Appendix A: Kootenai County AOI Agreements

Report 12-01

Economic Development Clinic
University of Idaho College of Law

Stephen R. Miller, Director

Students:

Marc Bybee
Joan Callahan
Anna Garner
Jane Gordon
Nicholas Morgan

University of Idaho
College of Law

HUETTER AREA OF CITY IMPACT

Ordinance No. 72, Kootenai County, Idaho

AN ORDINANCE ESTABLISHING GOALS AND OBJECTIVES OF THE HUETTER AREA OF CITY IMPACT; ESTABLISHING THE BOUNDARY OF THE HUETTER AREA OF CITY IMPACT; ESTABLISHING TERMS OF THE HUETTER AREA OF CITY IMPACT; ESTABLISHING A REFERRAL PROCESS AGREEMENT; AND PROVIDING SEPARABILITY AND AN EFFECTIVE DATE.

WHEREAS, Idaho Code Section 67-6526 (a) provides that cities and counties must negotiate the boundaries of an Area of City Impact; and

WHEREAS, Idaho Code Section 67-6526 (a) provides that cities and counties must negotiate the application of comprehensive plans and land use ordinances within an Area of City Impact; and

WHEREAS, Idaho Code 67-6526 requires the establishment of a map which identifies the Areas of City Impact within Counties; and

WHEREAS, Idaho Code 67-6526 requires that cities and counties provide for the application of plans and ordinances for the Area of City Impact; and

WHEREAS, as per Idaho Code Section 67-6526 (b), a nine member committee was formed by the City of Huetter and Kootenai County to recommend to the City of Huetter and Kootenai County governing boards; and

WHEREAS, the nine (9) member committee has engaged in negotiations and has reached unanimous agreement and submited its recommendations to the Kootenai County Board of Commissioners; and

WHEREAS, the notice and hearing provision of Idaho Code Section 67-6509 has been complied with and said Area of City Impact presented for public review and comment at a public hearing held by the Kootenai County Board of Commissioners; and

WHEREAS, the Kootenai County Board of Commissioners at its regular meeting of November 21, 1984 accepted the recommendation of the nine (9) member committee and approved the Huetter Area of City Impact.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE KOOTENAI COUNTY BOARD OF COMMISSIONERS that Kootenai County and the City of Huetter adopt the following Goals and Objectives of Section 1 as their statement of intent for the Area of City Impact. Be it further resolved that Kootenai County and the City of Huetter agree to an Area of City Impact Boundary as described in Section 2 and as shown on the attached map. Be it further resolved that Kootenai County and City of Huetter agree to the terms of the Area of City Impact as described in Section 3. Be it further resolved that Kootenai County and City of Huetter agree to the terms of the referral process agreement as described in Section 4.

SECTION 1

GOALS AND OBJECTIVES

GOALS:

Kootenai County and the City of Huetter desire to adopt an Area of City Impact to enhance and encourage planned, orderly growth and development where urban services can be most efficiently and economically provided.

Kootenai County and the City of Huetter desire to preserve and enhance the quality of life within the Area of City Impact.

Kootenai County and the City of Huetter recognize a mutual intent to protect the Rathdrum Prairie Aquifer from further pollution.

Kootenai County and the City of Huetter recognize a mutual intent to protect the investments of both present and future property owners in the Area of City Impact and to minimize the disruptive impacts of uncoordinated growth upon those property owners.

Kootenai County and City of Huetter recognize a mutual intent to make efficient use of local tax dollars through policies encouraging development within the Area of City Impact.

OBJECTIVES:

To accomplish the above goals, Kootenai County and the City of Huetter agree to the following objectives as a means of accomplishing the foregoing goals:

Encourage and contain urban development within the City of Huetter and its Area of impact and preserve farmland and open space by discouraging development outside the Area of City Impact.

Provide, through the use of joint planning powers, for continuity and consistency between city and county developments within the Area of City Impact.

Develop a plan for the orderly annexation of land within the Area of City Impact.

Provide, through land use planning, for the orderly extension of urban services such as sewerage disposal, urban roads and streets, domestic water, refuse disposal, storm drainage and public safety services (urban fire protection, law enforcement and emergency medical services).

Develop appropriate policies, ordinances, and techniques to enhance and protect the public health, safety, comfort and general welfare.

Review the Area of City Impact boundary annually and adjust as necessary.

SECTION 2

GEOGRAPHIC AREA OF CITY IMPACT

The City of Huetter Area of City Impact is legally described as follows:

Beginning at a point where the south right-of-way boundary of the Interstate 90 freeway intersects a line on the east side of the NW 1/4 of the SW 1/4 of Section 4, Twp. 50N., R. 4W., B.M., thence, South along said line to the mean high water line lying on the north side of the Spokane River in Section 9, Twp. 50N., R. 4W., B.M., thence, west along said mean high water line to a point intersecting a line on the west side of the NE 1/4 of the NE 1/4 of Section 8, Twp. 50N., R. 4W., B.M., thence north along said line to a point on the south right-of-way boundary of the Interstate 90 freeway in Section 5, Twp. 50N., R. 4W., B.M., thence east along said right-of-way boundary to the POINT OF BEGINNING.

A. The City of Huetter Area of City Impact is the area heretofore legally described and is the area designated on the attached map and incorporated herein by reference.

B. If a property under single ownership is divided by the boundary line of the Huetter Area of City Impact and that said line divides the property so that one (1) or both of the parties has a depth of (300) feet or less, the remainder or larger portion of the property may be negotiated with the City of Huetter and Kootenai County to be included in the Huetter Area of City Impact.

C. In accordance with Idaho Code 67-6526(d), the City of Huetter or Kootenai County may request in writing to re-negotiate any provision of this agreement at any time. Within thirty (30) days of receipt of such request by either party, a meeting between the two (2) jurisdictions shall occur. While re-negotiation is occurring, all provisions of the adopted Area of City Impact Ordinance shall remain in effect until said adopted Ordinance is amended or a substitute Ordinance is adopted by the City of Huetter and Kootenai County, in accordance with the Notice and Hearing procedures provided in Title 67, Chapter 65 of Idaho Code or until a declaratory judgment from the District Court is final. Provided, however, that the adopted Ordinance or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree in writing.

SECTION 3

TERMS OF THE AREA OF CITY IMPACT

A. Upon annexation of any portion of the Area of City Impact into the City of Huetter, the provisions of this agreement shall no longer apply to such annexed areas.

B. The City of Huetter shall limit its annexation to those lands within its Area of City Impact. If the City of Huetter wishes to annex lands outside of its Area of City Impact, it shall re-negotiate its Area of City Impact boundary with Kootenai County in accordance with Idaho Code 67-6526(d).

C. The Comprehensive Plan for Kootenai County, adopted and amended by Kootenai County as of April 6, 1978, shall apply within the unincorporated lands within the Huetter Area of City Impact.

D. The Kootenai County Zoning Ordinance and the Kootenai County Subdivision Ordinance shall apply within the unincorporated lands within the Huetter Area of City Impact.

E. All zoning, planning and development applications of County shall be sent to the City of Huetter in accordance with the Referral Process Agreement as included in Section 4.

SECTION 4

REFERRAL PROCESS AGREEMENT

A. AMENDMENT OF COUNTY COMPREHENSIVE PLAN AND COUNTY ZONING AND SUBDIVISION ORDINANCE

All amendments to the Kootenai County Comprehensive Plan and to the text of the Kootenai County Zoning and Subdivision Ordinance shall be received by the City of Huetter for comment at least twenty (20) days prior to any County public hearing on said amendments. Any comment by the City of Huetter on said amendments shall be made to Kootenai County Planning and Zoning Department in writing prior to or at said County public hearing. Kootenai County Planning and Zoning shall notify the City of Huetter, in writing, of the County's recommendation and action on said amendments within the Huetter Area of City Impact within twenty (20) days following a recommendation or action on such matter.

B. PROCESSING COUNTY PLANNING, ZONING AND DEVELOPMENT APPLICATIONS IN THE HUETTER AREA OF CITY IMPACT

1. The Department Head of Kootenai County Planning and Zoning shall coordinate the implementation of the Kootenai County Zoning and Subdivision Ordinances within the Huetter Area of City Impact with the City of Huetter so that applications are administered as consistently as possible with the two (2) jurisdictions.

2. All County zone change, conditional use, variance, subdivisions, planned unit development and comprehensive plan amendment applications sent to the City of Huetter shall be received by the City Council of Huetter twenty (20) days prior to any County public hearing on said applications. The City Council of Huetter shall make recommendations to Kootenai County on said applications in writing. Said recommendations shall be received by Kootenai County Planning and Zoning Department no later than fifteen (15) days after the City Council of Huetter has received said appliations.

3. The Board of Commissioners, the County Planning and Zoning Commission and the Board of Adjustment shall not hold a public hearing on said applications until the recommendation of the City Council of Huetter has been received or the date of County receipt of the City Council's recommendation, specified above, has passed.

4. The Kootenai County Planning and Zoning Department shall notify the City of Huetter in writing of the County's recommendations and actions on said applications within the Huetter Area of City Impact within twenty (20) days following a recommendation or action on such matter.

SECTION 5

Should any provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, said decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE: This Ordinance shall become effective and be in full force upon its passage, approval and publication in one (1) successive issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho, and published and printed at Coeur d'Alene, Idaho; said publication date being: December 4, 1984

PASSED upon a roll call vote and duly enacted as an Ordinance of Kootenai County, State of Idaho, this 21st day of November, 1984, which is a continuation of regular meeting of the Board of County Commissioners held on the 12th day of November, at 10:00 a.m. o'clock ___ a.m.

BOARD OF COMMISSIONERS

Glenn R. Jackson

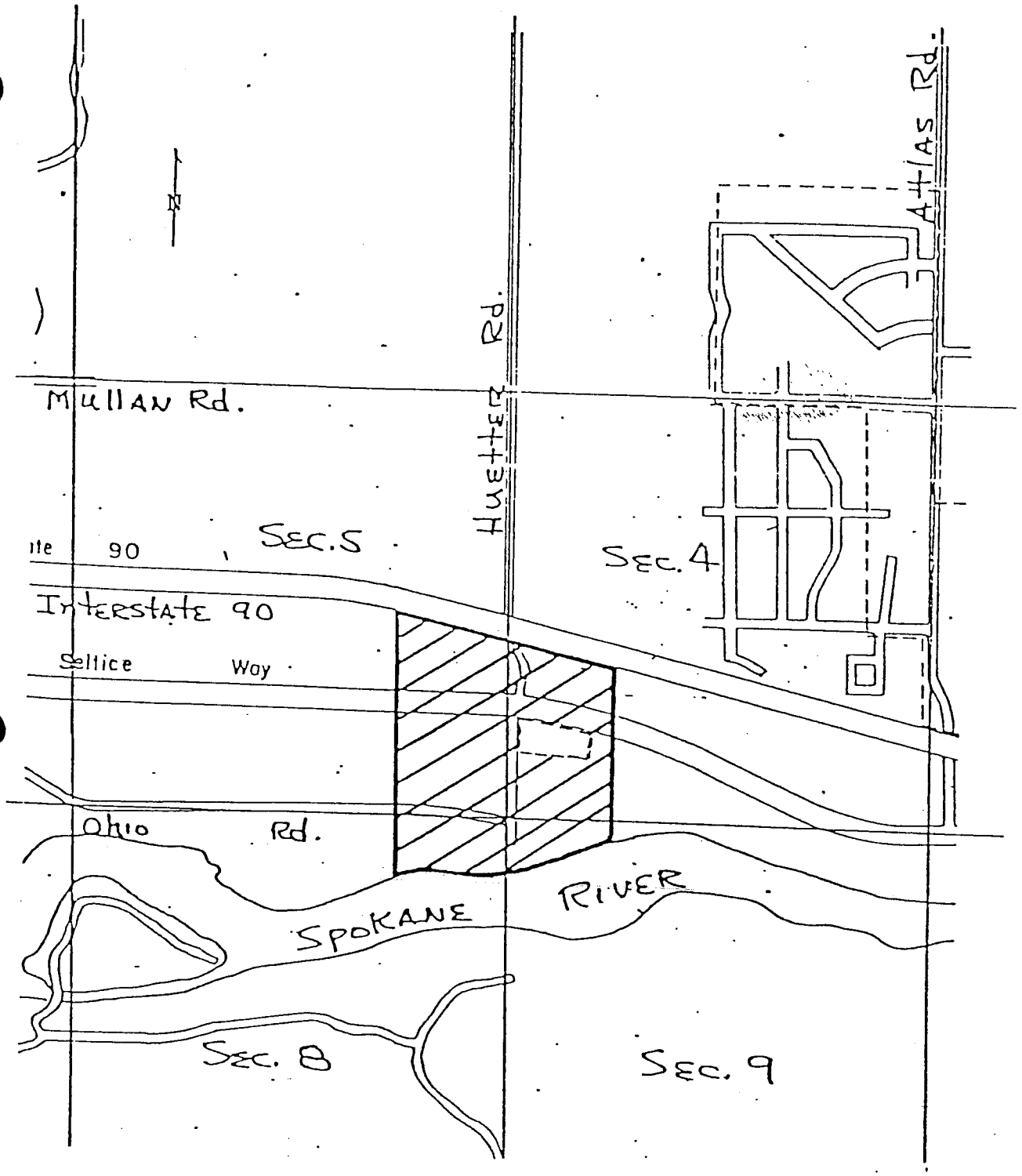
Michael B. McFarland

Frank N. Henderson

ATTEST:

Carol Deitz, Kootenai County Clerk

Deputy Clerk



Scale: 2½ inches=1 mile

Kootenai County Areas of City Impact

451 N Government Way, Coeur d'Alene Idaho, 83815
(208) 446-1000 (Information)

Athol
Rathdrum
Spirit Lake
Hauser Lake
Hayden
Hayden Lake
Dalton Gardens
Coeur d'Alene
Post Falls
Huetter
State Line
Fernan
Harrison
Worley

Athol	Hauser Lake	Rathdrum	ATHOL	HAYDEN	RATHDRUM
Coeur d Alene	Hayden	Spirit Lake	CDA	HAYDEN_LAKE	SHARED TIER
Dalton Gardens	Hayden Lake	State Line	DALTON_GARDENS	HUETTER	SPIRIT_LAKE
Fernan	Huetter	Worley	HARRISON	POST_FALLS	WATERSHED
Harrison	Post Falls		HAUSER	POST_FALLS / HUETTER	WORLEY

Kootenai County GIS

PO Box 9000
451 N Government Way
Coeur d' Alene, ID 83814-9000
email: kcmap@co.kootenai.id.us
www.co.kootenai.id.us

Prepared for: Public
Prepared by: KCGIS
Issue Date: 05-01-2012
Project Filename: City_ACI
Plot File: City_Impact.pdf

0 1.25 2.5 5 7.5 10 Miles

INTERSTATE — LOCAL ROAD — Lakes
U.S. HIGHWAY — SEASONAL ROAD
STATE HIGHWAY — Rail Roads

This map is to be used for reference purposes only,
Kootenai County is not responsible for an inacuracies contained herin.

ORDINANCE NO. 207

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE ATHOL AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Athol, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Athol within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 2, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 7, 1994; and

WHEREAS, the City of Athol and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Athol within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

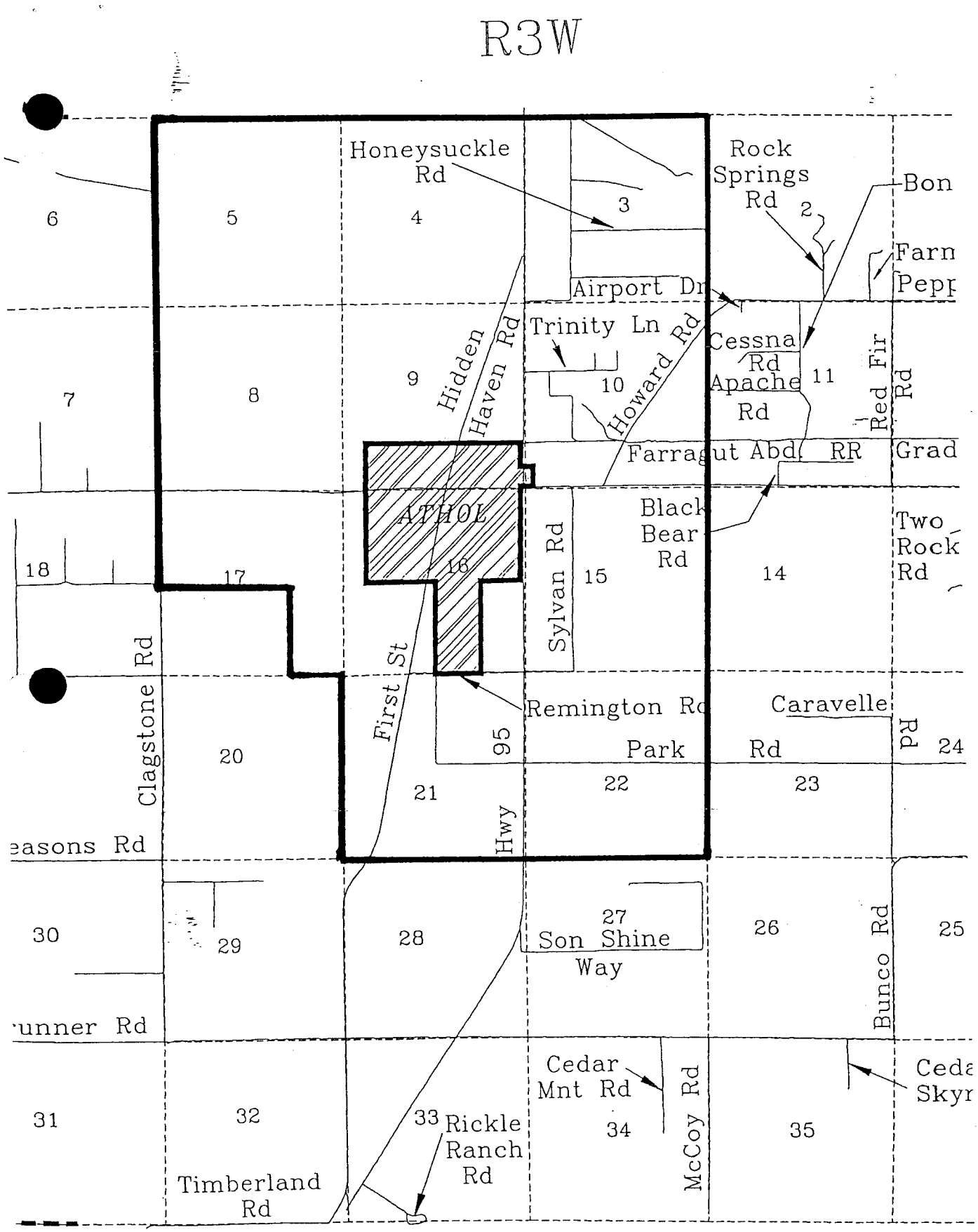
Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

The Athol Area of City Impact shall consist of all land lying within Township 53 North, Range 3 West Boise Meridian, Sections 3, 4, 5, 8, 9, 10, 15, 16, 21, 22, and the East 1/2 of the Southeast 1/4, and the North 1/2 of Section 17.

In case a property under single ownership is divided by the boundary line of the Athol Area of City Impact and the line divides such property so that one or both of the parts has a depth of three hundred (300) feet or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.



Athol Area Of City Impact

Section 3

This Map is adopted in conjunction with Kootenai County Ordinance No. 208, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 21st day of December 1994.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Bob Macdonald, Chairman

Mike Anderson, Commissioner

Dick Compton, Commissioner

ATTEST:

TOM TAGGART, CLERK

BY: Deputy Clerk

CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 207 of Kootenai County, Idaho, and that the attached summary provides adequate notice to the public of the contents of said Ordinance.

