

BY THE COUNCIL

Ordinance NO. ORD-24-15
CLEGG , JORDAN, LUDWIG, MCLEAN,
QUINTANA, AND THOMSON

AN ORDINANCE (CAR14-00029 / A TEAM LAND CONSULTANTS, LLC FOR PROPERTY LOCATED AT 1267 N. CLOVERDALE ROAD) ANNEXING 2.7 ACRES OF CERTAIN LANDS AND TERRITORY SITUATED IN ADA COUNTY, IDAHO, ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID 2.7 ACRES AS R-1C (SINGLE FAMILY RESIDENTIAL) AND CHANGING THE ZONING OF ADJACENT 17.99 ACRES FROM A-1(OPEN LAND) TO R1-C (SINGLE FAMILY RESIDENTIAL); SETTING FORTH THE REASONED STATEMENT IN SUPPORT OF SUCH ANNEXATION AND ZONE CHANGE; DIRECTING THE CITY ENGINEER TO LODGE AND FILE A LEGAL DESCRIPTION AND MAP FOR SAID ANNEXED LANDS AND TERRITORY; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY AUDITOR, THE ADA COUNTY TREASURER, THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF SAID LEGAL DESCRIPTION AND MAP OF SAID ANNEXED LANDS AND TERRITORY BE RECORDED WITH THE ADA COUNTY RECORDER AND FILED WITH THE ADA COUNTY ASSESSOR AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the lands and territory, situated in Ada County and particularly described in Section 1 of this ordinance, has agreed to annexation of a portion 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 also that the adjacent property be rezoned from A-1 (Open Land) to R-1C (Single Family Residential); and

WHEREAS, the Boise City Planning & Zoning Commission, pursuant to public notice as required by law, held a public hearing on March 2, 2015, and recommended to the Mayor and Council that annexation be approved and all said lands described in Section 1 be zoned R-1C (Single Family Residential); and

WHEREAS, the Boise City Council, pursuant to public notice as required by law, held a public hearing on April 21, 2015, on the proposed zoning for the property described in Section 1 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 portion of the lands and territory situated in Ada County, Idaho, adjacent and contiguous to the City of Boise City, Idaho, to be annexed, as particularly described in Exhibits A and B, attached hereto 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. Pursuant to the findings of the Boise City Council, the land use classification of the lands described in Exhibits A and B attached hereto and by reference made a part thereof is hereby fixed and established as R-1C (Single Family Residential) for both the annexed property and the adjacent property, as provided by the Zoning Ordinance of Boise City.

Section 4. Pursuant to Idaho Code § 67-6535, the Boise City Council adopted the following Reasoned Statement in support of the Annexation and Rezone in its approval:

The annexation and rezone are consistent with the Comprehensive Plan. The property is located in the Boise Sewer Planning Area, the Area of Impact and adjacent to City Limits. The property is designated "High Density Residential" on the Land Use Map and R-1C is one of several permissible implementing zones. Given the surrounding uses and zones, the R-1C zone is acceptable. It allows up to eight dwelling units per acre. This is consistent with Principle WB-CCN 1.2 that promotes opportunities for higher density residential development along the entire length of the Fairview Corridor. While eight units per acre is not generally considered "high density", the property provides a transition from commercial zoning and uses along the Fairview and Cloverdale corridors to primarily single family residential uses to the south and west. This will ensure compatibility with surrounding zoning and development is maintained.

Section 5. 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 6. The zoning maps of Boise, Idaho, are hereby changed, altered, and amended to include the real property described in Exhibits A and B above in the land use classification of R-1C (Single Family Residential).

Section 7. 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 Auditor, Ada County Treasurer, Ada County Assessor, and the Idaho State Tax Commission, and to file a copy of said legal description and map, as prepared and lodged with the City Clerk by the City Engineer, with the Ada County Assessor, Ada County Recorder and

the Idaho State Tax Commission, all as provided by Sections 50-223 and 63-215, Idaho Code.

Section 8. That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

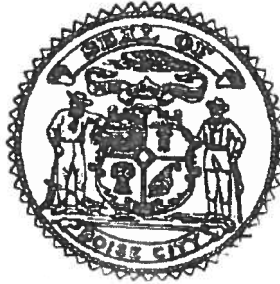
ADOPTED by the Council of Boise City, Idaho, on June 16, 2015.

APPROVED by the Mayor of the Boise City, Idaho, on June 16, 2015.

