: physical inactivity and unhealthy eating contribute to obesity, cancer, cardiovascular disease, and diabetes. Together, these two behaviors are responsible for at least 300,000 deaths every year.

### **Physical Inactivity**

(from the Centers for Disease Control and Prevention)

- Despite the proven benefits of physical activity, more than 50% of American adults do not get enough physical activity to provide health benefits.
- Twenty-five percent of adults are not active at all in their leisure time.
- Activity decreases with age and is less common among women and among those with lower incomes and less education.

### **Obesity**

(from the Centers for Disease Control and Prevention)

- Obesity has reached epidemic proportions; nearly 59 million American adults are obese.
- The percentage of young people who are overweight has more than doubled in the last 20 years.
- Of children and adolescents ages 6 to 19, about 9 million or 15% are considered overweight.
- The estimated annual cost of obesity and overweight in the United States is about \$117 billion.

- Promoting regular physical activity and healthy eating and creating environments that support these behaviors are essential to reducing this epidemic of obesity.

### **Support for Youth**

The following results came from a Search Institute Survey administered to 5,195 youth in 7th, 9th, and 12th grades in the Boise School District in December 2001:

- 49% of youth surveyed spend two or more hours per school day alone at home. (Research has indicated that the hours from 3 to 6 P.M. are when sexual activity among teens is most likely to occur.)
- 25% of youth surveyed watch TV or play video games three or more hours per school day.
- 32% of youth surveyed reported being victims of physical violence.
- 44% of youth surveyed reported attending one or more parties in the last year where "other kids [their] age were drinking."
- 22% of youth surveyed reported using marijuana once or more in the last 12 months.
- 34% of youth surveyed reported that, once or more, they had ridden with a driver who had been drinking.
- 26% of youth surveyed reported having sexual intercourse one or more times in their lives.

The level of developmental assets a young person has in his or her life influences that person's behavior choices (for more information about developmental assets, see chapter 6). The more assets present, the less a youth engages in destructive behavior. Three assets in particular influence behavioral choices (given below with the percentage of local youth who reported having each asset):

- |                                    |     |
|------------------------------------|-----|
| • Community Values Youth           | 22% |
| • Positive Adult Role Models       | 30% |
| • Positive View of Personal Future | 74% |

All Boise Parks & Recreation programming for youth strives to cultivate the three assets listed above. In addition, the Healthy Community–Healthy Youth program strives to include youth service organizations, schools, community groups, and volunteers in asset building. The most effective way to increase assets is to mobilize all sectors of the community in identifying common ground and creating a consistent message when it comes to supporting youth. These actions are accomplished through building coalitions, promoting outreach and education, providing meaningful opportunities for youth to engage in service to others, highlighting positive youth in local media, providing opportunities for intergenerational relationships to flourish, and advocating for youth.

Of course, the primary challenge is money. Below is a letter written by the parent of a youth participant in a Department program:

Dear Ms. Davis, Is there anyway Kamala could qualify for a scholarship for this program? She was given \$20 for xmas but we needed the money to help around the house and we

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will return the money to her as soon as we can but right now we are strapped! If this is not possible could you please let me know ASAP? I will try to figure something out she really wants to attend this. I think it might help her.



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## Recommendations of the Comprehensive Parks & Recreation System Plan Update - Area of Impact Addendum

The following recommendations, maps and tables shall apply within the Boise City Area of Impact and are supported by detailed studies and analysis contained in identified chapters of the document titled Comprehensive Parks and Recreation Plan, dated May, 2004 except as noted by "Area of Impact Addendum"

### Systemwide

#### Level of Service Standards (Chapter 3)

1. Ensure that the City meets or exceeds adopted minimum level of service standards for parkland as shown in Table 3-6.

**Table 3-6 Parkland level of service standards**

Park Type	Minimum Standard (acres/1,000 residents)
Mini-parks	— <sup>a</sup>
Neighborhood parks	1.10
Community parks	0.50
Large urban parks	1.70
Regional parks	0.60
Linear parks	1.30
Open space	8.30
Special-use parks <sup>b</sup>	2.40

<sup>a</sup> No standard for mini-parks

<sup>b</sup> Does not include acreage for golf courses, cemeteries, or specialized recreation facilities

2. In the definition of mini-parks, include other City-owned, neighborhood-maintained uses such as community gardens and pea patches. The City may choose to provide only limited maintenance and utility services for certain types of mini-parks compared with services provided for other park types.
3. Adopt minimum level of service standards for the following outdoor recreation facilities, as shown in Table 3-7.

**Table 3-7 Outdoor recreation facility standards**

Recreation Facility	Minimum Standard (facilities/1,000 residents)
Youth baseball fields	0.260
Softball fields	0.141
Soccer fields	0.323
Football fields	0.077
Tennis courts	0.667
Outdoor basketball	0.167

- a. Monitor outdoor recreation facility standards every five years to ensure that demand and supply are in sync.
4. Encourage both Boise and Meridian School Districts to build new outdoor recreation facilities that can be scheduled and used by the public.
  - a. Continue to coordinate recreation services with school districts.
  - b. Advocate for scheduled use of public school recreation facilities when there is available capacity to do so after school program needs are met.
  - c. Pursue leveraged partnership opportunities to build joint facilities.
  - d. Continue recreation partnerships and coordination efforts with the Boise School District.
  - e. Develop a stronger relationship with the Meridian School District to expand partnership and coordination opportunities.
5. Pursue alternative funding mechanisms to develop needed outdoor recreation facilities such as a dedicated utility franchise, serial levy, or other mechanism.
6. Re-evaluate and update the long-range capital improvement plan for parklands and recreation facilities if school districts indicate that they will not provide a sufficient number of new outdoor recreation facilities through anticipated development of junior and senior high schools.
7. Continue to promote and seek public participation in the development of park master plans and recreation facility designs.

#### **Park Planning Areas (Chapter 4)**

1. Adopt the park facilities plan map addendum dated August, 2005.
2. Revise planned neighborhood and community park elements of the park facilities plan map to minimize serving areas that are planned or zoned primarily for commercial, office, or industrial uses.
3. Evaluate and modify park site designations where doing so provides for improved park services to the community and surrounding neighborhoods.
  - a. Designate Cassia Park as a community park.
  - b. Designate Warm Springs Park as a special-use park.
  - c. Designate Pearl Jensen Park as both a community and special-use park.
4. Identify park sites where additional acreage could be acquired to address inability to secure other needed park sites. Identify any locations or areas for which the City should consider acquiring land for community gardens or mini-parks.
5. Combine the Foothills and North River park planning areas to more equitably address demographic and geographic factors, levels of service, and park impact fee collection and benefits.

6. Adopt the map of park planning areas that recognizes five park planning areas: North River, Southeast, Central Bench, West Bench, and Southwest.
7. Develop an urban park plan for planned high-intensity urban-use areas and neighborhoods such as the downtown and near downtown areas. The plan should address siting, funding, developing, programming, and maintaining urban parks.
8. Maintain adopted levels of service for park facilities in Boise and the area of impact as listed in Table 4-1.

### **Nonresidents (Chapter 2)**

1. Acquire and develop parkland and recreation facilities until the inventory meets the planned long-range needs of residents only.
2. Encourage and support partnerships with regional organizations that require reciprocal use of fields and recreational facilities in adjoining communities.
3. Continue to offer recreational programs to all people living in the region, recognizing that nonresident registrations may be needed to fill out classes or programs.
  - a. Continue fee equity policies that charge nonresidents a different fee schedule for participation in programs held at Boise's parks and recreation facilities.
  - b. Continue to assess nonresident youth at a lower fee rate than nonresident adults.
  - c. Require annual reporting of nonresident use and participation rates for all organized sports programs that use City facilities including those not run by the City. Provide for tighter restrictions on nonresident program registrations to better ensure residents' priority access to City sports facilities and recreation programs.
  - d. Provide flexible policies regarding nonresidents to address variables such as participation rates, inventory of facilities over time, and partnerships and facility reciprocity with adjacent communities.
4. Continue to offer adjacent communities technical and professional support for expanding their own parks and recreation system.

### **Facility Reservations and Events (Chapter 10)**

1. Provide adequate funding to maintain and expand public reservation sites and facilities for group picnics, community gatherings, and special events.
  - a. Include picnic reservation facilities under special-use park impact fees.
  - b. Consider adding a modest capital fee surcharge for all picnic and special event reservations.
  - c. Monitor costs of reservations to maintain fees at 100% of recovery to ensure that staffing and maintenance levels are adequate to sustain the quality of services and facilities.
  - d. Seek supplemental capital funding from a variety of sources, including special-use park impact fees, general tax funds, grants, donations, and partnerships.



2. Construct new picnic reservation and community event park facilities (pads, shelters, parking areas, open play areas, and others) to meet community demand for these services.
  - a. Develop ten new picnic reservation sites to accommodate groups of 50, 100, 200, and 500 or less within the next five years.
  - b. Ensure that all reservation sites provide opportunities for multiple users, with dedicated parking and usable space specifically designed and provided to support picnic reservation facilities.
  - c. Develop additional picnic reservation and event facilities to offer opportunities for scheduling new community events in locations outside Boise's downtown area to keep pace with growth.
    - i. Develop and implement a new master plan for Municipal Park.
    - ii. Place a high priority for completion of Veteran's Memorial Park's master plan and identified picnic reservation facilities.
    - iii. Construct a portion of the 168-acre Murgoitio special-use/large urban park to support major community events and group reservations.
    - iv. Advance development of the Pearl Jensen Community Park when the surrounding area is annexed.
    - v. Develop a master site and management plan for Platt Gardens and the Boise Depot.
3. Ensure that staffing levels and reservation fees are adequate to address continued growth in reservation demands and a quality experience for customers.
  - a. Ensure that funding for on-site services and maintenance accommodates the customer needs and mitigates impacts from reservation use.
  - b. Continue to adjust and increase resource staff's hours to accommodate weekends and evenings during peak reservation months.
  - c. Add additional customer service staff to handle increased volume of reservation requests due to population growth and new reservation facilities.
4. Continue to offer reservations at the following neighborhood parks: Camel's Back, Quarry View, and Phillippi. As new reservation sites are developed, reduce the size of reservations in these parks to be compatible with each park's parking capacity and the surrounding neighborhood's needs.
5. Continue to provide special-purpose reservation facilities and garden reservation sites and services.
  - a. Continue to permit reservations for unique park sites and features such as the Julia Davis rose garden and Gene Harris Band Shell, Platt Gardens and Boise Depot, Ann Morrison fountain, and Kathryn Albertson shelters.



- b. Ensure that special-purpose reservation facilities are adequately maintained and staffed to meet site quality and service expectations of reservation customers and citizens.
- c. Acquire and develop additional special-purpose reservation facilities and "garden" reservation sites to meet community demands due to growth.
- d. Evaluate the costs and benefits of developing and operating any proposed special-purpose reservation sites to address operating-cost recovery needs, service delivery standards, and overall usage objectives.

### **ADA Needs (Chapter 17)**

1. Update and re-evaluate the *ADA Transition Plan* to ensure conformance with recent changes in the law.
  - a. Ensure that all new facilities address and comply with current ADA regulations.
  - b. Retrofit Boise Parks & Recreation facilities to meet ADA requirements as funding levels permit.
  - c. Ensure that staff are trained regarding updated rules and regulations and attend training as needed.
2. Comply with the ADA and provide inclusion services to individuals with disabilities so that they can actively participate in Boise Parks & Recreation programs.
3. Provide quality and innovative outdoor recreation and sports-related programs for individuals of all ability levels, such as the AdVenture program currently offered.

### **City Beautification (Chapter 18)**

1. Continue to provide leadership regarding city beautification programs, projects, and related civic improvements until a new plan is developed.
  - a. Support Department landscaping efforts to maintain and enhance the aesthetics of parks, contracted rights-of-way, and public buildings.
  - b. Maintain gateway medians and contracted highway rights-of-way. However, expanding commitments to take on new rights-of-way maintenance projects should be carefully considered by the City Council.
  - c. Have GROW convert remaining areas of aging and overgrown shrubbery into flowers, ornamental grasses, and trees, where appropriate, to lessen the City's costs.
  - d. Promote the use of trees and tree planting throughout the community as aesthetically pleasing and environmentally friendly.
  - e. Support volunteer programs through which people annually contribute a great deal of time and energy to help maintain and enhance Boise's beauty.
  - f. Support efforts to provide space for public art pieces that enhance value of parks and contribute to a sense of place for the community and neighborhoods.

### **Public Cemeteries (Chapter 19)**

1. Review the perpetual-care policy (PSU53A) and adjust it, as necessary, to produce the interest to offset cemetery operating costs and provide adequate funding sources for cemetery operations once all lots are sold.
  - a. Hire a consultant to analyze the perpetual-care account to determine whether the account is sufficient to cover 100% of cemetery operations once all lots are sold.
  - b. Clearly define when perpetual care begins.
  - c. Review cemetery fees and charges and compare them with fees and charges of other cemeteries in Boise and surrounding communities.
2. Every five years, assess lot ownership and usage for all unused lots sold more than 40 years prior.
  - a. Buy back unused interment lots for resale.
3. Stabilize and conserve grave markers to help preserve the community's history.
4. Ensure that all cemetery graves are properly mapped and documented for legal, historical, and educational purposes.

### **Regional Park and Recreation Needs (Chapter 20)**

1. Interact with other municipalities and Ada County regarding development and use of sports fields and facilities.
2. Safeguard against burdening Boise residents with providing park and recreation amenities for nonresidents.
- ~~3. Encourage Ada County to develop recreational lands and activities that are not appropriate within urbanized areas.~~
34. Seek solutions to ensure that City residents living in the Western Ada County Recreation District are not double taxed for recreational services.
45. Encourage acquisition of recreation lands that are annexed and/or adjacent to City parks and facilities to ensure the orderly growth of urbanized areas.
56. Attempt to secure additional partners to help fund the Ridge to Rivers program.
67. Maintain and foster cooperative working relationships with federal, state, and local agencies to find win-win solutions to recreational, land use, transportation, and environmental challenges facing Boise Parks & Recreation.

### **Long-Range Capital Improvement Plan (Chapter 22)**

1. Use a variety of funding sources, including tax funds, public-private partnerships, user fees, grants, and tax-supported bonds to construct and operate recommended capital facilities.

2. Continue to cultivate and leverage partnerships with user groups, local businesses, and nonprofit groups.
3. Consider a request to city residents for a vote to increase utility franchise fees by 1%. Funds would be directed to parks and recreation purposes such as capital projects, major repair and maintenance, recreation programs, and operations.
4. Work cooperatively with private and nonprofit citizen groups that wish to advance serial levy proposals for specific recreation or open space purposes (such as open space land acquisition, pools, community centers, special-use park facilities, trails, and others).
5. Continue to assess a park impact fee for all new residential development in Boise and its area of impact to provide for needed capacity resulting from population growth.
  - a. Maintain the long-range capital improvement plan and cost projections in order to update the park impact fee schedule at least once every five years.
  - b. Continue to involve and work closely with the public and development community in regard to park impact fee processes.
6. Increase annual funding levels for major repair and maintenance to keep pace with known repair needs for the parks and recreation system. Funds should be added to the Department's base operating budget.
7. Request funding to advance parkland acquisition and development projects in general accordance with recommended capital policies and development guidelines contained in the adopted *Comprehensive Parks & Recreation System Plan*.

## **Administration**

### **Partnerships and Volunteerism (Chapter 14)**

1. Continue to promote and emphasize the use of partnerships, volunteers, and donations to improve parks and recreation facilities and reduce program service delivery costs.
  - a. Continue to fund a full-time volunteer and partnership coordinator
  - b. Form and use staff teams to successfully advance large project partnership and volunteer projects.
  - c. Develop a partnership manual that helps educate and train potential partners about what is involved in creating a successful partnership project.
  - d. Annually seek general fund capital dollars to leverage, advance, and support partnership, volunteer, and donation projects.
  - e. Maximize use of volunteer and partnership labor to enhance recreation programs and maintenance activities.
  - f. Continue the tree steward program to protect, conserve, and enhance the urban forest.



- c. Continue to review existing programs to ensure that they meet customer needs and Department service objectives.
  - d. Use evaluations and tracking data consistently to enhance service delivery efforts and maintain communications with the community, customers, and employees.
  - e. Consider implementing 360-degree employee reviews and solicit feedback from customers as well as coworkers.
2. Maintain and enhance customer service standards and technology improvements to ensure continued attention to quality and responsiveness to customer service needs.
- a. Increase funding to train and reward employees for excellent customer service.
  - b. Encourage employees to develop skills and provide time for training.
  - c. Ensure that training is provided as changes in technology and software are implemented.
  - d. Continue to fund computer equipment and software upgrades.
  - e. Maintain and expand staffing of computer technical support services for the Department.
  - f. Add a position as Department webmaster for Internet services.
3. Maximize the Internet as a tool for reaching internal and external customers.
- a. Maintain and expand Internet registration capabilities.
  - b. Update and provide quality web site content.
  - c. Train staff on use of the Internet and City intranet to promote efficiency in responding to customer needs and questions.
  - d. Regularly analyze web traffic to identify trends and process improvements.
  - e. Implement web-based surveys and interactive questionnaires for purposes of marketing, promoting public involvement, and increasing awareness of challenges and opportunities related to the City's parks and recreation system.
4. Develop and implement a communications and marketing plan for the Department.
- a. Carefully focus marketing resources more narrowly due to limited funds.
  - b. Expand marketing resources by continuing to pursue media partnerships, develop online information and survey services, and provide increased direct mailings of program information.
  - c. Explore cost-effective methods for increasing target marketing such as sponsored direct mailings, neighborhood Internet links, partnerships with public schools, and other means.
  - d. Increase use of GIS for customer research; data gathering; and direct marketing of programs, facilities, and services.



