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JUN 11 2009

ORDINANCE NO. 6712

BY THE COUNCIL: TECHNICAL SUPPORT

BISTERFELDT, CLEGG, EBERLE,
JORDAN, SHEALY & TIBBS

AN ORDINANCE (CAR08-00029/BOISE CITY) FOR PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF COLE AND VICTORY ROADS) ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW), A-1 (OPEN LAND) AND L-OD (LIMITED OFFICE WITH DESIGN REVIEW); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the lands and territory, situated in Ada County and particularly described in Section One of this ordinance, has requested, in writing, annexation of said lands to the city; and

WHEREAS, the Boise City Council has found and determined that said lands and territory are contiguous and adjacent to Boise City and that annexation of said lands can reasonably be used for orderly development of Boise City; and

WHEREAS, the Boise City Planning & Zoning Commission, pursuant to public notice as required by law, held a public hearing on January 12, 2009, and recommended to the Mayor and Council that annexation be approved and said lands be zoned M-1D (Limited Industrial with Design Review), A-1 (Open Land) and L-OD (Limited Office with Design Review); and

WHEREAS, the Boise City Council, pursuant to public notice as required by law, held a public hearing on March 31, 2009, on the proposed zoning for the property described in Section One below, all as required by Idaho Code, Section 67-6525.

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

Section 1. The lands and territory situated in Ada County, Idaho, adjacent and contiguous to the City of Boise City, Idaho, particularly described in Exhibits "A" & "B" which is annexed hereto

O-16-09

and by reference made a part of this ordinance as though fully set forth herein, be, and the same are hereby, annexed to and incorporated in the territorial limits of the City of Boise City, Idaho.

Section 2. From and after the effective date of this ordinance, all property included within the boundaries and territory described in Section 1 hereof and annexed as provided by said Section shall be subject to all the statutes pertaining to Boise City and all ordinances, resolutions, police regulations, taxation and other powers of Boise City, and all persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate territorial limits of Boise City.

Section 3. The City Engineer of Boise City is hereby directed to lodge and file with the City Clerk of Boise City within ten (10) days after the passage and approval hereof, a legal description and map prepared in a draftsmanlike manner which shall plainly and clearly designate the boundaries of the lands and territory annexed, pursuant to the provisions of Section 1 hereof.

Section 4. Pursuant to the findings of the Boise City Council, the land use classification of the lands described in Exhibits "A" and "B" annexed hereto and by reference made a part thereof is hereby fixed and established as M-1D (Limited Industrial with Design Review), A-1 (Open Land) and L-OD (Limited Office with Design Review), all as provided by the Zoning Ordinance of Boise City. The reasoned statement is:

- A. That the annexation shall incorporate the Boise sewer planning area.

The subject lands have been within the City's sewer planning area for many years. As noted, most of the lands are undeveloped. Development will require connection to City sewer, which is available to all of the subject lands.

- B. Honor negotiated area of impact agreements.

The only reference to unilateral annexations in the Area of Impact Agreement (B.C.C. 11-15) is a statement that annexation shall occur within the Area of Impact. The implication is that cities may annex lands within the area of impact when it is necessary or convenient for the orderly growth of the city. This report clearly demonstrates that it is.

- C. Attempt to balance costs of services with anticipated revenues.

The annexations will result in property tax, franchise fee, development fees, state shared sales tax and other revenues. The receipt of revenues will occur over time because of constraints, including those set by under Idaho Code. For example, property taxes will not

accrue until nine months after the annexation is effective. State shared revenues will not be obtained until the State recognizes the population and market value added to the City in the annexations. That will occur typically one to 6 years after the annexations are completed.

Costs for City services to the residents in the annexation areas will be provided either immediately after annexation (for example, police and fire services) or when revenues to support the services are received (for example, street lights or park development.) The cost of services projected to be provided to the annexation areas have been planned to balance with the anticipated revenues. Preliminary estimates of revenues support the services and facilities planned for the areas after annexation to the City.

- D. Promote other goals of population balance, contiguous development and prevention of costs due to leap frog development.