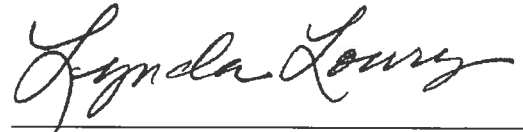
APPROVED:



David H. Bieter, Mayor



ATTEST:



Lynda Lowry, Ex-Officio City Clerk

Please Publish On: June 23, 2015

EXHIBIT A
ANNEXATION AND REZONE DESCRIPTION
WHITE CLOUDS SUBDIVISION

A parcel of land situate in the N1/2 of the Northeast quarter of Section 9, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of said Section 9 from which the East 1/4 corner of said Section 9 bears South 00°13'40" West, 2651.93 feet;

Thence along the East boundary line of said Section 9 South 00°13'40" West, 1325.93 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 9;

Thence leaving said East boundary line North 89°22'16" West, 45.00 feet to a point on the West right-of-way line of N. Cloverdale Road;

Thence North 89°22'16" West, 1290.83 feet along the Southerly boundary line of the Northeast quarter of the Northeast quarter of said Section 9 to the Northeast corner of Macaile Meadows Subdivision, as shown on the official plat thereof filed in Book 84 of Plats at Pages 9254 through 9256, records of Ada County, Idaho, said point being the **REAL POINT OF BEGINNING**;

Thence along the North boundary line of said Macaile Meadows Subdivision North 89°22'16" West, 337.92 feet to the Northwest corner of Lot 35, Block 7 of said Macaile Meadows Subdivision;

thence leaving said North boundary line and along the easterly boundary line of that parcel of land as described in that Warranty Deed recorded as Instrument No. 102040075, records of Ada County, Idaho the following 6 courses;

Thence 30.72 feet along the arc of a non-tangent curve to the right having a radius of 75.00 feet, a central angle of 23°28'17" and a long chord which bears North 12°21'25" East, a distance of 30.51 feet;

Thence North 24°05'33" East, 78.00 feet;

Thence 51.46 feet along the arc of a curve to the left having a radius of 125.00 feet, a central angle of 23°35'09" and a long chord which bears North 12°17'58" East, a distance of 51.09 feet;

Thence North 00°30'24" East, 162.98 feet;

Thence 11.79 feet along the arc of a curve to the right having a radius of 20.00 feet, a central angle of 33°47'00" and a long chord which bears North 17°23'54" East, a distance of 11.62 feet;

Thence 72.87 feet along the arc of a reverse curve to the left having a radius of 50.00 feet, a central angle of $83^{\circ}29'56''$ and a long chord which bears North $07^{\circ}27'34''$ West, a distance of 66.59 feet;

Thence leaving said easterly boundary line South $89^{\circ}29'53''$ East, 295.85 feet;

Thence South $00^{\circ}30'23''$ West, 392.15 feet to the **REAL POINT OF BEGINNING**. Containing 2.67 acres, more or less.



EXHIBIT A
RE-ZONE DESCRIPTION
WHITE CLOUDS SUBDIVISION

A parcel of land situate in the N1/2 of the Northeast quarter of Section 9, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of said Section 9 from which the East 1/4 corner of said Section 9 bears South 00°13'40" West, 2651.93 feet;

Thence along the East boundary line of said Section 9 South 00°13'40" West, 1325.93 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 9;

Thence leaving said East boundary line North 89°22'16" West, 45.00 feet to a point on the West right-of-way line of N. Cloverdale Road, said point being the **REAL POINT OF BEGINNING**;

Thence North 89°22'16" West, 1290.83 feet along the Southerly boundary line of the Northeast quarter of the Northeast quarter of said Section 9 to the Northeast corner of Macaile Meadows Subdivision, as shown on the official plat thereof filed in Book 84 of Plats at Pages 9254 through 9256, records of Ada County, Idaho;

Thence North 00°30'23" East, 662.77 feet;

Thence South 89°22'13" East, 1,112.58 feet;