- e. Integrate marketing data and strategies into program and facility development efforts to help refine services and aid involvement.

### **Safety and Security in Parks and Recreation Programs (Chapter 16)**

1. Continue to maintain the highest level of public safety and security in City parks and recreation facilities through coordination, communication, design, and maintenance efforts.
2. Continue to staff a liaison from Boise Parks & Recreation to work closely with the Boise Police Department liaison on deployment of uniformed, ranger, and volunteer patrol staff.
  - a. Attend Greenbelt Neighborhood Service Team Meetings to address issues of mutual concern.
  - b. Work with Boise Police Department on the following tasks:
    - i. Educate the Patrol Division on issues related to the parks system and recreation facilities.
    - ii. Increase patrol in public open space reserves, particularly those in the Boise Foothills.
    - iii. Track crime statistics for parks and recreation facilities to better understand the location of crimes.
3. Establish a staff liaison with the Ada County Sheriff's Office to educate officers and address issues of mutual concern regarding parks and recreation facilities located outside city limits.
4. Increase funding to address signage needs within established parks.
  - a. Ensure that all public parks and recreation facilities are appropriately signed to welcome visitors, allow for quick identification by emergency response personnel and the public, and promote adherence to adopted rules and regulations.
5. Maintain funding and staffing for graffiti and vandalism removal and repair.
  - a. Document and track acts of vandalism and the cost of repair.
  - b. Continue to work with the juvenile court system to allow first-time offenders to work off their restitution requirements.
  - c. Maintain a working relationship with police department units to address repeat vandalism acts.
6. Ensure that the design and maintenance of park amenities and recreation features promote public security and maintain user safety.
  - a. Implement park design and maintenance standards that incorporate principles of Crime Prevention Through Environmental Design (CPTED).
  - b. Improve public safety and security through funding major repair and maintenance projects.

7. Continue to fund and implement proactive maintenance measures to better ensure that public safety and security needs are met.
  - a. Conduct regular inspections and preventative maintenance of parks and recreation facilities, including playgrounds, Greenbelt lighting, trees that need pruning, and others.
  - b. Increase training for park resource managers and staff regarding public safety and security needs.
8. Continue efforts to ensure safe delivery of recreation program services.
  - a. Adopt and implement the exclusion ordinance for the parks and recreation system.
  - b. Ensure that recreation staff (lifeguards, daycare providers, bus drivers, and others) receive appropriate training and hold licenses and certificates necessary to comply with applicable laws and better ensure public safety and quality of service delivery.
  - c. Ensure that recreation programs are adequately managed and staffed to address safety needs of facility users and recreation customers.
9. Continue to implement proactive risk management programs, strategies, and projects that promote safety for the public, City staff, and environment.
  - a. Train staff to work safely, address public safety needs, and protect the environment.
    - i. Maintain funding for the Department's safety officer position to provide routine staff training, review work conditions, and provide advice on potential public safety challenges.
    - ii. Monitor accident rates and types and provide follow-up to eliminate or reduce the potential for future accidents.
  - b. Require training and certification of appropriate staff for specialized activities involving potential safety risks, such as the following:
    - i. Application of pesticides, herbicides and other potentially hazardous chemicals.
    - ii. Design, maintenance, and inspection of playground equipment.
    - iii. Use of power equipment (welders, high lifts, chainsaws, and others)
    - iv. Operations and maintenance of pools.
    - v. Animal care at Zoo Boise.
  - c. Work with the City's risk management staff to address public safety needs, plan for emergency response, implement major safety initiatives, and provide ongoing safety training for all Department staff.



## Staffing Needs (Chapter 21)

(Because recommendations relating to staffing needs cannot be easily summarized in this executive summary, see chapter 21 for these recommendations.)

## Recreation

### Community Recreation Needs (Chapter 6)

1. Maintain and support partnerships with youth sports organizations.
  - a. Add practice and game field space in parks to keep pace with community growth and demand for facilities to support organized youth sports programs.
    - i. Acquire additional parkland in the West Bench, Central Bench, and North Boise park planning areas for development of new baseball and soccer fields.
    - ii. Seek a partnership for replacing lighting at the old Hillside Park softball field so that it is usable for Little League.
    - iii. Add sports field lights to the soccer field at the Willow Lane Athletic Complex.
  - b. Encourage youth sports organizations to provide funding for development of facilities needed to serve their programs.
  - c. Work with youth sports program providers to provide safe and secure competitive environments that promote sportsmanship and respect.
  - d. Develop a policy for conduct for *all* City sports facilities and sponsored recreational programs.
  - e. Monitor growth in participation in area sports programs.
  - f. Develop a policy for the use, operations, and maintenance of youth sports facilities. Policies should do the following:
    - i. Be cooperatively developed with youth sports providers.
    - ii. Focus on providing for operational safety at City park facilities.
    - iii. Encourage private investment in facility improvements and maintenance.
    - iv. Provide equitable facility service levels throughout the community.
    - v. Maintain the competitive play value of fields and limit incurring exceptional public cost to restore overused fields.
2. Maintain and expand adult sports programs (softball, volleyball, golf, and others).
  - a. Add gym space for adult indoor sports activities.

- b. Provide recreational programming and a fee structure designed for participation by families and parents/guardians with children.
  - c. Upgrade and add game field space in parks to keep pace with community growth and demand for quality facilities needed to support organized adult sports programs.
    - i. Evaluate softball field use to ensure that all suitable fields are being optimized before adding new fields.
    - ii. Upgrade lighting at Willow Lane fields 1–3 and Fort Boise 1–2 with the Softlight system.
    - iii. Renovate softball fields at Fort Boise Park in accordance with approved park master plan.
    - iv. Continue to assess a capital development fee for adult recreational programs.
  - d. Develop a policy for conduct for all City sports facilities and sponsored recreational programs.
3. Continue operation and management of Warm Springs Golf Course.
- a. Continue emphasis on developing quality youth golf programs and providing an affordable recreational golf experience for the community.
  - b. Direct excess golf revenues to golf facility improvements and added golf course capacity.
    - i. Construct a par 3 junior golf course at the Warm Springs Golf Course to meet existing recreational program needs.
    - ii. Provide for new public restrooms along the Greenbelt path near the 6th green to serve golfers and Greenbelt users.
    - iii. Fund and construct a new maintenance facility at the Warm Springs Golf Course.
    - iv. Fund and construct a new clubhouse.
    - v. Begin planning and acquisition of lands for new municipal golf courses in strategic locations around the community.
  - c. Monitor supply of and demand for golf facilities in the community.
4. Continue to offer a diversity of recreation, arts, and social programming and activities with emphasis on quality, affordability, and safety.
- a. Continue emphasis on providing quality affordable youth recreation services.
  - b. Continue the Youth Empowerment & Support program with emphasis on delivery of affordable youth recreation and social services where needed in the community. YES programs should continue to provide positive young adult role models, mentoring, skill development, and respectful social interaction among youth.



- c. Monitor neighborhood disinvestments indicators and be proactive in providing recreation service delivery to disadvantaged neighborhoods.
- d. Decentralize recreation services by maintaining and developing strategically located neighborhood and community centers to provide these services.
  - i. Use existing neighborhood-based program spaces to provide for expanded delivery of recreational services.
  - ii. In community centers, include gymnasium space for youth basketball and volleyball, art centers, teen activity areas, dance/movement and drama areas, daycare areas, multipurpose programs, and meeting spaces.
  - iii. Pursue development of the Foothills Environmental Education Center and Wetlands Education Center to provide site-based educational and recreational programs appropriate to each facility's intended use.
- e. Continue to provide playcamp programming for youth.
- f. Continue to provide AdVenture programs and inclusive services to the community.
  - i. Expand indoor space to house programs.
  - ii. Increase supply of adaptive equipment.
  - iii. Continue to pursue alternative funding, use of volunteers, and creative partnerships.
- g. Provide additional risk, or "extreme," recreation facilities for activities such as skateboarding, BMX, mountain biking, kayaking, and rock climbing.
  - i. Plan, fund, and construct skate parks to serve the Southeast, Southwest, and Central Bench park planning areas.
  - ii. Fund and develop new indoor and outdoor rock-climbing facilities in conjunction with new playground projects and community centers.
  - iii. Construct a freestyle bike course at Pearl Jensen Park.
  - iv. Provide seasonal programming of facilities for skill building and competitive recreational activities to promote and encourage appropriate use.
  - v. Plan, fund, and construct a whitewater park on the Boise River.
- h. Develop and strengthen partnerships with both Boise and Meridian School Districts and other organizations for the following:
  - i. Curriculum and facility development related to environmental, historical, and cultural components of the parks and recreation system, including foothills and wetlands education centers, O'Farrell Cabin, Ann Frank Human Rights Memorial, Oregon Trail Historic Reserve, Warm Springs Wetlands, Boise Depot, and others.
  - ii. After school programs.



- iii. Gymnasium space for City-organized activities and recreational programs.
- iv. Cooperative park and recreation facilities such as soccer, baseball, and lacrosse fields, as well as indoor education and recreation spaces.
- i. Develop a formal proposal for a mobile recreation program to deliver recreation services to city residents at parks, schools, special events, and other forums.
  - i. Evaluate the feasibility of such a program including costs, staffing needs, and equipment.
  - ii. Determine what recreational programming is desired by the community and can be mobilized based on offerings at Fort Boise Community Center, Warm Springs Golf Course, playcamps, the AdVenture program, and others.
  - iii. Secure funding and implement a mobile recreation program that targets service delivery to areas of the community that are underserved because of socioeconomic conditions, lack of indoor recreation facilities, unmet recreation demand, or other factors.
- j. Develop recreational programming and activities that promote wellness for people of all ages.
  - i. Develop youth programs and activities that promote wellness by teaching new skills, instill interest in physical activity, and address different user ability levels.
  - ii. Provide cost relief and age-specific programming to encourage higher participation in recreational programs for people over 65 years old.
- 5. Continue efforts to implement the Healthy Community–Healthy Youth (HC\*HY) initiative in cooperation with community sponsors.
  - a. Refine the program's curriculum and method(s) of providing mentoring services.
    - i. Develop a multifaceted curriculum-based program that includes education, community involvement, recreation, and mentoring functions.
    - ii. Market those programs to preteens, teens, and adults.
  - b. Provide training and support to Department staff to increase the number of developmental assets in youth and adults provided by City recreational programs.
  - c. Provide training to community businesses, agencies, and recreation partnership organizations that wish to increase the number of developmental assets in youth and adults.
  - d. Develop and expand public and private partnerships to reduce the City's cost for providing HC\*HY services to Boise residents.
  - e. Develop interlocal agreements with adjoining communities that want assistance in developing their own HC\*HY initiatives.
  - f. Survey youth and develop other community measures to monitor the effectiveness of the program.



- g. Provide active involvement in planning, operating, and evaluating recreational programs.

### **Indoor Facility Needs (Chapter 7)**

1. Modify indoor recreation standards to provide 25,000 square feet of space per 50,000 City residents.
2. Provide new multipurpose, multigenerational indoor recreation facilities in different parts of the community. Facilities should be designed to meet the diverse needs of the community, with emphasis on meeting the needs of the neighborhoods in which they are located.
3. Smaller multipurpose indoor recreation facilities should be established in underserved neighborhoods. These facilities should provide for a flexible space design and accommodate a variety of programming needs.
4. Provide at least one new multipurpose, multigenerational community center in the next five years to meet indoor recreation demands.
  - a. Develop a facility at the Charles F. McDevitt Youth Sports Complex to serve West Bench residents.
  - b. Provide smaller community centers in established neighborhoods to better meet demands for recreational programs such as art, drama, rock climbing, Youth at Risk, after school activities, and educational programs.
  - c. Evaluate feasibility of expanding Fort Boise Community Center's gymnasium space.
5. Fund the operation and construction of new multigenerational community centers through partnerships and alternative financing strategies such as serial levies, grants, and donations.
6. Seek partnerships with school districts to develop and operate smaller multipurpose indoor recreation and educational facilities such as may be located in or near Hulls Gulch or Hyatt Hidden Lakes Reserve.

### **Public Pool Needs (Chapter 8)**

1. Increase the recreational value of pools, where possible, by such means as the following:
  - a. Add unique water amenities such as slides and spray ground features to outdoor pools.
  - b. Improve or add related amenities and services such as grass or beach areas, sunning decks, zero-entry pools, toy rentals, concessions, or others.
2. Coordinate marketing and programming of pools to better fit the needs of the surrounding neighborhood service area and attract youth and family users.
  - a. Evaluate reducing the rate of recovery for general pool admissions.

3. Develop a pool in southwest Boise within five years of annexation of the larger area surrounding the recommended pool location.
4. Convert Ivywild Pool to an indoor facility and enhance its recreational value.
  - a. Explore adding additional multipurpose indoor space to serve the area's recreational needs.
  - b. Seek partners to help reduce year-round pool operating costs for conversion to an indoor pool.
5. Reconstruct Lowell Pool either at its current location or at another suitable site that serves northwest Boise within the next five years. The design of the new pool should better meet the range of recreational programming and leisure time needs of the community.
6. Reconstruct South Pool at its current location within the next five years. The design of the new pool should better meet the range of recreational programming and leisure time needs of the community.
7. Eliminate the level of service standard for indoor pool space.

### ***Resource Stewardship (Chapter 13)***

1. Continue to implement a property and water management program.
  - a. Enforce the zero-tolerance policy toward encroachment.
  - b. Continue to implement the park construction-use ordinance.
  - c. Ensure compliance with the Land and Water Conservation Fund, Recreation and Public Purposes Act, and related requirements for restricted-use park properties.
2. Develop and maintain a complete inventory of property and water rights (including well logs and water quality reports) for all parklands owned or managed by the City for park purposes.
  - a. Prioritize acquisition, development, and beneficial use of subsurface and surface water rights for parkland irrigation purposes.
  - b. Maintain a water conservation plan to address drought conditions.
  - c. Evaluate water use and conservation needs and update irrigation systems and technology.
  - d. Support the formation of and participate in lateral user associations to ensure supply ditch maintenance, improvements, rotation scheduling, and delivery of surface water rights.
  - e. Develop or retrofit all parks for dual-source irrigation systems with priority on development and use of 1) subsurface rights, 2) surface rights, 3) United Water Idaho, and 4) other potential water sources such as reuse of municipal waste waters.



- f. Implement xeriscape principles through design standards, materials, and specifications as well as through maintenance practices and standards.
  - g. Use low-water and water conservation fixtures in all park buildings and recreation facilities.
3. Designate the Community Forestry Unit as the agency responsible for management of all trees on City-owned properties or facilities and implementation of Les Bois Tree Task Force recommendations.
- a. Continue to implement the tree steward program.
  - b. Develop forestry management plans for all City properties including open space reserves.
  - c. Develop a comprehensive planting plan.
  - d. Develop and finalize a memorandum of understanding with Ada County Highway District.
  - e. Work with Planning & Development staff to complete a landscape ordinance consistent with citywide goals and objectives.
  - f. Work with Planning & Development to enforce tree care after establishment.
  - g. Continue to work with realtors, developers, builders, building managers, title companies, and green industry affiliates to develop an information packet for distribution to home buyers.
  - h. Seek alternative funding for educational opportunities related to forestry programs.
  - i. Develop and implement a tree maintenance plan for the Capitol City Development Corporation and Downtown Boise Association.
  - j. Provide educational workshops and classes regarding trees and develop a web site.
4. Manage park and open space landscapes to ensure public safety and the cost-effective delivery of services, improve the quality of recreation, maintain user satisfaction, and enhance park and open space resource values and functions in accordance with adopted resource management plans.
- a. Seek funding to implement adopted resource management plans such as the *Public Lands Open Space Management Plan for the Boise Foothills*, *Boise River Resource Management and Master Plan*, *Oregon Trail Historic Reserve Resource Master Plan*, and others.
  - b. Provide adequate funding to address landscape maintenance and staffing needs for training and equipment and to attract and retain quality employees.
  - c. Implement provisions of the Boise River system ordinance and adopted management plans for the benefit of identified riparian and natural resource values and functions.