Part of the intent behind annexing the Area of Impact is to prevent the sort of "leap frog" development that has resulted in the unplanned, haphazard development patterns which are seen in some areas. By annexing where feasible and practical – especially near enclaves such as this one in the Cole Road and Victory Road area, the City will help to ensure that future development, as much as possible, occurs contiguous with City limits and thereby facilitates the more efficient and economical delivery of services.

- E. The state law concerning annexations states:

After considering the written and oral comments of property owners whose land would be annexed and other affected persons, the city council may proceed with the enactment of an ordinance of annexation and zoning. In the course of the consideration of any such ordinance, the city must make express findings, to be set forth in the minutes of the city council meeting at which the annexation is approved, as follows:

- 1) The land to be annexed meets the applicable requirements of this section and does not fall within the exceptions or conditional exceptions contained in this section;
- 2) The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city; and,
- 3) The annexation is reasonably necessary for the orderly development of the city, (I.C. 50-222(5)(vi)).

- F. Boise City has also adopted these regulations into its own code (Section 11-08-05). Below are supporting statements for each of these findings:

The land to be annexed meets the applicable requirements of this section and does not fall within the exceptions or conditional exceptions contained in this section.

1. Category B. Annexations. For the lands which are contiguous with city limits and which number less than 100 parcels, the City completed the following steps:
 - a. A neighborhood meeting was held on November 18, 2008, at the Hillcrest Branch Library on Overland Road. Approximately 5 people attended the meeting. City staff explained the annexation process, the reasons why the City is proposing annexation, and the opportunities that will be had for public comment.
 - b. On January 23, 2009, a notice of annexation hearing was posted in the several subject areas.
 - c. Notice was published in the Idaho Statesman to satisfy the zoning hearing requirement on January 24, 2009.
 - d. A notice was sent directly to each affected property owner on January 7, 2009. The notice was sent 32 (the law requires at least 28) days in advance of the first public hearing and contained:
 1. A general statement about annexation.
 2. A map of the annexation area in which the owner's property lay with the annexation areas highlighted.
 3. A summary of the annexation plan.
 4. An invitation to attend the public hearing before the Planning and Zoning Commission on February 9, 2009.
 5. Instructions on how and by when to submit written information.
 6. Instructions on how and where to obtain a copy of the annexation plan, free of charge.
2. Prior to beginning annexation proceedings, the City determined that the subject lands contain less than one hundred separate private ownerships and platted lots of record and that not all of the property owners consented to annexation.
3. All of the properties being considered for annexation are nearly surrounded by the City and therefore are subject to annexation.
4. The City has prepared an annexation plan, appropriate to the scale of the annexation, which contains the following elements:
 - a. The manner of providing tax-supported municipal services, if any, to the lands proposed to be annexed;
 - b. The changes in taxation and other costs, using examples, which would result if the subject lands were to be annexed;

- c. The means of providing fee-supported municipal services, if any, to the lands proposed to be annexed;
 - d. A brief analysis of the potential effects of annexation upon other units of local government which currently provide tax-supported or fee-supported services to the lands proposed to be annexed; and,
 - e. The proposed future land use plan and zoning designation or designations, subject to public hearing, for the lands proposed to be annexed.
- G. The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city. Public purposes addressed in the annexation plan include:
1. **Police Protection.** BPD police services will extend to all proposed annexations described herein without significant adjustment to current staffing levels or organizational structure. In addition to police responses to calls for service through the E911 system, many other services will be extended through existing Neighborhood Service Teams to solve neighborhood problems, reduce vehicle accidents, provide a wide variety of educational opportunities, investigate crimes, and address many other quality of life issues utilizing a wide variety of programs and skills available.
 2. **Fire Protection.** Fire protection services will be extended to the newly annexed areas with essentially the same level of service as is being provided in the rest of the City. It is the goal of the City with respect to fire and emergency services to have all lands within a 1.5 mile driving radius and four-minute response time from a City fire station. Though the subject area is outside the desired response range, the new station in the Murgurtio Park area will be on line soon and will bring the area within the desired range. This would NOT happen without annexation.
 3. **Public Works. Sewer** – The City is already providing sewer to some of the parcels in the annexation area and will continue to do so under the same policies and rules after annexation takes place.
 4. **Street Lights** – Boise City attempts to provide street lighting on a funds-available basis to all areas within the City according to adopted policies. The City will take over maintenance and operation of existing street lights in the annexation area and will plan for additional street lights as funds become available according to adopted policies. This furthers the City's goal increasing public safety through street lights.
 5. **Drainage** – Requiring new development in the annexation area to comply with City drainage standards will ensure better drainage features and facilities than would otherwise be built.
 6. **Library Services.** All residents are eligible to use the Boise Public Library without individual payment of a non-resident fee because of the mutual participation of Boise Public Library and Ada Community Library in the Open Access Agreement. The annexation will