TOM TAGGART, CLERK

BY: _____
Deputy Clerk

NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance Number 207 (Athol Area of City Impact Map). The full text of the ordinance addresses the following subjects:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE ATHOL AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

The full text of Ordinance 207 is available at the Kootenai County Courthouse, 501 Government Way, Suite 202, Coeur d'Alene, Idaho 83814 from 9 a.m. to 5 p.m. The map attached as Exhibit A defines the area with which this Ordinance is concerned.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

R V Macdonald

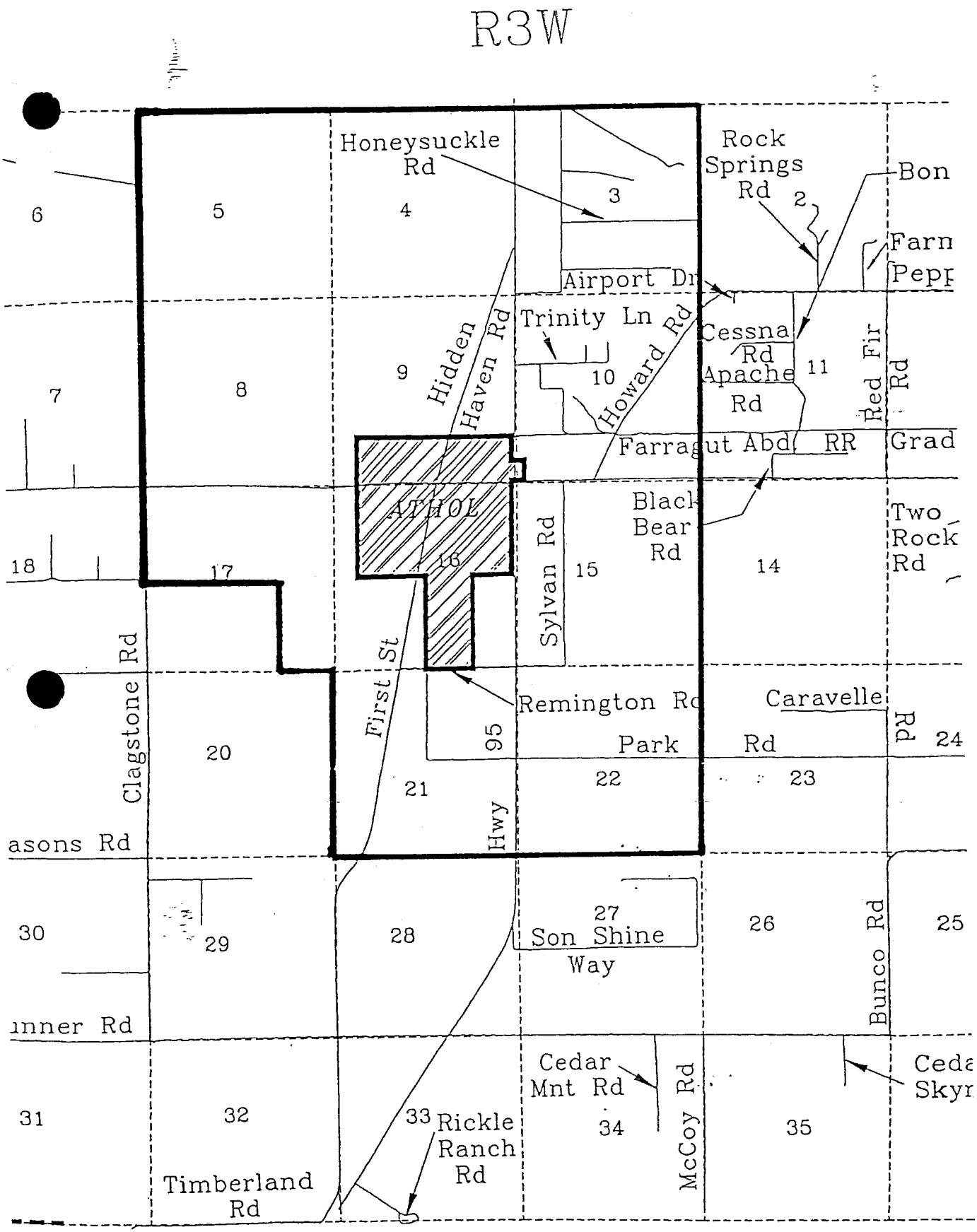
Bob Macdonald, Chairman

ATTEST:

TOM TAGGART, CLERK

BY: Kelly L Sterkeld
Deputy Clerk

Publication Date: December 30, 1994



Athol Area Of City Impact

Ordinance No. 207
Exhibit A

ORDINANCE NO. 194

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, DEFINING A PURPOSE, IDENTIFYING, ESTABLISHING AND DEFINING AN AREA OF CITY IMPACT FOR THE CITY OF COEUR D'ALENE, IDAHO, WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO, AND ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT, DEFINING THE GEOGRAPHIC AREAS OF CITY IMPACT, ADOPTING STANDARDS, PROVIDING FOR ENFORCEMENT, ESTABLISHING HEARING PROCEDURES WITHIN THE AREA OF CITY IMPACT, AND PROVIDING FOR STANDARD AMENDMENT AND NOTICE OF ANY OF THE ORDINANCES SET FORTH ABOVE WHICH ARE APPLICABLE IN THE AREA OF CITY IMPACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Coeur d'Alene and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Coeur d'Alene within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on May 25, 1993, June 23, 1993, and July 21, 1993, on the proposed Area of City Impact, following which hearing said Commission made a

recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners, pursuant to public notice as required by law, held a public hearing on the proposed Area of City Impact on October 12, 1993; and

WHEREAS, the City of Coeur d'Alene and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon an Area of City Impact for the City of Coeur d'Alene within the unincorporated area of Kootenai County, Idaho; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

PURPOSE: The purpose of establishing the Coeur d'Alene Area of City Impact is to identify an urban fringe area in the unincorporated territory surrounding the City within which there is potential for development or changes in land use that must be planned in an orderly and compatible manner in order to insure timely or economical provision of public services such as water supply, sanitary and storm sewage collection and treatment, public safety services, other community service facilities, and to promote land use compatibility, street alignment and traffic flow objectives.

Section 2

AREAS OF CITY IMPACT DEFINED: The Area of City Impact shall consist of an area where development or use of land affects or may affect the City of Coeur d'Alene in consideration of trade areas, geographic factors and areas that can reasonably be expected to be annexed to the City in the future.

Section 3

GEOGRAPHIC AREAS OF CITY IMPACT ESTABLISHED AND DEFINED: The officially-adopted Area of City Impact is hereby established and shown on the map entitled "Coeur d'Alene Area of City Impact" and is officially made a part hereof by reference, said map being specifically adopted by Coeur d'Alene Municipal Ordinance No. 2563, and Kootenai County Ordinance No. 193.

A. The Coeur d'Alene Area of City Impact shall be reevaluated by the City of Coeur d'Alene and Kootenai County at such times as they may agree upon to consider possible changes in the geographic area affected and/or other provisions of this Ordinance including but not limited to applicable standards.

Section 4

STANDARDS: Upon adoption by the City and County, the following standards shall apply whenever an agency, Planning and/or Zoning commission, Hearing Examiner, or governing body of the City or County considers a zone change, comprehensive plan change, request for a special or conditional use permit, planned unit

development, limited planned unit development, variance request or subdivision plat within the Area of City Impact.

A. Within the Area of City Impact, the following standards shall apply:

1. Kootenai County Subdivision Ordinance and provisions for future utility infrastructure set forth in Title 16 of the Coeur d'Alene Municipal Code; and

2. City road widths and profiles found in Title 16, Coeur d'Alene Municipal Code, except that where improvement standards of the Associated Highway Districts differ from those of the City, the provisions imposing the highest level of improvements shall prevail; and

3. Kootenai County Zoning Ordinance; and

4. Kootenai County Stormwater Management Ordinance; and

5. Except as set forth above, all other standards of applicable Kootenai County codes and ordinances; and

6. Except as set forth above, all other standards of applicable special districts having jurisdiction within the identified Area of City Impact.

B. Within unincorporated areas not in Area of City Impact, only County standards shall apply.

Section 5

ENFORCEMENT: Kootenai County shall be responsible for the administration and enforcement of the County's Ordinances listed in Section 4.A within the Area of City Impact, and shall receive all permit fees for inspections performed to recapture direct costs of inspections, administration, legal publications, any development fees such as parkland dedication fees or other costs arising from fulfilling the terms of each Ordinance or regulation.

A. The City of Coeur d'Alene and special districts shall be responsible for administration and enforcement of their respective regulations listed in Section 4.A within the Area of City Impact, and shall receive all permit fees for inspections performed to recapture direct costs of inspections, administration, legal publications, and any development fees such as parkland dedication fees or other costs arising from fulfilling the terms of each Ordinance or regulation.

B. A certificate shall appear on the face of the final plat for execution by the City Engineer attesting to the plat's

conformance with municipal infrastructure standards set forth in Section 4.A.

Section 6

HEARING PROCEDURES WITHIN THE AREA OF CITY IMPACT:

A. All applications for subdivision plats and all other applications (e.g. zone change, comprehensive plan amendment, variance, conditional use, etc.) within the Area of City Impact shall be filed by the applicant with Kootenai County. All public hearings in the Area of City Impact shall be held only before the County.

B. It is the intent of this Section that the processing of subdivisions be administered by the County, but with the inclusion of City infrastructure improvement standards, including but not limited to water, sewer, and roads. Unless expressly waived by the City, in accord with the City's deviation provisions, municipal infrastructure standards shall apply to all subdivisions in the Area of City Impact. In furtherance thereof, applicants for preliminary plat approval shall solicit comments and recommendations from the City of Coeur d'Alene in the same manner as they are required to solicit same from other agencies and districts.

C. Within the Area of City Impact, upon an application to the County or the County's Planning Commission for a zone change, comprehensive plan change, request for a special or conditional use

permit, planned unit development, limited planned unit development, variance request, or similar land use request, the applicant shall provide written notice to the Coeur d'Alene City Clerk of any public hearing related to the application. The City shall have thirty (30) days after receipt of the notice but prior to any public hearing to comment on such application.

D. Within the unincorporated areas outside an Area of City Impact, the County will provide the City notice of any public hearing related to an application to the County or the County's Planning Commission for a zone change, comprehensive plan change, request for a special or conditional use permit, planned unit development, limited planned unit development, variance request, subdivision plat or similar land use request. The City shall have fifteen (15) days after receipt of the notice but prior to any public hearing to comment.

E. The City and the County may elect to jointly hear an application.

Section 7

STANDARD AMENDMENT AND NOTICE:

A. Prior to amendment by the County of any of Kootenai County's Ordinances set forth above in Sections 4.A.1 and 4.A.3 through .5, which are applicable in the Area of City Impact, the County shall forward the proposed change to the City for review and

comment at least thirty (30) days prior to the first public hearing at which such amendment will be considered.

B. Prior to amendment by the City of any of the City Ordinances set forth above in Sections 4.A.1 and .2, which are applicable in the Area of City Impact, the City shall forward the proposed change to the County for review and comment at least thirty (30) days prior to the first public hearing at which such amendment will be considered.

Section 8

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 9

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by the Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 10

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 11

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of The Coeur d'Alene Press, a newspaper of general circulation published within the City of Coeur d'Alene, Kootenai County, Idaho, and the official newspaper thereof.

DATED this 28th day of October, 1993.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Kent Helmer, Chairman

ATTEST:

TOM TAGGART, CLERK

Bob Macdonald, Commissioner

BY: Deputy Clerk

Mike Anderson, Commissioner

AREA OF CITY IMPACT DESCRIPTION ORDINANCE
ORDINANCE NO. 375

AN ORDINANCE OF THE CITY OF HAYDEN, IDAHO, ENACTED COOPERATIVELY WITH THE CITIES OF RATHDRUM AND POST FALLS, IDAHO, AND KOOTENAI COUNTY, IDAHO SETTING FORTH THE COOPERATIVE BASES FOR SUCH ENACTMENT, ESTABLISHING AN EFFECTIVE DATE AND TERM OF DURATION, DESCRIBING LANDS MADE SUBJECT TO A TWO-TIERED AREA OF CITY IMPACT, PROVIDING THAT THIS ORDINANCE AND ITS COMPANION ORDINANCE ADDRESSING THE SUBSTANCE OF ANY AREA OF CITY IMPACT AGREEMENT AMONG THE PARTIES SHALL BE DEEMED TO SUPERSEDE ALL PRIOR AREA OF CITY IMPACT ORDINANCES OF THE RESPECTIVE PARTICIPATING PUBLIC ENTITIES, AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, Be it ordained by the Mayor and City Council of the city of Hayden, Idaho as follows:

1. RECITALS OF PREMISES OF COOPERATION.

WHEREAS, Kootenai County and the cities of Rathdrum, Post Falls and Hayden are mutually facing the pressures and benefits of shared growth; and

WHEREAS, each of these public agencies shares jurisdiction regarding development and management of public services and facilities on lands within parts of the Rathdrum Prairie; and

WHEREAS, the Rathdrum Prairie has provided a land resource for private development that has added to the geographic area of the cities of Rathdrum, Post Falls and Hayden; and

WHEREAS, the Rathdrum Prairie Aquifer has served as a source of clean, available water to sustain life, health and economic development; and

WHEREAS, the Rathdrum Prairie has traditionally supplied open spaces that contribute to the overall quality of life upon and around it environs; and

WHEREAS, development of private lands on the Rathdrum Prairie has been subject to planning and regulation by one or more of the public agencies referenced above; and

WHEREAS, continued political pressure and ongoing litigation are challenging the viability of current agricultural practices, and owners of agricultural lands are seeking viable options for their future; and

WHEREAS, a regional approach to serving the Rathdrum Prairie with

cooperative wastewater disposal options would be prudent and worthy of further study; and

WHEREAS, such cooperation among the parties may result in an area-wide wastewater master plan that includes the potential for land application of treated wastewater, thereby enabling options to sustain agriculture or to preserve open space on parts of the Rathdrum Prairie; and

WHEREAS, continuing agriculture on the Prairie holds significant potential to aid in preserving greenspace that will otherwise be lost if an affordable means for preservation cannot be found; and

WHEREAS, each of the parties hereto recognizes the need to protect the common water resource and to integrate means of transportation and provision of other public services in developing areas; and

WHEREAS, the parties recognize that the rate of urbanization for the communities that are a party to this Agreement will be different from one community to another; and

WHEREAS, Idaho law provides tools to allow the cooperation of counties and cities in public planning and implementation; and

WHEREAS, since the adoption of the Area of City Impact Agreements and Ordinances for the cities of Rathdrum, Post Falls and Hayden there have been significant changes while growth continues to be strong and sustained, thereby supporting amendment of the current Area of City Impact Agreements for the cities; and

WHEREAS, the parties share common goals and desire to engage in a shared, cooperative effort to chart a meaningful intergovernmental plan and implementation strategy for the Rathdrum Prairie.

NOW, THEREFORE, the parties hereto agree that a Coordinated Area of City Impact Agreement for the cities of Rathdrum, Post Falls and Hayden is hereby adopted with the following terms and conditions:

2. EFFECTIVE DATE

This Ordinance/Agreement shall be effective with respect to the city of Hayden and each respective agency referenced herein upon the latter day of the date of publication of this ordinance after passage or the date of publication of a companion ordinance enacted by each cooperating city. This ordinance establishing area of city impact boundaries for the city of Hayden shall not become effective with respect to each respective city until said city passes and publishes an area of city impact ordinance consistent with the provisions of this ordinance.

3. TERM – EARLY TERMINATION

The term of this ordinance shall be for a period of five (5) years from the initial effective date set forth above. The parties further agree to begin renegotiation of their respective area of city impact agreements no later than three and one-half (3 1/2) years after the initial effective date set forth above. If the parties are unable to agree upon a replacement for this agreement within five (5) years from its initial effective date, this agreement shall remain in full force and effect with each party thereafter authorized to seek a two-party area of city impact agreement with Kootenai County that would supersede this Agreement with respect to that city. Any participating city that elects to terminate participation as set forth herein prior to expiration of the five-year term, or before mutual agreement upon a superseding cooperative agreement, whichever comes first, shall be entitled to 15 days prior notice of any special use, subdivision or rezoning proposals within an area ½ mile from its corporate boundary as such boundary existed on the initial effective date of this ordinance. Otherwise, regular county standards and procedures would apply.

4. TWO-TIERED AREA OF CITY IMPACT.

A. Exclusive Tier for Hayden

By separate ordinance adopted on the same date as this ordinance, the parties agree that the area of city impact for each of the cities signatory hereto shall consist of two tiers. The exclusive tier of area of city impact for the city of Hayden is hereby described as follows:

For the city of Hayden lands not within the city limits, but situate within the following legal description, shall fall within the exclusive area of city impact for the city of Hayden: The exclusive tier for the City of Hayden shall consist of all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, and 23, Township 51 North, Range 4 West Boise Meridian; a part of Sections 24, 25, and 26, Township 51 North, Range 4 West Boise Meridian; and a part of Sections 7, 19, and 30, Township 51 North, Range 3 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southwest corner of said Section 21, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE East, along the South lines of said Sections 21, 22, and 23 to the easterly right-of-way line of U.S. Highway 95 in said Section 23;

THENCE South 5E51' West, 630 feet, more or less, along said easterly right-of-way line to Highway right-of-way monument P.T. 153+44.70;

THENCE 347.38 feet along said easterly right-of-way line on the arc of a 28,537.9 foot radius curve left, said curve having a chord bearing South 5E28'06" West, 347.38 feet to the northerly right-of-way line of Aqua Avenue;

THENCE South 88E57'32" East, 1275.35 feet along said northerly right-of-way line to its intersection with the westerly right-of-way line of Government Way (a.k.a. Old Highway 95);

THENCE continuing South 88E57'32" East, 60.00 feet, and leaving said westerly right-of-way line to the easterly right-of-way line of said Government Way and the westerly line of the City of Dalton Gardens;

THENCE North 1E04'06" East, 989.24 feet (of record as North) along said easterly right-of-way line and the northerly projection thereof, and said westerly line of the City of Dalton Gardens to a point on the South line of said Section 24 on the centerline of Prairie Avenue, said point also being the Northwest corner of the City of Dalton Gardens;

THENCE East, 3930.00 feet, more or less, along the South line of said Section and the northerly line of the City of Dalton Gardens to the East 1/16 section corner common to said Sections 24 and 25;

THENCE along the northwesterly boundary of that certain right-of-way easement granted from Charles Finucane and Marion Finucane to the Dalton Gardens Irrigation District on the 13th day of March 1954, as Instrument Number 284140, records of said County, and described as follows:

> "a strip of land 11 feet in width situated in the Southeast Quarter of Section 24, Township 51 North, Range 4 West Boise Meridian, Kootenai County, Idaho, the centerline of said strip of land being parallel with and 12 feet to the left of the following described line:
>
> BEGINNING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 24;
>
> North 34E44' East, 750.0 feet;
>
> thence North 31E20' East, 241.4 feet;
>
> thence along a curve to the right, 190.0 feet;
>
> thence North 69E20' East, 618.6 feet to a point on the East line of said Southeast Quarter of Section 24, said point being 129.0 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 24, all in Kootenai County, Idaho";

THENCE South, (from said point, being 129.0 feet South of the Northeast corner of the SE 3 of the SE 3 of said section, which point is also North 47E41'00" East, 1740.97 feet from the East 1/16 section corner common to said Sections 24 and 25), along the East line of said Section 24 to the corner common to said Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

THENCE South 89E00'11" East, 30.0 feet along the North line of said Section 30;

THENCE South 0E46'08" East, 239.76 feet;

THENCE South 89E29'17" East, 170.0 feet;

THENCE South 31E28'59" East, 450.19 feet to the Northwest corner of Lot 1, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

THENCE traversing the northerly line of Block 2 of said WOODLAND HEIGHTS, as follows:

South 49E39'15" East, 647.74 feet;

thence South 64E21'30" East, 415.97 feet;

thence South 83E51'30" East, 158.91 feet;

thence North 82E20'15" East, 52.47 feet to the Northeast corner of Lot 7, Block 2 of said Plat;

THENCE leaving said plat of WOODLAND HEIGHTS, North 68E42'25" East, 1660.00 feet (of record as North 66E East, 1657 feet, more or less) along the southerly line of WOODLAND HEIGHTS 5th ADDITION, according to the plat on file in Book G of Plats at page 64, and said southerly line extended;

THENCE North 86E59'57" East, 150.00 feet (of record as North 87E East, 150 feet, more or less);

THENCE South 47E00'03" East, 575.00 feet (of record as South 47E East, 575 feet, more or less);

THENCE South 89E59'57" East, 475.00 feet (of record as East, parallel with the North line of said Section 30, a distance of 475 feet, more or less), to a point on the East line of the NW 3 of the NE 3 of said Section 30, said point being South 0E10'56" East, 975.00 feet from the Northeast corner of said NW 3 of the NE 3;

THENCE South, along the East line of said NW 3 of the NE 3 to the Southeast corner thereof;

THENCE East, along the South line of the NE 3 of the NE 3 of said Section 30, to the Southeast corner thereof;

THENCE North, along the East line of said NE 3 of the NE 3 to the Northeast corner of said Section 30 (corner to said Sections 19, 20, 29, and 30);

THENCE North, along the East line of said Section 19 to the shoreline of Hayden Lake;

THENCE westerly, northerly, and easterly along the mean high water line of Hayden Lake to the Southeast corner of Tax Number 1560, according to Book 91 of Deeds at page 514;

THENCE West, along the southerly line of said Tax Number, also being along the southerly line of the Village of Hayden Lake, according to said Book 91 of Deeds at page 514, and also being along said southerly line extended to the westerly right-of-way line of Chalet Road;

THENCE northerly, along said westerly right-of-way line to the southerly line of a parcel recorded in Book 76 of Deeds at page 425, as Instrument Number 16016;

THENCE West, along said southerly line, parallel with the North line of the NW 3 of said Section 19, a distance of 1265.9 feet, more or less, to the West line of said NW 3;

THENCE North, along said West line to the Northwest corner of said Section 19, at Hayden Avenue;

THENCE North, along the East lines of said Sections 13 and 12 to the 3 section corner common to said Section 12, Township 51 North, Range 4 West, and said Section 7, Township 51 North, Range 3 West, being on the centerline of Strahorn Road;

THENCE North 0E03'45" East, 770.8 feet along the West line of the NW 3 of said Section 7 and also being the centerline of Strahorn Road;

THENCE northeasterly, along said centerline to the North line of said Section 7;

THENCE West, along the North line of said Section 7 to the Northwest corner thereof (corner to said Sections 1, 12, 6, and 7);

THENCE North, along the East line of said Section 1 to the Northeast corner thereof (corner common to Sections 1, 6, 31, and 36);

THENCE West, along the North line of said Section 1 and the North lines of Sections 2, 3, and 4, Township 51 North, Range 4 West Boise Meridian, to the Northwest corner of said Section 4;

THENCE South, along the West line of Sections 4, 9, 16, and 21, Township 51 North, Range 4 West Boise Meridian, to the southwest corner of said Section 21, the POINT OF BEGINNING.