- d. Continue to review and advise the Planning and Zoning Commission on all permit applications concerning Greenbelt setbacks and mitigation of impacts from new development.
  - e. Fully implement adopted conservation agreements with federal and state agencies and private entities.
  - f. Continue to work cooperatively with the Idaho Department of Fish and Game and other wildlife and conservation groups to protect and enhance habitat values and manage wildlife in parks and open spaces.
  - g. Enhance open space forage and habitat values to benefit wintering big game and help reduce potential conflicts between wildlife and people due to habitat loss and urban development.
  - h. Enhance park and open space values to benefit songbirds through use of grants, donations, partnerships, and volunteer programs.
5. Continue to implement and update the integrated pest management policy and pesticide management guidelines to reflect changes in chemical engineering, industry standards for chemical usage, use of biological and genetic controls, and emerging pest problems.
- a. Provide training, certification, recordkeeping, and monitoring regarding pests and pesticide use in accordance with applicable laws.
  - b. Develop plans for integrated pest management for open space reserves.
  - c. Work with Ada County Weed Control regarding abatement of noxious weeds on City parks and open space lands.
  - d. Update a spill response plan for the Department and provide necessary staff training and equipment to implement the plan.
6. Continue to be proactive in environmental planning and management efforts to provide for sustainable recreational uses within the park and open space reserve system to avoid or minimize impacts to habitat and wildlife.
- a. Ensure that projects occurring near the river provide for resource protection and enhancement. Projects should be designed to minimize negative impacts to the natural resource values of the Boise River and associated riparian areas.
  - b. Ensure that areas designated as Class A lands by the Boise River system ordinance are left unmolested from asphalt paths, levees, and manicured grasses.
7. Provide funding for a consulting professional or full-time park resource biologist with background in biology, ecology, education, or other resource conservation-related science(s). Unmet needs include the following:
- a. Resource monitoring (of rare and endangered species, habitat conditions in public open spaces, water quality, pest management, noxious weeds, wildlife issues, urban fisheries, animal movements, and others)
  - b. Development and implementation of habitat restoration plans

- c. Staff training
  - d. Public education programs
  - e. Agency resource partnerships, coordination, and cooperation, including liaison with species conservation organizations (Golden Eagle Audubon Society, Trout Unlimited, Ducks Unlimited, Native Plant Society, and others)
  - f. Development, implementation, and monitoring of resource management plans and policies, such as the *Public Lands Open Space Management Plan for the Boise Foothills*, *Boise River Resource Management and Master Plan*, open space reserves plan, urban forestry management plan, integrated pest management policy, and others.
8. Fund and fully implement resource conservation partnerships and monitoring requirements with the Bureau of Land Management, Idaho Department of Fish and Game, Boise National Forest, U.S. Army Corps of Engineers, State Historical Preservation Office, The Nature Conservancy, Idaho Conservation League, Idaho Department of Lands, U.S. Environmental Protection Agency, Idaho Department of Water Resources, and others.
9. Improve funding for the management and maintenance of public open space lands and the urban-wildland interface.
- a. Seek funding to restore and mitigate wildfire damages and monitor mitigation and restoration efforts.
  - b. Provide for public education, awareness, and involvement in addressing urban-wildland issues and impacts.
10. Promote sustainable recreation for sensitive areas within public lands and areas adjoining public trails and pathways that cross private lands.
- a. Increase funding to provide staff and equipment for open space maintenance.
11. Continue coordination with agencies for preservation, protection, and restoration of cultural resources.
12. Comply with National Pollution Discharge and Elimination System (NPDES) permit requirements.
- a. Provide training to staff to ensure that the Department keeps current with stormwater systems development, maintenance practices, and monitoring and reporting needs.
  - b. Work with co-permittees to help update and maintain the City's manual of best management practices.
  - c. Seek partnerships and other opportunities to reduce the community's cost to comply with NPDES requirements or to ameliorate and improve water quality.
13. Continue efforts to implement energy conservation practices and ensure that new equipment and buildings use appropriate energy conservation materials and technology.

14. Continue to participate in recycling programs to help conserve resources, extend the life of the landfill, and promote savings.

## ***Trails & Open Space***

### **Recreational Trail and Pathway Needs (Chapter 11)**

1. Continue to provide leadership for the maintenance, management, and expansion of planned recreational trails and pathways needed to serve the community because of growth and increased recreational demands.
2. Work with other agencies and user groups in regional planning efforts related to trails and pathways to ensure coordination, cooperation, connectivity, and funding of planned recreational trails and pathways.
  - a. Continue to work with planners and developers through the public planning process to preserve identified public pathway corridors and public trailhead parking access points, provide for trailhead infrastructure needs, and ensure connectivity to new developments.
  - b. Pursue alternative funding mechanisms and partnerships for land acquisitions, development, and maintenance of recreational trails and pathways.
  - c. Continue to support the efforts of the Foundation for Ada County Trails, Southwest Idaho Mountain Biking Association, and other recreational trails and pathways interest and user groups.
3. Adopt and implement the proposed recreational trails and pathways facility plan to ensure that the City maintains adopted recreational trails and pathway standards and expands the identified systems to meet growth demands.
  - a. Retain the current adopted level of service standard of 0.41 mile of recreational trails and pathways per 1,000 residents.
  - b. Participate in the Boise Foothills trails partnership to pool limited funds and increase capacity for maintenance on trails and within reserves.
  - c. Continue to assess an impact fee for recreational trails and pathways to ensure that funding for proposed facilities is provided as growth occurs.
    - i. Use recreational trail and pathway impact fees to expand capacity of the public pathway system through purchasing identified pathway corridors where appropriate; acquiring and developing trailhead parking facilities; upgrading width of existing paved pathways to Class I standards where appropriate; and planning, designing, and constructing new pathways identified in the adopted recreational trails and pathways facility plan.
  - d. Acquire, construct, and maintain trailhead facilities in accordance with the adopted recreational trails and pathways facility plan.

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- i. Consider joint public use of parks, rights-of-ways, and other public lands, where appropriate, for trailhead parking to reduce the cost of acquiring and constructing parking and support facilities.
    - ii. Provide public trail and pathway parking and access at trailhead staging areas. These areas should include parking, orientation, and information signage, as well as any necessary specialized unloading features. Primary trailheads should have restrooms, drinking fountains, and trash receptacles; secondary trailheads may have only some parking and signage. Secondary trailheads may have 3 to 8 parking spaces, whereas primary trailheads may have 20 or more parking spaces. Classification of trailheads as primary or secondary will depend on the expected and desired levels of use.
  - e. Support adoption of the City's recreational trails and pathways facility plan as part of Ada County's *Ridge to Rivers Pathway Plan*.
  - f. Seek adequate funding to meet increased demand for maintenance as user expectations and the number of trail miles and trailheads increase. Funding sources may include general funds, grants, partnerships, volunteerism, donations, and in-kind services from other agencies.
4. Maintain and expand the Boise River Greenbelt path system in accordance with the adopted recreation trails and pathways facility plan.
  - a. The City should continue its efforts to work with Ada County and other jurisdictions to assume ownership or maintenance responsibilities of the Greenbelt path through land exchange, purchase, lease or other mechanism as agreed to by both parties.
  - b. Implement recommendations for the Greenbelt found in the *Boise River Resource Management and Master Plan*.
  - c. Seek funding from a variety of sources, including federal, state, and private grants; donations; and trail impact fees to complete identified gaps, develop cross-connections, and expand the Greenbelt path.
  - d. Continue to work through the planning and zoning process to implement the Boise River system ordinance to maintain public safety, recreational values, and environmental values of the river corridor.
  - e. Ensure compliance with Class I pathway standards where appropriate.
  - f. Ensure that all projects affecting the Greenbelt pathway comply with Boise Parks & Recreation's design standards and construction specifications.
5. Develop a Class I pathway along the existing railroad tracks and identified sidings and spurs as part of the Rails with Trails pathway system.
  - a. Work with Boise Urban Stages, Ada County Highway District, railroad companies, and other entities to secure ownership of the Boise rail spur and sidings.
  - b. Develop a master plan for development of a Class I pathway within the rail corridor and implement all recommendations of the plan.

- c. Ensure that all projects affecting the Union Pacific Railroad corridor preserve the corridor and comply with applicable Class I pathway standards.
  - d. Seek funding from a variety of sources, including federal, state, and private grants; donations; and trail impact fees to construct the proposed Rails with Trails path system.
  - e. Work through the planning and zoning process to implement the rail plan to preserve the corridor and enhance public safety and recreational values within the rail corridor.
6. Implement a system of canal trails through preserving and managing identified canal trail corridors and addressing user safety for these areas.
- a. Continue to work with developers, private landowners, and other ownership interests to acquire underlying land rights on identified sections of the New York Canal, Farmers Union Canal, Farmers Lateral, and Ten Mile Feeder Canal.
  - b. Implement the Memorandum of Understanding with the Nampa Meridian Irrigation District regarding coordination of, cooperation in, and review of the canal trail proposal.
  - c. Work with area canal companies, legislators, and the Bureau of Reclamation to address liability issues.
  - d. Seek funding from a variety of sources, including federal, state, and private grants; private donations; and impact fees to provide for the planning, design, and construction of improvements in the canal trail path system, such as trailheads, restrooms, and public safety features.
7. Preserve and extend a public trail corridor adjacent to the historic Oregon Trail route.
- a. Assist and collaborate with Ada County, other agencies, and private groups to advance efforts to plan, preserve, extend, and manage the Oregon Trail corridor to Bonneville Point for purposes of historic preservation, public trails, interpretation, outdoor education and sustainable recreation.
  - b. Provide for outdoor education and interpretive experiences along future sections of the Oregon Trail path that are managed by Boise City.
  - c. Seek funding from a variety of sources, including federal, state, and private grants; donations; and both trail and open space impact fees to preserve and construct the proposed path system.
8. Continue the partnership for the Boise Foothills trails system.
- a. Provide funding, leadership, and other resources necessary to maintain and expand the Boise Foothills trail system.
  - b. Implement the trails components of the *Public Lands Open Space Management Plan for the Boise Foothills* in partnership with other agencies.
  - c. Develop strategies for limiting conflicts between trail users, wildlife, and sensitive habitat areas.



- d. Seek adequate funding to maintain trails and trailheads and mitigate environmental impacts from increased trail use.
  - e. Continue to secure temporary license agreements and permanent easements for access through private properties for foothills trails.
  - f. Collaborate with other agencies to leverage funds and expand the Boise Foothills trail system across jurisdictions.
  - g. Seek alternative funding from a variety of sources, including federal, state, and private grants; donations; and trail impact fees to expand the Boise Foothills trail system and provide trailhead facilities.
  - h. Collaborate with private landowners, trail and open space advocacy groups, citizens, and other agencies to sustain the foothills trail system, promote user education, and maintain the recreational and natural resource values associated with the trail system.
9. Encourage use of the Class I Federal Way path.
- a. Fund and provide maintenance for the sections of the Federal Way path for which the City has accepted responsibility.
  - b. The City should work cooperatively with the Ada County Highway District to add trailhead support facilities such as restrooms, drinking fountains, and other improvements that provide for public convenience and safety.
  - c. Work with the Ada County Highway District to provide interconnection between the Federal Way path system and the proposed Oregon Trail path extension along Amity Road by including this alignment in its bike pathways plan.
10. Support development and expansion of the Boise River Canoe Trail concept through Boise and its area of impact.
- a. Establish safe portages around in-stream structures that do not accommodate canoe passage.
  - b. Develop appropriate launch and take-out support facilities. Where possible, develop such facilities for shared use by a range of river-oriented recreational users.
  - c. Cooperate with irrigation companies; the Bureau of Reclamation; U.S. Army Corps of Engineers; and other water users, regulating agencies, and special interest groups to fund and implement safety modifications for in-stream structures.
11. Support development of other public path links that provide direct access to parks and recreation facilities and help interconnect neighborhoods.
- a. Develop connecting pathways and trails throughout the community to provide linkages to schools, parks, and other destination points. Trails and pathways that are not identified in the adopted facility plan should be reviewed case by case to determine whether they should be part of the City's capital program for specific parks and recreation facilities.



- b. Encourage developers to provide pathways through proposed developments, where such improvements would provide needed links between neighborhoods; public trails and pathways; and public destinations such as schools, parks, libraries, and shopping centers.
12. Avoid or minimize adverse impacts associated with advances in recreation equipment and technology to maintain the community's desired level of recreational pathway services and ensure safe user experiences.
    - a. Except for recognized public safety and maintenance needs, continue to ban use of motorized conveyance devices (such as golf carts, motorized scooters, Mopeds, and Segway transporters) on recreational pathways.
    - b. Provide facilities for BMX, bicycle skills, equestrian use, and skateboarding at select locations in the community.
    - c. Support existing laws and policies that allow appropriate nighttime use of recreational trails and pathways.
  13. Maintain and implement management and design standards appropriate to individual recreational trails and pathways to ensure public safety and convenience, protect public infrastructure, and maintain recreational values.
    - a. Consider recreational experiences of users as the primary purpose of recreational trails and pathways and connectivity to other parts of the community as the secondary purpose.
    - b. Whenever possible, separate recreation trails and pathways from roadways.
    - c. Maximize the number and diversity of viewing opportunities along recreation trails and pathways.
    - d. Consider soil conditions, steep slopes, surface drainage, and other physical limitations that could increase construction costs of trail alignments and/or maintenance costs.
    - e. Plan, size, and design trails for multiple uses, except for dedicated nature trails or areas that cannot be developed to the standard necessary to minimize potential user conflicts.
    - f. Loop and interconnect trails and pathways to provide a variety of trail lengths and destinations. They should link various parts of the community, as well as existing park sites.
    - g. Locate and design trails to provide a diversity of challenges. Enhance accessibility wherever possible, with high priority being nature trails and loop or destination opportunities on portions of trails near staging areas.
    - h. Where recreational trails or pathways parallel a public street, design the route to avoid conflicts between motorists and trail users.
    - i. Maintain a trail management plan for routes within the City's open space properties. Establish a classification for various types of trails and address width, surfacing, and maintenance activities appropriate to each trail's designated use(s), level of use, and maintenance needs.

## Public Open Space Needs (Chapter 12)

1. Adopt and implement the open space preservation plan map. The map reflects the recommendations of the heritage preservation report (*Potential Public Preservation Sites*), *Public Lands Open Space Management Plan for the Boise Foothills*, and other recognized public open space preservation needs.
  - a. Maintain minimum standards for City open space reserves and communitywide public open space needs.
    - i. Continue the City's open space LOS standard at a minimum of of 8.3 acres/1,000 residents for purposes of open space impact fees.
  - b. Adopt a communitywide open space LOS standard of 49.2 acres/1,000 residents to fully implement the community's open space vision, as outlined in adopted open space plans.
  - c. Acquire 10 acres of land adjacent to the Hyatt Hidden Lakes Reserve that is owned by Meridian School District and the Ada County Highway District to enhance protection for the existing reserve land and provide for development of a wetlands education center and public parking.
  - d. Develop a desert education center in conjunction with protection of the Southwest Boise Flats heritage sites.
2. Develop and implement resource management plans for all public open space lands, including the *Public Lands Open Space Management Plan for the Boise Foothills*, *Oregon Trail Historic Reserve Resource Management Plan*, *Reserves Master Plan*, *Boise River Resource Management and Master Plan*, Hyatt Hidden Lakes Reserve master plan, and others.
  - a. Establish priorities for funding implementation of plan recommendations such as staffing needs, maintenance, land acquisition, and improvements.
- ~~3. Become the coordinating agency for public lands in the Boise Foothills.~~
  - ~~a. Integrate the Boise Foothills trails program with the coordinating agency functions in such a way as to not preclude Ada County's involvement in the Boise Foothills trail system partnership.~~
43. Use a variety of funding mechanisms to provide for acquisition, management, and maintenance of public open spaces. In addition to others, funding options should include the following:
  - a. Partnerships with resource management agencies to promote cooperation in identifying and preserving strategic parcels for public open space preservation.
  - b. Impact fees, general tax funds, serial levy, grants, donations, land trusts, alternative purchase agreements (conservation easements, conservation buyers, deed restrictions, and others) for the purpose of open space land acquisition.
  - c. General tax funds, partnerships, pooled public agency funds, volunteers, shared staffing, user fees, volunteers, and grants for the purpose of management and maintenance.

54. Provide educational opportunities for citizens and recreation users to help better preserve and protect the natural environment. Efforts could include the following:
- a. Public service announcements.
  - b. Management signage at trailheads.
  - c. Opportunities for environmental education and interpretation along appropriate open space trails and at trailheads.
  - d. Speaking engagements to special interest groups.
  - e. Space for recreational programs, educational classes, and meetings of groups and agencies involved in conservation activities.
    - i. Complete development of the Foothills Environmental Education Center.
    - ii. Develop the proposed Wetlands Education Center at the Hyatt Hidden Lakes Reserve in partnership with Meridian School District and others.
  - f. Incorporate a conservation curriculum/message into City recreation programs that appeal to open space users.
  - g. Seek funding to add an environmental education specialist position to the Department.
65. Continue to preserve and enhance natural and cultural resource values found in public open spaces.
- a. Hire a resource management specialist (conservation /biologist) to help address the Department's open space management needs.
  - b. Provide funding to monitor public open space resource values.
  - c. Secure adequate funding to maintain public open space lands and mitigate negative impacts associated with increased urbanization and recreational use.
  - d. Ensure compliance with all open space deed restrictions, conservation easements, and partnership agreements entered into by the City with any other entity, whether public or private.
  - e. Continue to review and advise the Planning and Zoning Commission on all permit applications concerning Greenbelt setbacks and mitigation of impacts from new development.

### **Zoo Boise (Chapter 9)**

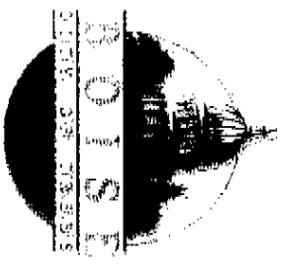
- 1. Implement the adopted master plan to expand zoo services.
  - a. Provide for improved veterinary care facilities.
  - b. Pursue a variety of funding alternatives to support zoo operations.