help assure that revenues exist to maintain the quality library services which Boise City intends to provide all of its citizens.

7. Parks and Recreation Services. The City has prepared and adopted a master parks plan that identifies future needs for park sites and which seeks to provide park space for all City residents according to a certain ratio. Annexing these new areas surrounded by City limits will provide additional revenue and assist the City with its goals relative to the provision of park space. Annexation will also allow the City to provide recreational services to the residents without charging non-resident fees.

H. The annexation is reasonably necessary for the orderly development of the city.

1. This annexation will contribute to the efficient delivery of services and will thus benefit the entire community. The state legislature declared that it is also the policy of the State of Idaho,

...That cities of the state should be able to annex lands which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe. (I.C. 50-222(1))

2. The goal of orderly development is hindered when a City has urbanizing areas receiving municipal services surrounded by its borders that are not annexed. The City is unable to fully implement the goals and policies of its comprehensive plan in such circumstances.

3. The proposed annexation will contribute toward the stated goal of equitable allocation of costs by requiring a consistent property tax assessment among residents who have access to all of the municipal services offered by the City.

I. Zoning: The only change made to the existing zoning will be to assign a City zone that is equivalent to current Ada County zoning. The City is to make the following findings when reclassifying the zoning of properties:

1. Comply with and conform to the Comprehensive Plan.

The zoning being applied will match the existing Ada County zoning. Future decisions on requests for zone changes will be based on the Comprehensive Plan Land Use Map and Zoning Consistency Matrix, as well as the other applicable goals and policies contained in the Plan.

2. Provide and maintain sufficient transportation and other public facilities, and does not

adversely impact the delivery of services by any political subdivision providing services.

Transportation services and other public facilities can best be planned for and provided under the auspices of one jurisdiction. Only Boise City operates any sort of transit system which might feasibly service the area someday.

3. Maintain and preserve compatibility of surrounding zoning and development.

This finding is satisfied since the City is assigning zoning which is comparable to the zoning that exists now under County jurisdiction. Future developments that involve requests for zone changes will also be evaluated against this standard. The following demonstrates the comparable City zoning that will be applied if the annexation is approved.

Ada County

M1 (Industrial)
 M3 (Industrial)
 LO (Office)
 RSW (Residential Southwest)

Boise City

M-1D (Industrial with Design
 Review Overlay)
 M-1D (Industrial with Design
 Review Overlay)
 L-OD (Limited Office with
 Design Review Overlay)
 A-1 (Open Land)

Section 5. The zoning maps of Boise, Idaho, as the same are provided in Section 11-2-1.2, Boise City Code, are hereby changed, altered, and amended to include the real property described in Section 4 above in the land use classification therein described.

Section 6. The City Clerk of Boise City is hereby directed to file, within ten (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Ada County Assessor, County Recorder and County Treasurer of Ada County, Idaho, and the State Tax Commission of Idaho, and to file a copy of said legal description and map, as prepared and lodged with her/him by the City Engineer, with the County Assessor and County Recorder of Ada County, Idaho, and the State Tax Commission of Idaho, all as provided by Sections 50-223 and 63-2215, Idaho Code.

Section 7. That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

Section 8. That the summary of this Ordinance, attached hereto as Exhibit C, is approved as

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to both form and content.