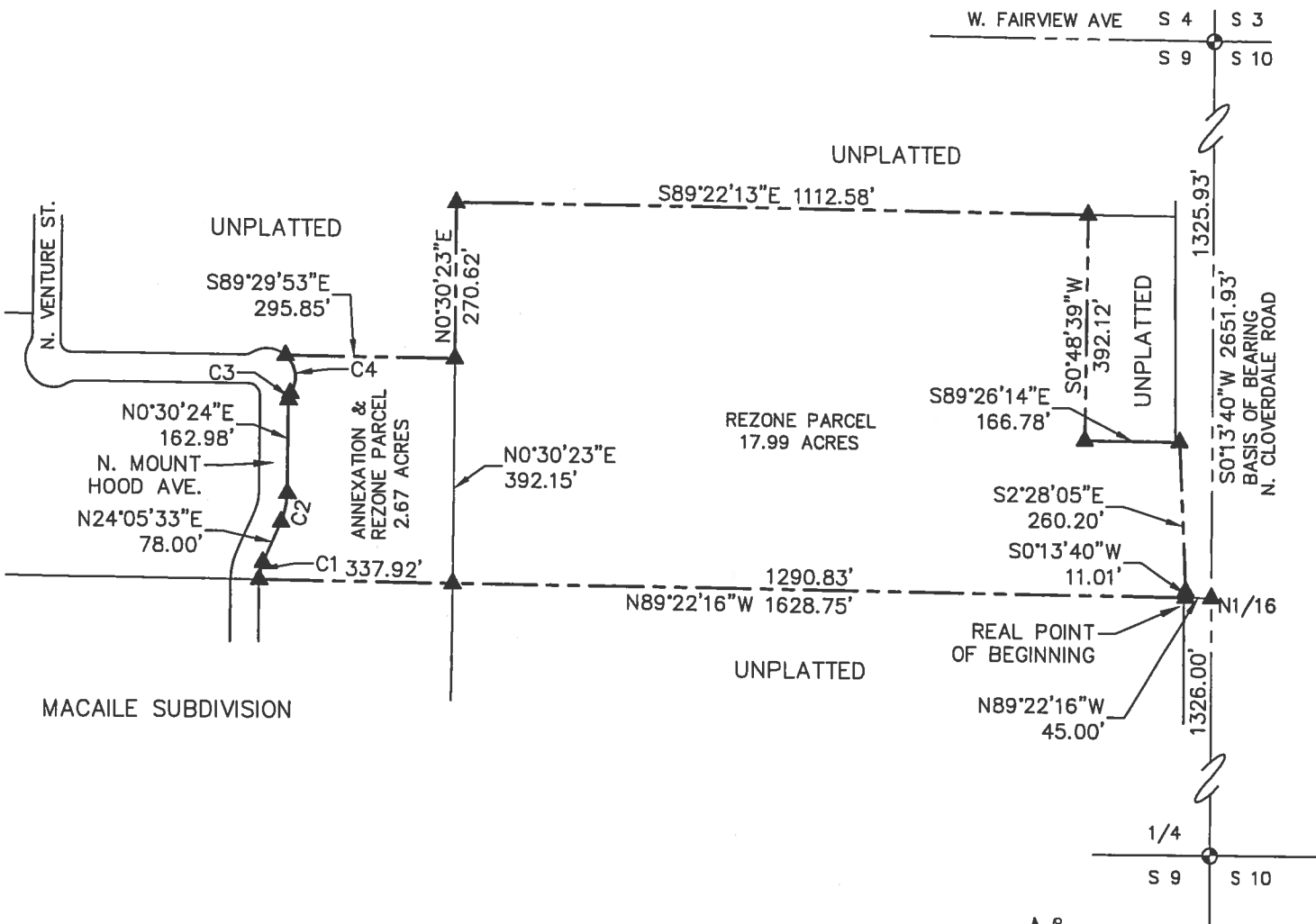
Thence South 00°48'39" West, 392.12 feet;

Thence South 89°26'14" East, 166.78 feet to a point on the West right-of-way line of N. Cloverdale Road;

Thence along said West right-of-way line South 02°28'05" East, 260.20 feet;

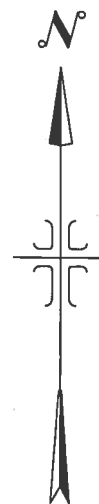
Thence continuing along said West right-of-way line South 00°13'40" West, 11.01 feet to the **REAL POINT OF BEGINNING**. Containing 17.99 acres, more or less.





CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	75.00	30.72	30.51	N12°21'25"E	23°28'17"
C2	125.00	51.46	51.09	N12°17'58"E	23°35'09"
C3	20.00	11.79	11.62	N17°23'54"E	33°47'00"
C4	50.00	72.87	66.59	N7°27'34"W	83°29'56"



SCALE: 1" = 300'

ISG IDAHO SURVEY GROUP, P.C.
 1450 E. WATERTOWER ST. SUITE 150
 MERIDIAN, IDAHO 83642
 (208) 846-8570

EXHIBIT B
WHITE CLOUDS SUB. ANNEXATION & RE-ZONE
 LOCATED IN N 1/2 OF THE NE 1/4 OF SECTION 9,
 T.3N., R.1E., B.M., BOISE, ADA COUNTY, IDAHO

JOB NO. 15-004
 SHEET NO. 1
 DWG. DATE 2/4/14