*Handwritten initials and number:*  
B 39

- c. Expand the zoo to keep pace with growth and demand for exhibits and educational programs.
2. Maintain AZA accreditation.
  - a. Continue to maintain and improve zoo grounds, exhibits, and animal care.
  - b. Participate in appropriate species conservation programs.
  - c. Maintain staffing needs, including training, safety, education, and networking.
  - d. Continue programs aimed at educating the community.
3. Identify Zoo Boise as a special-use park facility and pursue eligibility to use park impact fees for future zoo expansions.
  - a. Include specific new zoo exhibits and costs in the long-range capital improvement plan.
  - b. Seek support from the development community for adding the zoo to the park impact fee program.

# BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

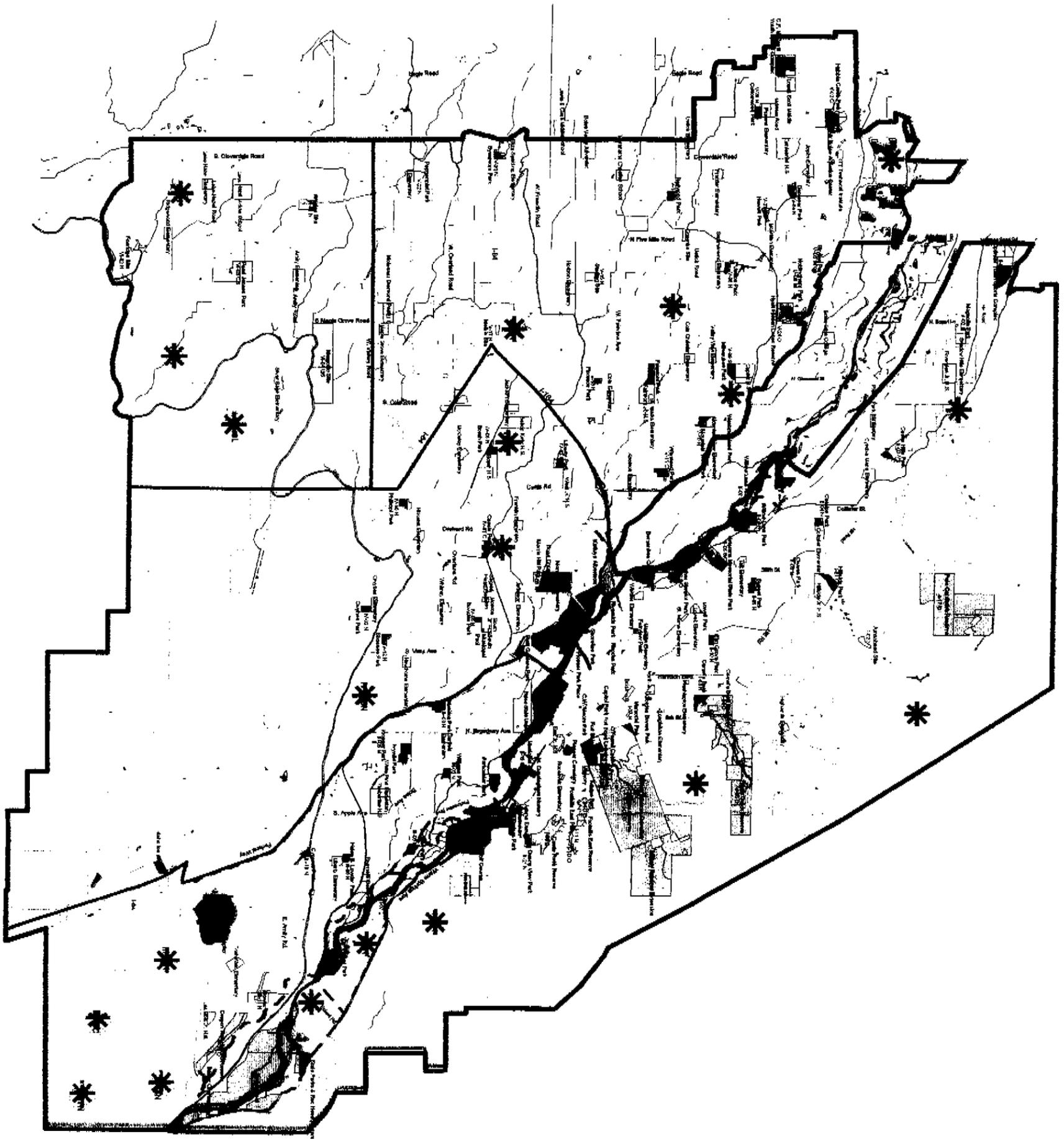
## Facilities Map



- Park Properties**
- Developed
  - ROW
  - Recreation
  - Undeveloped
  - Boise Area of City Impact Boundary
  - Park Planning Area
  - School
  - Water
  - Road
  - Boise City Limits
  - Greenbelt Path
  - Proposed Park
- Park Types:**
- C = Community
  - V = Urban
  - M = Major
  - N = Neighborhood
  - O = Open Space
  - R = Regional
  - S = Special Use
  - U = Urban
  - / = Corridor/Link



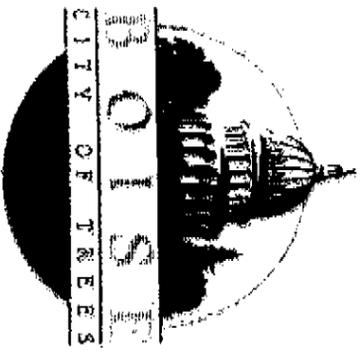
Map Updated and Produced by Boise Parks & Recreation August 2005



10

# BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

## Facilities Map



### Boise Parks & Recreation System Facilities Map Legend

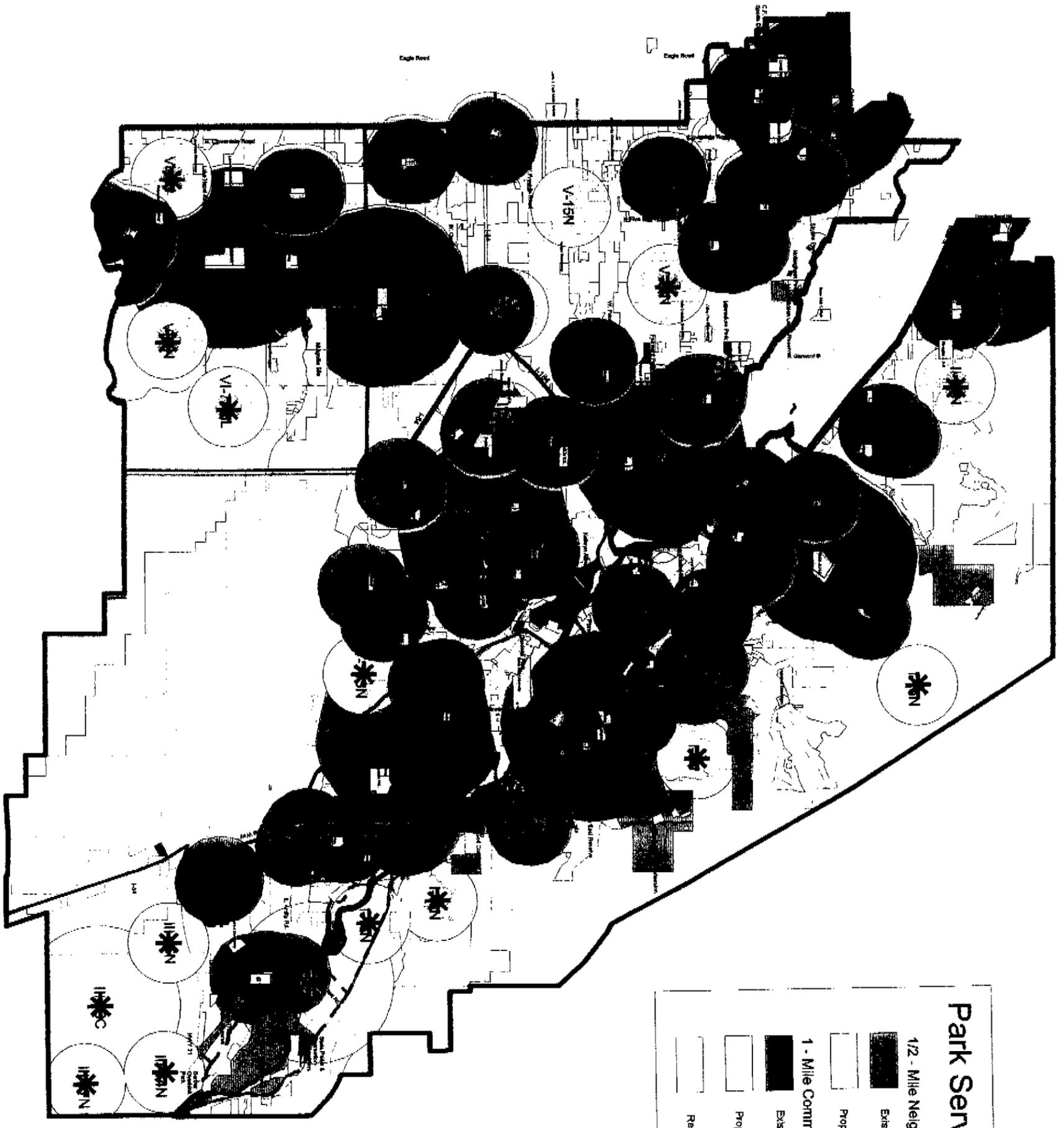
- Park Properties
  - Developed
  - ROW
  - Open Space Reserve
  - Undeveloped
- Boise Area of City Impact Boundary
- Park Planning Area
- Park Types:
  - C = Community
  - L = Linear
  - M = Mini
  - N = Neighborhood
  - O = Open Space Reserve
  - R = Regional
  - S = Special Use
  - U = Urban
  - / = Combination
- Greenbelt Path
- Proposed Park



Map Updated and Produced by Boise Parks & Recreation August, 2005

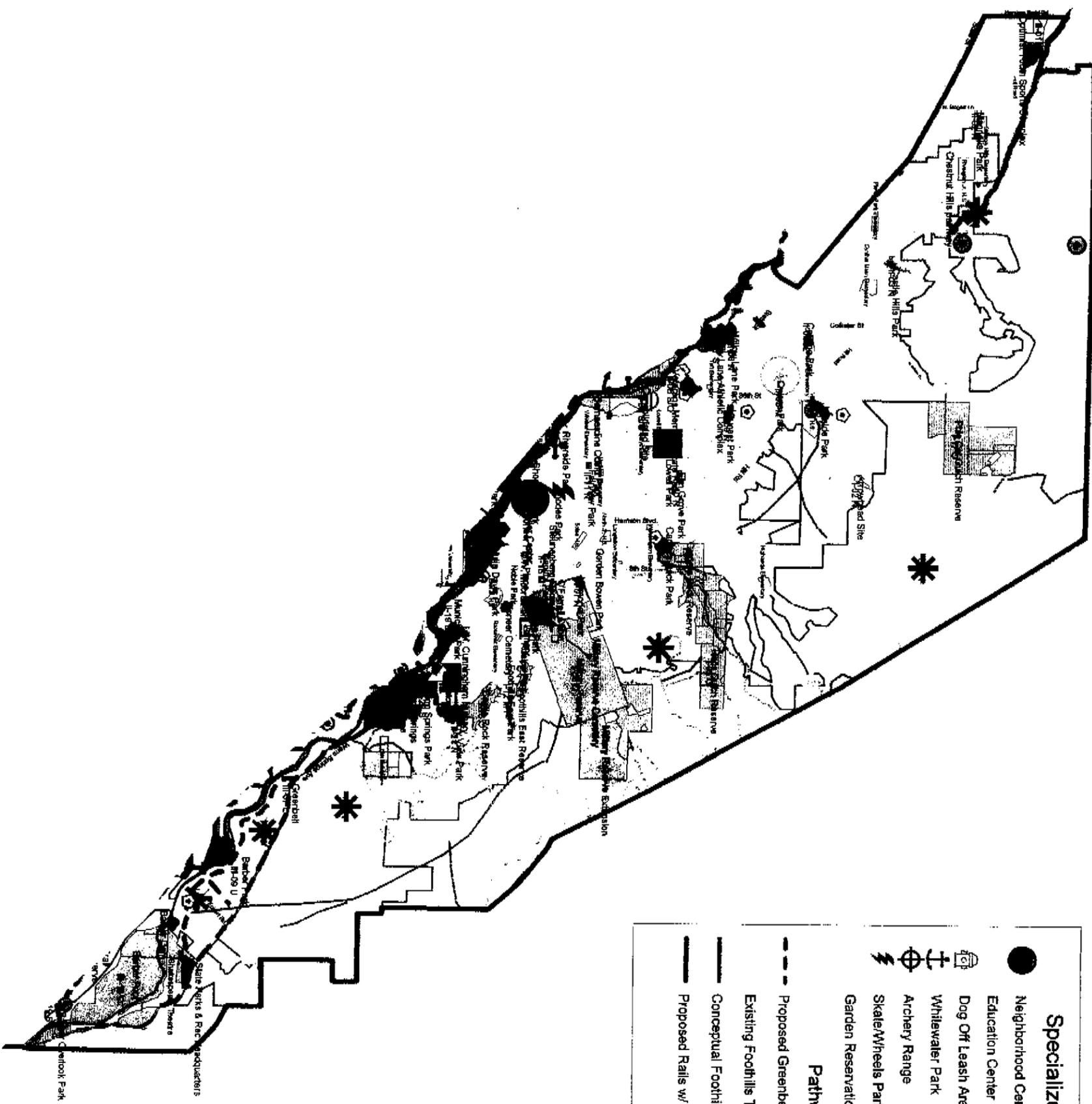
### Park Service Area Coverages

- 1/2 - Mile Neighborhood Park Service Area
  - Existing Neighborhood Parks
  - Proposed Neighborhood Parks
- 1 - Mile Community Park Service Area
  - Existing Community Parks
  - Proposed Community Parks
  - Residentially Zoned Lands



*Handwritten initials/signature*

# North River Park Planning Area



### Specialized Recreation Facilities

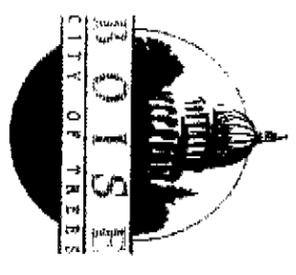
● Neighborhood Center	● Community Center
🏫 Education Center	🏌️ Municipal Golf Course
🐕 Dog Off Leash Area	🏠 Existing Picnic Shelter
🌊 Whitewater Park	🏠 Proposed Picnic Shelter
🏹 Archery Range	🦏 Zoo Boise
🎡 Skate/Wheels Park	🏊 Swimming Pool
🌳 Garden Reservation Site	

### Pathway and Trail System

--- Proposed Greenbelt Pathway	○ Proposed Trailhead
--- Existing Foothills Trails	⊙ Existing Trailhead
--- Conceptual Foothills Trails	— Oregon Trail
— Proposed Rails w/ Trails Pathway	— Proposed Canal Paths

## BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

### Facilities Map



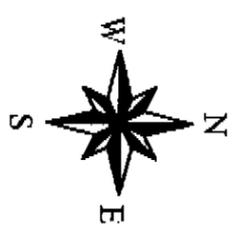
#### Park System Coverage

#### Park Properties

■ Developed	□ Unreserved
▨ ROW	□ Reserved
□ Base Area of City Impact Boundary	

#### Park Planning Area

□ School	□ Park Type:
■ Water	C = Community
▨ Road	L = Linear
□ Boise City Limit	M = Mill
▨ Greenbelt Path	N = Neighborhood
★ Proposed Park	O = Open Space
	R = Reserve
	S = Special Use
	U = Urban
	/ = Combination

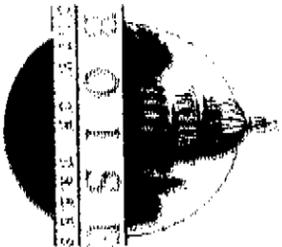


Map Updated and Produced by Boise Parks & Recreation August 2005

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# BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