PASSED by the Council of the City of Boise City, Idaho, this 19th day of May, 2009.

APPROVED by the Mayor of the City of Boise City, Idaho, this 19th day of May, 2009.

APPROVED:



MAYOR David H. Bieter

ATTEST:

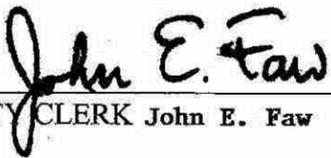
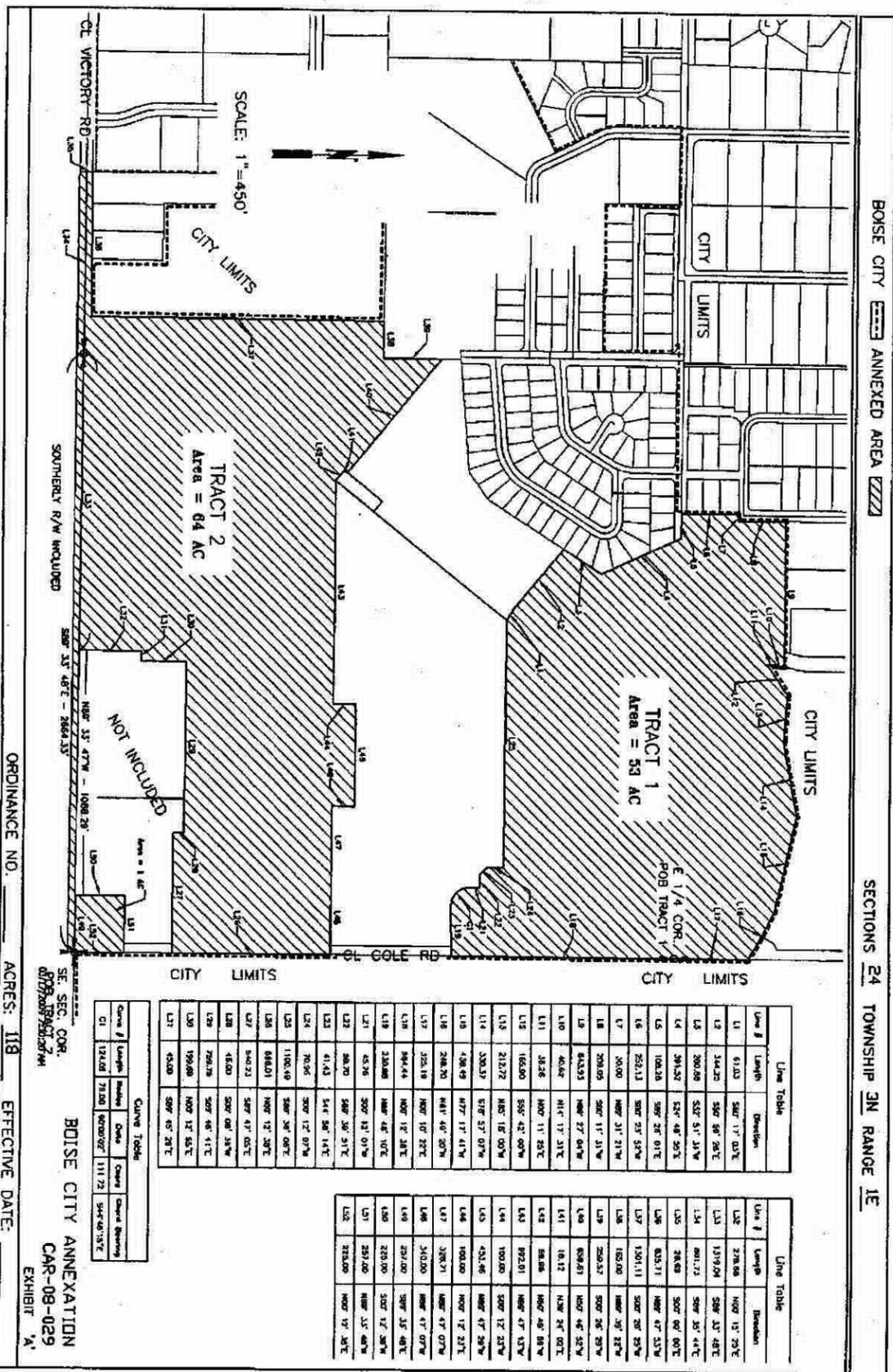

