



## **BOISE COUNTY ORDINANCE #2011-01**

A BOISE COUNTY ORDINANCE SETTING FORTH A PURPOSE, ESTABLISHING A CITY OF HORSESHOE BEND AREA OF CITY IMPACT, DEFINING THE BOUNDARIES OF THE AREA OF CITY IMPACT, ESTABLISHING PROCEDURAL STANDARDS FOR MODIFICATION OF THE BOUNDARIES OF THE AREA OF CITY IMPACT, PROVIDING AN EFFECTIVE DATE, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

**BE IT ORDAINED BY THE BOISE COUNTY BOARD OF COMMISSIONERS, BOISE COUNTY, IDAHO** as follows:

### **SECTION 1. STATEMENT OF PURPOSE AND RECITALS**

The purpose of this ordinance shall be to establish the physical boundaries of an Area of City Impact for the City of Horseshoe Bend in cooperation with Boise County and to provide that Boise County's ordinances will govern the Area of City Impact.

**WHEREAS**, provisions of Idaho Code 67-6526 allow the establishment of an Area of City Impact to accomplish coordinated planning between the City and County Governments, and

**WHEREAS**, representatives of the City of Horseshoe Bend and Boise County have met to develop mutually acceptable terms which will govern an Area of City Impact, and

**WHEREAS**, the governing bodies of these respective local governments have determined that the establishment of a mutually acceptable Area of City Impact will benefit the health, safety and welfare of their respective constituencies,

**THEREFORE**, the Area of City Impact defined by the boundaries established in this Ordinance is hereby established as an area wherein community planning efforts are undertaken on a cooperative basis. A companion ordinance adopted on November 17<sup>th</sup>, 2010 sets forth the particular land use regulations which shall govern the defined Area of City Impact.

### **SECTION 2. BOUNDARIES OF THE AREA OF CITY IMPACT**

Pursuant to the above-referenced negotiations, the following described area is, and shall be, unless changed in accordance with the provisions of the Ordinance, the defined Area of City Impact for the City of Horseshoe Bend in Boise County, Idaho. The Area of City Impact for the City of Horseshoe Bend includes Sections 14, 15, 16, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34, and 35 of Township 7 North, Range 2 East, Boise Meridian, Boise County and Sections 2, 3, and 4 of Township 6 North, Range 2 East, Boise Meridian, Boise County. A map of the area

Ord 2011-01 HSB Area of City Impact

encompassed by said Area of City Impact is attached to this Ordinance and labeled Attachment A, which Attachment is incorporated herein by reference as is set forth in its entirety.

### **SECTION 3. GOVERNING PLAN AND ORDINANCES**

Any Comprehensive Plan and subsequent amendment officially adopted by Boise County shall apply to the unincorporated portions of the Area of City Impact for the City of Horseshoe Bend. The Boise County Subdivision Ordinance, Zoning and Development Ordinance and other County land use ordinances now in place or as later adopted or amended by Boise County shall apply to the unincorporated portions of the Area of City Impact for the City of Horseshoe Bend. Any code and ordinance enforcement within the unincorporated portions of the Area of City Impact for the City of Horseshoe Bend shall be the responsibility of Boise County.

### **SECTION 4. MODIFICATION OF AREA IMPACT BOUNDARIES**

The Area of City Impact boundaries established by this Ordinance may be modified at any time in accordance with the notice and hearing and other procedures set forth in the Idaho Code. Either jurisdiction may unilaterally request that the question of boundaries be reopened for negotiations. No modification of the Area of City Impact boundaries shall be effective unless or until the specific procedures required by the Idaho Code have been completed and agreement has been reached or an order obtained regarding new terms for the Area of City Impact.

### **SECTION 5. ENFORCEMENT**

The provisions of this Ordinance may be enforced by either the City of Horseshoe Bend or Boise County by virtue of legal action initiated to require specific performance with the terms of this Ordinance.

### **SECTION 6. EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and upon the passage, approval, and publication by Boise County of a comparable ordinance. In lieu of publication of the entire Ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

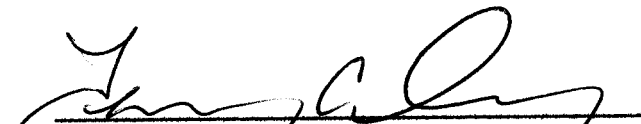
### **SECTION 7. REPEAL OF CONFLICTING ORDINANCES**

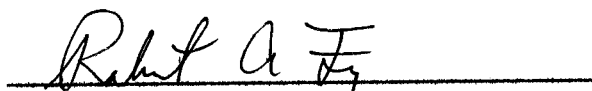
Any ordinance of Boise County in conflict with the terms of this Ordinance is hereby repealed to the extent of such conflict.