## Facilities Map



### Park System Coverage

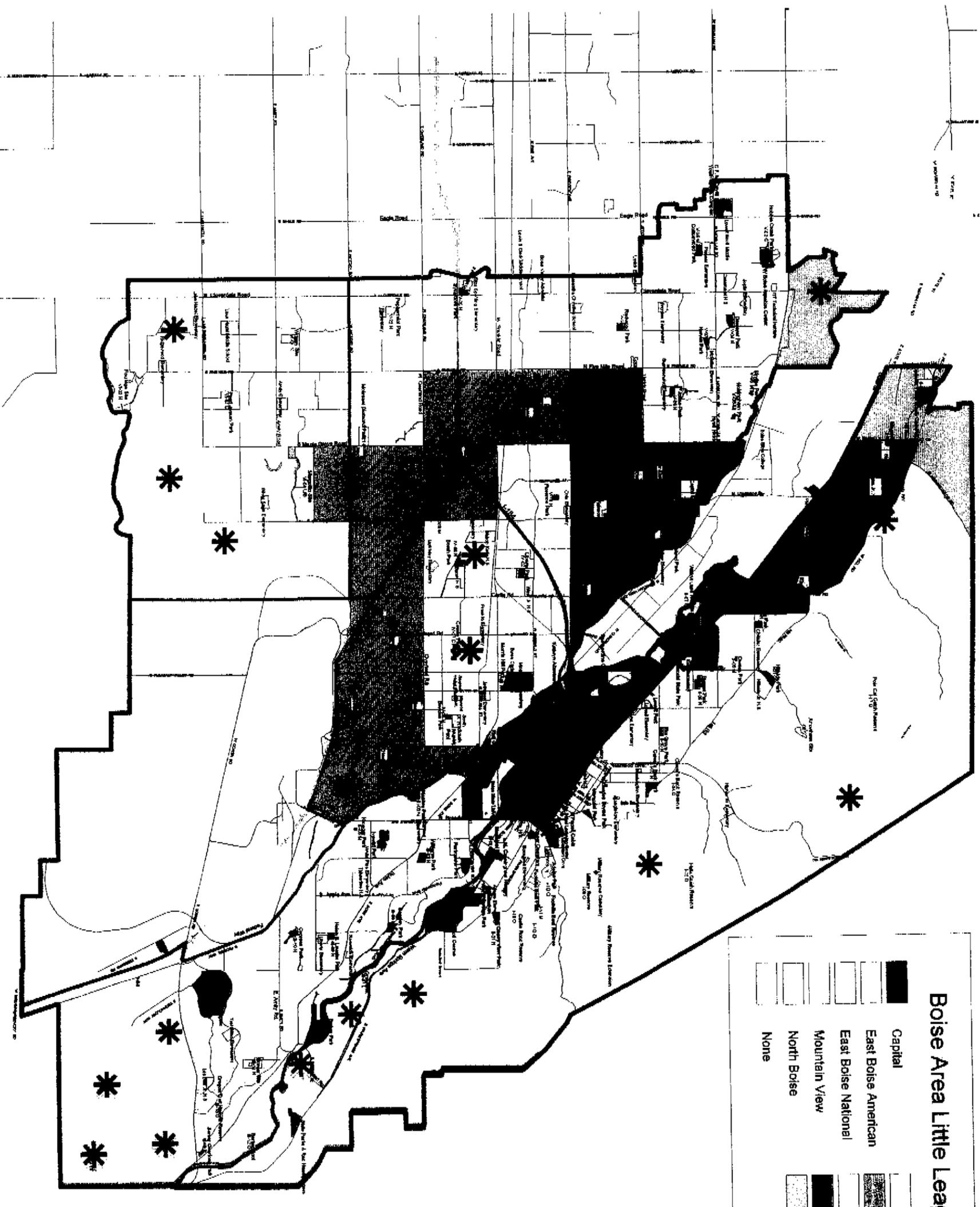
- Park Properties
  - Developed
  - ROW
  - Reserve
  - Undeveloped
  - Boise Area of City Impact Boundary
  - Park Planning Area
  - School
  - Water
  - Road
  - Boise City/Units
  - Greenbelt Path
  - Proposed Park
- Park Types:
- C = Community
  - L = Linear
  - M = Mini
  - N = Neighborhood
  - O = Open Space
  - R = Regional
  - S = Special Use
  - U = Unclassified
  - / = Combination



Map Updated and Produced by Boise Parks & Recreation August, 2005

### Boise Area Little League Districts

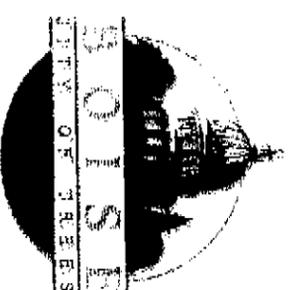
- |  |                     |  |                     |
|--|---------------------|--|---------------------|
|  | Capital             |  | Northwest Ada       |
|  | East Boise American |  | South Boise         |
|  | East Boise National |  | South Central Boise |
|  | Mountain View       |  | West Boise          |
|  | North Boise         |  | West Valley         |
|  | None                |  |                     |



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# BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

## Facilities Map



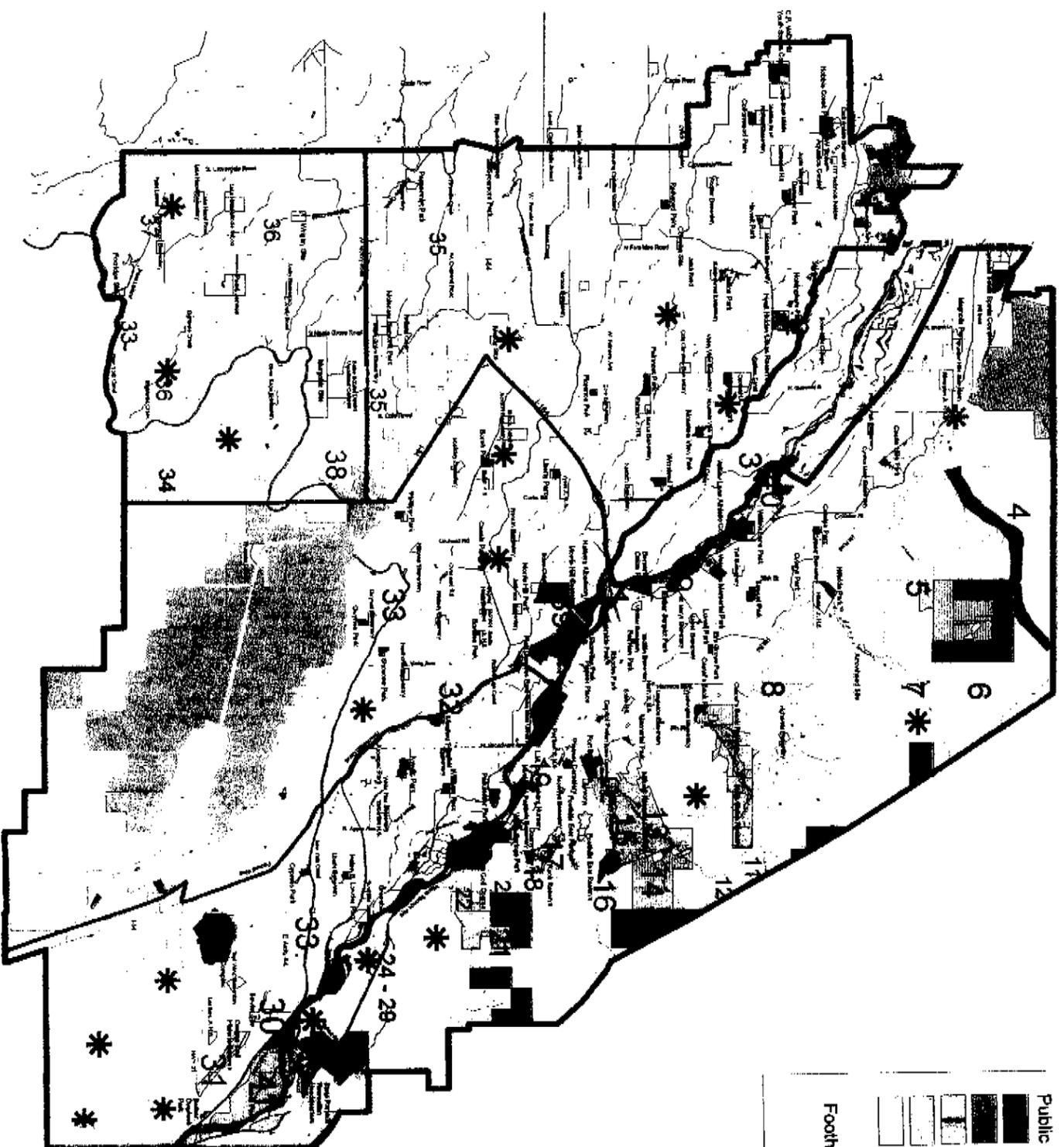
- Park Properties**
- Developed
  - ROW
  - Reserve
  - Undeveloped
  - Base Area of City Impact Boundary
  - Park Platting Area
- Park Types:**
- C = Community
  - L = Linear
  - M = Neighborhood
  - N = Neighborhood
  - O = Open Space
  - R = Regional
  - S = Special Use
  - U = Urban
  - / = Combination
- Other Symbols:**
- ▣ School
  - ▣ Warehouse
  - ▣ Road
  - ▣ Base City/Little
  - ▣ Greenbelt Path
  - ★ Proposed Park



Map Updated and Produced by Boise Parks & Recreation August, 2005

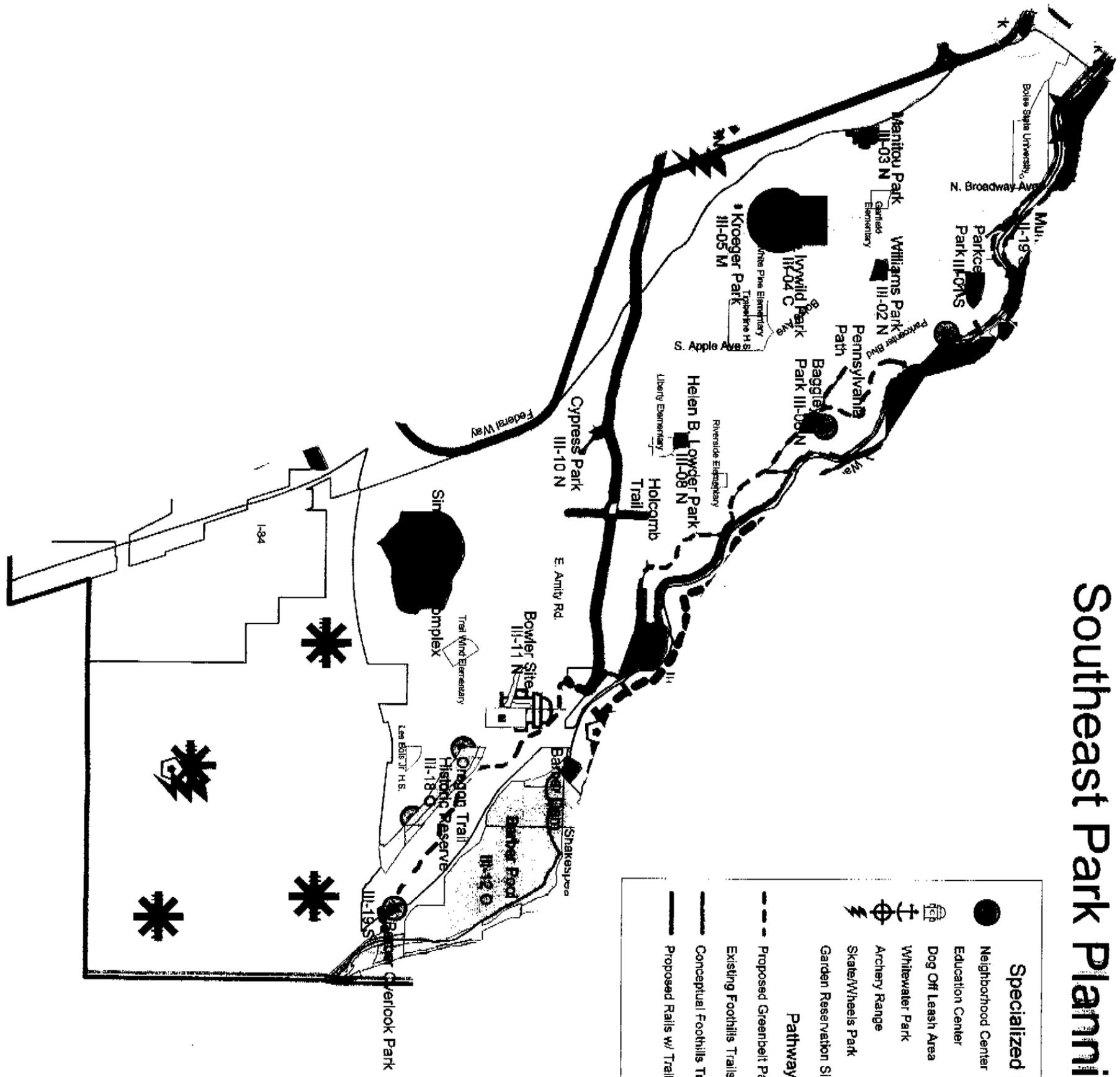
## Open Space Preservation Plan

Public Ownership		Heritage Sites	
■ Idaho Department of Lands	■ Undeveloped	■ Undeveloped	■ Undeveloped
■ Federal Lands	■ Developed	■ Developed	■ Developed
■ Ada County	■ Site Status Key	■ Available	■ Partial Protection
■ State of Idaho	4	4	4
■ Boise City (non-park)	4	4	4
■ Boise City (non-park)	4	4	4
Foothills Preservation		Potential Preservation Area	





# Southwest Park Planning Area



### Specialized Recreation Facilities

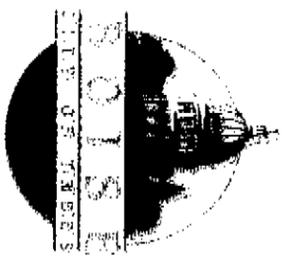
	Neighborhood Center		Community Center
	Education Center		Municipal Golf Course
	Dog Off Leash Area		Existing Picnic Shelter
	Whitewater Park		Proposed Picnic Shelter
	Archery Range		Zoo Boise
	Skate/Wheels Park		Swimming Pool
	Garden Reservation Site		

### Pathway and Trail System

	Proposed Greenbelt Pathway		Proposed Trailhead
	Existing Foothills Trails		Existing Trailhead
	Conceptual Foothills Trails		Oregon Trail
	Proposed Rails w/ Trails Path		Proposed Canal Paths

## BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

### Facilities Map



#### Park System Coverage

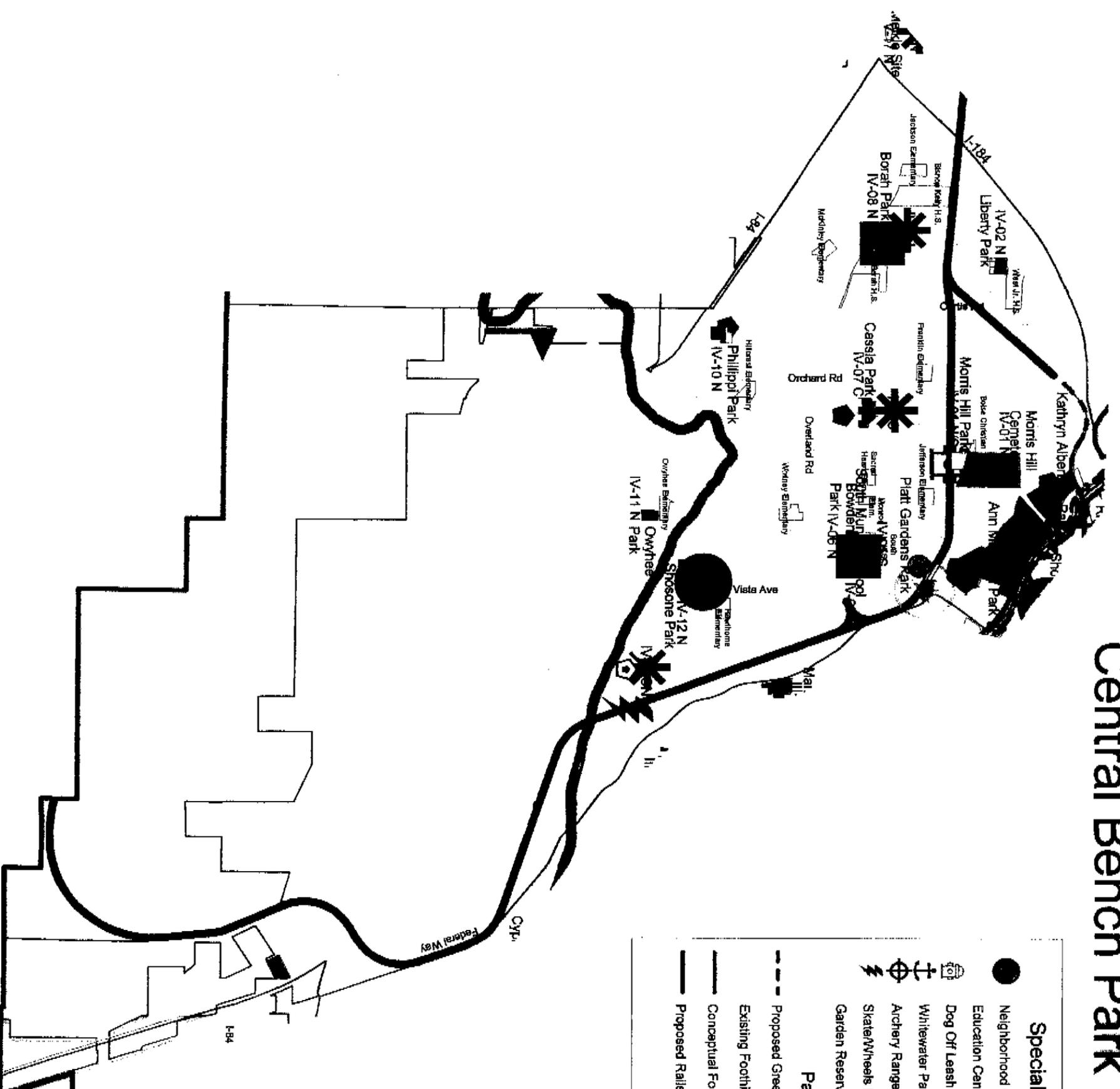
	Developed		Park Type:
	ROW		C = Community
	Reserve		L = Linear
	Undeveloped		M = Mini
	Boise Area of City Impact Boundary		N = Neighborhood
	Park Planning Area		O = Open Space
	School		R = Regional
	Water		S = Special Use
	Road		U = Urban
	Base City Limits		/ = Combination
	Granite Path		
	Proposed Park		