CITY CLERK John E. Faw



EXHIBIT A

TECHNICAL SUPPORT



Line #	Length	Direction	Line #	Length	Direction
L1	61.03	S87°17'03"E	L32	278.88	N87°13'20"E
L2	144.20	S92°58'28"E	L33	1319.24	S89°13'48"E
L3	280.80	S27°51'14"W	L34	881.32	S89°35'44"E
L4	281.32	S27°48'20"E	L35	28.69	S00°00'00"E
L5	108.28	S89°28'01"E	L36	833.71	N89°47'23"W
L6	252.13	S00°25'52"W	L37	1501.11	S00°28'25"W
L7	10.00	N89°31'21"W	L38	152.00	N89°37'28"W
L8	208.05	S00°11'21"W	L39	258.57	S00°28'25"W
L9	813.93	N89°27'04"W	L40	838.83	N00°46'52"W
L10	46.84	N44°17'21"E	L41	18.12	N39°24'00"E
L11	35.26	N00°11'20"E	L42	88.88	N89°48'58"W
L12	162.00	S59°42'00"W	L43	922.01	N89°47'43"W
L13	212.72	N82°18'00"W	L44	100.00	S00°12'23"W
L14	308.33	S78°57'07"W	L45	451.96	N89°47'28"W
L15	438.49	N77°17'41"W	L46	100.00	N00°12'23"E
L16	284.70	N41°48'20"W	L47	328.71	N89°47'07"W
L17	252.18	N00°10'22"E	L48	291.00	S89°35'48"E
L18	844.44	N00°12'38"E	L49	251.00	S00°12'38"W
L19	238.88	N89°48'10"E	L50	253.00	S00°12'38"W
L20	43.78	S00°12'01"W	L51	251.00	N89°35'48"E
L21	88.70	S89°38'21"E	L52	212.00	N00°10'22"E
L22	81.43	S44°58'14"E			
L23	70.96	S00°12'07"W			
L24	1102.18	S89°38'08"E			
L25	848.01	N89°12'38"E			
L26	848.01	S89°47'05"E			
L27	45.00	S00°00'38"W			
L28	45.00	S89°48'41"E			
L29	298.28	N00°12'53"E			
L30	198.88	S89°43'28"E			
L31	45.00	S89°43'28"E			

Curve #	Length	Radius	Chord	Chord Bearing
C1	174.08	71.00	80.00	111°22'54"-N48°15"E

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EXHIBIT B
REVISED
ANNEXATION DESCRIPTION
FOR
CAR08-029

TRACT 1

A tract of land located in the South Half and the South Half of the Northeast Quarter of Section 24, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the East Quarter Corner for said Section 24;

Thence North $00^{\circ}10'22''$ East 325.19 feet along the easterly boundary of Section 24;

Thence North $61^{\circ}49'20''$ West 248.70 feet (previously $N61^{\circ}48'25''W$ 248.80) along the northerly boundary of Landmark Business Center Subdivision;

Thence North $77^{\circ}17'41''$ West 438.49 feet ($S77^{\circ}18'25''W$ 438.40) along the northerly boundary of Landmark Business Center Subdivision;

Thence South $78^{\circ}57'07''$ West 330.37 feet ($S78^{\circ}56'35''W$ 330.40) along the northerly boundary of Landmark Business Center Subdivision;

Thence North $85^{\circ}18'00''$ West 212.72 feet ($N85^{\circ}18'25''W$ 212.80) along the northerly boundary of Landmark Business Center Subdivision;

Thence South $55^{\circ}42'00''$ West 165.90 feet ($S55^{\circ}41'35''W$ 165.90) along the northerly boundary of Landmark Business Center Subdivision;

Thence leaving said northerly boundary North $00^{\circ}11'25''$ East 36.26 feet ($N00^{\circ}11'00''E$ 36.26);