B. SHARED TIER

The shared tier shall constitute the balance of the Rathdrum Prairie that is not within the corporate limits of any other city and not within an exclusive area of city impact of any other city established by this ordinance or of any other city established by prior ordinance and located within the area enclosed by the Washington state line to the west, Highway 53 to the north, Highway 95 to the east, and Interstate 90 to the south that is not within the Exclusive Tier of area of city impact. The Shared Tier is described as follows:

The shared tier for this Area of City Impact shall consist of all of Sections 17, 18, and 20 Township 51 North, Range 4 West; a portion of Sections 7, 8, and 19, Township 51 North, Range 4 West; all of Sections 13, 14, 15, and 21, Township 51 North, Range 5 West; a portion of Sections 17, 20, 22, 23, 24, 30, and 31, Township 51 North, Range 5 West; all of Section 36 and a portion of Section 25, Township 51 North, Range 6 West; and a portion of Section 1, Township 50 North, Range 6 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southeast corner of said Section 20, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE Northerly, along the East section line of Sections 20, and 17, Township 51 North, Range 4 West, to the Northeast corner of said Section 17;

THENCE continuing northerly along the east line of the Southeast quarter of Section 8, Township 51 North, Range 4 West, to the east quarter corner of said Section 8;

THENCE westerly along the North line of the South 1/2 of Section 8 to the west quarter corner thereof, being also the Northeast corner of the Southeast quarter of Section 7, Township 51 North, Range 4 West;

THENCE continuing westerly along the North line of the Southeast quarter of said Section 7, to the center quarter corner thereof;

THENCE Southerly along the east line of the Southwest Quarter of said Section 7 to the South quarter corner thereof;

THENCE Westerly along the South line of said Southwest Quarter of Section 7, to the Southwest corner thereof;

THENCE continuing Westerly along the South line of Sections 12, 11, and 10 to the Southwest corner of said Section 10, Township 51 North, Range 5 West;

THENCE continuing Westerly along the North line of Section 16, Township 51 North, Range 5 West, to a point on the center line of State Highway 53;

THENCE southwesterly along the center line of State Highway 53 to a point on the East section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the south section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the north-south center section line of Section 20, Township 51 North, Range 5 West;

THENCE southerly on the North-South center section line of said section 20, 4550 feet, more or less, to the South quarter corner of said section;

THENCE continuing southerly along the East line of the North ½ of the Northwest ¼ of Section 29 Township 51 North, Range 5 West to the southeast corner of said North ½ of the Northwest 1/4;

THENCE westerly along the South line of said North ½ of the Northwest ¼ of Section 29 to the southwest corner of said North ½ of the Northwest ¼;

THENCE continuing westerly along the South line of the North ½ of the Northeast ¼ of Section 30 a distance of 1400 feet, more or less, to a point on the southerly line of Bonneville Power Administration, Avista (a.k.a. Washington Water Power), and Pacific Gas and Transmission easements as they cross Section 30, Township 51 North, Range 5 West;

THENCE southwesterly along the southerly line of said easements a distance of 4600 feet, more or less, to a point on the West section line of Section 30, also being the Northeast corner of the South ½ of the Southeast ¼ of Section 25, Township 51 North, Range 6 West;

THENCE westerly along the north line of said South ½ of the Southeast ¼ of Section 25;

THENCE continuing westerly along the north line of the South ½ of the Southwest ¼ of said Section 25 to a point on the Idaho State line;

THENCE southerly along the State line to the Northwest corner of the City of Stateline;

THENCE northerly and easterly along the north boundary of the City of Stateline to where it intersects with the north right-of-way line of Seltice Way;

THENCE Easterly along Seltice Way to a point that is the northwest corner of the northeast quarter of the northeast quarter of Section 6, Township 50 North, Range 5 West;

THENCE Northerly to a point that is the northwest corner of the northeast quarter of the northeast quarter of Section 31, Township 51 North, Range 5 West;

THENCE Easterly along the North section line of Section 31, Township 51 North, Range 5 West, to the northeast corner of said Section 31;

THENCE Easterly along the North section line of Section 32, Township 51 North, Range 5 West, to the northeast corner of said Section 32;

THENCE Northerly along the West section line of Section 28, Township 51 North, Range 5 West, to the Northwest corner of said Section;

THENCE Easterly along the North section line to the northeast corner of said Section 28, also being the southwest corner of Section 22, Township 51 North, Range 5 West;

THENCE Northerly along the West section line of the Southwest quarter of Section 22 to the west quarter corner of said section;

THENCE Easterly along the north line of the South ½ of said Section 22, to the east quarter corner;

THENCE continuing easterly along the north line of the South ½ of Sections 23 and 24 to the east quarter corner of said Section 24;

THENCE continuing easterly along the North line of the southwest ¼ of Section 19, Township 51 North, Range 4 West, to the center of said section;

THENCE Southerly along the east line of the Southwest ¼ of Section 19 to the south quarter corner of said section;

THENCE Easterly along the North section line of Section 30 and Section 29, Township 51 North, Range 4 West, to the Northeast corner of said Section 29, said corner also being the Southeast corner of Section 20, Township 51 North, Range 4 West B. M., the intersection of Huetter Road and Prairie Avenue and the POINT OF BEGINNING

5. PRIOR ORDINANCES SUPERSEDED

This ordinance and its companion ordinance addressing the substantive regulations governing the area of impact shall be deemed to supersede all prior area of city impact ordinances of the respective participating public entities upon compliance with all contingencies set forth herein.

APPROVED by the Hayden City Council on the 12th day of October, 2004, to be effective on the date herein written.

Ronald McIntire, Mayor

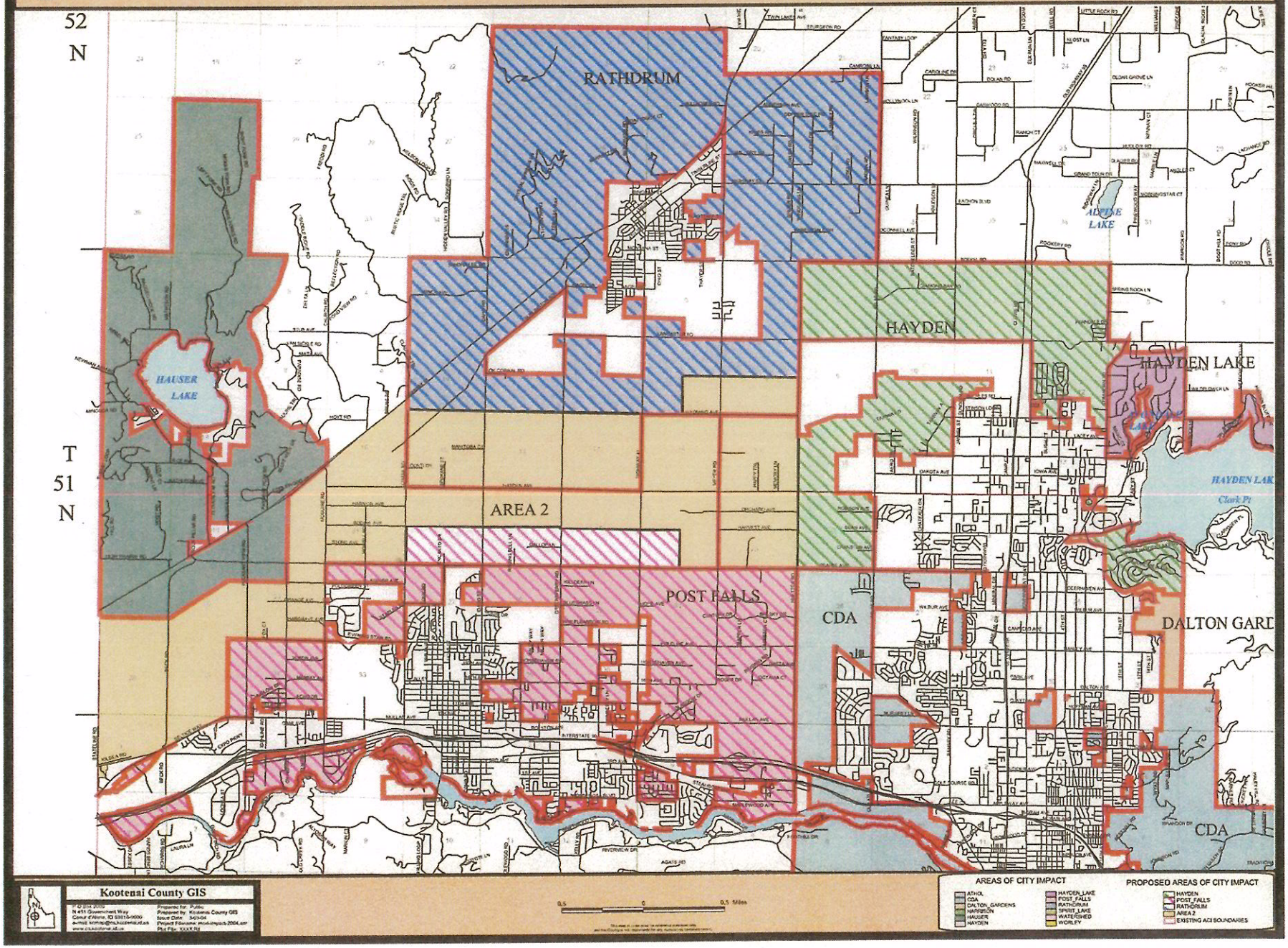
ATTEST:

Janet Fisher, City Clerk

CITY OF HAYDEN OFFICIAL SEAL KOOTENAI COUNTY, IDAHO

Ord. #375
Ord. #376

MODIFIED AREA OF CITY IMPACT



ORDINANCE NO. 373
CASE NO. OA-120-05 (City of Rathdrum- Coordinated ACI Map Amendment)
COUNTY COORDINATED AREA OF CITY IMPACT AGREEMENT

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, ENACTED COOPERATIVELY WITH THE CITIES OF POST FALLS, RATHDRUM AND HAYDEN, IDAHO, SETTING FORTH THE COOPERATIVE BASES FOR SUCH ENACTMENT, ESTABLISHING AN EFFECTIVE DATE AND TERM OF DURATION, DESCRIBING LANDS MADE SUBJECT TO A TWO-TIERED AREA OF CITY IMPACT, PROVIDING THAT THIS ORDINANCE AND ITS COMPANION ORDINANCE ADDRESSING THE SUBSTANCE OF ANY AREA OF CITY IMPACT AGREEMENT AMONG THE PARTIES SHALL BE DEEMED TO SUPERSEDE ALL PRIOR AREA OF CITY IMPACT ORDINANCES OF THE RESPECTIVE PARTICIPATING PUBLIC ENTITIES.

NOW, THEREFORE, be it ordained by the Kootenai County Board of Commissioners as follows:

1. RECITALS OF PREMISES OF COOPERATION

WHEREAS, Kootenai County and the cities of Rathdrum, Post Falls and Hayden are mutually facing the pressures and benefits of shared growth; and

WHEREAS, each of these public agencies shares jurisdiction regarding development and management of public services and facilities on lands within parts of the Rathdrum Prairie; and

WHEREAS, the Rathdrum Prairie has provided a land resource for private development that has added to the geographic area of the cities of Rathdrum, Post Falls and Hayden; and

WHEREAS, the Rathdrum Prairie Aquifer has served as a source of clean, available water to sustain life, health and economic development; and

WHEREAS, the Rathdrum Prairie has traditionally supplied open spaces that contribute to the overall quality of life upon and around it environs; and

WHEREAS, development of private lands on the Rathdrum Prairie has been subject to planning and regulation by one or more of the public agencies referenced above; and

WHEREAS, continued political pressure and ongoing litigation are challenging the viability of current agricultural practices, and owners of agricultural lands are seeking viable options for their future; and

WHEREAS, a regional approach to serving the Rathdrum Prairie with cooperative wastewater disposal options would be prudent and worthy of further study; and

WHEREAS, such cooperation among the parties may result in an area-wide wastewater master plan that includes the potential for land application of treated wastewater, thereby enabling options to sustain agriculture or to preserve open space on parts of the Rathdrum Prairie; and

WHEREAS, continuing agriculture on the Prairie holds significant potential to aid in preserving greenspace that will otherwise be lost if an affordable means for preservation cannot be found; and

WHEREAS, each of the parties hereto recognizes the need to protect the common water resource and to integrate means of transportation and provision of other public services in developing areas; and

WHEREAS, the parties recognize that the rate of urbanization for the communities that are a party to this Agreement will be different from one community to another; and

WHEREAS, Idaho law provides tools to allow the cooperation of counties and cities in public planning and implementation; and

WHEREAS, since the adoption of the Area of City Impact Agreements and Ordinances for the cities of Rathdrum, Post Falls and Hayden there have been significant changes while growth continues to be strong and sustained, thereby supporting amendment of the current Area of City Impact Agreements for the cities; and

WHEREAS, the parties share common goals and desire to engage in a shared, cooperative effort to chart a meaningful intergovernmental plan and implementation strategy for the Rathdrum Prairie.

NOW, THEREFORE, the parties hereto agree that a Coordinated Area of City Impact Agreement for the Cities of Rathdrum, Post Falls and Hayden is hereby adopted with the following terms and conditions:

2. EFFECTIVE DATE

This Agreement/Ordinance shall be effective with respect to Kootenai County and each respective city referenced herein upon the latter day of the date of publication of this ordinance after passage or the date of publication of a companion ordinance enacted by each cooperating city. This Ordinance establishing Area of City Impact boundaries for each of the respective cities referenced herein shall not become effective with respect to each respective city until said city passes and publishes an Area of City Impact Ordinance consistent with the provisions of this Ordinance.

3. TERM – EARLY TERMINATION

The term of this Ordinance shall be for a period of five (5) years from the initial effective date set forth above. The parties further agree to begin renegotiation of their respective Area of City Impact Agreements no later than three and one-half (3½) years after the initial effective date set forth above. If the parties are unable to agree upon a replacement for this Agreement within five (5) years from its initial effective date, this Agreement shall remain in full force and effect with each party thereafter authorized to seek a two-party Area of City Impact Agreement with Kootenai County that would supersede this Agreement with respect to that city. Any participating city that elects to terminate participation as set forth herein prior to expiration of the five-year term, or before mutual agreement upon a superseding cooperative agreement, whichever comes first, shall be entitled to 15 days prior notice of any special use, subdivision or rezoning proposals within an area ½ mile from its corporate boundary as such boundary existed on the initial effective date of this Ordinance. Otherwise, regular County standards and procedures would apply.

4. TWO-TIERED AREA OF CITY IMPACT

A. By separate ordinance adopted on the same date as this Ordinance, the parties agree that the Area of City Impact for each of the cities signatory hereto shall consist of two tiers. The exclusive tiers of Area of City Impact for the respective cities are hereby described as follows:

For the City of Hayden lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Hayden:

1. Exclusive Tier for City Of Hayden

The exclusive tier for the City of Hayden shall consist of all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, and 23, Township 51 North, Range 4 West Boise Meridian; a part of Sections 24, 25, and 26, Township 51 North, Range 4 West Boise Meridian; and a part of Sections 7, 19, and 30, Township 51 North, Range 3 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southwest corner of said Section 21, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE East along the South lines of said Sections 21, 22, and 23 to the Easterly right-of-way line of U.S. Highway 95 in said Section 23;

THENCE South 5° 51' West, 630 feet, more or less, along said Easterly right-of-way line to Highway right-of-way monument P.T. 153+44.70;

THENCE 347.38 feet along said Easterly right-of-way line on the arc of a 28,537.9 foot radius curve left, said curve having a chord bearing South 5° 28'06" West, 347.38 feet to the Northerly right-of-way line of Aqua Avenue;

THENCE South 88° 57'32" East, 1275.35 feet along said Northerly right-of-way line to its intersection with the Westerly right-of-way line of Government Way (a.k.a. Old Highway 95);

THENCE continuing South 88° 57'32" East, 60.00 feet, and leaving said Westerly right-of-way line to the Easterly right-of-way line of said Government Way and the Westerly line of the City of Dalton Gardens;

THENCE North 1° 04'06" East, 989.24 feet (of record as North) along said Easterly right-of-way line and the Northerly projection thereof, and said Westerly line of the City of Dalton Gardens to a point on the South line of said Section 24 on the centerline of Prairie Avenue, said point also being the Northwest corner of the City of Dalton Gardens;

THENCE East 3930.00 feet, more or less, along the South line of said Section and the Northerly line of the City of Dalton Gardens to the East 1/16 section corner common to said Sections 24 and 25;

THENCE along the Northwesterly boundary of that certain right-of-way easement granted from Charles Finucane and Marion Finucane to the Dalton Gardens Irrigation District on the 13th day of March 1954, as Instrument Number 284140, records of said County, and described as follows:

> "a strip of land 11 feet in width situated in the Southeast Quarter of Section 24, Township 51 North, Range 4 West Boise Meridian, Kootenai County, Idaho, the centerline of said strip of land being parallel with and 12 feet to the left of the following described line:
>
> BEGINNING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 24;
>
> North 34° 44' East, 750.0 feet;
>
> thence North 31° 20' East, 241.4 feet;
>
> thence along a curve to the right, 190.0 feet;

thence North 69° 20' East, 618.6 feet to a point on the East line of said Southeast Quarter of Section 24, said point being 129.0 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 24, all in Kootenai County, Idaho";

THENCE South (from said point, being 129.0 feet South of the Northeast corner of the SE 3 of the SE 3 of said section, which point is also North 47° 41'00" East, 1740.97 feet from the East 1/16 section corner common to said Sections 24 and 25), along the East line of said Section 24 to the corner common to said Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

THENCE South 89° 00'11" East, 30.0 feet along the North line of said Section 30;

THENCE South 0° 46'08" East, 239.76 feet;

THENCE South 89° 29'17" East, 170.0 feet;

THENCE South 31° 28'59" East, 450.19 feet to the Northwest corner of Lot 1, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

THENCE traversing the northerly line of Block 2 of said WOODLAND HEIGHTS, as follows:

South 49° 39'15" East, 647.74 feet;

thence South 64° 21'30" East, 415.97 feet;

thence South 83° 51'30" East, 158.91 feet;

thence North 82° 20'15" East, 52.47 feet to the Northeast corner of Lot 7, Block 2 of said Plat;

THENCE leaving said plat of WOODLAND HEIGHTS, North 68° 42'25" East, 1660.00 feet (of record as North 66° East, 1657 feet, more or less) along the Southerly line of WOODLAND HEIGHTS 5th ADDITION, according to the plat on file in Book G of Plats at page 64, and said Southerly line extended;

THENCE North 86° 59'57" East, 150.00 feet (of record as North 87° East, 150 feet, more or less);

THENCE South 47° 00'03" East, 575.00 feet (of record as South 47° East, 575 feet, more or less);

THENCE South 89° 59'57" East, 475.00 feet (of record as East, parallel with the North line of said Section 30, a distance of 475 feet, more or less), to a point on the East line of the NW 3 of the NE 3 of said Section 30, said point being South 0° 10'56" East, 975.00 feet from the Northeast corner of said NW 3 of the NE 3;

THENCE South, along the East line of said NW 3 of the NE 3 to the Southeast corner thereof;

THENCE East along the South line of the NE 3 of the NE 3 of said Section 30, to the Southeast corner thereof;

THENCE North along the East line of said NE 3 of the NE 3 to the Northeast corner of said Section 30 (corner to said Sections 19, 20, 29, and 30);

THENCE North along the East line of said Section 19 to the shoreline of Hayden Lake;

THENCE Westerly, Northerly, and Easterly along the mean high water line of Hayden Lake to the Southeast corner of Tax Number 1560, according to Book 91 of Deeds at page 514;

THENCE West along the Southerly line of said Tax Number, also being along the Southerly line of the Village of Hayden Lake, according to said Book 91 of Deeds at page 514, and also being along said Southerly line extended to the Westerly right-of-way line of Chalet Road;

THENCE Northerly along said Westerly right-of-way line to the Southerly line of a parcel recorded in Book 76 of Deeds at page 425, as Instrument Number 16016;

THENCE West along said Southerly line, parallel with the North line of the NW 3 of said Section 19, a distance of 1265.9 feet, more or less, to the West line of said NW 3;

THENCE North along said West line to the Northwest corner of said Section 19, at Hayden Avenue;

THENCE North along the East lines of said Sections 13 and 12 to the 3 section corner common to said Section 12, Township 51 North, Range 4 West, and said Section 7, Township 51 North, Range 3 West, being on the centerline of Strahorn Road;

THENCE North 0° 03'45" East, 770.8 feet along the West line of the NW 3 of said Section 7 and also being the centerline of Strahorn Road;

THENCE Northeasterly along said centerline to the North line of said Section 7;

THENCE West along the North line of said Section 7 to the Northwest corner thereof (corner to said Sections 1, 12, 6, and 7);

THENCE North along the East line of said Section 1 to the Northeast corner thereof (corner common to Sections 1, 6, 31, and 36);

THENCE West along the North line of said Section 1 and the North lines of Sections 2, 3, and 4, Township 51 North, Range 4 West Boise Meridian, to the Northwest corner of said Section 4;

THENCE South along the West line of Sections 4, 9, 16, and 21, Township 51 North, Range 4 West Boise Meridian, to the Southwest corner of said Section 21, the POINT OF BEGINNING.

