GARDEN CITY COMPREHENSIVE PLAN

ORDINANCES, RESOLUTIONS AND AMENDMENTS

ADA COUNTY ORDINANCE 193 (1988)

ADA COUNTY ORDINANCE 194 (1988)

ADA COUNTY ORDINANCE 284 (1994)

ADA COUNTY ORDINANCE 679 (2007)

ORDINANCE NO. 193

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE 9, TO ADD CHAPTER 5, THE GARDEN CITY AREA OF CITY IMPACT AGREEMENT; CODIFYING THE GARDEN CITY AREA OF CITY IMPACT MAP BASED ON THE RESULTS OF THE MAY 24, 1983 SPECIAL ELECTION AND AS AMENDED BY BOISE CITY RESOLUTION 9471 ON OCTOBER 7, 1987, AND GARDEN CITY RESOLUTION NO. 557A ON OCTOBER 6, 1987; PROVIDING FOR GARDEN CITY ANNEXATION ONLY WITHIN THE GARDEN CITY AREA OF CITY IMPACT; STATING THAT THE GARDEN CITY COMPREHENSIVE PLAN OF FEBRUARY 9, 1988 APPLIES WITHIN SAID AREA OF CITY IMPACT; REQUIRING EVALUATION BY GARDEN CITY OF SUBDIVISION APPLICATIONS WITHIN SAID AREA OF CITY IMPACT FOR COMPLIANCE WITH THE GARDEN CITY PLANNING AND ZONING ORDINANCE AND REQUIRING GARDEN CITY APPROVAL OF ALL SUCH SUBDIVISION PLATS; STATING THAT THE ADA COUNTY ZONING ORDINANCE SHALL APPLY INSIDE SAID AREA OF CITY IMPACT OUTSIDE CITY LIMITS; REQUIRING ADOPTION OF A REFERRAL PROCESS AGREEMENT FOR PROCESSING OF AMENDMENTS TO ADA COUNTY AND GARDEN CITY COMPREHENSIVE PLANS AND IMPLEMENTING ORDINANCES AND ALSO FOR REFERRAL OF COUNTY DEVELOPMENT APPLICATIONS TO GARDEN CITY; PROVIDING FOR COUNTY ZONING DISTRICTS TO BE IN ACCORDANCE WITH ADOPTED PLAN POLICIES; ALLOWING FOR RENEGOTIATION OF THIS AGREEMENT BY GARDEN CITY OR ADA COUNTY UPON WRITTEN REQUEST OF EITHER PARTY AND THAT WHILE RENEGOTIATION IS OCCURRING THAT THIS CHAPTER SHALL REMAIN IN EFFECT UNLESS SUSPENDED IN A PARTICULAR AREA BY MUTUAL CONSENT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE FOLLOWING SECTION OF THE ADA COUNTY CODE BE REVISED TO READ AS FOLLOWS:

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

A. Garden City Area of Impact Boundary Map.

1. The Garden City Area of City Impact is the area designated on the Garden City Impact Boundary Map, fully incorporated by reference, the boundaries of which were fixed by special election on May 24, 1983, and copies of which are available at the Ada County Development Services Department.

2. Amendments to the map are as follows:

a. Boise City Resolution No. 9471, October 7, 1987, and Garden City Resolution No. 557A, October 6, 1987.

b. Ada County Ordinance No. 194.

B. If a property under single ownership is divided by the boundary line of the Garden City Area of City Impact, and if such line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

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

A. Annexation by Garden City shall be limited to those lands lying within the Area of City Impact and being contiguous to the boundaries of Garden City.

B. Upon annexation, the provisions of this Chapter shall no longer apply to the annexed area.

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

A. The Garden City Comprehensive Plan, as adopted and amended by Garden City on February 9, 1988, shall apply within the Garden City Area of City Impact.

B. Applications for subdivision development in the Garden City Area of City Impact shall be evaluated by Garden City for conformance to the design and improvement standards contained in the February 9, 1988, Garden City Planning and Zoning Ordinance 443, Title 9, Chapter 3, and in Chapter 4, Subsections 9-4-1 through 9-4-1-12.

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

D. The Ada County Zoning Ordinance (Ada County Code, Title 8) shall be used to implement this Chapter.

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

A. All applications for County and City amendments to their respective Comprehensive Plans and implementing ordinances which apply within the Garden City Area of City Impact shall be sent by the entity considering such amendment to the other entity. A separate Referral Process shall be adopted by resolution by each entity, regarding procedures and time periods for, and the effect of, sending such amendments, and such resolution may be amended from time to time upon mutual agreement in writing by Ada County and Garden City.

