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## Planning & Development Services

September 16, 2015

### MEMO TO THE FILE

#### RE: CAR15-00025 / Boise City

This memo is to inform of the action taken by the Boise City Planning and Zoning Commission on request for an annexation that contains 67 parcels totaling 169 acres located in the northwest area of the City. Zoning to be assigned will match Ada County zoning or the Boise City Comprehensive Plan Land Use Map designation.

The Boise City Planning and Zoning Commission, at their hearing of **September 14, 2015, approved** your request, based on compliance with the attached Reasons for the Decision and Conditions of Approval.

Questions may be directed to Scott Spjute at (208) 384-3831.

## Reasons for the Decision

Staff recommends approval.

The Commission is to make the following findings in forwarding a recommendation for approval of an annexation:

- 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.

- B. Honor negotiated area of impact agreements.

The only reference to unilateral annexations in the Area of Impact Agreement (B.C.C. 11-01-07) 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.

No significance cost of services or revenues are anticipated.

- 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 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.

## Zoning

The only change made to the existing zoning will be to assign a City zone that is as equivalent to current Ada County zoning and/or which matches the land use designation of Blueprint Boise. The City is to make the following findings when reclassifying the zoning of properties:

- A. Comply with and conform to the Comprehensive Plan.

The zoning being applied will match the existing Ada County zoning and/or the comprehensive plan. 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.

- B. 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.

- C. 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 or which matches the land use designation of Blueprint Boise. 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.

<u>Ada County Zone</u>	<u>Boise City Zone</u>
RUT, R1	R-1A (large lot, semi-rural)
R4, R6, R8, R8M	R-1C (single family urban densities)
R12	R-2D (higher density residential)
R20	R-3D (high density residential)
C1	C-1D (neighborhood commercial)
C2	C-2D (general commercial)
RP	A1 (Open Space)

State Code also requires that the following findings be made and set forth in the minutes of the City Council meeting:

**(A) 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 (ISC 50-222):**

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. On August 26, 2015, a notice of annexation hearing and map were posted in the subject area.

- b. Notice was published in the Idaho Statesman to satisfy the zoning hearing requirement. The date was August 15, 2015.
- c. A notice was sent directly to each affected property owner. The notice was sent on August 7, 2015, over 28 days in advance of the first public hearing and contained:
  1. An invitation to attend an informal question and answer session held on August 17.
  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 August 17.
  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.
3. Properties which are more than five acres in size, not surrounded by the City and which are not connected to City sewer are not being proposed for annexation, unless agreed to by the owner.
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.

**(B) The annexation would be consistent with the public purposes addressed in the annexation plan prepared by the city.**

Purposes addressed and supported in the annexation plan include:

1. When the interrelationship between the city and the fringe area is close, there is need for unified planning and zoning. By means of annexation, Boise's zoning ordinances can be extended to unincorporated parcels in the Northwest area, thus helping to assure orderly provision of services. Coordinated action is much easier to achieve if the area is not under separate Ada County jurisdiction.
2. Annexation leads to a unified community and can prevent the fragmentation of local governmental authority among a large number of special districts. Fragmentation may cause conflicts of authority and the absence of cooperation, political irresponsibility, duplication of services, inadequate service levels, lack of effective area-wide planning and programming, financial inequities and other problems.
3. Political boundaries will, after annexation, more nearly reflect the true and existing sociological, economic, cultural, and physical boundaries of the city. The subject parcels and the City of Boise are already inextricably bound together.
4. Urban growth without central planning and control becomes urban sprawl. If Boise City is to continue to effectively provide urban services, it must be allowed to follow natural growth patterns into those fringe areas where there is urban development. The city must be able to guide development in an orderly manner, and avoid the need to extend costly urban services to distant and scattered "pockets" of development. Annexation can help guarantee to Boise City a measure of responsible control over its future.
5. Annexation will allow people and businesses that are part of the city in social, economic and practical senses to be included in a legal sense. And it will enable those who are part of the community to fully participate in community activities through service as elected officials by eligibility to serve as appointed officers on city boards and commissions.

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**(C) The annexation is reasonably necessary for the orderly development of the city.**

1. It has been the intent of this report and the annexation plan to demonstrate that 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 adjacent to 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.