2. Exclusive Tier for City of Post Falls

For the City of Post Falls lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Post Falls:

The exclusive tier for the City of Post Falls shall consist of all of Sections 25, 26, 27, 28, 32, 33, 34, 35, and 36, Township 51 North, Range 5 West Boise Meridian; a part of Sections 22, 23, 24, and 31, Township 51 North, Range 5 West Boise Meridian; all of Sections 19, 29, 30, 31, and 32, Township 51 North, Range 4 West Boise Meridian; all of Sections 5 and 6, Township 50 North, Range 4 West Boise Meridian; that part of Sections 7 and 8, Township 50 North, Range 4 West Boise Meridian lying North of the Spokane River; all of Sections 1, 2, and 6, Township 50 North, Range 5 West Boise Meridian; part of Sections 3, 4, 5, 7, 8, 11, and 12, Township 50 North, Range 5 West Boise Meridian; and part of Sections 1 and 12, Township 50 North, Range 6 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Northwest corner of Section 28, Township 51 North, Range 5 West, Boise Meridian;

THENCE Easterly along the North section line to the Northeast corner of said Section 28, also being the Southwest corner of Section 22, Township 51 North, Range 5 West;

THENCE Northerly along the West section line of the Southwest quarter of Section 22 to the West quarter corner of said section;

THENCE Easterly along the north line of the South ½ of said Section 22, to the east quarter corner;

THENCE continuing Easterly along the north line of the South ½ of Sections 23 and 24 to the east quarter corner of said Section 24;

THENCE continuing Easterly along the North line of the Southwest ¼ of Section 19, Township 51 North, Range 4 West, to the center of said section;

THENCE Southerly along the East line of the Southwest ¼ of Section 19 to the South quarter corner of said section;

THENCE Easterly along the North section line of Section 30 and Section 29, Township 51 North, Range 4 West, to the Northeast corner of said Section 29;

THENCE Southerly along the centerline of Huetter Road to the Southeast corner of Section 5, Township 50 North, Range 4 West;

THENCE Southerly along the East line of Section 8, Township 50 North, Range 4 West, to a point on the North bank of the Spokane River;

THENCE Westerly along the North bank of the Spokane River and existing city limits to a point on the East right-of-way line of Spokane Street where it meets the river;

THENCE Southerly along the East side of the Spokane Street bridge across the Spokane River and along the East line of Spokane Street to the north side of Park Way Drive, also being the North line of Section 10, Township 50 North, Range 5 West;

THENCE Westerly along the North line of Section 10, Township 50 North, Range 5 West, to the Northwest corner of said section;

THENCE Northerly along the East line of Section 4, Township 50 North, Range 5 West, to a point on the South bank of the South channel of the Spokane River;

THENCE Westerly along the South bank of the South channel of the Spokane River to the main channel and continuing Westerly along the centerline of the Spokane River to the Washington State line;

THENCE Northerly along the Washington State line to a point on the South right-of-way line of Seltice Way;

THENCE Northeasterly along the Southeast boundary of the City of Stateline to where it intersects with the North right-of-way line of Seltice Way;

THENCE Easterly along Seltice Way to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 6, Township 50 North, Range 5 West;

THENCE Northerly to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 31, Township 51 North, Range 5 West;

THENCE Easterly along the North section line of Sections 31 and 32, Township 51 North, Range 5 West, to the Northeast corner of said Section 32;

THENCE Northerly along the West section line of Section 28, Township 51 North, Range 5 West, to the Northwest corner of said Section, being the POINT OF BEGINNING.

3. Exclusive Tier for City of Rathdrum

For the City of Rathdrum lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Rathdrum:

The exclusive tier for the City of Rathdrum shall consist of all of Sections 5, and 6, and portions of Sections 7 and 8, Township 51 North, Range 4 West Boise Meridian; all of Sections 1, 2, 3, 10, 11, and 12, Township 51 North, Range 5 West Boise Meridian; all of Sections 19, ~~28,~~ 29, 30, 31, 32, and ~~33,~~ and a part of Sections 20 and 21 Township 52 North, Range 4 West Boise Meridian; and all of Sections 23, 24, 25, 26, 35, and 36 Township 52 North, Range 5 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

Beginning at the Southwest corner of Section 10, Township 51 North, Range 5 West, thence Northerly as follows:

Along the West lines of said Section 10 and Section 3 to the Northwest corner of Section 3, Township 51 North, Range 5 West;

THENCE Easterly along the North line of Section 3, to the Northeast corner thereof;

THENCE Northerly along the West line of Sections 35, 26, and 23 to the Northwest corner of Section 23, Township 52 North, Range 5 West;

THENCE Easterly along the North line of said Section 23 and Section 24, Township 52 North, Range 5 West;

THENCE continuing Easterly along the North line Section 19, Township 52 North, Range 4 West to the Northeast corner thereof;

THENCE Southerly along the East line of the Northeast quarter of said Section 19 to the East quarter corner thereof, being also the West quarter corner of said Section 20;

THENCE Easterly along the North line of the Southwest quarter of said Section 20, to the center quarter thereof;

THENCE along the North line of the Southeast quarter of said Section 20 to the East quarter corner thereof, being also the West quarter corner of Section 21 of said Township 52 North, Range 4 West;

THENCE along the North line of the Southwest quarter of said Section 21, a distance of 2,100 feet, more or less, to a point on the northerly line of the Burlington Northern Sante Fe right-of-way;

THENCE along said right-of-way southwesterly a distance of 2,850 feet, more or less, to a point on the West line of Section 21, being also the East line of Section 20;

THENCE along the West line of Section 21, being also the East line of Section 20 a distance of 750 feet, more or less, to the Southwest corner of Section 21, being also the Southeast corner of Section 20;

THENCE southerly along the East line of Section 29 and Section 32 to the Southeast corner thereof;

THENCE Southerly along the East line of said Section 5, to the Southeast corner thereof, being also the Northeast corner of Section 8 of Township 51 North, Range 4 West;

THENCE Southerly along the East line of the Northeast quarter of said Section 8, to the East quarter corner thereof;

THENCE Westerly along the South line of said Northeast quarter of Section 8 to the center quarter thereof;

THENCE along the South line of the Northwest quarter of said Section 8, to the West quarter corner thereof, being also the Southeast corner of the Northeast quarter of Section 7, Township 51 North, Range 4 West;

THENCE along the South line of the Northeast quarter of said Section 7, to the center quarter corner thereof;

THENCE Southerly along the East line of the Southwest Quarter of said Section 7 to the South quarter corner thereof;

THENCE Westerly along the South line of said Southwest Quarter of Section 7, to the Southwest corner thereof;

THENCE continuing Westerly along the South line of Sections 12, 11, and 10 to the Southwest corner of said Section 10, Township 51 North, Range 5 West; being the TRUE POINT OF BEGINNING.

B. SHARED TIER

The shared tier shall generally constitute the balance of the Rathdrum Prairie that is not within the corporate limits of any other city and not within an exclusive Area of City Impact of any other city established by this Ordinance or of any other city established by prior Ordinance and located within the area enclosed by the Washington State line to the west, Highway 53 to the North, Highway 95 to the East, and Interstate 90 to the South that is not within the Exclusive Tier of Area of City Impact. The Shared Tier is more particularly described as follows:

The shared tier for this Area of City Impact shall consist of all of Sections 17, 18, and 20 Township 51 North, Range 4 West; a portion of Sections 7, 8, and 19, Township 51 North, Range 4 West; all of Sections 13, 14, 15, and 21, Township 51 North, Range 5 West; a portion of Sections 16, 17, 20, 22, 23, 24, 30, and 31, Township 51 North, Range 5 West; all of Section 36 and a portion of Section 25, Township 51 North, Range 6 West; a portion of Section 6, Township 50 North, Range 5 West Boise Meridian; and a portion of Section 1, Township 50 North, Range 6 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southeast corner of said Section 20, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE Northerly along the East section line of Sections 20, and 17, Township 51 North, Range 4 West, to the Northeast corner of said Section 17;

THENCE continuing Northerly along the east line of the Southeast quarter of Section 8, Township 51 North, Range 4 West, to the East quarter corner of said Section 8;

THENCE Westerly along the North line of the South 1/2 of Section 8 to the West quarter corner thereof, being also the Northeast corner of the Southeast quarter of Section 7, Township 51 North, Range 4 West;

THENCE continuing Westerly along the North line of the Southeast quarter of said Section 7, to the center quarter corner thereof;

THENCE Southerly along the East line of the Southwest Quarter of said Section 7 to the South quarter corner thereof;

THENCE Westerly along the South line of said Southwest Quarter of Section 7, to the Southwest corner thereof;

THENCE continuing Westerly along the South line of Sections 12, 11, and 10 to the Southwest corner of said Section 10, Township 51 North, Range 5 West;

THENCE continuing Westerly along the North line of Section 16, Township 51 North, Range 5 West, to a point on the center line of State Highway 53;

THENCE Southwesterly along the center line of State Highway 53 to a point on the East section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the South section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the North-South center section line of Section 20, Township 51 North, Range 5 West;

THENCE Southerly on the North-South center section line of said section 20, 4550 feet, more or less, to the South quarter corner of said section;

THENCE continuing Southerly along the East line of the North ½ of the Northwest ¼ of Section 29 Township 51 North, Range 5 West to the Southeast corner of said North ½ of the Northwest 1/4;

THENCE Westerly along the South line of said North ½ of the Northwest ¼ of Section 29 to the southwest corner of said North ½ of the Northwest ¼;

THENCE continuing Westerly along the South line of the North ½ of the Northeast ¼ of Section 30 a distance of 1400 feet, more or less, to a point on the Southerly line of Bonneville Power Administration, Avista (a.k.a. Washington Water Power), and Pacific Gas and Transmission easements as they cross Section 30, Township 51 North, Range 5 West;

THENCE Southwesterly along the Southerly line of said easements a distance of 4600 feet, more or less, to a point on the West section line of Section 30, also being the Northeast corner of the South ½ of the Southeast ¼ of Section 25, Township 51 North, Range 6 West;

THENCE Westerly along the North line of said South ½ of the Southeast ¼ of Section 25;

THENCE continuing Westerly along the North line of the South ½ of the Southwest ¼ of said Section 25 to a point on the Idaho State line;

THENCE Southerly along the State line to the Northwest corner of the City of Stateline;

THENCE Northerly and Easterly along the North boundary of the City of Stateline to where it intersects with the North right-of-way line of Seltice Way;

THENCE Easterly along Seltice Way to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 6, Township 50 North, Range 5 West;

THENCE Northerly to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 31, Township 51 North, Range 5 West;

THENCE Easterly along the North section line of Section 31, Township 51 North, Range 5 West, to the Northeast corner of said Section 31;

THENCE Easterly along the North section line of Section 32, Township 51 North, Range 5 West, to the Northeast corner of said Section 32;

THENCE Northerly along the West section line of Section 28, Township 51 North, Range 5 West, to the Northwest corner of said Section;

THENCE Easterly along the North section line to the Northeast corner of said Section 28, also being the Southwest corner of Section 22, Township 51 North, Range 5 West;

THENCE Northerly along the West section line of the Southwest quarter of Section 22 to the West quarter corner of said section;

THENCE Easterly along the North line of the South ½ of said Section 22, to the East quarter corner;

THENCE continuing Easterly along the North line of the South ½ of Sections 23 and 24 to the East quarter corner of said Section 24;

THENCE continuing Easterly along the North line of the Southwest ¼ of Section 19, Township 51 North, Range 4 West, to the center of said section;

THENCE Southerly along the East line of the Southwest ¼ of Section 19 to the South quarter corner of said section;

THENCE Easterly along the North section line of Section 30 and Section 29, Township 51 North, Range 4 West, to the Northeast corner of said Section 29, said corner also being the Southeast corner of Section 20, Township 51 North, Range 4 West B. M., the intersection of Huetter Road and Prairie Avenue and the POINT OF BEGINNING.

5. PRIOR ORDINANCES SUPERSEDED

This Ordinance and its companion Ordinance addressing the substantive regulations governing the Area of City Impact shall be deemed to supersede all prior Area of City Impact Ordinances of the respective participating public entities upon compliance with all contingencies set forth herein.

10. EFFECTIVE DATE

This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*.

DATED this 3rd day of November, 2005.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

S.J. "Gus" Johnson, Chairman

Elmer R. Currie, Commissioner

Katie Brodie, Commissioner

ATTEST:
DANIEL J. ENGLISH, CLERK

BY: Deputy Clerk

CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE
AUDITOR
AND
RECORDER
STATE OF IDAHO

Publication Date: 11-8-05

CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 373 of Kootenai County, Idaho, and the attached summary provides adequate notice to the public of the contents of said Ordinance.

DANIEL J. ENGLISH, CLERK

BY: _____
Deputy Clerk

CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE
AUDITOR
AND
RECORDER
STATE OF
IDAHO

NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance No. 373. The full text of the Ordinance addresses the following subject:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, ENACTED COOPERATIVELY WITH THE CITIES OF POST FALLS, RATHDRUM AND HAYDEN, IDAHO, SETTING FORTH THE COOPERATIVE BASES FOR SUCH ENACTMENT, ESTABLISHING AN EFFECTIVE DATE AND TERM OF DURATION, DESCRIBING LANDS MADE SUBJECT TO A TWO-TIERED AREA OF CITY IMPACT, PROVIDING THAT THIS ORDINANCE AND ITS COMPANION ORDINANCE ADDRESSING THE SUBSTANCE OF ANY AREA OF CITY IMPACT AGREEMENT AMONG THE PARTIES SHALL BE DEEMED TO SUPERSEDE ALL PRIOR AREA OF CITY IMPACT ORDINANCES OF THE RESPECTIVE PARTICIPATING PUBLIC ENTITIES.

The full text of Ordinance No. 373 is available at the Kootenai County Building and Planning Department, 451 Government Way, Coeur d'Alene, Idaho, 83814, weekdays, from 7:00 a.m. to 4:00 p.m.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

S.J. "Gus" Johnson, Chairman

ATTEST:

DANIEL J. ENGLISH, CLERK

BY: _____
Deputy Clerk

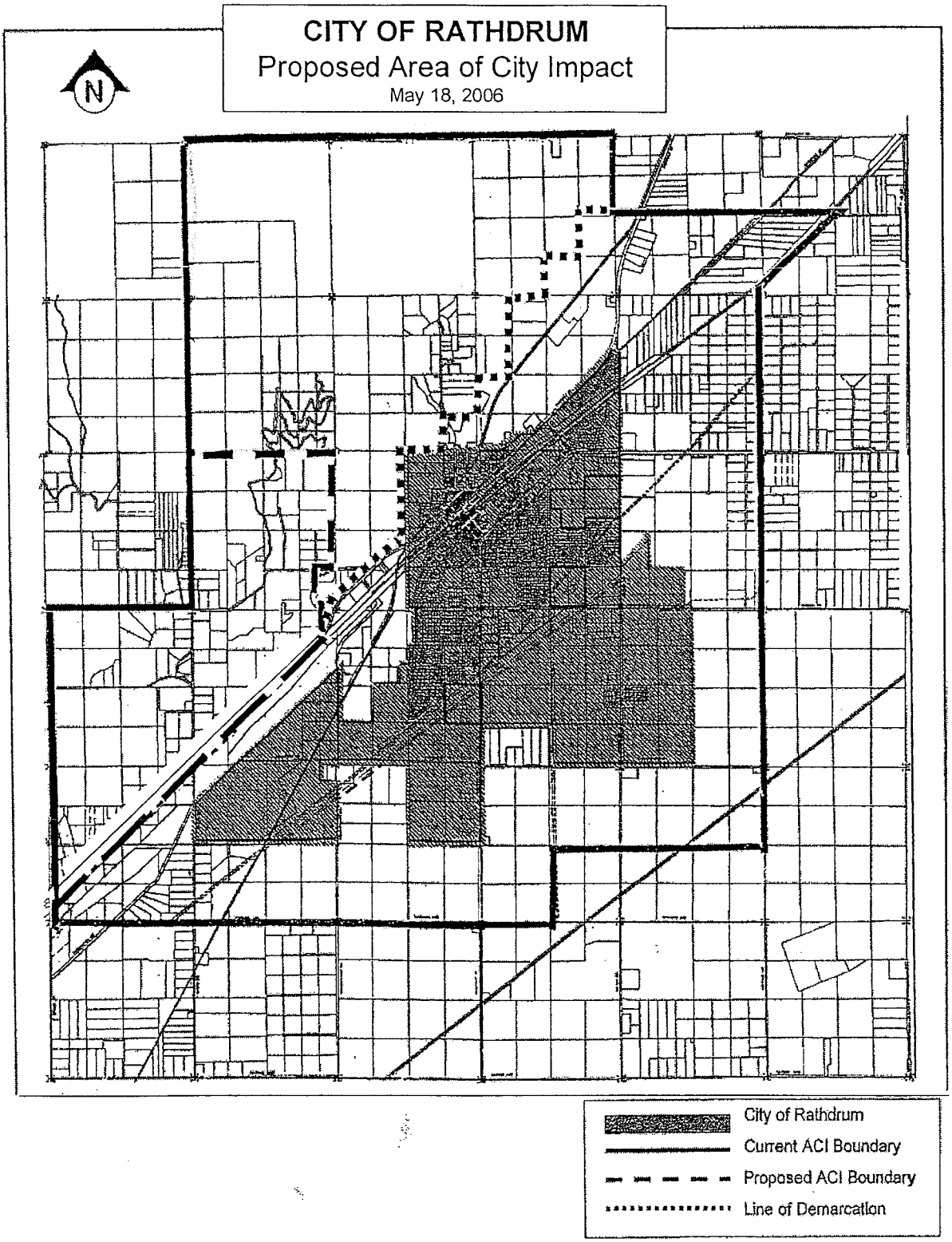
CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE AUDITOR AND RECORDER
STATE OF IDAHO

Publication Date: 11-8-05

CITY OF RATHDRUM

Proposed Area of City Impact

May 18, 2006



ORDINANCE NO. 373
CASE NO. OA-120-05 (City of Rathdrum- Coordinated ACI Map Amendment)
COUNTY COORDINATED AREA OF CITY IMPACT AGREEMENT

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, ENACTED COOPERATIVELY WITH THE CITIES OF POST FALLS, RATHDRUM AND HAYDEN, IDAHO, SETTING FORTH THE COOPERATIVE BASES FOR SUCH ENACTMENT, ESTABLISHING AN EFFECTIVE DATE AND TERM OF DURATION, DESCRIBING LANDS MADE SUBJECT TO A TWO-TIERED AREA OF CITY IMPACT, PROVIDING THAT THIS ORDINANCE AND ITS COMPANION ORDINANCE ADDRESSING THE SUBSTANCE OF ANY AREA OF CITY IMPACT AGREEMENT AMONG THE PARTIES SHALL BE DEEMED TO SUPERSEDE ALL PRIOR AREA OF CITY IMPACT ORDINANCES OF THE RESPECTIVE PARTICIPATING PUBLIC ENTITIES.

NOW, THEREFORE, be it ordained by the Kootenai County Board of Commissioners as follows:

1. RECITALS OF PREMISES OF COOPERATION

WHEREAS, Kootenai County and the cities of Rathdrum, Post Falls and Hayden are mutually facing the pressures and benefits of shared growth; and

WHEREAS, each of these public agencies shares jurisdiction regarding development and management of public services and facilities on lands within parts of the Rathdrum Prairie; and

WHEREAS, the Rathdrum Prairie has provided a land resource for private development that has added to the geographic area of the cities of Rathdrum, Post Falls and Hayden; and

WHEREAS, the Rathdrum Prairie Aquifer has served as a source of clean, available water to sustain life, health and economic development; and

WHEREAS, the Rathdrum Prairie has traditionally supplied open spaces that contribute to the overall quality of life upon and around it environs; and

WHEREAS, development of private lands on the Rathdrum Prairie has been subject to planning and regulation by one or more of the public agencies referenced above; and

WHEREAS, continued political pressure and ongoing litigation are challenging the viability of current agricultural practices, and owners of agricultural lands are seeking viable options for their future; and

WHEREAS, a regional approach to serving the Rathdrum Prairie with cooperative wastewater disposal options would be prudent and worthy of further study; and

WHEREAS, such cooperation among the parties may result in an area-wide wastewater master plan that includes the potential for land application of treated wastewater, thereby enabling options to sustain agriculture or to preserve open space on parts of the Rathdrum Prairie; and

WHEREAS, continuing agriculture on the Prairie holds significant potential to aid in preserving greenspace that will otherwise be lost if an affordable means for preservation cannot be found; and

WHEREAS, each of the parties hereto recognizes the need to protect the common water resource and to integrate means of transportation and provision of other public services in developing areas; and

WHEREAS, the parties recognize that the rate of urbanization for the communities that are a party to this Agreement will be different from one community to another; and

WHEREAS, Idaho law provides tools to allow the cooperation of counties and cities in public planning and implementation; and

WHEREAS, since the adoption of the Area of City Impact Agreements and Ordinances for the cities of Rathdrum, Post Falls and Hayden there have been significant changes while growth continues to be strong and sustained, thereby supporting amendment of the current Area of City Impact Agreements for the cities; and

WHEREAS, the parties share common goals and desire to engage in a shared, cooperative effort to chart a meaningful intergovernmental plan and implementation strategy for the Rathdrum Prairie.

