

RESOLUTION NO. 19058

BY THE COUNCIL:

BISTERFELDT, CLEGG, EBERLE, JORDAN,
SHEALY AND TIBBS

RESOLUTION (CAR05-00050) TO AMEND, WHEN AND IF THE AREA IS ADDED TO THE BOISE CITY AREA OF IMPACT, THE BOISE CITY LAND USE MAP, THE *BOISE CITY COMPREHENSIVE PLAN*, AND THE *FOOTHILLS POLICY PLAN* FOR THE AREA EAST ALONG THE NORTH SIDE OF HIGHWAY 21, THEN NORTH TO THE IDAHO FISH AND GAME BOISE RIVER WILDLIFE MANAGEMENT AREA; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, said property is adjacent to the current Boise City Area of Impact;
and,

WHEREAS, development within this area will significantly affect the City; and,

WHEREAS, urban services can reasonably be expected to be provided to some
or all of the property by the City of Boise and other local service entities; and,

WHEREAS, the *Foothills Policy Plan* and Foothills Planned Development Ordinance (11-06-05.07 Boise Municipal Code) allow for cluster development in conjunction with the provision for open space, trails, wildlife habitat and protection of critical wildlife areas; and,

WHEREAS, the Idaho Fish and Game Department identifies the Boise Foothills as the Department's highest priority in the State for the protection of big game winter range; and

WHEREAS, the Boise City Planning and Zoning Commission held a public advertised hearing and recommended approval of this action on January 19, 2006.

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

Section 1. When and if the subject area is adopted into the Boise City Area of Impact under the provisions of Section 11-15-05 of the *Boise Municipal Code*, the City

Council shall then amend the boundaries of the Land Use Map of the *Boise City Comprehensive Plan* and apply the Land Use Designations as shown in Exhibit A.

Section 2. When and if the subject area is adopted into the Boise City Area of Impact under the provisions of Section 11-15-05 of the *Boise Municipal Code*, the City Council shall request that Ada County adopt the text of the *Foothills Policy Plan* applicable to this area as set out in exhibit B.

Section 3. For the reasons set forth in exhibit C, the City finds that it is appropriate to adopt certain standards into the *Foothills Policy Plan* in preparation for a successful conclusion of the area of impact negotiations.

Section 4. Nothing herein shall bind and Federal or State Government in any manner.

Section 5. If any section, subsection, phrase, sentence, clause or portion of this ordinance is found to be invalid by any Court, such portions shall be deemed to be a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 6. The policies set forth in the *Foothills Policy Plan* are to be utilized as a guide for land use decisions in the applicable area. In no way shall these amendments be construed as an enforceable ordinance.

Section 7. That this resolution shall take affect only upon completion of successful negotiations between Boise City and Ada County for the area described in Exhibit A to be added to the Boise City Area of Impact.

ADOPTED by the Council of the City of Boise, Idaho, this 25th day of April, 2006

APPROVED by the Mayor of the City of Boise, Idaho this 25th day of April, 2006.

ATTEST:

Kenneth P. Rooney
CITY CLERK

APPROVED:

Paul Butta
MAYOR



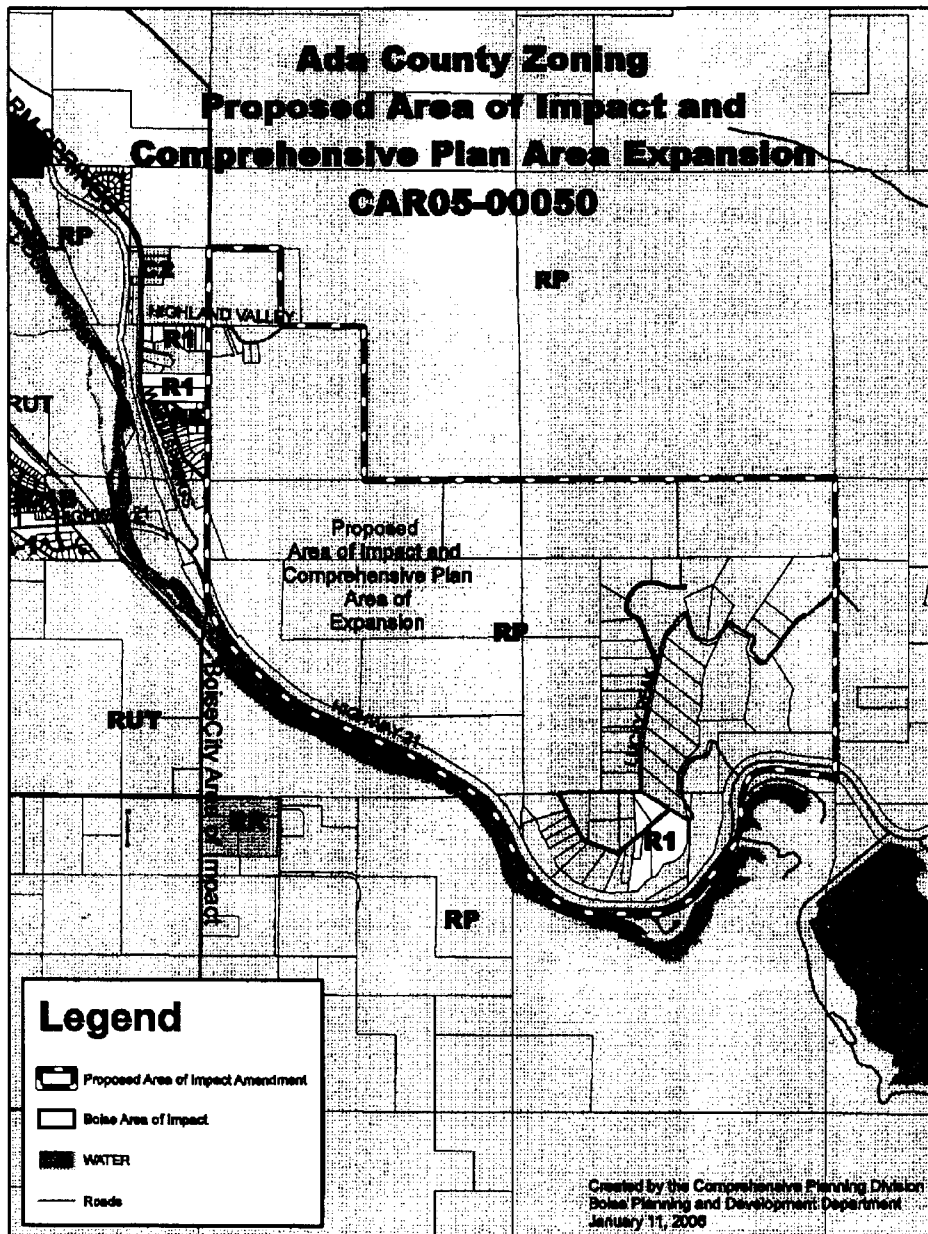


Exhibit A