Thence North $14^{\circ}17'31''$ East 40.62 feet; ($N14^{\circ}17'06''E$);

Thence North $89^{\circ}27'04''$ West 643.93 feet ($N89^{\circ}31'00''W$) to the easterly right of way of South Ash Park Lane;

Thence South $00^{\circ}11'31''$ West 209.05 feet ($S00^{\circ}26'33''W$) along said right of way;

Thence North $89^{\circ}31'21''$ West 30.00 feet ($N89^{\circ}54'00''W$);

Thence South $00^{\circ}23'52''$ West 252.13 feet ($S00^{\circ}00'00''W$);

Thence South $89^{\circ}26'01''$ East 108.26 feet;

Thence South $24^{\circ}40'55''$ East 391.52 feet;

Thence South $32^{\circ}51'31''$ West 200.88 feet;

Thence South $50^{\circ}59'26''$ East 344.25 feet;

Thence South $60^{\circ}17'03''$ East 61.03 feet;

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Thence South $89^{\circ}36'06''$ East 1100.49 feet;

Thence South $00^{\circ}12'07''$ West 70.96 feet;

Thence South $44^{\circ}58'14''$ East 41.43 feet;

Thence South $89^{\circ}39'51''$ East 59.70 feet;

Thence South $00^{\circ}12'01''$ West 45.76 feet to the beginning of a curve;

Thence 124.09 feet along the arc of said curve to the left, having a radius of 79.00 feet and a long chord bearing South $44^{\circ}48'15''$ East 111.72 feet;

Thence North $89^{\circ}48'10''$ East 230.88 feet to the easterly boundary of Section 24;

Thence along said easterly boundary North $00^{\circ}12'38''$ East 984.44 feet to the **Point of Beginning**.

Excepting therefrom the previously annexed South Cole Road right of way lying west of the easterly boundary of the above described tract of land.

TRACT 2

A tract of land located in the South Half of Section 24, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the Southeast Corner for Section 24;

Thence along the easterly boundary of Section 24 North $00^{\circ}12'38''$ East 225.00 feet (N $00^{\circ}00'00''$ W 225.00);

Thence North $89^{\circ}33'48''$ West 257.00 feet (N $89^{\circ}46'30''$ W 257.00);

Thence South $00^{\circ}12'38''$ West 225.00 feet (S $00^{\circ}00'00''$ E 225.00) to the southerly boundary of Section 24;

Thence along said southerly boundary North $89^{\circ}33'47''$ West 1088.29 feet (N $89^{\circ}46'30''$ W 1088.01);

Thence North $00^{\circ}15'25''$ East 278.68 feet (N $00^{\circ}00'00''$ W 278.64);

Thence South $89^{\circ}45'29''$ East 45.00 feet (S $90^{\circ}00'00''$ E 45.00);

Thence North $00^{\circ}12'55''$ East 199.69 feet (N $00^{\circ}00'00''$ W 200.00);

Thence South $89^{\circ}48'41''$ East 759.75 feet (S $90^{\circ}00'00''$ E 760.00);

Thence South $00^{\circ}08'36''$ West 46.00 feet (S $00^{\circ}00'00''$ E 46.00);

Thence South $89^{\circ}47'05''$ East 540.23 feet (S $90^{\circ}00'00''$ E 540.00) to the easterly boundary of Section 24;

Thence along said easterly boundary North $00^{\circ}12'38''$ East 696.01 feet;

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Thence North $89^{\circ}47'07''$ West 340.00 feet along the northerly boundary of South Cole Business Park Two;

Thence North $89^{\circ}47'07''$ West 326.71 feet along the northerly boundary of South Cole Business Park No.3;

Thence North $00^{\circ}12'23''$ East 100.00 feet;

Thence North $89^{\circ}47'29''$ West 453.46 feet;

Thence South $00^{\circ}12'23''$ West 100.00 feet;

Thence North $89^{\circ}47'13''$ West 992.01 feet along the northerly boundary of Vala Hala Industrial Park No.2 to the easterly right of way of Saturn Way;