**APPROVED** and **ADOPTED** in Open Session this 23<sup>rd</sup> day of May, 2011.

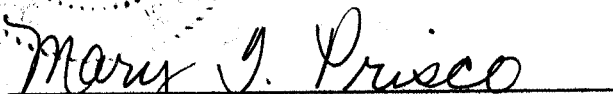
**BOISE COUNTY BOARD OF COMMISSIONERS**

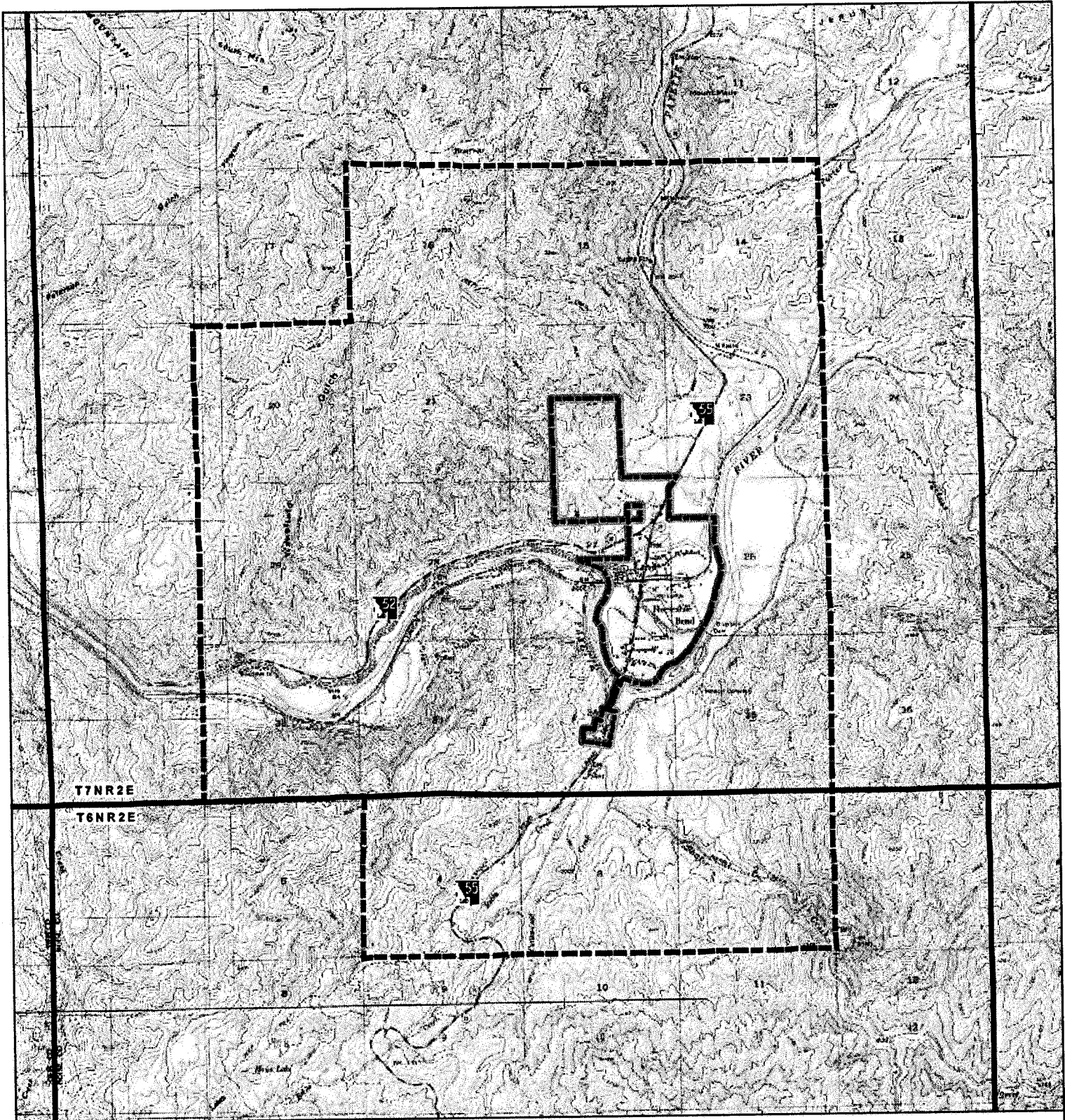
  
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**JAMIE A. ANDERSON**, Chair  
District I

  
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**TERRY C. DAY**, Commissioner  
District II

  
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**ROBERT A. FRY**, Commissioner  
District III






  
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**Mary T. Prisco**, Clerk to the Board



**Attachment A: Horseshoe Bend Area of City Impact**

**City Boundaries**

-  Area of City Impact
-  City Limits
-  Township and Range Boundaries