NOW, THEREFORE, the parties hereto agree that a Coordinated Area of City Impact Agreement for the Cities of Rathdrum, Post Falls and Hayden is hereby adopted with the following terms and conditions:

2. EFFECTIVE DATE

This Agreement/Ordinance shall be effective with respect to Kootenai County and each respective city referenced herein upon the latter day of the date of publication of this ordinance after passage or the date of publication of a companion ordinance enacted by each cooperating city. This Ordinance establishing Area of City Impact boundaries for each of the respective cities referenced herein shall not become effective with respect to each respective city until said city passes and publishes an Area of City Impact Ordinance consistent with the provisions of this Ordinance.

3. TERM – EARLY TERMINATION

The term of this Ordinance shall be for a period of five (5) years from the initial effective date set forth above. The parties further agree to begin renegotiation of their respective Area of City Impact Agreements no later than three and one-half (3½) years after the initial effective date set forth above. If the parties are unable to agree upon a replacement for this Agreement within five (5) years from its initial effective date, this Agreement shall remain in full force and effect with each party thereafter authorized to seek a two-party Area of City Impact Agreement with Kootenai County that would supersede this Agreement with respect to that city. Any participating city that elects to terminate participation as set forth herein prior to expiration of the five-year term, or before mutual agreement upon a superseding cooperative agreement, whichever comes first, shall be entitled to 15 days prior notice of any special use, subdivision or rezoning proposals within an area ½ mile from its corporate boundary as such boundary existed on the initial effective date of this Ordinance. Otherwise, regular County standards and procedures would apply.

4. TWO-TIERED AREA OF CITY IMPACT

A. By separate ordinance adopted on the same date as this Ordinance, the parties agree that the Area of City Impact for each of the cities signatory hereto shall consist of two tiers. The exclusive tiers of Area of City Impact for the respective cities are hereby described as follows:

For the City of Hayden lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Hayden:

1. Exclusive Tier for City Of Hayden

The exclusive tier for the City of Hayden shall consist of all of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, and 23, Township 51 North, Range 4 West Boise Meridian; a part of Sections 24, 25, and 26, Township 51 North, Range 4 West Boise Meridian; and a part of Sections 7, 19, and 30, Township 51 North, Range 3 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southwest corner of said Section 21, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE East along the South lines of said Sections 21, 22, and 23 to the Easterly right-of-way line of U.S. Highway 95 in said Section 23;

THENCE South 5° 51' West, 630 feet, more or less, along said Easterly right-of-way line to Highway right-of-way monument P.T. 153+44.70;

THENCE 347.38 feet along said Easterly right-of-way line on the arc of a 28,537.9 foot radius curve left, said curve having a chord bearing South 5° 28'06" West, 347.38 feet to the Northerly right-of-way line of Aqua Avenue;

THENCE South 88° 57'32" East, 1275.35 feet along said Northerly right-of-way line to its intersection with the Westerly right-of-way line of Government Way (a.k.a. Old Highway 95);

THENCE continuing South 88° 57'32" East, 60.00 feet, and leaving said Westerly right-of-way line to the Easterly right-of-way line of said Government Way and the Westerly line of the City of Dalton Gardens;

THENCE North 1° 04'06" East, 989.24 feet (of record as North) along said Easterly right-of-way line and the Northerly projection thereof, and said Westerly line of the City of Dalton Gardens to a point on the South line of said Section 24 on the centerline of Prairie Avenue, said point also being the Northwest corner of the City of Dalton Gardens;

THENCE East 3930.00 feet, more or less, along the South line of said Section and the Northerly line of the City of Dalton Gardens to the East 1/16 section corner common to said Sections 24 and 25;

THENCE along the Northwesterly boundary of that certain right-of-way easement granted from Charles Finucane and Marion Finucane to the Dalton Gardens Irrigation District on the 13th day of March 1954, as Instrument Number 284140, records of said County, and described as follows:

> "a strip of land 11 feet in width situated in the Southeast Quarter of Section 24, Township 51 North, Range 4 West Boise Meridian, Kootenai County, Idaho, the centerline of said strip of land being parallel with and 12 feet to the left of the following described line:
>
> BEGINNING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 24;
>
> North 34° 44' East, 750.0 feet;
>
> thence North 31° 20' East, 241.4 feet;
>
> thence along a curve to the right, 190.0 feet;

thence North 69° 20' East, 618.6 feet to a point on the East line of said Southeast Quarter of Section 24, said point being 129.0 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 24, all in Kootenai County, Idaho";

THENCE South (from said point, being 129.0 feet South of the Northeast corner of the SE 3 of the SE 3 of said section, which point is also North 47° 41'00" East, 1740.97 feet from the East 1/16 section corner common to said Sections 24 and 25), along the East line of said Section 24 to the corner common to said Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

THENCE South 89° 00'11" East, 30.0 feet along the North line of said Section 30;

THENCE South 0° 46'08" East, 239.76 feet;

THENCE South 89° 29'17" East, 170.0 feet;

THENCE South 31° 28'59" East, 450.19 feet to the Northwest corner of Lot 1, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

THENCE traversing the northerly line of Block 2 of said WOODLAND HEIGHTS, as follows:

South 49° 39'15" East, 647.74 feet;

thence South 64° 21'30" East, 415.97 feet;

thence South 83° 51'30" East, 158.91 feet;

thence North 82° 20'15" East, 52.47 feet to the Northeast corner of Lot 7, Block 2 of said Plat;

THENCE leaving said plat of WOODLAND HEIGHTS, North 68° 42'25" East, 1660.00 feet (of record as North 66° East, 1657 feet, more or less) along the Southerly line of WOODLAND HEIGHTS 5th ADDITION, according to the plat on file in Book G of Plats at page 64, and said Southerly line extended;

THENCE North 86° 59'57" East, 150.00 feet (of record as North 87° East, 150 feet, more or less);

THENCE South 47° 00'03" East, 575.00 feet (of record as South 47° East, 575 feet, more or less);

THENCE South 89° 59'57" East, 475.00 feet (of record as East, parallel with the North line of said Section 30, a distance of 475 feet, more or less), to a point on the East line of the NW 3 of the NE 3 of said Section 30, said point being South 0° 10'56" East, 975.00 feet from the Northeast corner of said NW 3 of the NE 3;

THENCE South, along the East line of said NW 3 of the NE 3 to the Southeast corner thereof;

THENCE East along the South line of the NE 3 of the NE 3 of said Section 30, to the Southeast corner thereof;

THENCE North along the East line of said NE 3 of the NE 3 to the Northeast corner of said Section 30 (corner to said Sections 19, 20, 29, and 30);

THENCE North along the East line of said Section 19 to the shoreline of Hayden Lake;

THENCE Westerly, Northerly, and Easterly along the mean high water line of Hayden Lake to the Southeast corner of Tax Number 1560, according to Book 91 of Deeds at page 514;

THENCE West along the Southerly line of said Tax Number, also being along the Southerly line of the Village of Hayden Lake, according to said Book 91 of Deeds at page 514, and also being along said Southerly line extended to the Westerly right-of-way line of Chalet Road;

THENCE Northerly along said Westerly right-of-way line to the Southerly line of a parcel recorded in Book 76 of Deeds at page 425, as Instrument Number 16016;

THENCE West along said Southerly line, parallel with the North line of the NW 3 of said Section 19, a distance of 1265.9 feet, more or less, to the West line of said NW 3;

THENCE North along said West line to the Northwest corner of said Section 19, at Hayden Avenue;

THENCE North along the East lines of said Sections 13 and 12 to the 3 section corner common to said Section 12, Township 51 North, Range 4 West, and said Section 7, Township 51 North, Range 3 West, being on the centerline of Strahorn Road;

THENCE North 0° 03'45" East, 770.8 feet along the West line of the NW 3 of said Section 7 and also being the centerline of Strahorn Road;

THENCE Northeasterly along said centerline to the North line of said Section 7;

THENCE West along the North line of said Section 7 to the Northwest corner thereof (corner to said Sections 1, 12, 6, and 7);

THENCE North along the East line of said Section 1 to the Northeast corner thereof (corner common to Sections 1, 6, 31, and 36);

THENCE West along the North line of said Section 1 and the North lines of Sections 2, 3, and 4, Township 51 North, Range 4 West Boise Meridian, to the Northwest corner of said Section 4;

THENCE South along the West line of Sections 4, 9, 16, and 21, Township 51 North, Range 4 West Boise Meridian, to the Southwest corner of said Section 21, the POINT OF BEGINNING.

2. Exclusive Tier for City of Post Falls

For the City of Post Falls lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Post Falls:

The exclusive tier for the City of Post Falls shall consist of all of Sections 25, 26, 27, 28, 32, 33, 34, 35, and 36, Township 51 North, Range 5 West Boise Meridian; a part of Sections 22, 23, 24, and 31, Township 51 North, Range 5 West Boise Meridian; all of Sections 19, 29, 30, 31, and 32, Township 51 North, Range 4 West Boise Meridian; all of Sections 5 and 6, Township 50 North, Range 4 West Boise Meridian; that part of Sections 7 and 8, Township 50 North, Range 4 West Boise Meridian lying North of the Spokane River; all of Sections 1, 2, and 6, Township 50 North, Range 5 West Boise Meridian; part of Sections 3, 4, 5, 7, 8, 11, and 12, Township 50 North, Range 5 West Boise Meridian; and part of Sections 1 and 12, Township 50 North, Range 6 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Northwest corner of Section 28, Township 51 North, Range 5 West, Boise Meridian;

THENCE Easterly along the North section line to the Northeast corner of said Section 28, also being the Southwest corner of Section 22, Township 51 North, Range 5 West;

THENCE Northerly along the West section line of the Southwest quarter of Section 22 to the West quarter corner of said section;

THENCE Easterly along the north line of the South ½ of said Section 22, to the east quarter corner;

THENCE continuing Easterly along the north line of the South ½ of Sections 23 and 24 to the east quarter corner of said Section 24;

THENCE continuing Easterly along the North line of the Southwest ¼ of Section 19, Township 51 North, Range 4 West, to the center of said section;

THENCE Southerly along the East line of the Southwest ¼ of Section 19 to the South quarter corner of said section;

THENCE Easterly along the North section line of Section 30 and Section 29, Township 51 North, Range 4 West, to the Northeast corner of said Section 29;

THENCE Southerly along the centerline of Huetter Road to the Southeast corner of Section 5, Township 50 North, Range 4 West;

THENCE Southerly along the East line of Section 8, Township 50 North, Range 4 West, to a point on the North bank of the Spokane River;

THENCE Westerly along the North bank of the Spokane River and existing city limits to a point on the East right-of-way line of Spokane Street where it meets the river;

THENCE Southerly along the East side of the Spokane Street bridge across the Spokane River and along the East line of Spokane Street to the north side of Park Way Drive, also being the North line of Section 10, Township 50 North, Range 5 West;

THENCE Westerly along the North line of Section 10, Township 50 North, Range 5 West, to the Northwest corner of said section;

THENCE Northerly along the East line of Section 4, Township 50 North, Range 5 West, to a point on the South bank of the South channel of the Spokane River;

THENCE Westerly along the South bank of the South channel of the Spokane River to the main channel and continuing Westerly along the centerline of the Spokane River to the Washington State line;

THENCE Northerly along the Washington State line to a point on the South right-of-way line of Seltice Way;

THENCE Northeasterly along the Southeast boundary of the City of Stateline to where it intersects with the North right-of-way line of Seltice Way;

THENCE Easterly along Seltice Way to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 6, Township 50 North, Range 5 West;

THENCE Northerly to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 31, Township 51 North, Range 5 West;

THENCE Easterly along the North section line of Sections 31 and 32, Township 51 North, Range 5 West, to the Northeast corner of said Section 32;

THENCE Northerly along the West section line of Section 28, Township 51 North, Range 5 West, to the Northwest corner of said Section, being the POINT OF BEGINNING.

3. Exclusive Tier for City of Rathdrum

For the City of Rathdrum lands not within the City limits, but situated within the following legal description, shall fall within the exclusive Area of City Impact for the City of Rathdrum:

The exclusive tier for the City of Rathdrum shall consist of all of Sections 5, and 6, and portions of Sections 7 and 8, Township 51 North, Range 4 West Boise Meridian; all of Sections 1, 2, 3, 10, 11, and 12, Township 51 North, Range 5 West Boise Meridian; all of Sections 19, ~~28,~~ 29, 30, 31, 32, and ~~33,~~ and a part of Sections 20 and 21 Township 52 North, Range 4 West Boise Meridian; and all of Sections 23, 24, 25, 26, 35, and 36 Township 52 North, Range 5 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

Beginning at the Southwest corner of Section 10, Township 51 North, Range 5 West, thence Northerly as follows:

Along the West lines of said Section 10 and Section 3 to the Northwest corner of Section 3, Township 51 North, Range 5 West;

THENCE Easterly along the North line of Section 3, to the Northeast corner thereof;

THENCE Northerly along the West line of Sections 35, 26, and 23 to the Northwest corner of Section 23, Township 52 North, Range 5 West;

THENCE Easterly along the North line of said Section 23 and Section 24, Township 52 North, Range 5 West;

THENCE continuing Easterly along the North line Section 19, Township 52 North, Range 4 West to the Northeast corner thereof;

THENCE Southerly along the East line of the Northeast quarter of said Section 19 to the East quarter corner thereof, being also the West quarter corner of said Section 20;

THENCE Easterly along the North line of the Southwest quarter of said Section 20, to the center quarter thereof;

THENCE along the North line of the Southeast quarter of said Section 20 to the East quarter corner thereof, being also the West quarter corner of Section 21 of said Township 52 North, Range 4 West;

THENCE along the North line of the Southwest quarter of said Section 21, a distance of 2,100 feet, more or less, to a point on the northerly line of the Burlington Northern Sante Fe right-of-way;

THENCE along said right-of-way southwesterly a distance of 2,850 feet, more or less, to a point on the West line of Section 21, being also the East line of Section 20;

THENCE along the West line of Section 21, being also the East line of Section 20 a distance of 750 feet, more or less, to the Southwest corner of Section 21, being also the Southeast corner of Section 20;

THENCE southerly along the East line of Section 29 and Section 32 to the Southeast corner thereof;

THENCE Southerly along the East line of said Section 5, to the Southeast corner thereof, being also the Northeast corner of Section 8 of Township 51 North, Range 4 West;

THENCE Southerly along the East line of the Northeast quarter of said Section 8, to the East quarter corner thereof;

THENCE Westerly along the South line of said Northeast quarter of Section 8 to the center quarter thereof;

THENCE along the South line of the Northwest quarter of said Section 8, to the West quarter corner thereof, being also the Southeast corner of the Northeast quarter of Section 7, Township 51 North, Range 4 West;

THENCE along the South line of the Northeast quarter of said Section 7, to the center quarter corner thereof;

THENCE Southerly along the East line of the Southwest Quarter of said Section 7 to the South quarter corner thereof;

THENCE Westerly along the South line of said Southwest Quarter of Section 7, to the Southwest corner thereof;

THENCE continuing Westerly along the South line of Sections 12, 11, and 10 to the Southwest corner of said Section 10, Township 51 North, Range 5 West; being the TRUE POINT OF BEGINNING.

B. SHARED TIER

The shared tier shall generally constitute the balance of the Rathdrum Prairie that is not within the corporate limits of any other city and not within an exclusive Area of City Impact of any other city established by this Ordinance or of any other city established by prior Ordinance and located within the area enclosed by the Washington State line to the west, Highway 53 to the North, Highway 95 to the East, and Interstate 90 to the South that is not within the Exclusive Tier of Area of City Impact. The Shared Tier is more particularly described as follows:

The shared tier for this Area of City Impact shall consist of all of Sections 17, 18, and 20 Township 51 North, Range 4 West; a portion of Sections 7, 8, and 19, Township 51 North, Range 4 West; all of Sections 13, 14, 15, and 21, Township 51 North, Range 5 West; a portion of Sections 16, 17, 20, 22, 23, 24, 30, and 31, Township 51 North, Range 5 West; all of Section 36 and a portion of Section 25, Township 51 North, Range 6 West; a portion of Section 6, Township 50 North, Range 5 West Boise Meridian; and a portion of Section 1, Township 50 North, Range 6 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southeast corner of said Section 20, Township 51 North, Range 4 West B. M., being the intersection of Huetter Road and Prairie Avenue;

THENCE Northerly along the East section line of Sections 20, and 17, Township 51 North, Range 4 West, to the Northeast corner of said Section 17;

THENCE continuing Northerly along the east line of the Southeast quarter of Section 8, Township 51 North, Range 4 West, to the East quarter corner of said Section 8;

THENCE Westerly along the North line of the South 1/2 of Section 8 to the West quarter corner thereof, being also the Northeast corner of the Southeast quarter of Section 7, Township 51 North, Range 4 West;

THENCE continuing Westerly along the North line of the Southeast quarter of said Section 7, to the center quarter corner thereof;

THENCE Southerly along the East line of the Southwest Quarter of said Section 7 to the South quarter corner thereof;

THENCE Westerly along the South line of said Southwest Quarter of Section 7, to the Southwest corner thereof;

THENCE continuing Westerly along the South line of Sections 12, 11, and 10 to the Southwest corner of said Section 10, Township 51 North, Range 5 West;

THENCE continuing Westerly along the North line of Section 16, Township 51 North, Range 5 West, to a point on the center line of State Highway 53;

THENCE Southwesterly along the center line of State Highway 53 to a point on the East section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the South section line of Section 17, Township 51 North, Range 5 West;

THENCE continuing along the center line of State Highway 53 to a point on the North-South center section line of Section 20, Township 51 North, Range 5 West;

THENCE Southerly on the North-South center section line of said section 20, 4550 feet, more or less, to the South quarter corner of said section;

THENCE continuing Southerly along the East line of the North ½ of the Northwest ¼ of Section 29 Township 51 North, Range 5 West to the Southeast corner of said North ½ of the Northwest 1/4;

THENCE Westerly along the South line of said North ½ of the Northwest ¼ of Section 29 to the southwest corner of said North ½ of the Northwest ¼;

THENCE continuing Westerly along the South line of the North ½ of the Northeast ¼ of Section 30 a distance of 1400 feet, more or less, to a point on the Southerly line of Bonneville Power Administration, Avista (a.k.a. Washington Water Power), and Pacific Gas and Transmission easements as they cross Section 30, Township 51 North, Range 5 West;

THENCE Southwesterly along the Southerly line of said easements a distance of 4600 feet, more or less, to a point on the West section line of Section 30, also being the Northeast corner of the South ½ of the Southeast ¼ of Section 25, Township 51 North, Range 6 West;

THENCE Westerly along the North line of said South ½ of the Southeast ¼ of Section 25;

THENCE continuing Westerly along the North line of the South ½ of the Southwest ¼ of said Section 25 to a point on the Idaho State line;

THENCE Southerly along the State line to the Northwest corner of the City of Stateline;

THENCE Northerly and Easterly along the North boundary of the City of Stateline to where it intersects with the North right-of-way line of Seltice Way;

THENCE Easterly along Seltice Way to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 6, Township 50 North, Range 5 West;

THENCE Northerly to a point that is the Northwest corner of the Northeast quarter of the Northeast quarter of Section 31, Township 51 North, Range 5 West;

THENCE Easterly along the North section line of Section 31, Township 51 North, Range 5 West, to the Northeast corner of said Section 31;

THENCE Easterly along the North section line of Section 32, Township 51 North, Range 5 West, to the Northeast corner of said Section 32;

THENCE Northerly along the West section line of Section 28, Township 51 North, Range 5 West, to the Northwest corner of said Section;

THENCE Easterly along the North section line to the Northeast corner of said Section 28, also being the Southwest corner of Section 22, Township 51 North, Range 5 West;

THENCE Northerly along the West section line of the Southwest quarter of Section 22 to the West quarter corner of said section;

THENCE Easterly along the North line of the South ½ of said Section 22, to the East quarter corner;

THENCE continuing Easterly along the North line of the South ½ of Sections 23 and 24 to the East quarter corner of said Section 24;

THENCE continuing Easterly along the North line of the Southwest ¼ of Section 19, Township 51 North, Range 4 West, to the center of said section;

THENCE Southerly along the East line of the Southwest ¼ of Section 19 to the South quarter corner of said section;

THENCE Easterly along the North section line of Section 30 and Section 29, Township 51 North, Range 4 West, to the Northeast corner of said Section 29, said corner also being the Southeast corner of Section 20, Township 51 North, Range 4 West B. M., the intersection of Huetter Road and Prairie Avenue and the POINT OF BEGINNING.

5. PRIOR ORDINANCES SUPERSEDED

This Ordinance and its companion Ordinance addressing the substantive regulations governing the Area of City Impact shall be deemed to supersede all prior Area of City Impact Ordinances of the respective participating public entities upon compliance with all contingencies set forth herein.

10. EFFECTIVE DATE

This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*.

DATED this 3rd day of November, 2005.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

S.J. "Gus" Johnson, Chairman

Elmer R. Currie, Commissioner

Katie Brodie, Commissioner

ATTEST:
DANIEL J. ENGLISH, CLERK

BY: Deputy Clerk

CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE
AUDITOR
AND
RECORDER
STATE OF IDAHO

Publication Date: 11-8-05

CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 373 of Kootenai County, Idaho, and the attached summary provides adequate notice to the public of the contents of said Ordinance.