Thence North $50^{\circ}49'59''$ West 60.00 feet to the westerly right of way of Saturn Way;

Thence along said westerly right of way North $39^{\circ}24'02''$ East 18.12 feet to the northeasterly corner of Vala Hala Industrial Park No.5;

Thence North $50^{\circ}46'52''$ West 658.61 feet to the northwesterly corner of Vala Hala Industrial Park No.5;

Thence along the westerly boundary of Vala Hala Industrial Park No.5 South $00^{\circ}26'29''$ West 259.57 feet;

Thence leaving said westerly boundary North $89^{\circ}39'22''$ West 165.00 feet;

Thence South $00^{\circ}26'25''$ West 1301.11 feet to the northerly right of way of Victory Road;

Thence along said right of way North $89^{\circ}47'53''$ West 635.71 feet to the southwesterly corner of Parcel No. S1124346621;

Thence South $00^{\circ}00'00''$ West 26.69 feet more or less to the southerly boundary of Section 24;

Thence along said southerly boundary South $89^{\circ}35'44''$ East 801.73 feet to the South Quarter Corner for Section 24;

Thence along the southerly boundary of Section 24 South $89^{\circ}33'48''$ East 2664.33 feet to the **Point of Beginning**.

Together with all of Victory Road right of way adjoining the southerly boundary of the above described tract of land.

Excepting therefrom the previously annexed westerly right of way of South Cole Road adjoining the above described tract of land.

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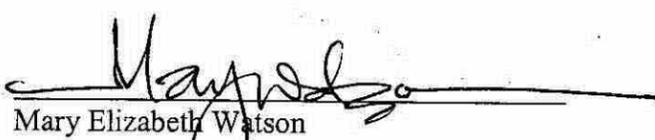
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EXHIBIT "C"

STATEMENT OF BOISE CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. 6712

The undersigned, Mary Elizabeth Watson, in her capacity as Assistant City Attorney of the City of Boise City, Idaho, hereby certifies that she is a legal advisor of the City and has reviewed a copy of the attached Summary of Ordinance No. 6712 of the City of Boise City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this 19th day of May, 2009.


Mary Elizabeth Watson
Assistant Boise City Attorney

SUMMARY OF ORDINANCE NO. 6712
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 19th, May, 2009, that Ordinance No. 6712 entitled:

AN ORDINANCE (CAR08-00029/BOISE CITY) FOR PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF COLE AND VICTORY ROADS) ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS M-1D (LIMITED INDUSTRIAL WITH DESIGN REVIEW), A-1 (OPEN LAND) AND L-OD (LIMITED OFFICE WITH DESIGN REVIEW); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; APPROVING A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

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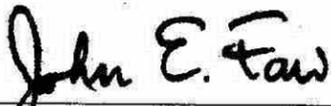
This ordinance approves annexation into the territorial limits of the City of Boise City of ± 118 acres of properties as stated in the ordinance and generally in the title. The ordinance makes certain findings pursuant to Idaho Code § 50-222 as required for a Category B annexation. The ordinance further assigns zoning classifications of said lands as M-1D (Limited Industrial with Design Review), A-1 (Open Land) and L-OD (Limited Office with Design Review). Specific findings are contained in the ordinance to support the designated zones. The City is ordered to amend the zoning maps to reflect the annexed lands and their zoning classifications, and the City Clerk is directed to file the ordinance, legal description, and map with the Ada County Assessor, County Recorder, County Treasurer, and the State Tax Commission.

The effective date of the Ordinance is the date of its passage, approval and publication. A copy of the full text of the Ordinance is available at the office of the Boise City Clerk at City Hall, 150 North Capitol Boulevard, in Boise, Idaho 83701. Examination may be requested in writing or in person during regular business hours of the Boise City Clerk, from 8:00 a.m. until 5:00 p.m. pursuant to Section 50-901A(4), Idaho Code.

DATED this 19th day of May, 2009.

ATTEST:

City of Boise City, Idaho


CITY CLERK John E. Faw


MAYOR David H. Bieter