Map Updated and Revised by Boise Parks & Recreation August, 2005

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# Central Bench Park Planning Area



### Specialized Recreation Facilities

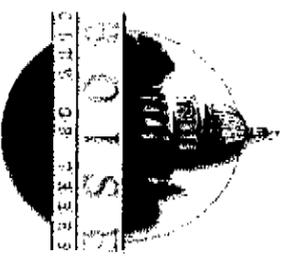
- Neighborhood Center
- Education Center
- Dog Off Leash Area
- Whitewater Park
- Archery Range
- State/Wheels Park
- Garden Reservation Site
- Community Center
- Municipal Golf Course
- Existing Picnic Shelter
- Proposed Picnic Shelter
- Zoo Boise
- Swimming Pool

### Pathway and Trail System

- Proposed Greenbelt Pathway
- Existing Foothills Trails
- Conceptual Foothills Trails
- Proposed Rails w/ Trails Pathway
- Proposed Trailhead
- ⊕ Existing Trailhead
- Oregon Trail
- Proposed Canal Paths

## BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT

### Facilities Map



### Park System Coverage

**Park Properties**

- Developed
- ROW
- Reserve
- Unclassified
- Base Area or City Impact Boundary
- Park Planning Area
- Scaled
- Water
- Road
- Scale Obj. Lines
- Geocast Path
- ★ Proposed Park

**Park Types:**

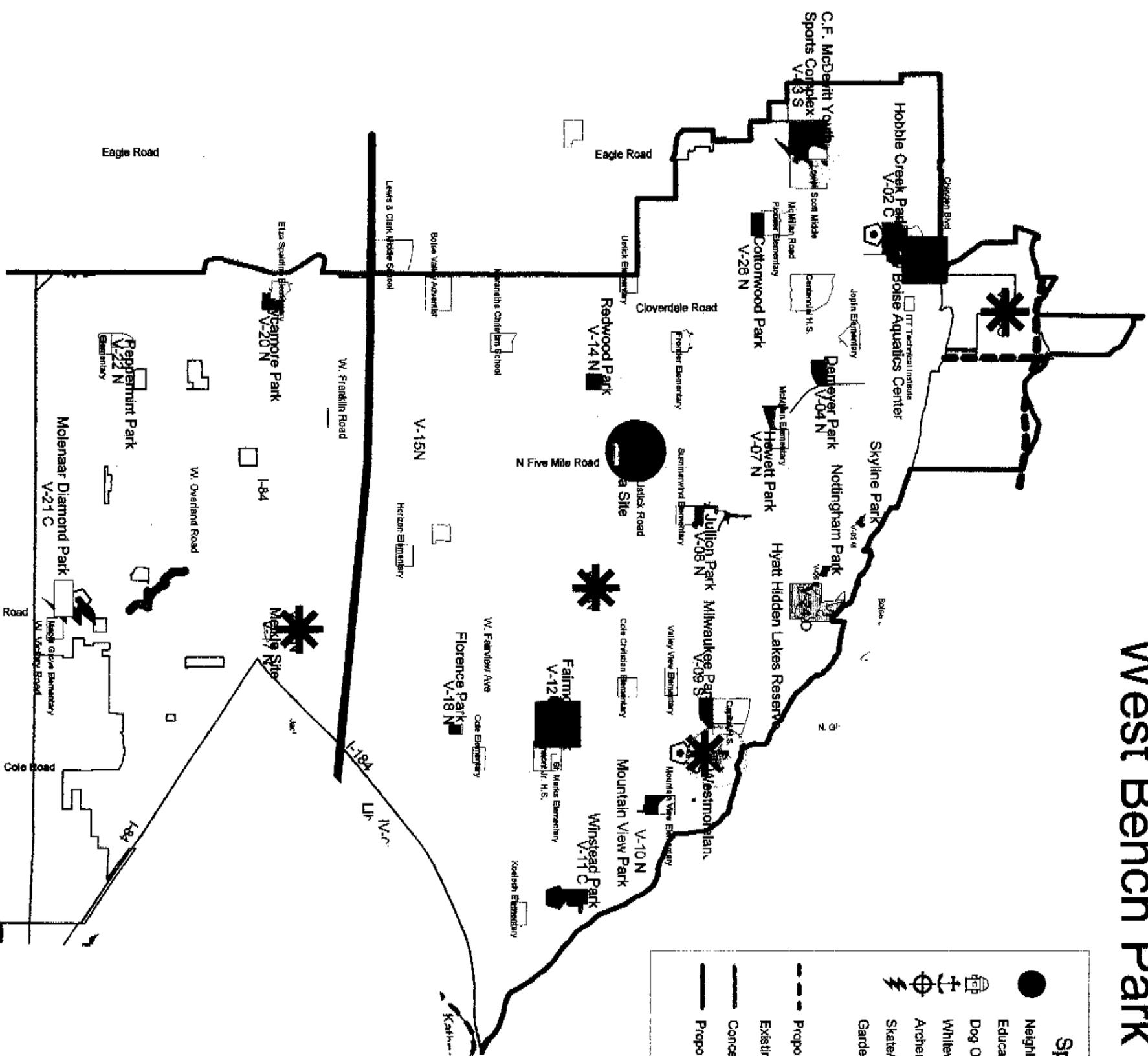
- C = Community
- L = Linear
- M = Mini
- N = Neighborhood
- O = Open Space
- R = Regional
- S = Special Use
- U = Urban
- / = Contribution



Map updated and Provisions by Board on 12/15/2016 August 2016

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# West Bench Park Planning Area



### Specialized Recreation Facilities

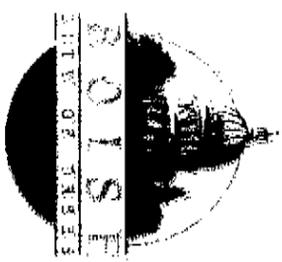
	Neighborhood Center		Community Center
	Education Center		Municipal Golf Course
	Dog Off Leash Area		Existing Picnic Shelter
	Whitewater Park		Proposed Picnic Shelter
	Archery Range		Zoo Boise
	Skater/Wheels Park		Swimming Pool
	Garden Reservation Site		

### Pathway and Trail System

	Proposed Greenbelt Pathway		Proposed Trailhead
	Existing Foothills Trails		Existing Trailhead
	Conceptual Foothills Trails		Oregon Trail
	Proposed Rails w/ Trails Pathway		Proposed Canal Paths

**BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT**

**Facilities Map**



Park System Coverage

### Park Properties

	Developed		Boise Area of City Impact Boundary
	ROW		Park Planning Area
	Reserve		School
	Undeveloped		Water
	Park Properties		Road
	Park Properties		Boise City Limits
	Park Properties		Greenbelt Path
	Park Properties		Proposed Park

### Park Types:

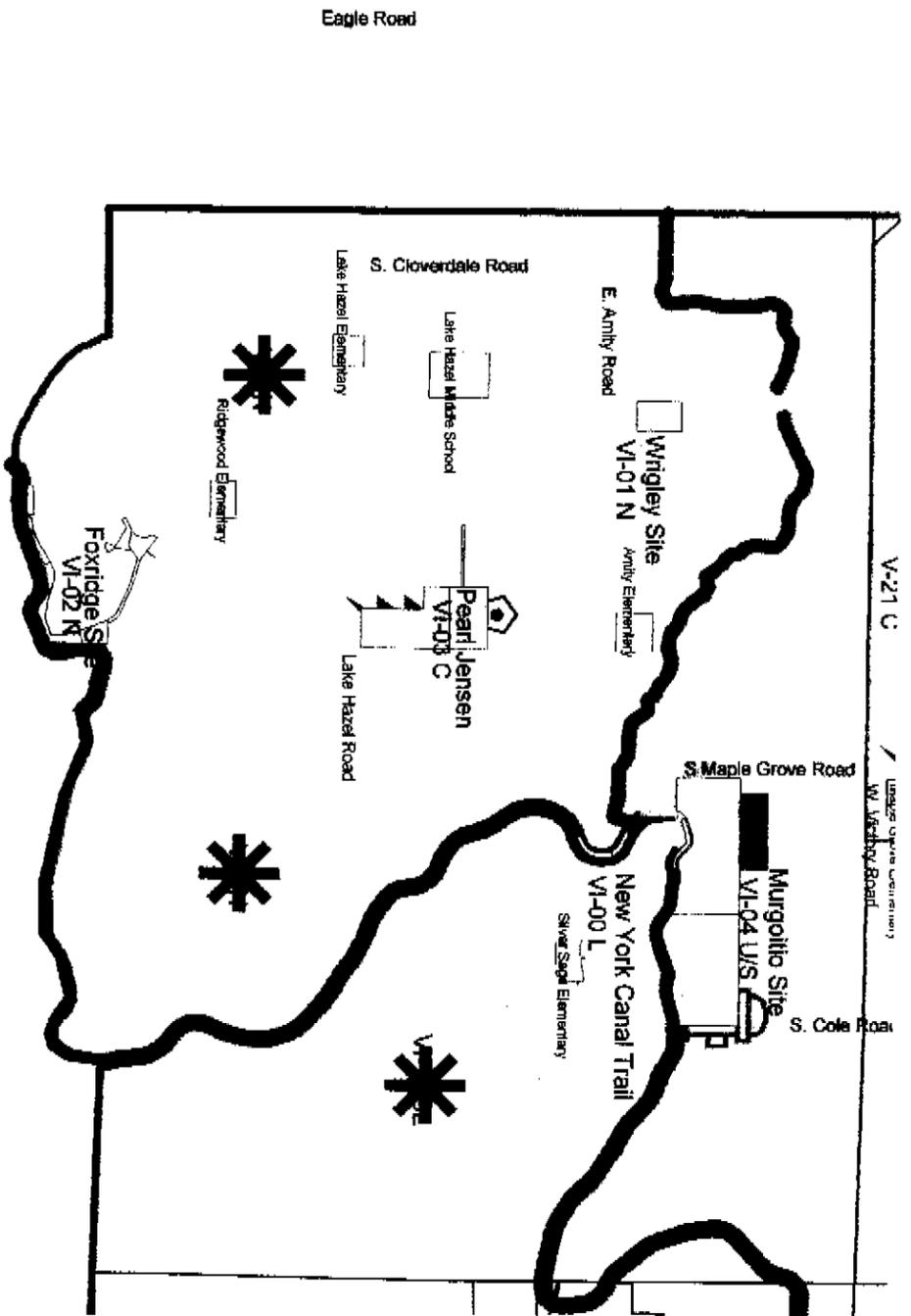
C = Community  
 L = Linear  
 M = Mini  
 N = Neighborhood  
 O = Open Space  
 R = Regional  
 S = Special Use  
 U = Urban  
 / = Combination



Map Updated and Produced by Boise Parks & Recreation August, 2010

*[Handwritten signature]*

# Southwest Park Planning Area



### Specialized Recreation Facilities

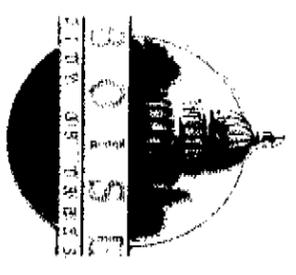
	Neighborhood Center		Community Center
	Education Center		Municipal Golf Course
	Dog Off Leash Area		Existing Picnic Shelter
	Whitewater Park		Proposed Picnic Shelter
	Archery Range		Zoo Boise
	Skate/Wheels Park		Swimming Pool
	Garden Reservation Site		

### Pathway and Trail System

	Proposed Greenbelt Pathway		Proposed Trailhead
	Existing Foothills Trails		Existing Trailhead
	Conceptual Foothills Trails		Oregon Trail
	Proposed Rails w/ Trails Pathway		Proposed Canal Paths

**BOISE PARKS & RECREATION SYSTEM PLAN FOR THE AREA OF CITY IMPACT**

**Facilities Map**



### Park System Coverage

**Park Properties**

- Developer
- ROW
- Reserve
- Undeveloped
- Boiler Area of City Impact Boundary
- Park Planning Area
- School
- Water
- Road
- Boiler City Limits
- Greenbelt Park
- Proposed Park

**Park Types:**

- C = Community
- L = Linear
- M = Mini
- N = Neighborhood
- O = Open Space
- R = Regional
- S = Special Use
- U = Urban
- / = Combination



Map Updated and Produced by Boise Parks & Recreation August, 2005

*Handwritten initials/signature*

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 TO ADOPT THE UPDATE TO THE BOISE COMPREHENSIVE PARKS AND RECREATIONAL SYSTEM PLAN TO APPLY IN THE BOISE CITY AREA OF CITY IMPACT

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 BE AMENDED AS FOLLOWS:

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

A. The Boise City comprehensive plan, adopted by Boise 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, ~~and~~ 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.

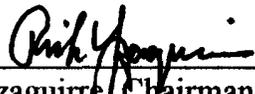
B. Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.

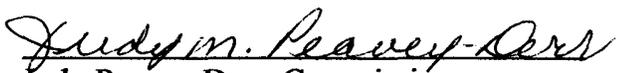
C. Title 4, chapter 12 of the Boise City code, known also as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001, shall be applicable within the Boise City area of city impact.

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.

APPROVED AND ADOPTED this 22<sup>nd</sup> day of March, 2005. 2006

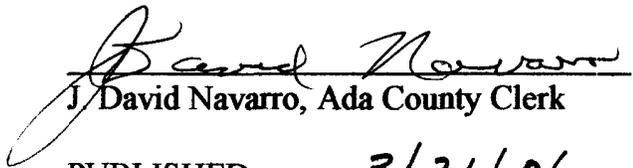
**Board of Ada County Commissioners**

By:   
Rick Yzaguirre, Chairman

By:   
Judy Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

ATTEST:

  
J. David Navarro, Ada County Clerk

PUBLISHED: 3/31/06

**LEGAL NOTICE  
ORDINANCE NO. 613**

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 TO ADOPT THE UPDATE TO THE BOISE COMPREHENSIVE PARKS AND RECREATIONAL SYSTEM PLAN TO APPLY IN THE BOISE CITY AREA OF CITY IMPACT

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 BE AMENDED AS FOLLOWS:

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

A. The Boise City comprehensive plan, adopted by Boise 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, and 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, known also as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001, 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.

APPROVED AND ADOPTED this 22nd day of March, 2006.

Board of Ada County Commissioners  
By: Rick Yzaguirre, Chairman  
By: Judy Peavey-Derr, Commissioner  
By: Fred Tilman, Commissioner  
ATTEST: J. David Navarro,  
Ada County Clerk

Pub. Mar. 31, 2006

25161

AN ORDINANCE ADOPTING THE BOISE CITY IMPACT FEE ORDINANCE #6462 BY REFERENCE; AMENDING THE DEFINITION OF PROPORTIONATE SHARE, ELIMINATING THE USE OF AN ALTERNATIVE METHODOLOGY TO DETERMINE THE PROPORTIONATE SHARE OF THE IMPACT OF A PROPOSED DEVELOPMENT ON THE CAPACITY SYSTEM IMPROVEMENTS; ELIMINATING THE ABILITY TO TRANSFER FUNDS IN AN ADJACENT PLANNING SUBAREA; ELIMINATING THE ABILITY TO EXPEND ADDITIONAL IMPACT FEES COLLECTED FROM A DEVELOPMENT IN EXCESS OF ORIGINAL PROJECTIONS; COMBINING PARKS SERVICES AREAS #1 AND #2; REDEFINING NATURAL OPEN SPACE, TRAILS, AND SPECIAL USE PARK FACILITIES DEEMED TO SERVE THE ENTIRE COMMUNITY; MODIFYING THE COMPREHENSIVE PARK AND RECREATION SYSTEM PLAN ASSUMPTIONS WITH THE RESPECT TO THE NUMBER OF PEOPLE PER DWELLING UNIT; AND INCREASING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 BE AMENDED AS FOLLOWS:

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

A. The Boise City comprehensive plan, adopted by Boise 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.

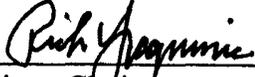
B. Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.

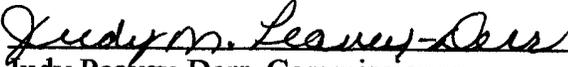
C. Title 4, chapter 12 of the Boise City code, known also as the Boise City impact fee ordinance 5685, dated November 28, 1995, and as amended by ordinance 6114 on December 11, 2001, and as amended by ordinance #6462 on April 11, 2006, shall be applicable within the Boise City area of city impact.

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.

APPROVED AND ADOPTED this 25<sup>th</sup> day of October, 2006.