DANIEL J. ENGLISH, CLERK

BY: _____
Deputy Clerk

CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE
AUDITOR
AND
RECORDER
STATE OF
IDAHO

NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance No. 373. The full text of the Ordinance addresses the following subject:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, ENACTED COOPERATIVELY WITH THE CITIES OF POST FALLS, RATHDRUM AND HAYDEN, IDAHO, SETTING FORTH THE COOPERATIVE BASES FOR SUCH ENACTMENT, ESTABLISHING AN EFFECTIVE DATE AND TERM OF DURATION, DESCRIBING LANDS MADE SUBJECT TO A TWO-TIERED AREA OF CITY IMPACT, PROVIDING THAT THIS ORDINANCE AND ITS COMPANION ORDINANCE ADDRESSING THE SUBSTANCE OF ANY AREA OF CITY IMPACT AGREEMENT AMONG THE PARTIES SHALL BE DEEMED TO SUPERSEDE ALL PRIOR AREA OF CITY IMPACT ORDINANCES OF THE RESPECTIVE PARTICIPATING PUBLIC ENTITIES.

The full text of Ordinance No. 373 is available at the Kootenai County Building and Planning Department, 451 Government Way, Coeur d'Alene, Idaho, 83814, weekdays, from 7:00 a.m. to 4:00 p.m.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

S.J. "Gus" Johnson, Chairman

ATTEST:

DANIEL J. ENGLISH, CLERK

BY: _____
Deputy Clerk

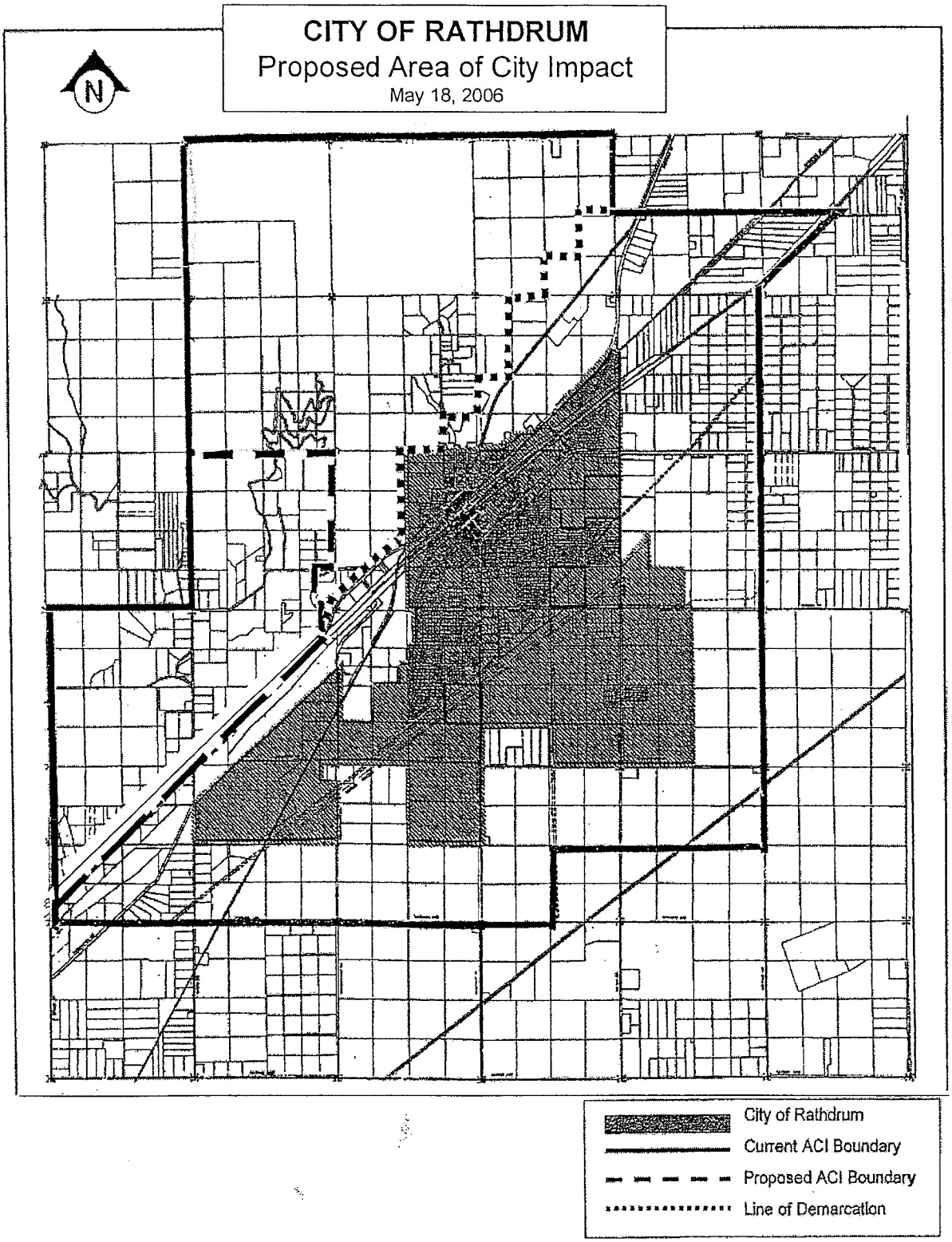
CLERK OF 1ST DISTRICT
FIRST JUDICIAL DISTRICT-KOOTENAI COUNTY
OFFICE AUDITOR AND RECORDER
STATE OF IDAHO

Publication Date: 11-8-05

CITY OF RATHDRUM

Proposed Area of City Impact

May 18, 2006



ORDINANCE NO. 225

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE SPIRIT LAKE AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Spirit Lake, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Spirit Lake within the unincorporated area of Kootenai County; and

WHEREAS, a joint public hearing, pursuant to public notice as required by law, was held by the Spirit Lake City Council and the Kootenai County Board of Commissioners on March 20, 1995, on the Map identifying an Area of City Impact; and

WHEREAS, the City of Spirit Lake and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact, as Area 1, and a Watershed Notification Area, as Area 2, for the City of Spirit Lake within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact and Watershed Notification Area, known as Areas 1 and 2, respectively, within the unincorporated area of Kootenai County are particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

A legal description for the exterior boundary of the Area of City Impact, Area 1, for the City of Spirit Lake, Idaho:

BEGINNING at the northeast corner of Section 4, Township 53 North, Range 4 West, Boise Meridian;

THENCE, west along the north line of Sections 4, 5, and 6, to the northwest corner of Section 6, Township 53 North, Range 4 West, B.M.;

THENCE, south along the west line of Sections 6, 7, and 18, to the southwest corner of Section 18, Township 53 North, Range 4 West, B.M.;

THENCE, east along the south line of Sections 18, 17, and 16, to the southeast corner of Section 16, Township 53 North, Range 4 West, B.M.;

THENCE, north along the east line of Sections 16, 9, and 4, to the northeast corner of Section 4, Township 53 North, Range 4 West, B.M., the point of beginning.

A legal description for the exterior boundary of the Watershed Notification Area, Area 2, for the City of Spirit Lake, Idaho:

BEGINNING at the northeast corner of Section 1, Township 53 North, Range 5 West, Boise Meridian;

THENCE, west along the north line of said Section 1 and Section 2, Township 53 North, Range 5 West, B.M., to a point that is the northwest corner of the northeast quarter of said Section 2;

THENCE, south along the west line of the northeast quarter of Section 2 to the southwest corner of said quarter section;

THENCE, west along the half section line of Sections 2, 3, and 4, to the northwest corner of the south 1/2 of Section 4, Township 53 North, Range 5 West, B.M.;

THENCE, south along the west line of said half section, to the northeast corner of Section 8, Township 53 North, Range 5 West, B.M.;

THENCE, west along the north line of Section 8, to the northwest corner of said section;

THENCE, south along the west line of Sections 8, 17, 20, and 29, to the half section line of Section 29, Township 53 North, Range 5 West, B.M.;

THENCE, east along the half section line of Sections 29, 28, 27, and 26, to the southeast corner of the north 1/2 of Section 26, Township 53 North, Range 5 West, B.M.;

THENCE, north along the east line of Section 26, to the southwest corner of Section 24, Township 53 North, Range 5 West, B.M.;

THENCE, east along the south line of Sections 24 and 19, to the southeast corner of Section 19, Township 53 North, Range 4 West, B.M.;

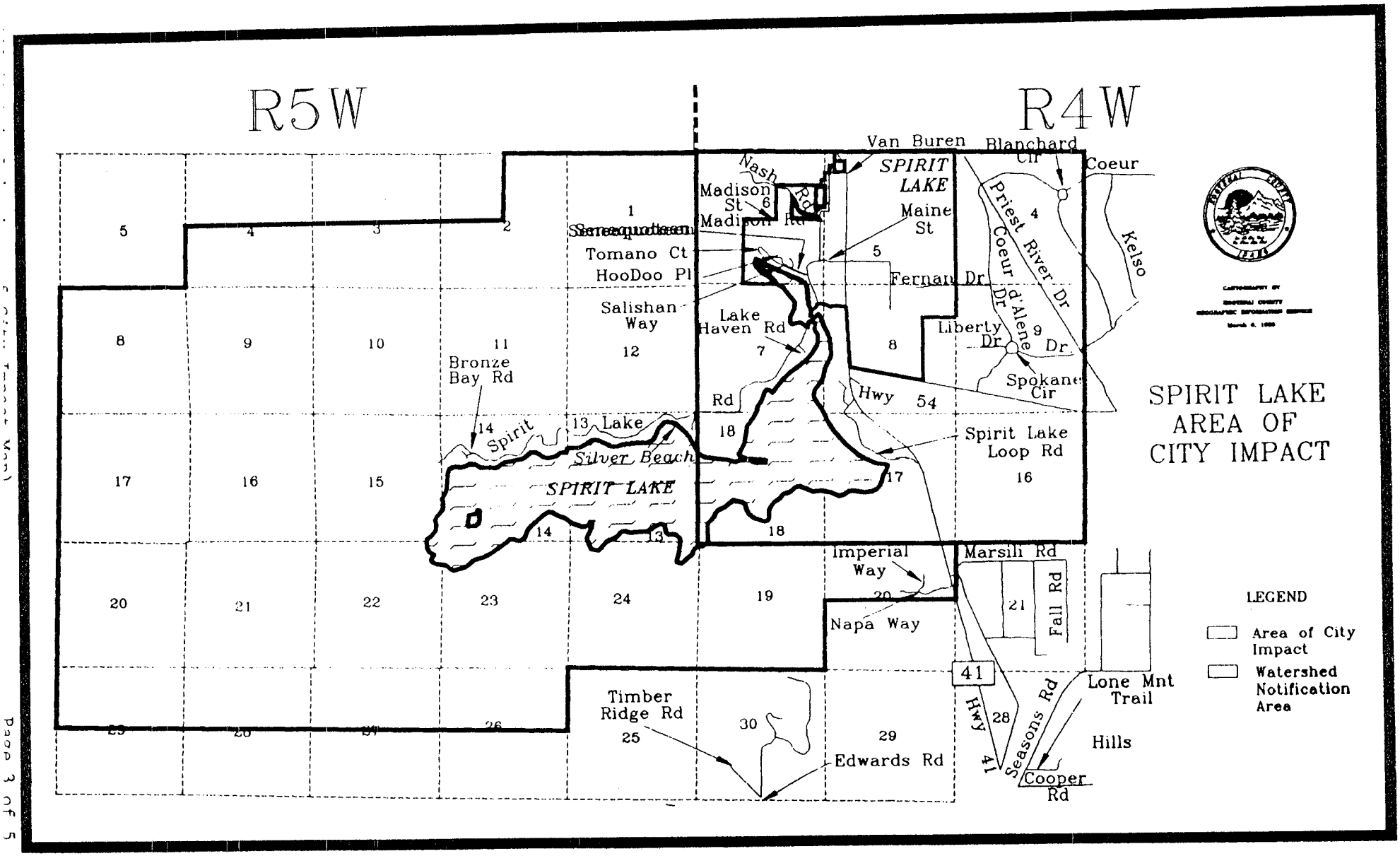
THENCE, north along the east line of Section 19, to the southwest corner of the north 1/2 of Section 20, Township 53 North, Range 4 West, B.M.;

THENCE, east along the south line of the half section to the southeast corner of said half section;

THENCE, north along the east line of Section 20, to the northeast corner of Section 20, Township 53 North, Range 4 West, B.M.;

THENCE, west along the north line of Sections 20 and 19, to the northwest corner of Section 19, Township 53 North, Range 4 West, B.M.;

THENCE, north along the east line of Sections 13, 12, and 1, to the northeast corner of Section 1, Township 53 North, Range 5 West, B.M., the point of beginning.


R5W
R4W
SPIRIT LAKE AREA OF CITY IMPACT
SPIRIT LAKE
Van Buren
Blanchard
Cir
Coeur
Nash Rd
Madison St
Madison Rd
Maine St
Priest River Dr
Coeur d'Alene Dr
Kelso
Tomano Ct
HooDoo Pl
Fernan Dr
Salishan Way
Lake Haven Rd
Liberty Dr
Spokane Cir
Bronze Bay Rd
Hwy 54
Spirit Lake Loop Rd
Silver Beach
SPIRIT LAKE
Imperial Way
Marsili Rd
Fall Rd
Napa Way
41
Lone Mnt Trail
Timber Ridge Rd
Edwards Rd
Seasons Rd
Hwy 41
Cooper Rd
Hills
LEGEND
Area of City Impact
Watershed Notification Area

Section 3

This Map is adopted in conjunction with Ordinance No. 226, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 19th day of April 1995.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Dick Compton, Chairman

Bob Macdonald, Commissioner

Richard C. Panabaker, Commissioner

ATTEST:

TOM TAGGART, CLERK

BY: Deputy Clerk

Publish: April 24, 1995

ORDINANCE NO. 222

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Worley, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Worley within the unincorporated area of Kootenai County; and

WHEREAS, the Board of County Commissioners, pursuant to public notice as required by law, held a public hearing on March 22, 1995, on the map identifying an area of city impact; and

WHEREAS, the City of Worley and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a map identifying an Area of City Impact for the City of Worley within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map in said Section 2, which map shall be in effect until amended or modified as allowed by law.

Section 2

A legal description for the Area of City Impact for the City of Worley, Idaho, more particularly described as follows:

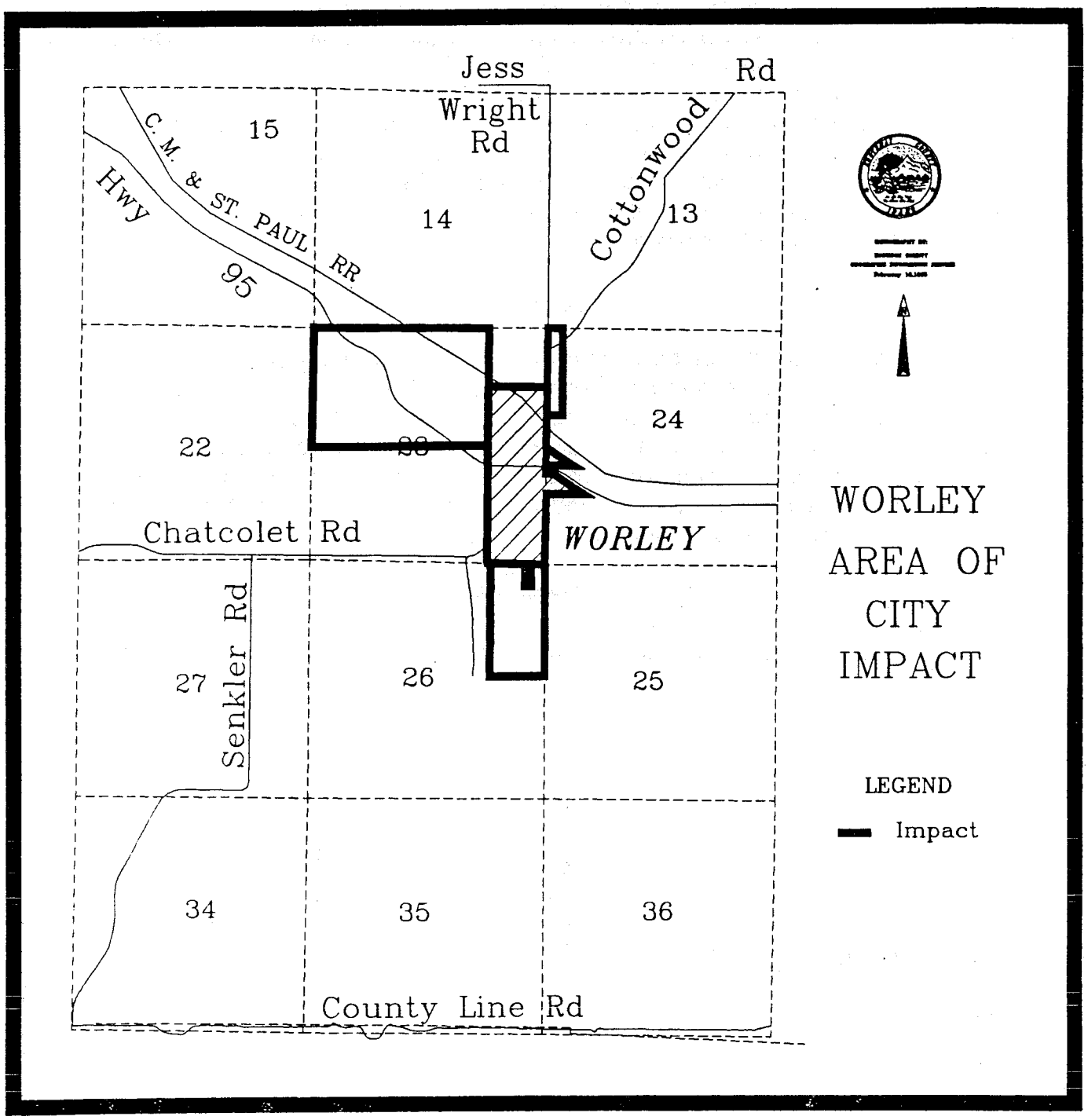
The West 1/2 of the Northeast 1/4, and the Northwest 1/4 of Section 23, Township 47 North, Range 5 West B.M; and

The West 5 acres of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 47 North, Range 5 West B.M.; and

The East 1/2 of the Northeast 1/4 of Section 26, Township 47 North, Range 5 West B.M., except a tract of land located in the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 47 North, Range 5 West, B.M., Kootenai County, Idaho, more particularly described as follows: Beginning at a point which is N 89°36' W along the North line of said Section 26, 331.40 feet from the Northeast corner of said Section 26, said point

being the True Point of Beginning of this description; thence South 150.00 feet to a point; thence N 89°36' W 60.00 feet to a point; thence North 150.00 feet to a point; thence S 89°36' E, along the North line of said Section 26, 60.00 feet to the True Point of Beginning and the last point of this description. Said Tract of land contains 0.207 acres. And,

A tract of land north of Highway 95 and east of Worley, Idaho, beginning at a point 2109.1 feet N 00°10' E of the corner of Sections 23-24-25-26, Township 47 North, Range 5 West; thence N 00°10' E 277.4 feet to an iron pipe; thence S 46°49' E 404.5 feet to an iron pin; thence west 294.06 feet to an iron pin, the Place of Beginning.


Jess
Rd
Wright
Rd
15
14
13
C. M. & ST. PAUL RR
Hwy
95
Cottonwood
24
22
23
Chatcolet Rd
WORLEY
Senkler Rd
27
26
25
34
35
36
County Line Rd
WORLEY
AREA OF
CITY
IMPACT
LEGEND
Impact

Section 3

That this Map is adopted in conjunction with Ordinance No. 223, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

EFFECTIVE DATE: This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 29th day of March 1995.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Dick Compton, Chairman

ATTEST:

Bob Macdonald, Commissioner

TOM TAGGART, CLERK

Richard C. Panabaker, Commissioner

BY: Deputy Clerk

Publish April 4, 1995

ORDINANCE NO. 222

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Worley, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Worley within the unincorporated area of Kootenai County; and

WHEREAS, the Board of County Commissioners, pursuant to public notice as required by law, held a public hearing on March 22, 1995, on the map identifying an area of city impact; and

WHEREAS, the City of Worley and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a map identifying an Area of City Impact for the City of Worley within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map in said Section 2, which map shall be in effect until amended or modified as allowed by law.

