

AN ORDINANCE AMENDING THE ADA COUNTY CODE, TITLE NINE, CHAPTER FOUR, THE MERIDIAN AREA OF CITY IMPACT; TO PROVIDE FOR THE ADOPTION OF THE MERIDIAN COMPREHENSIVE PLAN AS AMENDED; AND TO PROVIDE THAT CERTAIN LAND USE APPLICATIONS WITHIN THE MERIDIAN URBAN SERVICE PLANNING AREA MUST REQUEST ANNEXATION BY MERIDIAN AND BE DENIED BEFORE SUCH APPLICATIONS WILL BE CONSIDERED BY ADA COUNTY.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT TITLE NINE, CHAPTER FOUR, ADA COUNTY CODE, MERIDIAN AREA OF CITY IMPACT IS HERE BY AMENDED AS FOLLOWS:

Section 1: Ada County Code Section 9-4-3 is amended as follows:

9-4-3: APPLICABLE PLAN POLICIES AND ORDINANCES:

- A. The Meridian comprehensive plan, adopted by Meridian on ~~December 21, 1993~~ August 6, 2002, by Resolution 02-382, shall apply to the Meridian area of city impact.
- B. All subdivision plats, situated within the area of impact, shall be submitted to the city of Meridian for approval, in addition to Ada County approval, as provided in Idaho Code section 50-1306.
- C. All subdivision plat applications in the urban service planning area for land zoned RUT (Rural Urban Transition) shall require a street and utility easement plan. Said plan shall provide for future resubdivision to urban densities and shall be included on the final plat. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian Council prior to preliminary plat approval by the Board.
- D. A condition of approval for all subdivision plats in the urban service planning area of land zoned RUT (Rural Urban Transition) shall require that, prior to occupancy of the subdivision's first dwelling unit, dry line sewer and water lines shall be installed to accommodate the future resubdivision to urban densities. This requirement may be waived if a letter of waiver is submitted to the director from the Meridian city counsel prior to preliminary plat approval by the board.
- E. Title 8 of this code shall be used to implement this chapter. All land use applications shall also comply with the provisions of this chapter.
- F. The Meridian comprehensive plan shall apply to the property described in Ada County Ordinance 508. The land use designation of the adjacent property shall apply to the area described in Ada County Ordinance 508.

9-4-4: COORDINATION OF PLAN AMENDMENTS, ORDINANCE AMENDMENTS AND ZONING APPLICATIONS:

A. Amendment Of City Comprehensive Plan And Ordinances:

1. All proposed amendments to the Meridian city comprehensive plan or the Meridian zoning and/or subdivision ordinances shall be forwarded to the Ada County development services department director by the Meridian city clerk at least thirty (30) days prior to any public hearing on any such proposed amendment(s), whether said amendment(s) is (are) before the Meridian planning and zoning commission or the Meridian city council. The Ada County department of development services shall determine whether or not such amendment(s) is (are) in conflict with either the Ada County comprehensive plan or the Ada County zoning ordinance². The Ada County development services department director shall notify the Meridian planning and zoning commission, or the Meridian city council, as the case may be, of such determination, in writing, prior to or at such public hearing. Such input from the county shall not be binding or controlling on Meridian, but shall be treated as documentary evidence.

2. When the Meridian city council has rendered a final decision to adopt an amendment to the Meridian comprehensive plan or the Meridian zoning and/or subdivision ordinances, the Meridian city clerk shall, within fifteen (15) days, forward a copy of the final document to the Ada County development services department director and the board of Ada County commissioners, along with a notice as to when the amendment will take effect in the city. Within thirty (30) days after the plan amendment was mailed, the board of Ada County commissioners shall either protest the amendment and request renegotiation of the area of city impact ordinances, or if necessary, shall direct the Ada County planning and zoning commission to schedule the amendment for public hearing as an amendment to the area of city impact ordinance.

B. Amendment Of County Comprehensive Plan And Zoning Ordinance:

1. All proposed amendments to the Ada County comprehensive plan and/or the Ada County zoning ordinance shall be forwarded by the Ada County development services department director to the Meridian city clerk at least thirty (30) days prior to any public hearing on any such proposed amendment(s). The Meridian city council and/or the Meridian planning and zoning commission shall determine whether or not such amendment is in conflict with one or more of the goals, objectives, policies or provisions of the Meridian comprehensive plan, or the Meridian zoning and/or subdivision ordinances. The Meridian city council shall notify the Ada County development services department of such determination in writing prior to or at such public hearing. Such input from the city shall not be binding or controlling on the county, but shall be treated as documentary evidence.

2. The board of Ada County commissioners shall notify Meridian city, in writing, of the county's action on such amendment(s) within fifteen (15) days following a final decision on such matter along with notice as to when the amendment(s) will take effect in the county. Within thirty (30) days after the amendment(s) were mailed, the Meridian city council shall

either protest the amendment(s) and request renegotiation of the area of city impact ordinances, or if necessary, shall direct the Meridian city planning and zoning commission to schedule the amendment for public hearing as an amendment to the area of city impact ordinance.

C. Processing Of Land Use Applications In The Meridian Area Of City Impact:

1. Applications for planned developments, subdivision and rezones within the City of Meridian Urban Service Planning Area shall occur as a result of a request for annexation to the City of Meridian; however, Ada County may consider such applications in those exceptions where annexation is not approved by the City of Meridian or where the parcel on which such application is filed is not contiguous to the City of Meridian, and therefore cannot be annexed.

2. Thirty (30) days prior to any county public hearing on such application, the Ada County development services department director shall send to the Meridian city clerk all county land use applications to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners concerning property located within the Meridian city area of city impact. The Meridian planning and zoning commission or the Meridian city council shall make recommendations to the Ada County development services department director on such application, in writing, and shall cite the Meridian zoning and/or subdivision ordinances or the Meridian comprehensive plan policies, goals, objectives or provisions supporting such recommendation. Such recommendation shall be submitted in writing to the Ada County development services department director prior to or at such public hearing. Such input from Meridian shall not be binding or controlling on the county, but shall be treated as documentary evidence.

23. Neither the board of Ada County commissioners nor the Ada County planning and zoning commission shall hold a public hearing on such application until the recommendation of the Meridian city council or Meridian city planning and zoning commission, as the case may be, has been received, or the date the county should have been received said council's or commission's recommendations, specified above, has passed.

34. The Ada County department of development services will notify the Meridian city clerk in writing of the county planning and zoning commission or board of Ada County commissioners' action on land use applications located within the Meridian city area of city impact within fifteen (15) days following a final action by the appropriate county agency on such matter.

D. Referral Areas:

1. Amendments to the Ada County comprehensive plan, the Ada County zoning ordinance, and all area of city impact ordinances which apply within the referral areas, as identified on the city of Meridian area of city impact map, and all land use applications within those referral areas to be considered by the Ada County planning and zoning commission or the board of Ada County commissioners shall be sent by the Ada County development services

department director to the Meridian city clerk at least thirty (30) days prior to any public hearing on them. Any comment by the Meridian city council on such documents shall be made to the Ada County development services department in writing prior to or at such public hearing. Such input from Meridian shall not be binding or controlling on the county, but shall be treated as documentary evidence. The Ada County development services department director shall notify the Meridian city clerk in writing of the county's action on such documents within thirty (30) days following a final action by the appropriate county agency on such matter.

APPROVED AND ADOPTED THIS 14th DAY OF April 2004.

Board of Ada County Commissioners

Judy M. Peavey-Derr, Chairman

Rick Yzaguirre, Commissioner

Fred Tilman, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk
By Christopher D. Rich, Chief Deputy

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