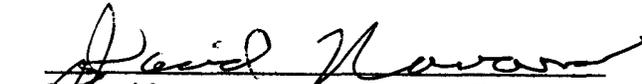
**Board of Ada County Commissioners**

By:   
Rick Yzaguirre, Chairman

By:   
Judy Peavey-Derr, Commissioner

By:   
Fred Tilman, Commissioner

ATTEST:

  
J. David Navarro, Ada County Clerk

PUBLISHED: 11/6/06

**LEGAL NOTICE  
ORDINANCE NO. 638**

AN ORDINANCE ADOPTING THE BOISE CITY IMPACT FEE ORDINANCE #6462 BY REFERENCE; AMENDING THE DEFINITION OF PROPORTIONATE SHARE, ELIMINATING THE USE OF AN ALTERNATIVE METHODOLOGY TO DETERMINE THE PROPORTIONATE SHARE OF THE IMPACT OF A PROPOSED DEVELOPMENT ON THE CAPACITY SYSTEM IMPROVEMENTS; ELIMINATING THE ABILITY TO TRANSFER FUNDS IN AN ADJACENT PLANNING SUBAREA; ELIMINATING THE ABILITY TO EXPEND ADDITIONAL IMPACT FEES COLLECTED FROM A DEVELOPMENT IN EXCESS OF ORIGINAL PROJECTIONS; COMBINING PARKS SERVICES AREAS #1 AND #2; REDEFINING NATURAL OPEN SPACE, TRAILS, AND SPECIAL USE PARK FACILITIES DEEMED TO SERVE THE ENTIRE COMMUNITY; MODIFYING THE COMPREHENSIVE PARK AND RECREATION SYSTEM PLAN ASSUMPTIONS WITH THE RESPECT TO THE NUMBER OF PEOPLE PER DWELLING UNIT; AND INCREASING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 9, CHAPTER 3, SECTION 3 BE AMENDED AS FOLLOWS:

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

A. The Boise City comprehensive plan, adopted by Boise 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, known also 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.

APPROVED AND ADOPTED this 25th day of October 2006.

Board of Ada County Commissioners

By: Rick Yzaguirre, Chairman

By: Judy Peavey-Derr, Commissioner

By: Fred Tilman, Commissioner

ATTEST: J. David Navarro, Ada County Clerk

	ORDINANCE NO. <u>6462</u>
BY THE COUNCIL:	BISTERFELDT, CLEGG, EBERLE, JORDAN, TIBBS AND SHEALY

**AN ORDINANCE AMENDING CHAPTER 12, TITLE 4 OF THE BOISE CITY CODE (“IMPACT FEE ORDINANCE”); AMENDING THE DEFINITION OF “PROPORTIONATE SHARE,” ELIMINATING THE USE OF AN ALTERNATE METHODOLOGY TO DETERMINE THE PROPORTIONATE SHARE OF THE IMPACT OF A PROPOSED DEVELOPMENT ON THE CAPACITY OF SYSTEM IMPROVEMENTS; ELIMINATING THE ABILITY TO TRANSFER FUNDS IN AN ADJACENT PLANNING SUBAREA; ELIMINATING THE ABILITY TO EXPEND ADDITIONAL IMPACT FEES COLLECTED FROM A DEVELOPMENT IN EXCESS OF ORIGINAL PROJECTIONS; COMBINING PARKS SERVICES AREAS #1 AND #2; REDEFINING NATURAL OPEN SPACE, TRAILS, AND SPECIAL USE PARK FACILITIES DEEMED TO SERVE THE ENTIRE COMMUNITY; MODIFYING THE COMPREHENSIVE PARK AND RECREATION SYSTEM PLAN ASSUMPTIONS WITH RESPECT TO THE NUMBER OF PEOPLE PER DWELLING UNIT; INCREASING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS; APPROVING A SUMMARY OF THE ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:**

**Section 1.** That Boise City Code section 4-12-03 be, and the same hereby is, amended to read as follows:

**Section 4-12-03 DEFINITIONS**

For the purpose of this Chapter, the following terms, phrases and words shall have the meaning given herein.

**AFFORDABLE HOUSING**

Housing affordable to families whose incomes do not exceed eighty percent (80%) of the median income for the service areas as defined in this Chapter.

**APPROPRIATE**

To legally obligate by contract or otherwise commit to use by appropriation or other official act of the City.

**APPLICANT**

Person who applies for a Building Permit or submits a plat or waiver of plat or is otherwise subject to the provisions of this chapter.

**BUILDING**

Any structure having a roof entirely separated from any other structure by space or by walls in which there are no communicating doors or windows or any similar opening and erected for the purpose of providing support or shelter for persons, animals, things or property of any kind.

## BUILDING PERMIT

An official document or certificate by that name issued by the Boise City Building Department, authorizing the construction or citing of any Building. For purposes of this Chapter, the term "Building Permit" shall also include tie-down permits for those structures or Buildings, such as a mobile home, that do not require a Building Permit in order to be occupied.

## CAPITAL IMPROVEMENTS

Improvements with a useful life of ten (10) years or more, by new construction or other action, which increase the service capacity of a public facility.

## CAPITAL IMPROVEMENTS PLAN

A plan adopted and amended pursuant to the provisions of the The Idaho Development Impact Fee Act, Idaho Code 67-8208, which identifies capital improvements for which development impact fees may be used as a funding source.

## CAPITAL IMPROVEMENTS PLAN SURCHARGE

A surcharge imposed on the collection of a development impact fee pursuant to Idaho Code 67-8208, which surcharge does not exceed the development's proportionate share of the cost of preparing the Capital Improvements Plan.

## CITY COUNCIL

The City Council of Boise City, Idaho.

## CREDITS

The present value of system improvements, contribution or dedication of land or money required by the City from a developer for system improvements of the category for which the development impact fee is being collected.

## DEDICATION

A deliberate appropriation of land by its owner for use as public facilities as the same are defined herein.

## DEVELOPMENT

Any construction or installation of a building or structure, or any change in use of a building or structure, or any change in the use, character or appearance of land, which creates additional demand and need for public facilities.

## DEVELOPMENT APPROVAL

Any written authorization from the City or another governmental entity party to a joint powers agreement with the City, which authorizes the commencement of a development.

## DEVELOPMENT IMPACT FEE

A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve development. This term is also referred to as an impact fee in this ordinance. The term does not include the following:

- (a) A charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development;
- (b) Connection or hookup charges;
- (c) Availability charges for drainage, sewer, water, or transportation charges for services provided directly to the development.

- (d) Amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements, unless a written agreement is made pursuant to section 67-8209 (3) *Idaho Code*, for credit or reimbursement.

#### DEVELOPMENT REQUIREMENT

A requirement attached to a development approval or other governmental action approving or authorizing a particular development project including, but not limited to, a rezoning, which requirement compels the payment, dedication or contribution of goods, services, land, or money as a condition of approval.

#### DWELLING UNIT

A Building or portion of a Building designed for or whose primary purpose is for residential occupancy, and which consists of one or more rooms which are arranged, designed or used as living and/or sleeping quarters for one or more persons. Dwelling unit includes mobile home or motel/hotel/ rooming house.

#### EXTRAORDINARY COSTS

Those costs incurred as a result of extraordinary impact.

#### EXTRAORDINARY IMPACT

An impact which is reasonably determined by the City to: (i) result in the need for system improvements, the cost of which will significantly exceed the sum of the development impact fees to be generated from the project or the sum agreed to be paid pursuant to a development agreement as allowed by section 67-8214(2) *Idaho Code*, or (ii) result in the need for system improvements which are not identified in the capital improvements plan.

#### FEE ADMINISTRATOR

The official or designee appointed by the Mayor with City Council approval, to administer this Chapter.

#### FEE PAYER

A person intending to commence a proposed development for which an impact fee computation is required, or a person who has paid an impact fee, provided a letter of credit, or made a contribution in-lieu-of-fee pursuant to this Chapter.

#### HEARING OFFICER

An experienced, fair and impartial individual with whom the City contracts for the purpose of hearing and deciding administrative appeals filed pursuant to the provisions of Section 14 of this Chapter.

#### IMPACT

The effect of on the local public facilities in a given area produced by the additional population attracted by development.

#### LAND USE ASSUMPTIONS

A description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a twenty (20) year period.

#### LEVEL OF SERVICE

A measure of the relationship between service capacity and service demand for public facilities.

#### LOW INCOME HOUSING

Housing affordable to families whose incomes do not exceed fifty per cent (50%) of the median income for the service area as defined in this Chapter.

#### MANUFACTURED HOME

A structure, constructed according to HUD/FHA mobile home construction and safety standards, transportable in one or more sections, which, in the traveling mode, is eight (8) feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. 5401, *et sec.*

#### METRO PLAN

The Boise City comprehensive plan known as "A Policy Plan for the Boise Metropolitan Area" as updated and amended from time to time pursuant to *Idaho Code 67-6508*.

#### MODULAR BUILDING

Any building or building component, other than a manufactured home, which is constructed according to standards contained in the *Uniform Building Code*, as adopted by the City, or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.

#### MULTI FAMILY

A building, or portion thereof, containing two (2) or more dwelling units excluding attached single family townhouse units located on individual lots.

#### NON-RESIDENTIAL DEVELOPMENT

Any development project not providing for residential dwelling units.

#### OWNER

The Person holding legal title to the real property, including the local, state or federal government or any subdivision thereof.

#### PRESENT VALUE

The total current monetary value of past, present, or future payments, contributions or dedications of goods, services, materials construction or money.

#### PROJECT

A particular development on an identifiable parcel of land.

#### PROJECT IMPROVEMENTS

Site improvements and facilities that are planned and designed to provide for a particular

development project and that are necessary for the use and convenience of the occupants or users of the project.

#### PROPORTIONATE SHARE

~~The That proportionate share of the costs of to provide system improvements as determined pursuant to section 67-8207, Idaho Code and Boise City Code §section 4-12-05 of this ordinance, less the portion of general tax and other revenues allocated by the City to system improvements, that which~~ reasonably relates to the service demands and needs of the project.

#### PUBLIC FACILITIES

Shall include:

- (a) Wastewater collection, treatment and disposal facilities;
- (b) Storm water collection, retention, detention, treatment and disposal facilities, flood control facilities, and bank and shore protection and enhancement improvements;
- (c) Landscaping associated with roads, streets and bridges and the rights of way associated therewith;
- (d) Parks, open space and recreation areas, and related capital improvements; and,
- (e) Public safety facilities, including law enforcement, fire, emergency medical and rescue and street lighting facilities.

#### PUBLIC FACILITIES PLANNING AREA

A designated area identified in a capital facilities plan for which public facilities needs have been determined based upon assumptions made in accordance with generally accepted planning and engineering standards.

#### RECREATIONAL VEHICLE

A vehicular type unit primarily designed as temporary quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

#### SERVICE AREA

Any defined geographic area identified by the City in the Comprehensive Plan or by intergovernmental agreement between the City and another governmental entity, in which specific facilities provide service to development within the area defined, on the basis of sound planning or engineering principles or both.

#### SERVICE UNIT

A standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

#### SYSTEM IMPROVEMENTS

In contrast to project improvements, mean capital improvements to public facilities which are designed to provide service to a service area including, without limitation, the type of improvements described in section 50-1703, Idaho Code.

#### SYSTEM IMPROVEMENT COSTS

Costs incurred for construction or reconstruction of system improvements, including

design, acquisition, engineering and other costs attributable thereto, and also including, without limitation, the type of costs described in section 50-1702 (h), *Idaho Code*, to provide additional public facilities needed to serve new growth and development. For clarification, system improvement costs do not include:

- (a) Construction, acquisition or expansion of public facilities other than capital improvements identified in the capital improvements plan;
- (b) Repair, operation or maintenance of existing or new capital improvements;
- (c) Upgrading, updating, expanding or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
- (d) Upgrading, updating, expanding or replacing existing capital improvements to provide better service to existing development;
- (e) Administrative and operating costs of the City unless such costs are attributable to development of the capital improvements plan, as provided in section 67-8208, *Idaho Code*, or
- (f) Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the City to finance capital improvements identified in the capital improvements plan.

#### UNIT(S) OF DEVELOPMENT

A quantifiable increment of development activity dimensioned in terms of dwelling units, or other appropriate measurements contained in the impact fee schedule.

**Section 2.** That Boise City Code section 4-12-06 be, and the same hereby is, amended to read as follows:

#### **Section 4-12-06 DETERMINATION OF DEVELOPMENT IMPACT FEES**

Prior to issuance of a building permit for development, or where no Building permit as defined herein is required, prior to the commencement of building construction, the applicant or owner will be required to pay monetary fees, dedicate land, provide system improvements, or a combination thereof in accordance with this section. It is intended that this requirement extend to any owner or builder, including the state of Idaho, the United States of America and any other governmental or quasi governmental entity.

- A. **General Formula:** The development impact fee per service unit may not exceed the amount determined by dividing the costs of the capital improvements described in the Capital Improvements Plan and as required by *Idaho Code 67-8208(1)(f)*, by the total number of projected service units as described in the Capital Improvements Plan and as required by *Idaho Code 67-8208(1)(g)*. If the number of new service units projected over a reasonable period of time is less than the total number of service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee per service unit shall be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units described in *Idaho Code 67-8208(1)(g)* by the total projected new service units described in that section.
- ~~B. An alternative methodology may be used provided that it can be demonstrated that such alternative methodology accurately calculates the proportionate share of the impact of the proposed development on the capacity of system improvements in terms of generally accepted engineering and planning principles. Challenges to the methodology adopted by~~

~~any impact fee ordinance approved by the Boise City Council may be brought by any interested individual within sixty (60) days of the adoption or modification of such impact fee methodology by filing formal protest with the Boise City Clerk who shall set the matter for hearing before the City Council within thirty (30) days of receiving such protest. The protesting party shall be specific in identifying objections to the methodology. The City Council shall render a written decision within fifteen (15) days of the closure of the hearing on the protest. The decision of the City Council shall be final.~~

- B. In the case of development activity involving a change of use and/or magnitude of use in which a building permit is required, the applicant shall be required to pay the computed impact fee for any proposed development activity for which the impact fee has not been previously paid. When any building permit expires or is revoked after the effective date of this Ordinance and a fee has not previously been paid under this Chapter the applicant shall be required to comply with the provisions herein. No refunds will be given for proposed development activity resulting in a negative fee calculation.
- C. No impact fee payment shall be required for any development activity when the total calculated fee is less than fifty dollars (\$50.00).
- D. If the type of dwelling unit within a proposed or current development is not specified in the above impact fee schedule, the Fee Administrator shall use the dwelling unit most nearly comparable in computing the fee.
- E. In determining existing development activity and the units of proposed or existing development, the Fee Administrator shall use the building permit and certificate of use information contained in the building or zoning records of Boise City.
- F. A development impact fee will be assessed for installation of a modular building, manufactured home or recreational vehicle unless the fee payer can demonstrate by documentation such as utility bills and tax records either:
  - 1. That a modular building, manufactured home or recreational vehicle was legally in place on the lot or space prior to the effective date of this Chapter; or
  - 2. That a development impact fee has been paid previously for the installation of a modular building, manufactured home or recreational vehicle on that same lot or space.

Lawful storage of a recreational vehicle shall not be deemed installation for purposes of this Chapter.
- G. Expansion or change in use shall be considered development subject to the provisions of this Chapter whether or not it requires a building permit. Impact fees for expansion of use or change in use shall be based upon the difference between the fee that would have been paid for the previous use and the fee for uses in the finished development. When a structure, other than a residential one, has been removed or demolished, the impact fee for any new development on the site shall be calculated as provided in this Section, provided that the prior use was removed or demolished not more than twelve months prior to the application for a building permit, and documentation of its previous existence and size is available. In all other cases it will be treated as new development. This provision applies to structures that were in existence prior to the effective date of this ordinance. Any person who initiates expansion or change in use of a building shall first notify the Fee Administrator of the contemplated activity in those instances which do not require a building permit.

**Section 3.** That Boise City Code section 4-12-12 be, and the same hereby is, amended to read as follows

**Section 4-12-12 IMPACT FEE EXPENDITURES**

- A. Except as otherwise provided herein, funds from the Impact Fee Trust Funds, including any accrued interest, shall be limited to the financing of acquisition, expansion, and/or improvement of real property, capital facilities, or for principal and interest payments (including sinking fund payments) on bonds or other borrowed revenues used to acquire, expand or improve such facilities necessitated to mitigate the impact of new development within the respective Public Facilities Planning Subarea from which the fees are collected. Expenditures may be made to purchase additional land from a fee payer where such purchase is consistent with the purpose of this Chapter.
- B. Trust account funds shall be deemed expended in the order in which they are collected.
- C. ~~In the event that the Boise City Level of Service Standards for public facilities have been met within the Public Facilities Planning Subarea, the Boise City Council may authorize the Mayor or his designee, following a public hearing, to expend the funds for land acquisition in an adjacent Planning Subarea or for system improvements of the same category, in a fair and reasonable proportion to the fees charged and benefits conferred to the development paying the fee. Said authorization shall only be permitted upon a finding that the expenditure will fairly and proportionately mitigate the impacts of and will fairly and proportionately benefit the development paying the fees in question.~~
- D. ~~In the event compliance with the Boise City Level of Service Standard for public facilities meets or exceeds the projected population estimates adopted in the METRO PLAN through the year 2015 within a Public Service Planning Subarea, the Boise City Council may authorize the Mayor or his designee, following a public hearing, to expend the additional impact fees collected from the development in excess of original projections, for system improvements within the Public Facilities Planning Subarea from which the fees were collected. Said authorization shall be permitted upon a finding that the expenditure will mitigate the impacts of and will benefit the development paying the fees in question in a fair and proportionate manner.~~
- E. A financial report on the Impact Fee Trust Funds shall be provided annually by the Fee Administrator to the Mayor and Council.
- F. Any interested citizen may challenge the expenditure of any impact fee funds within two (2) years of said expenditure by filing a protest with the Boise City Clerk. The City Clerk shall set the matter for hearing before the City Council within thirty (30) days of the filing of such protest. The protesting party shall specifically identify the impact fee expenditure and the basis of the protest. The City Council shall render a decision regarding the protest within fifteen (15) days after the close of the hearing on the matter.