B. All county applications for planned developments, subdivisions, rezones and conditional use permits within the Garden City Area of City Impact shall be sent to Garden City, in accordance with the Referral Process arrived at pursuant to subsection A, above.

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

County zoning districts shall be in accordance with the adopted plan policies identified in Section 9-5-3 above.

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

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

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

APPROVED AND ADOPTED THIS 8 DAY OF September, 1988.

BOARD OF ADA COUNTY COMMISSIONERS

Michael L. Johnson, Chairman

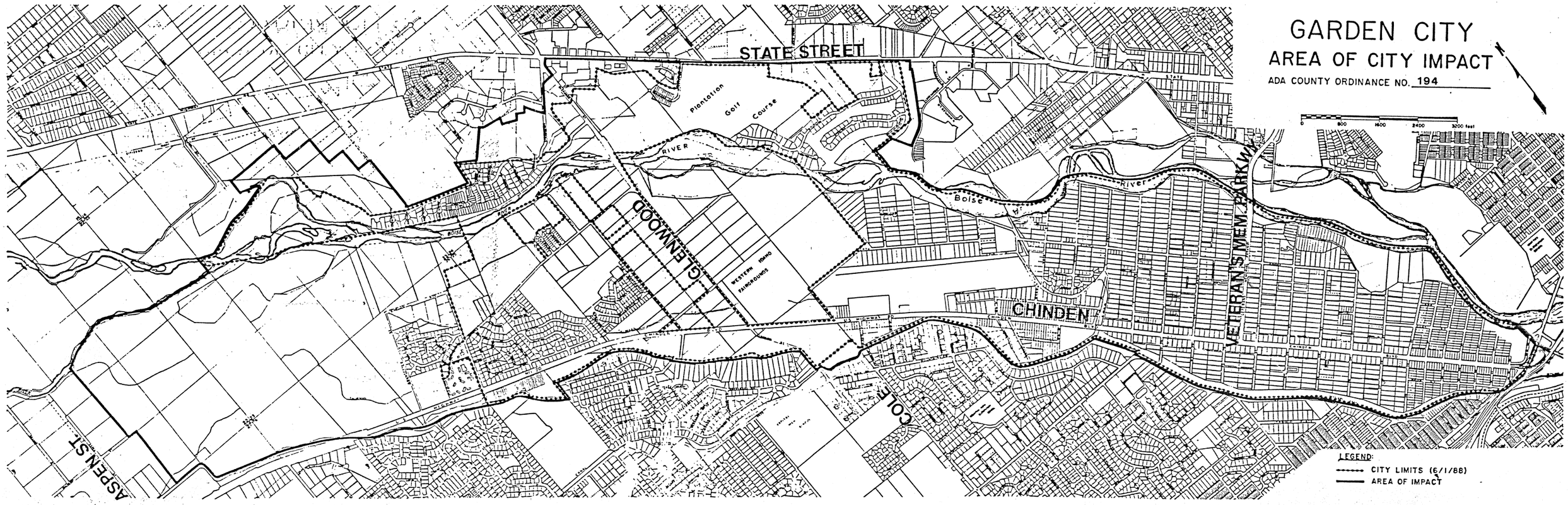
Judy M. Peavey, Commissioner

Vernon L. Bisterfeldt, Commissioner

ATTEST:

John Bastida, Ada County Clerk
by David Navarro

GARDEN CITY
AREA OF CITY IMPACT
ADA COUNTY ORDINANCE NO. 194



ORDINANCE NO. 284

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.