Section 2

A legal description for the Area of City Impact for the City of Worley, Idaho, more particularly described as follows:

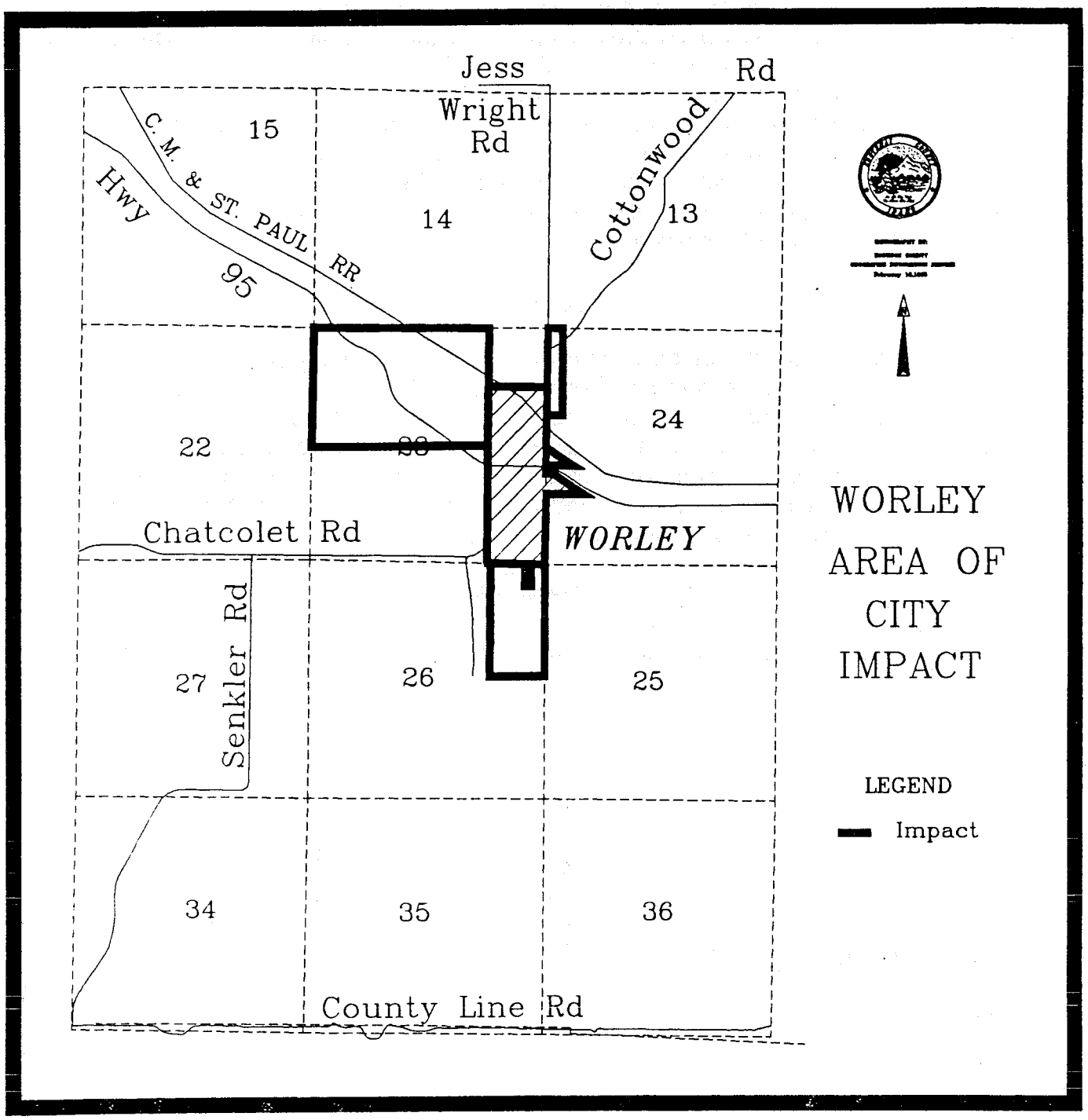
The West 1/2 of the Northeast 1/4, and the Northwest 1/4 of Section 23, Township 47 North, Range 5 West B.M; and

The West 5 acres of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 47 North, Range 5 West B.M.; and

The East 1/2 of the Northeast 1/4 of Section 26, Township 47 North, Range 5 West B.M., except a tract of land located in the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 47 North, Range 5 West, B.M., Kootenai County, Idaho, more particularly described as follows: Beginning at a point which is N 89°36' W along the North line of said Section 26, 331.40 feet from the Northeast corner of said Section 26, said point

being the True Point of Beginning of this description; thence South 150.00 feet to a point; thence N 89°36' W 60.00 feet to a point; thence North 150.00 feet to a point; thence S 89°36' E, along the North line of said Section 26, 60.00 feet to the True Point of Beginning and the last point of this description. Said Tract of land contains 0.207 acres. And,

A tract of land north of Highway 95 and east of Worley, Idaho, beginning at a point 2109.1 feet N 00°10' E of the corner of Sections 23-24-25-26, Township 47 North, Range 5 West; thence N 00°10' E 277.4 feet to an iron pipe; thence S 46°49' E 404.5 feet to an iron pin; thence west 294.06 feet to an iron pin, the Place of Beginning.


Jess
Rd
Wright
Rd
15
14
13
C. M. & ST. PAUL RR
Hwy
95
Cottonwood
24
22
23
Chatcolet Rd
WORLEY
Senkler Rd
27
26
25
34
35
36
County Line Rd
WORLEY
AREA OF
CITY
IMPACT
LEGEND
Impact

Section 3

That this Map is adopted in conjunction with Ordinance No. 223, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

EFFECTIVE DATE: This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 29th day of March 1995.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Dick Compton, Chairman

ATTEST:

Bob Macdonald, Commissioner

TOM TAGGART, CLERK

Richard C. Panabaker, Commissioner

BY: Deputy Clerk

Publish April 4, 1995

ORDINANCE NO. 214

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE DALTON GARDENS AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Dalton Gardens, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Dalton Gardens within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 29, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 19, 1994; and

WHEREAS, the City of Dalton Gardens and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Dalton Gardens within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

A legal description for the Area of City Impact for the City of Dalton Gardens, Idaho, being those portions of Sections 24, 25, and 36, Township 51 North, Range 4 West; and Sections 19, 30, and 31, Township 51 North, Range 3 West, Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the point of intersection of the East right-of-way line of Government Way (a.k.a. Old U.S. Highway 95), and the East-West centerline of Section 36, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, said beginning point being 30 feet East of the West Quarter corner of said Section 36;

thence East along said East-West centerline of Section 36 and continuing along the East-West centerline of Section 31, Township 51 North, Range 3 West, Boise Meridian, to the East Quarter corner of said Section 31;

thence North along the East line of Sections 31 and 30, to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Section 30 being a point on the southerly line of the Hayden Lake Recreational Water and Sewer District as defined in Exhibit B, Case No. 34668, First District Court, State of Idaho;

thence northwesterly and westerly along said line as follows:

West along the North line of said Southeast Quarter of the Northeast Quarter to the Northwest corner thereof;

thence North, 345 feet, more or less, along the East line of the Northwest Quarter of the Northeast Quarter of said Section 30;

thence North 89°59'57" West, 475.00 feet (of record as West, parallel with the North line of said Section 30, a distance of 475 feet, more or less);

thence North 47°00'03" West, 575.00 feet (of record as North 47° West, 575 feet, more or less);

thence South 86°59'57" West, 150.00 feet (of record as South 87° West, 150 feet, more or less);

thence South 68°42'25" West, 1660.00 feet (of record as South 66° West, 1657 feet, more or less) along the southerly line of WOODLAND HEIGHTS 5TH ADDITION, according to the plat on file in Book G of Plats at page 64, and said southerly line extended to the Northeast corner of Lot 7, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

thence along the northeasterly line of Block 2 of said WOODLAND HEIGHTS as follows:

South 82°20'15" West, 52.47 feet;

thence North 83°51'30" West, 158.91 feet;

thence North 64°21'30" West, 415.97 feet;

thence North 49°39'15" West, 647.74 feet, to the Northwest corner of Lot 1, said Block 2;

thence North 31°28'59" West, 450.19 feet;

thence North 89°29'17" West, 170.00 feet;

thence North 0°46'08" West, 239.76 feet, to the North line of said Section 30;

thence North 89°00'11" West, 30.0 feet along said North line to the corner common to Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

thence North, 1139.26 feet along the West line of Section 19, Township 51 North, Range 3 West, Boise Meridian, to the Southwest corner of the Dalton Water Association tract;

thence along the southerly line of said tract as follows:

North 69°20' East, 187.00 feet;

thence North 20°40' West, 50.00 feet;

thence North 69°20' East, 197 feet, more or less, to the North line of the Southwest Quarter of the Southwest Quarter of said Section 19;

thence West, 342 feet, more or less, along said North line to the Northwest corner of said Southwest Quarter of the Southwest Quarter;

thence South, 115.12 feet along the West line of said Section 19 and the East line of Section 24, Township 51 North, Range 4 West, Boise Meridian, to the Northeast corner of Tax Number 10001 (Book 82, page 933);

thence southwesterly along the northwesterly line of Tax Number 10001 as follows:

South 68°28'06" West, 633.85 feet;

thence South 51°52'34" West, 263.29 feet;

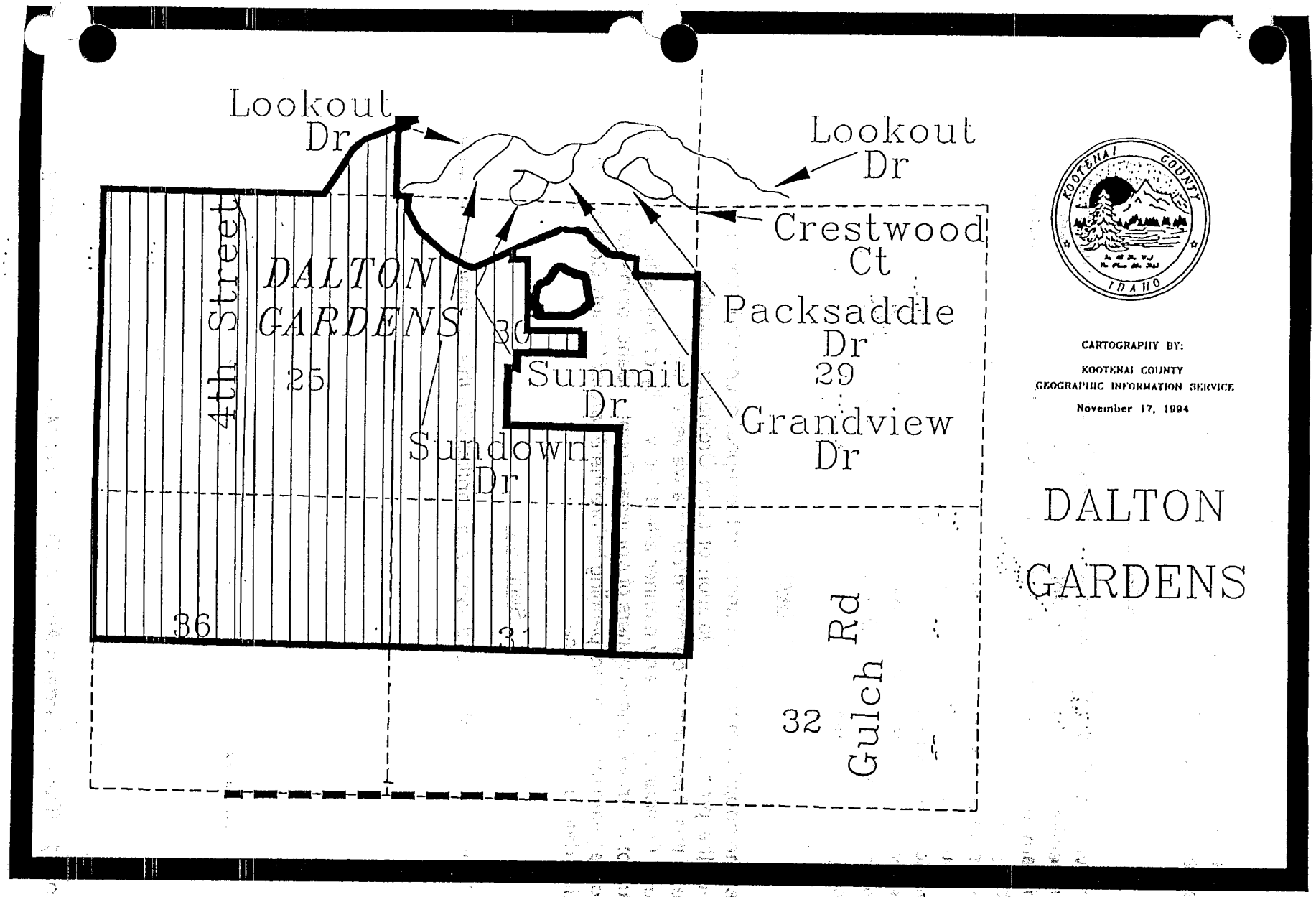
thence South 28°47'04" West, 269.98 feet;

thence South 33°08'44" West, 319.38 feet;

thence South 35°06'49" West, 340.48 feet to the North line of Section 25;

thence along the North line of Section 25, Township 51 North, Range 4 West, Boise Meridian, to a point on the East right-of-way line of Government Way (a.k.a. Old U.S. Highway 95), said point being 30.00 feet East of the Northwest corner of said Section 25;

thence South along the East right-of-way line of U.S. Highway 95, to the POINT OF BEGINNING.


Lookout Dr
Lookout Dr
Crestwood Ct
Packsaddle Dr
29
Summit Dr
Grandview Dr
Sundown Dr
4th Street
DALTON GARDENS
30
25
36
31
32
Gulch Rd
KOOTENAI COUNTY
IDAHO
CARTOGRAPHY BY:
KOOTENAI COUNTY
GEOGRAPHIC INFORMATION SERVICE
November 17, 1994
DALTON GARDENS

Section 3

That this Map is adopted in conjunction with Ordinance No. 215, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 11th day of January 1995.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Dick Compton, Chairman

ATTEST:

TOM TAGGART, CLERK

Bob Macdonald, Commissioner

BY: Deputy Clerk

Richard C. Panabaker, Commissioner

Publish: January 16, 1995

ORDINANCE NO. 210

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE HARRISON AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Harrison, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Harrison within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 29, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 19, 1994; and

WHEREAS, the City of Harrison and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Harrison within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

A legal description for the Area of City Impact for the City of Harrison, Kootenai County, Idaho, particularly described as follows:

BEGINNING at the southern Municipal boundary at the City of Harrison, where it intersects the high water mark of Coeur d'Alene Lake (Elevation 2128 feet);

THENCE, westerly in a straight line from that point to the point where the Section line between Sections 34 and 35, Township 48 North, Range 4 West Boise Meridian, intersects the high water mark of Coeur d'Alene Lake;

THENCE, following said Section line north until it intersects with the centerline of Bell Bay Road;

THENCE, easterly along the centerline of Bell Bay Road until it intersects the centerline of State Highway 97;

THENCE, southeasterly on State Highway 97 until it intersects the north south half section line of Section 30, Township 48 North, Range 4 West Boise Meridian;

THENCE, easterly along said half section line to the east section line of said Section 30;

THENCE, southerly along said section line and continuing south along the east section line of Section 31, Township 48 North, Range 4 West Boise Meridian, to the southeast corner of Section 31;

THENCE, continuing south on the east section line of Section 6, Township 47 North, Range 4 West Boise Meridian, until it intersects with the center line of Skyline Drive;

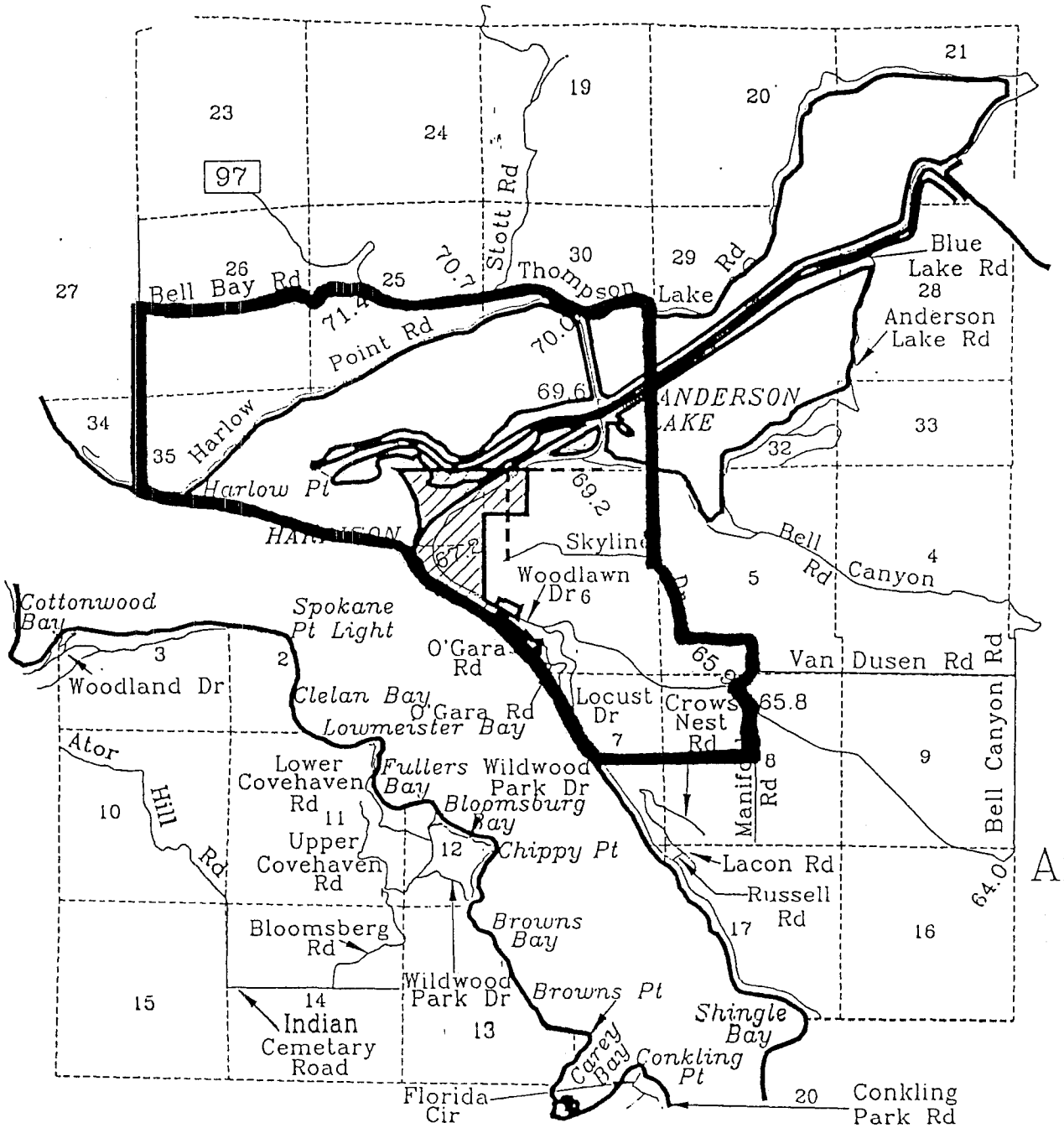
THENCE, southeasterly along the center line of Skyline Drive, to the center line of State Highway 97;

THENCE, easterly along the center line of State Highway 97 to the center line of Manifold Road;

THENCE, southerly along the center line of Manifold Road, until it intersects the north south half section line of Section 8, Township 47 North, Range 4 West Boise Meridian,

THENCE, westerly along said half section line, and continuing west along the half section line of Section 7, Township 47 North, Range 4 West Boise Meridian, until it intersects the mean high water mark of Coeur d'Alene Lake;

THENCE, northwesterly along said high water mark to the southern Municipal boundary of the City of Harrison, which is the POINT OF BEGINNING.



KOOTENAI COUNTY IDAHO

CARTOGRAPHY BY:

KOOTENAI COUNTY
GEOGRAPHIC INFORMATION SERVICE

November 16, 1994

HARRISON
Area of City Impact

Section 3

That this Map is adopted in conjunction with Ordinance No. 211 and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 28th day of December 1994.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Bob Macdonald, Chairman

Mike Anderson, Commissioner

Dick Compton, Commissioner

ATTEST:

TOM TAGGART, CLERK

BY: Deputy Clerk

ORDINANCE NO. 289
Case No. OA-89-99

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO *IDAHO CODE* SECTION 67-6526; DEFINING A PURPOSE; DEFINING AN AREA OF CITY IMPACT FOR THE CITY OF HAUSER, IDAHO; ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT; ADOPTING APPLICABLE PLAN AND DEVELOPMENT STANDARDS; PROVIDING FOR ADMINISTRATION PROCEDURES; PROVIDING FOR ANNEXATION REQUIREMENTS; PROVIDING FOR RENEGOTIATION PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; AND, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to *Idaho Code* Section 67-6526, the City of Hauser, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Hauser within the unincorporated area of Kootenai County; and,

WHEREAS, public hearings, pursuant to public notice as required by law, were held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on July 12, 1999 and September 27, 1999, on the proposed Area of City Impact, following which hearings said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the Kootenai County Board of Commissioners of Kootenai County, Idaho, on October 20, 1999 on the proposed Area of City Impact; and,

WHEREAS, the City of Hauser and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon an Area of City Impact for the City of Hauser within the unincorporated area of Kootenai County, Idaho; and,

WHEREAS, the City of Hauser and Kootenai County adopt the following Goals as their intent for the Area of City Impact:

1. The City of Hauser and Kootenai County desire to adopt an Area of City Impact to enhance and encourage planned, orderly growth and development where urban services can be most efficiently and economically provided;

2. The City of Hauser and Kootenai County desire to preserve and enhance the quality of life within the Area of City Impact;

3. The City of Hauser and Kootenai County recognize a mutual intent to protect the Hauser Lake Watershed Area;

4. The City of Hauser and Kootenai County recognize a mutual intent to protect the investments of both present and future property owners in the Area of City Impact and to minimize the disruptive impacts of uncoordinated growth upon those property owners; and,

5. The City of Hauser and Kootenai County recognize a mutual intent to make efficient use of local tax dollars through the policies encouraging development within the Area of City Impact.

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

PURPOSE: The purpose of establishing the Hauser Area of City Impact is to identify an urban fringe area adjoining the City of Hauser, Idaho. The urban fringe area is realizing, or will realize, growth and development pressures that must be planned and managed in an orderly fashion.

Section 2

DEFINING AN AREA OF CITY IMPACT: Trade area, geographic factors (such as the watershed), and areas that may reasonably be annexed to the City in the near future were factors taken into consideration in defining the Area of City Impact.

Section 3

ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT: The Hauser Area of City Impact is the area designated on the Hauser Area of City Impact Boundary Map, attached hereto and by this reference fully incorporated herein. The officially-adopted and agreed upon Hauser Area of City Impact Boundary Map is established by City of Hauser Ordinance No. 120, and Kootenai County Ordinance No. 290.