**Section 4.** That Boise City Code section 4-12-13 be, and the same hereby is, amended to read as follows:

**Section 4-12-13 PARK AND RECREATION IMPACT FEES**

- A. **INCORPORATION OF CPRSP:** This section addresses the Development Impact Fees collected for Boise City Park and Recreation System Improvements. The Boise City

Comprehensive Park and Recreation System Plan as adopted by the Boise City Council and incorporated in the Metro Plan, together with the land use, acquisition and construction cost and service unit assumptions upon which said plan is based are hereby incorporated into this section by reference.

- B. INCORPORATION OF MAPS: The maps contained within the Boise City Comprehensive Park and Recreation system plan describing "Park Planning Subareas", "Community Park Service Areas" and "Neighborhood Park Service Areas" are hereby incorporated into this section by reference. Copies of said maps may be obtained at the office of the Boise City Clerk or viewed and obtained at the Administrative office of the Boise City Parks and Recreation Department.
- C. DEFINITIONS: The following terms are specific to this section and shall apply only to Park and Recreation Impact Fees.

#### COMMUNITY PARK

A park planned primarily to provide active and structured recreation activities for young people and adults. In general, community park facilities are designed for organized activities and sports, although individual and family activities are also encouraged. Community parks can also provide indoor facilities to meet a wider range of recreation interests. Where there are no neighborhood parks, the community park can also serve this function.

In comparison to neighborhood parks, community parks serve a much larger area and offer more facilities. Their service area is roughly a 1-2 mile radius, and will support a population of approximately 7,500-15,000 persons, depending upon size and facilities. As a result they require more support facilities such as parking, rest rooms, covered play areas, etc. Community parks usually exceed 20 acres in size and often have sports fields or similar facilities as the central focus of the park.

#### COMPREHENSIVE (~~CPRSP~~) PARK AND RECREATION SYSTEM PLAN (CPRSP)

The comprehensive plan of the City as it relates to parks and recreation, as adopted and amended pursuant to the Local Planning Act, *Title 67, Chapter 65, Idaho Code*.

#### CITY PARK SYSTEM OR PARK SYSTEM

Includes all Park and Recreation Facilities operated by the City.

#### EXISTING DEVELOPMENT

The lawful land use which physically exists or for which the landowner holds a valid building permit as of the effective date of this ordinance or that maximum level of development activity for which a previous impact fee was paid under the provisions of this Chapter. As used in this Chapter, the term "lawful land use" shall not include a land use which has been established or maintained in violation of this Chapter or applicable codes.

#### NEIGHBORHOOD PARK

A combination playground and park, designed primarily for non-supervised, non-organized recreation activities. They are generally small in size (3 to 10 acres), and typically serve residents within a half-mile radius. At average residential densities, this amounts to a service area population of about 3,000 to 5,000 residents. Since these parks are located within walking and bicycling distance of most users, the activities they support often become a daily pastime for neighborhood children.

## PARK AND RECREATION FACILITIES

All park lands and facilities as described in the Comprehensive Park and Recreation System Plan including Neighborhood, Community, Linear, Large Urban and Regional parks as well as Special Use and Open Space Areas together with the park system improvements necessary to support the recreation needs of the population served and to be served as identified in the Plan.

## PARK CAPITAL IMPROVEMENTS PLAN SURCHARGE

A surcharge on the collection of a development impact fee which surcharge does not exceed the development's proportionate share of the cost of preparing the Park Capital Improvements Plan.

## PARK PLANNING SUBAREA

A statistical area of the Official Boise City Park Planning Area Map indicating six (6) Districts as determined by geographical boundaries. Sometimes referred to as "Park Service Area" or "Service Area." The Park Service Areas identified in the CPRSP include #1 Foot Hills North River Area (including #2-Northwest, North End, Downtown and Warm Springs Areas), #23-Southeast Area, #34-Central Bench and Airport Areas, #45-West Bench area, and #56 Southwest Area. The Park Planning Subareas are for the purpose of planning Neighborhood and Community Parks. Natural Open Space, Trails, and Special Use Park Facilities including but not limited to Sports Fields (baseball, softball, soccer, lacrosse, football, etc.), Picnic Facilities and related outdoor park and recreation activities, ~~Indoor Swimming Facilities, Golf Courses, Indoor Recreation Facilities, Senior Center Facilities, and Arts and Crafts Facilities~~ are deemed to serve the entire community and impact fees for such facilities shall be charged equally within the boundaries of the Boise City Area of City Impact, including Boise City.

- D. **PARK IMPACT FEE - PURPOSE AND IMPLEMENTATION:** All residential development is deemed to create an impact and therefore an increased demand for park and recreation services. As such the cost for new public park facilities should be borne by new users of park and recreation facilities to the extent new use requires new facilities. Therefore, any application for a building permit enabling the construction, and in the case of construction that does not require a building permit, any building that takes place, on or after the effective date of this impact fee ordinance shall be subject to the imposition of park and recreation impact fees in the manner and amount set forth in this section.
- E. **PAYMENT OF PARK IMPACT FEE:** Prior to receiving a building permit or commencing construction of any building for which park impact fees are to be paid pursuant to this chapter, whichever first occurs, the applicant therefore must demonstrate that the appropriate impact fee has been paid to the Fee Administrator. The Fee Administrator and/or the Building Department Director shall have the authority to withhold a building permit or stop construction, as the case may be, until the appropriate impact fee has been collected.
- F. **METHODOLOGY:** The methodology adopted for the purpose of determining park and recreation impact fees shall be based upon the assumptions set forth in the Comprehensive Park and Recreation System Plan (CPRSP). Said assumptions, based upon the **Existing and Future Facilities Approach**, set the existing standard for park needs as set forth in the following table:

PARK DESCRIPTION	STANDARD
Neighborhood Parks	1.1 Acre/1,000 Population-
Community Parks	0.5 Acre/1,000 Population-
Special Use Parks	2.4 Acre/1,000 Population-
Recreational Trails	0.41 Mile/1,000 Population-
Natural Open Space	8.3 Acre/1,000 Population-

PARK DESCRIPTION	STANDARD
Neighborhood Parks	1.1 Acre/1,000 Population-
Community Parks	0.5 Acre/1,000 Population-
Special Use Parks	2.4 Acre/1,000 Population-
Recreational Trails	0.41 Mile/1,000 Population
Natural Open Space	8.3 Acre/1,000 Population

Additionally the CPRSP assumes the following in numbers of people per dwelling unit. (An "accessory dwelling unit" was not contemplated as part of the CPRSP assumptions, however it is reasonable to assume that at least one individual will dwell in such a dwelling unit.)

Single Family Residential	<del>2.28</del> 2.44/Unit
Multi-Family Residential (800 sq. ft & more)	<del>1.81</del> 2.16/Unit
Multi-Family Residential (Under 800 sq. ft.)	<del>1.24</del> 1.45/Unit
Accessory Dwelling Unit	1.00/Unit
Hotel/Motel/Bed & Breakfast	<del>0.71</del> Unit 0.68/Room

G. DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS: Pursuant to the assumptions in the CPRSP, development impact fees for parks are set forth in the following table:

PARK DESCRIPTION	IMPACT FEE \$/PERSON	SINGLE FAMILY \$/ RESIDENCE	MULTI FAMILY \$/ RESIDENCE Under 800sq ft	MULTI FAMILY \$/ RESIDENCE 800 sq ft and Over	HOTEL /MOTEL/B& B \$/ROOM
Neighborhood Parks	<del>138.49</del> 113.18	<del>315.76</del> 276.16	<del>171.72</del> 164.11	<del>250.67</del> 244.47	<del>98.33</del> 76.96
Community Parks	<del>42.33</del> 39.09	<del>96.50</del> 95.38	<del>52.49</del> 56.68	<del>76.62</del> 84.43	<del>30.05</del> 26.58
Special Use Parks	<del>105.93</del> 224.39	<del>241.52</del> 547.51	<del>131.35</del> 325.36	<del>191.73</del> 484.68	<del>75.21</del> 152.58
Recreational Trails	<del>8.16</del> 21.02	<del>18.61</del> 51.29	<del>10.12</del> 30.48	<del>14.77</del> 45.41	<del>5.80</del> 14.29
Natural Open Space	<del>53.08</del> 85.48	<del>121.01</del> 208.58	<del>65.81</del> 123.95	<del>96.06</del> 184.65	<del>37.68</del> 58.13

Park Capital Improvement Plan Surcharge	\$3.50	\$7.98	\$4.34	\$6.34	\$2.49
TOTAL	\$351,494,866.66	\$801,381,186.90	\$435,837,049.93	\$636,191,049.47	\$249,563,311.04

H. **INDIVIDUAL ASSESSMENT:** Individual assessment of park impact fees is permitted in situations where the fee payer can demonstrate by clear and convincing evidence that the established impact fee is inappropriate.

1. Written application for individual assessment shall be made to the Fee Administrator prior to receiving building permits or other necessary approvals from the city in instances where building permits are not required. Late applications for individual assessment of park impact fees may be considered for a period of sixty (60) days after the receipt of a building permit only if the fee payer makes a showing that the facts supporting such application were not known or discoverable prior to receipt of a building permit and that undue hardship would result if said application is not considered.

2. The Fee Administrator shall render a written decision regarding the individual assessment of Park Impact Fees within thirty (30) days of the date a complete application is submitted. The decision of the Fee Administrator shall establish the Park Impact Fee for the project in question for a period of one (1) year from the date said decision becomes final.

3. Appeals of the Fee Administrators determination of individual assessment shall be made to the City Council by the filing of an appeal with the Boise City Clerk no later than ten (10) days following the date of the decision of the Fee Administrator.

I. **CERTIFICATION:** Certification of the park impact fee schedule for a particular project may be applied for in the following manner.

1. Written application may be made to the Fee Administrator not later than sixty (60) days after preliminary plat approval by the Boise City Council. Late applications for certification of the park impact fee schedule will not be considered unless the fee payer makes a showing that the facts supporting such application were not known or discoverable until after the time had run and that undue hardship would result if said application is not considered.

2. The Fee Administrator shall provide the applicant with a written park impact fee schedule for the particular project within thirty (30) days of the date of application. The certified schedule provided by the Fee Administrator shall be based upon the CPRSP and shall establish the park impact fee for the project in question for a period of one (1) year from the date of certification. The certification shall include an explanation of the factors considered under Boise City Code Section 4-12-05 of this ordinance, and shall specify the system improvement(s) for which the impact fee is intended to be used.

3. The certification of the park impact fee schedule may be appealed as provided in Boise City Code section 4-12-14 Section 14 of this Chapter.

**Section 5.** That this Ordinance shall be in full force and effect from and after June 1, 2006.

**PASSED** by the Council of the City of Boise, Idaho, this 11th day of April, 2006.

**APPROVED** by the Mayor of the City of Boise, Idaho this 11th day of April, 2006.

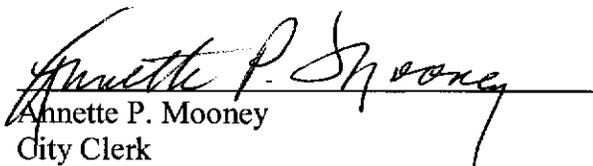
**APPROVED:**



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David H. Bieter  
Mayor

**ATTEST:**



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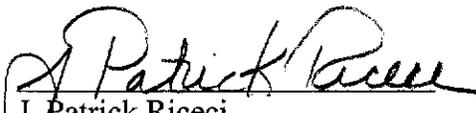
Annette P. Mooney  
City Clerk



**STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 6462**

The undersigned, J. Patrick Riceci, in his capacity as Assistant City Attorney of the City of Boise City, Idaho and pursuant to Idaho Code § 50-901A(3), hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. O-16-06 of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public.

DATED this 11<sup>th</sup> day of April, 2006.

  
J. Patrick Riceci  
Assistant City Attorney  
City of Boise City

**SUMMARY OF ORDINANCE NO. 6462  
OF THE CITY OF BOISE CITY, IDAHO**

**PUBLIC NOTICE IS HEREBY GIVEN** that the City of Boise City, Idaho, adopted at its regular meeting of April 11, 2006, Ordinance No. 6462 entitled:

**AN ORDINANCE AMENDING CHAPTER 12, TITLE 4 OF THE BOISE CITY CODE (“IMPACT FEE ORDINANCE”); AMENDING THE DEFINITION OF “PROPORTIONATE SHARE,” ELIMINATING THE USE OF AN ALTERNATE METHODOLOGY TO DETERMINE THE PROPORTIONATE SHARE OF THE IMPACT OF A PROPOSED DEVELOPMENT ON THE CAPACITY OF SYSTEM IMPROVEMENTS; ELIMINATING THE ABILITY TO TRANSFER FUNDS IN AN ADJACENT PLANNING SUBAREA; ELIMINATING THE ABILITY TO EXPEND ADDITIONAL IMPACT FEES COLLECTED FROM A DEVELOPMENT IN EXCESS OF ORIGINAL PROJECTIONS; COMBINING PARKS SERVICES AREAS #1 AND #2; REDEFINING NATURAL OPEN SPACE, TRAILS, AND SPECIAL USE PARK FACILITIES DEEMED TO SERVE THE ENTIRE COMMUNITY; MODIFYING THE COMPREHENSIVE PARK AND RECREATION SYSTEM PLAN ASSUMPTIONS WITH RESPECT TO THE NUMBER OF PEOPLE PER DWELLING UNIT; INCREASING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR BOISE PARKS; APPROVING A SUMMARY OF THE ORDINANCE, AND PROVIDING AN EFFECTIVE DATE.**

The ordinance amends the Impact Fee Ordinance of the City of Boise by amending the definition contained in Boise City Code 4-12-03 of “Proportionate Share,” eliminates the use of

an alternate methodology to determine the proportionate share a proposed development has on the capacity of Department of Parks and Recreation system improvements, eliminates the ability of the City to transfer funds in an adjacent planning subarea and eliminates the ability of the City to spend additional impact fees collected from a development in excess of original projection. In addition this ordinance combines park service areas #1 and #2, redefines natural open space, trails and special use park facilities which are deemed to serve the entire community, modifies the comprehensive Park and Recreation System Plan to increase the number of people per dwelling unit and increases the development impact fee schedule for Boise City parks, approves a summary of the ordinance and provides an effective date of June 1, 2006, which shall be the effective date of development impact fee increases.

The effective date of the Ordinance is June 1, 2006. A copy of the full text of the Ordinance is on file in the office of the City Clerk of the City at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

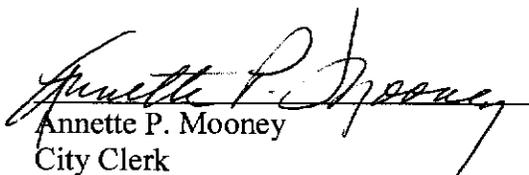
**DATED** this 11th day of April, 2006.

**City of Boise City**

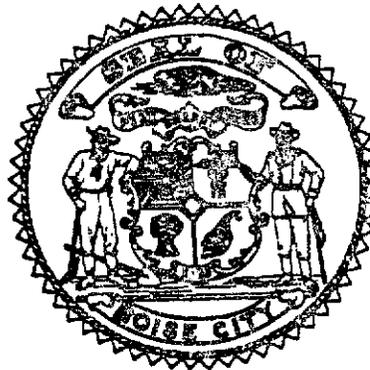


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David H. Bieter  
Mayor

**ATTEST:**



Annette P. Mooney  
City Clerk



**LEGAL NOTICE  
STATEMENT OF BOISE CITY ATTORNEY  
AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 6462**

The undersigned, J. Patrick Riceci, in his capacity as Assistant City Attorney of the City of Boise City, Idaho and pursuant to Idaho Code § 50-901A(3), hereby certifies that he has reviewed a copy of the attached Summary of Ordinance No. 0-16-06 of the City of Boise City, Idaho, and has found the same to be true and complete and to provide adequate notice to the public.

DATED this 11th day of April, 2006.

J. Patrick Riceci  
Assistant City Attorney  
City of Boise City

**SUMMARY OF ORDINANCE NO. 6462  
OF THE CITY OF BOISE CITY, IDAHO**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of April 11, 2006, Ordinance No. 6462 entitled:

*[The following text is extremely faint and illegible due to heavy scanning artifacts and noise.]*

The ordinance amends the Impact Fee Ordinance of the City of Boise by amending the definition contained in Boise City Code 4-12-03 of "Proportionate Share," eliminates the use of an alternate methodology to determine the proportionate share a proposed development has on the capacity of Department of Parks and Recreation system improvements, eliminates the ability of the City to transfer funds in an adjacent planning subarea and eliminates the ability of the City to spend additional impact fees collected from a development in excess of original projection. In addition this ordinance combines park service areas #1 and #2, redefines natural open space, trails and special use park facilities which are deemed to serve the entire community, modifies the comprehensive Park and Recreation System Plan to increase the number of people per dwelling unit and increases the development impact fee schedule for Boise City parks, approves a summary of the ordinance and provides an effective date of June 1, 2006, which shall be the effective date of development impact fee increases.

The effective date of the Ordinance is June 1, 2006. A copy of the full text of the Ordinance is on file in the office of the City Clerk of the City at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, where it may be examined during regular business hours of the City Clerk, from 8:00 a.m., to 5:00 p.m.

DATED this 11th day of April, 2006.

City of Boise City  
David H. Bieter, Mayor  
ATTEST: Annette P. Mooney,  
City Clerk

Pub. Apr. 17, 2006

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