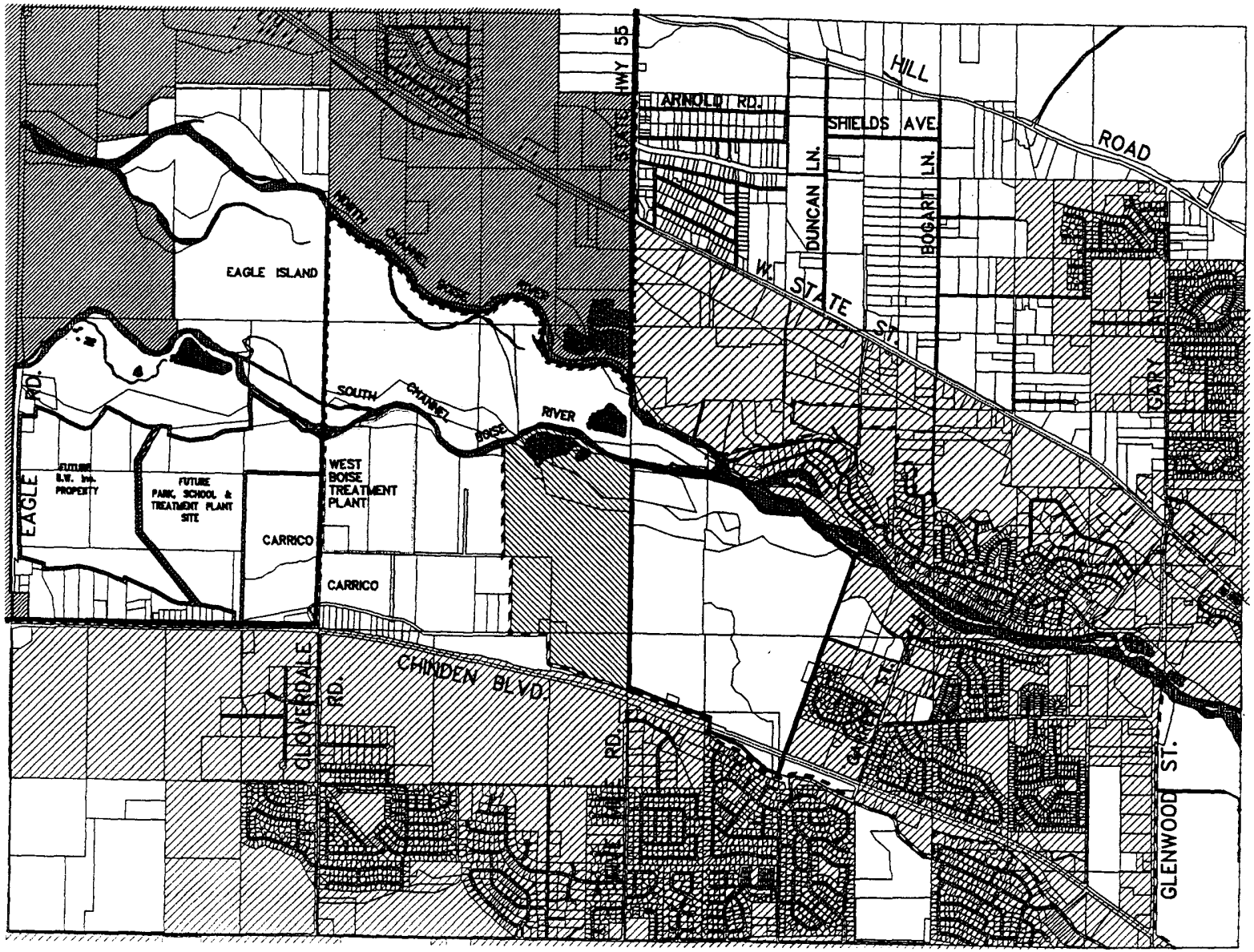
Excepting therefrom that portion of said Section 23 known as Eagle Island.

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"



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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 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

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ORDINANCE NO. 679

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 5, ARTICLE 3(A), TO ADOPT THE GARDEN CITY COMPREHENSIVE PLAN AS ADOPTED BY GARDEN CITY ON JULY 24, 2006.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THE ADA COUNTY CODE, TITLE 9, CHAPTER 5, SECTION 3(A), BE AMENDED AS FOLLOWS:

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

A. The Garden City comprehensive plan, as adopted and amended by Garden City Resolution No. 845-06 on ~~February 9, 1998~~ July 24, 2006, shall apply within the Garden City area of city impact.

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

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

D. The Ada County zoning ordinance (Ada County Code, title 8) shall be used to implement this chapter.

ADOPTED this 14 day of November, 2007.

Board of Ada County Commissioners

Board of Ada County Commissioners

By: _____
Fred Tilman, Chairman

By: _____
Paul R. Woods, Commissioner

By: _____
Rick Yzaguirre, Commissioner

ATTEST:

_____
J. David Navarro, Ada County Clerk
PUBLISHED:

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LEGAL NOTICE
ORDINANCE NO. 679

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 9, CHAPTER 5, ARTICLE 3(A), TO ADOPT THE GARDEN CITY COMPREHENSIVE PLAN AS ADOPTED BY GARDEN CITY ON JULY 24, 2006.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THE ADA COUNTY CODE, TITLE 9, CHAPTER 5, SECTION 3(A), BE AMENDED AS FOLLOWS:

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

A. The Garden City comprehensive plan, [illegible] amended by Garden City [illegible] February 9, [illegible] apply within [illegible] area of city impact.

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

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

D. The Ada County zoning ordinance (Ada County Code, title 8) shall be used to implement this chapter.

ADOPTED this _14th__ day of November, 2007.

Board of Ada County Commissioners
By: Fred Tilman, Chairman
By: Paul R. Woods, Commissioner
By: Rick Yzaguirre, Commissioner
ATTEST: J. David Navarro,
Ada County Clerk

Pub. Nov. 22, 2007

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