In case a property under single ownership is divided by the boundary line of the Hauser Area of City Impact and the line divides such property so that one or both of the parts has a depth of three hundred feet (300') or less, such part may be included in the jurisdiction within which the remainder and larger portion of the property is located.

Section 4

ADOPTING APPLICABLE PLAN AND DEVELOPMENT STANDARDS:

(A) Comprehensive Plan: The Hauser Comprehensive Plan and subsequent amendments thereto as officially adopted by the City of Hauser, and the procedures herein shall apply to the Area of City Impact.

(B) Development Code: The City of Hauser Development Code and subsequent amendments thereto, as officially adopted by the City and the procedures herein shall apply to all Class II permits, as defined by the City of Hauser Development Code, to all proposals within the Area of City Impact. Application for individual residential building permits for legally created parcels existing at the time of adoption of this ordinance, or exempt by this subsection shall be made to the County. All Class II Permits, as defined by the City of Hauser's Development Code, shall be submitted to the City of Hauser for review in accordance with the procedures established in Section 5 of this Ordinance. The City and the County shall have signature authority on the Plat, with the exception of the following:

1. The division of original parcels of record (parcels created prior to May 14, 1974);
2. Existing approved County subdivisions and plats;

3. Plat amendments to existing approved County subdivisions that do not propose an increase in the number of lots; and,
4. Lot line adjustments within currently approved County subdivisions or plats.

The County's Subdivision Ordinance shall prevail over any City Development Codes or Ordinances pertaining to items 1-4 above and do not require the review or approval of the City.

(C) County approved Conditional Zoning Development Agreements adopted prior to the effective date of this ordinance shall continue as agreed upon by the Agreement signed by the Kootenai County Board of Commissioners. Any proposed amendments to said Development Agreement shall be made to the Joint Planning Commission for compliance to the applicable standards of this Ordinance.

Section 5

ADMINISTRATION PROCEDURES:
The Board of County Commissioners and City of Hauser hereby authorize adoption of additional permit procedures incorporated by reference herein.

(A) Permit Procedures: All development proposals that require a Class II Permit, as defined in the Hauser Development Code, shall first be submitted to the Code Administrator for the City of Hauser for review in accordance to the procedures established in Chapter III, Division 2.J. of the Hauser Development Code, with exceptions related to the composition and appointment of Planning Commission members and appeal procedures specified herein. All required application submittals made to the City will be forwarded to the County by the City Code Administrator within three days of acceptance by the City.

(B) Planning and Zoning Commission: For proposals within the Hauser Area of City Impact the Planning Commission shall consist of seven (7) members, hereinafter referred to as, Joint Commission. Two (2) members of the Commission shall reside within city limits; three (3) shall reside within the Area of City Impact outside the City of Hauser, and two (2) shall be Planning Commission members from the County. Commissioners that reside outside city limits shall be appointed by consent of the Board of County Commissioners.

(C) Decision and Appeals; Joint Commission: With the exception of subdivisions of land, as defined by the Hauser Development Code, request for amendments to the Development Code and/or Comprehensive Plan, all decisions related to Class II Permits shall be final, unless otherwise appealed in accordance with this agreement.

(D) Review and decisions by the Joint Commission relating to subdivisions, request for amendments to the Development Code and/or Comprehensive Plan shall be made in the form of a Recommendation to the BOCC and City Council for a combined review and final decision of the BOCC.

(E) Decision and Appeals: BOCC and City Council: Decisions relating to subdivisions, as defined by the Hauser Development Code, amendments to the Development Code, and/or Comprehensive Plan amendments situated in the Hauser Area of City Impact require an affirmative decision by the BOCC. The BOCC shall take due notice of the recommendation of the Joint Commission.

(F) The BOCC and members of the City Council with duties described herein shall act as the appellate body for final decisions rendered by the Joint Commission except those excluded in Section 5, C. of this Ordinance.

(G) Joint BOCC and City Council Hearings: Appeals of the Commission's Decision, with the exception of subdivisions, request for amendments to the Development Code and/or Comprehensive Plan, shall be made to a joint BOCC and City Council, hereinafter Joint Board.

(H) Final decisions related to subdivisions, amendments to the Development Code and/or the Comprehensive Plan, in the area of City Impact outside city limits, shall be made by the Board of County Commissioners in accordance with the procedures established in the Hauser Development Code and this Agreement.

(I) The Joint Board shall consist of the Kootenai Board of County Commissioners (BOCC) and two City Council members which may include the Mayor.

City elected officials, acting in the capacity of members of the Joint Board, shall not have the authority to make motions(s) or vote in regards to the approval/denial of a development proposal, or content of conditions placed upon a project proposal, or amendments to the applicable plan and development standards.

The role of city elected officials is limited to an advisory capacity to the Board of County Commissioners. City members of the Joint Board will have the ability to make inquiries of the project proponents/opponents during the public hearing, confer with the Board of County Commissioners prior to final decisions of the Board of County Commissioners during the public hearing process and provide evidence and testimony to the Board of County Commissioners in relation to compliance/non-compliance of a proposal to the Hauser Comprehensive Plan and Development Code.

Section 6

ANNEXATION; AREA OF CITY IMPACT: Annexation by the City of Hauser shall be limited to those lands lying within the area of impact and being contiguous to the city limits of Hauser.

Upon annexation, the provisions of this ordinance, which is the Agreement between the City of Hauser and Kootenai County, shall no longer apply to the annexed area.

Upon receiving a request for annexation within the Area of City Impact, the City agrees to notify the County and allow the County thirty (30) days to comment on such request prior to any public hearing on the request.

Section 7

RENEGOTIATION: In accordance with *Idaho Code* 67-6526(d), the City of Hauser or Kootenai County may request in writing to renegotiate any provision of this agreement at any time. Within thirty (30) days of receipt of such request by either party, a meeting between the two jurisdictions shall occur. While renegotiation is occurring, all provisions of the adopted Area of City Impact Ordinance shall remain in effect until said adopted Ordinance is amended or a substitute Ordinance is adopted by the City of Hauser and Kootenai County, in accordance with the Notice and Hearing procedures provided in Title 67, Chapter 65 of *Idaho Code* or until a declaratory judgment from the District Court is final. Provided,

however, that the adopted Ordinance or stipulated portions thereof shall be of no further force and effect if both jurisdictions so agree in writing.

Section 8

SEVERABILITY: The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 9

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by the Mayor and City Council of Hauser, Idaho, or the validity of any such action to be taken by the Board of County Commissioners.

Section 10

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the *Coeur d'Alene Press*, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 27th day of October, 1999.

BY ORDER OF THE KOOTENAI COUNTY BOARD OF COMMISSIONERS

Richard Panabaker, Chairman

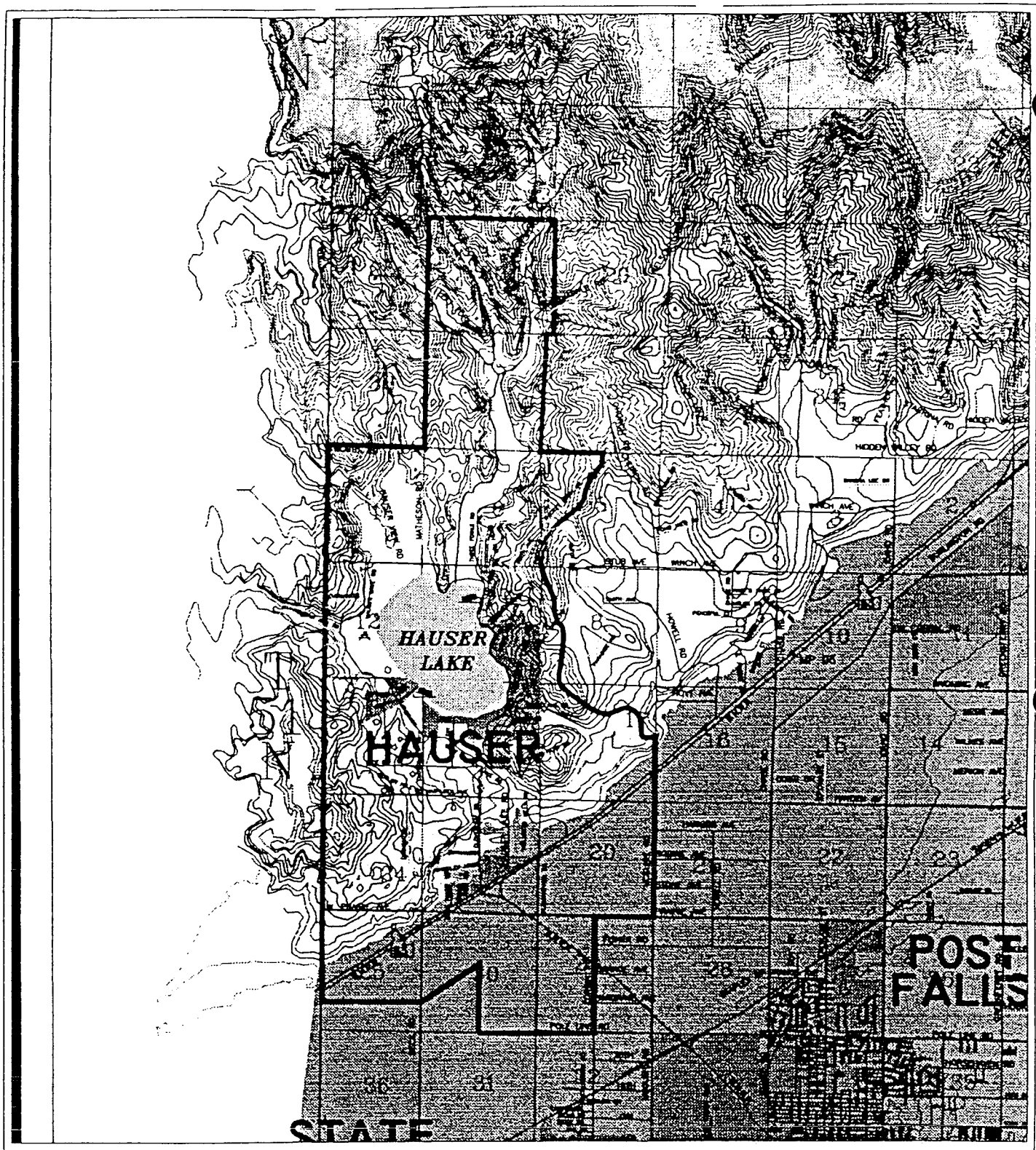
ATTEST:
DANIEL J. ENGLISH, CLERK

Sandy Lockhart
Deputy Clerk

Dick Compton, Commissioner

Ronald D. Rankin, Commissioner

Publication Date: November 1, 1999



PROPOSED AREA OF CITY IMPACT

CITY OF HAUSER

Scale (miles)

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KOOTENAI COUNTY IDAHO

For presentation purposes only

ORDINANCE NO. 389
CASE NO. OA-117-05
HAYDEN LAKE AREA OF CITY IMPACT

AN ORDINANCE OF KOOTENAI COUNTY, STATE OF IDAHO, PURSUANT TO *IDAHO CODE* SECTION 67-6526, DEFINING A PURPOSE; IDENTIFYING, ESTABLISHING, AND DEFINING AN AREA OF CITY IMPACT FOR THE CITY OF HAYDEN LAKE, IDAHO, WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; AND ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT; DEFINING THE GEOGRAPHIC AREA OF CITY IMPACT; ADOPTING STANDARDS; PROVIDING FOR ENFORCEMENT; ESTABLISHING HEARING PROCEDURES WITHIN THE AREA OF CITY IMPACT AND PROVIDING FOR STANDARD AMENDMENT AND NOTICE OF ANY OF THE ORDINANCES SET FORTH HEREIN WHICH ARE APPLICABLE IN THE AREA OF CITY IMPACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; REPEALING ALL ORDINANCES AND THOSE PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to *Idaho Code* Section 67-6526, the City of Hayden Lake, Idaho, and Kootenai County, Idaho, have heretofore adopted an Area of City Impact pursuant to Ordinance No. 228, adopted by the Kootenai County on June 21, 1995; and

WHEREAS, during the ensuing years, the area in and around the Area of City Impact has continued to develop and traffic congestion and speed has continued to increase along streets within the city that are used by new residents for access to the new development; and

WHEREAS, the parties now wish to renegotiate said Area of City Impact to address the issues of development and traffic on city streets and have conferred and negotiated in good faith upon a new Area of City Impact for the City of Hayden Lake within the unincorporated area of Kootenai County; and

WHEREAS, the Kootenai County Planning and Zoning Commission, pursuant to public notice as required by law, held a public hearing on the proposed new Area of City Impact on July 14, 2006; and

WHEREAS, the Board of County Commissioners, pursuant to public notice as required by law, held a public hearing on the proposed new Area of City Impact on September 7, 2006; and

WHEREAS, the City of Hayden Lake and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon a new Area of City Impact of the City of Hayden Lake within the unincorporated area of Kootenai County, Idaho.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, STATE OF IDAHO:

Section 1

PURPOSE: The purpose of establishing the new Hayden Lake Area of City Impact is to identify an urban fringe area in the unincorporated territory surrounding the City within which there is potential for development or changes in land use that must be planned in an orderly and compatible manner with the adopted Comprehensive Plan of the City and to ensure timely or economical provision of public service, and to protect and sustain existing public services and residential communities, and to promote traffic flow objectives, conform with the Comprehensive Plan and zoning regulations of the City of Hayden Lake, and protect the safety of all users of city streets affected by increased traffic from land use

decisions in the Hayden Lake Area of City Impact. Traffic safety, bicycling safety and pedestrian safety are substantial governmental goals furthered by this Ordinance.

Section 2

AREAS OF CITY IMPACT DEFINED: The new Area of City Impact shall consist of an area where development or use of land affects or may affect the City of Hayden Lake in consideration of trade areas, geographic factors, and areas that can reasonably be expected to be annexed to the City in the future.

Section 3

GEOGRAPHIC AREAS OF THE CITY IMPACT ESTABLISHED AND DEFINED: The officially-adopted Area of City Impact is hereby established and shown on the map entitled "Hayden Area of City Impact" and is officially made a part hereof by reference, said map being specifically adopted by Hayden Lake Ordinance No. 215, and Kootenai County Ordinance No. 391.

Section 4

STANDARDS: Upon adoption by the City and County, the following standards shall apply wherever an agency, Planning and/or Zoning Commission, Hearing Examiner, or governing body of the City or County considers a zone change, comprehensive plan change, request for a special or conditional use permit, planned unit development, limited planned unit development, variance request, other land use decision, or subdivision plat within the Area of City Impact.

A. Kootenai County Comprehensive Plan, and;

B. Kootenai County Subdivision Ordinance, and;

C. Kootenai County Zoning Ordinance as amended for application within the Area of City Impact, and;

D. Kootenai County Site Disturbance Ordinance; and

E. Except as set forth above, all other standards of applicable Kootenai County codes and ordinances; and

F. The City of Hayden Lake standards for street, bicycle access, pedestrian usage and traffic calming devices, which may include dedication requirements and provisions for future street improvements.

G. Except as set forth above, all other standards of applicable special districts having jurisdiction within the identified Area of City Impact.

No application for a preliminary plat within the Area of City Impact shall be accepted by the County as complete until the City of Hayden Lake City Engineer attests in writing that either traffic flow from the subdivision will not impact city streets or that appropriate measures have been addressed by the applicant to improve traffic, bicycling and pedestrian safety along affected city streets, or that the Applicant and the City have not come to an agreement on appropriate measures to improve traffic, bicycling and pedestrian safety along affected city streets, the City shall provide review and comment to the Applicant in a timely manner.

Section 5

ENFORCEMENT: Kootenai County shall be responsible for the administration and enforcement of the County Ordinances and regulations within the Area of City Impact and shall, except as otherwise provided, receive all permit fees for inspections performed to recapture direct costs of inspections, administration, legal publications, any development fees such as parkland dedication fees, or other costs arising from fulfilling the terms of each Ordinance or regulation.

The City of Hayden Lake shall receive its adopted applicable fees with the Area of City Impact, for design review and inspections performed in evaluating traffic flow and inspecting, designing and implementing traffic calming devices and other street improvements to address traffic, bicycling and pedestrian safety.

Section 6

HEARING PROCEDURES WITHIN THE AREA OF CITY IMPACT: All applications for subdivision plats, zone change, comprehensive plan amendment, variances, conditional use, planned unit development, and limited planned unit development within the Area of City Impact shall be heard by Kootenai County. Upon receipt of an application, the County shall forward to the City a copy of the application and related material. The City shall have thirty (30) days after receipt of the same, but prior to the scheduling of any public hearing, to comment on such application.

Prior to amendment by the County of any ordinance within is applicable in the Area of City Impact, the County shall forward the proposed change to the City for review and comment at least thirty (30) days prior to the first public hearing at which such amendment will be considered. The City shall have thirty (30) days after receipt of the same to comment on such amendment.

Prior to amendment by the City of any ordinance which is applicable in the Area of City Impact or any annexation, the City shall forward the proposed change or request for annexation to the County for review and comment at least thirty (30) days prior to the first public hearing at which such amendment or annexation will be considered. The County shall have fifteen (15) days after receipt of the same for comment.

Section 7

ANNEXATION: Annexation by the City of Hayden Lake shall be limited to those lands lying within the Area of City Impact and being contiguous to the city limits of the City of Hayden Lake. Upon annexation, the provisions of this ordinance, which is the agreement between the City of Hayden Lake and Kootenai County, shall no longer apply to the annexed area.

Section 8

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or part of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 9

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be constructed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action theretofore taken by the Board of County Commissioners of Kootenai County, Idaho or the validity or any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 10

All Ordinances and parts of Ordinances in conflict with this Ordinance, specifically Ordinances 227 and 228 are hereby repealed.

Section 11

This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 14th day of September, 2006.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

_____
S.J. "Gus" Johnson, Chairman

ATTEST:

DANIEL J. ENGLISH, CLERK

_____
Elmer R. Currie, Commissioner

_____
BY: Deputy Clerk

_____
Katie Brodie, Commissioner

Publication Date: _____

ORDINANCE NO. 212

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE HAYDEN AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Hayden, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Hayden within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 29, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 19, 1994; and

WHEREAS, the City of Hayden and Kootenai County, Idaho, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Hayden within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

The Hayden Area of City Impact shall consist of all of Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, and 23, Township 51 North, Range 4 West Boise Meridian; a part of Sections 1, 24, 25, and 26, Township 51 North, Range 4 West Boise

Meridian; and a part of Sections 7, 19, and 30, Township 51 North, Range 3 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southwest corner of said Section 20, Township 51 North, Range 4 West B. M., being the intersection of Meyer Road and Prairie Avenue;

THENCE East, along the South lines of said Sections 20, 21, 22, and 23 to the easterly right-of-way line of U.S. Highway 95 in said Section 23;

THENCE South 5°51' West, 630 feet, more or less, along said easterly right-of-way line to Highway right-of-way monument P.T. 153+44.70;

THENCE 347.38 feet along said easterly right-of-way line on the arc of a 28,537.9 foot radius curve left, said curve having a chord bearing South 5°28'06" West, 347.38 feet to the northerly right-of-way line of Aqua Avenue;

THENCE South 88°57'32" East, 1275.35 feet along said northerly right-of-way line to its intersection with the westerly right-of-way line of Government Way (a.k.a. Old Highway 95);

THENCE continuing South 88°57'32" East, 60.00 feet, and leaving said westerly right-of-way line to the easterly right-of-way line of said Government Way and the westerly line of the City of Dalton Gardens;

THENCE North 1°04'06" East, 989.24 feet (of record as North) along said easterly right-of-way line and the northerly projection thereof, and said westerly line of the City of Dalton Gardens to a point on the South line of said Section 24 on the centerline of Prairie Avenue, said point also being the Northwest corner of the City of Dalton Gardens;

THENCE East, 3930.00 feet, more or less, along the South line of said Section and the northerly line of the City of Dalton Gardens to the East 1/16 section corner common to said Sections 24 and 25;

THENCE along the northwesterly boundary of that certain right-of-way easement granted from Charles Finucane and Marion Finucane to the Dalton Gardens Irrigation District on the 13th day of March 1954, as Instrument Number 284140, records of said County, and described as follows:

> "a strip of land 11 feet in width situated in the Southeast Quarter of Section 24, Township 51 North, Range 4 West Boise Meridian, Kootenai County, Idaho, the centerline of said strip of land being parallel with and 12 feet to the left of the following described line:

BEGINNING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 24;

North 34°44' East, 750.0 feet;

thence North 31°20' East, 241.4 feet;

thence along a curve to the right, 190.0 feet;

thence North 69°20' East, 618.6 feet to a point on the East line of said Southeast Quarter of Section 24, said point being 129.0 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 24, all in Kootenai County, Idaho";

THENCE South, (from said point, being 129.0 feet South of the Northeast corner of the SE ¼ of the SE ¼ of said section, which point is also North 47°41'00" East, 1740.97 feet from the East 1/16 section corner common to said Sections 24 and 25), along the East line of said Section 24 to the corner common to said Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

THENCE South 89°00'11" East, 30.0 feet along the North line of said Section 30;

THENCE South 0°46'08" East, 239.76 feet;

THENCE South 89°29'17" East, 170.0 feet;

THENCE South 31°28'59" East, 450.19 feet to the Northwest corner of Lot 1, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

THENCE traversing the northerly line of Block 2 of said WOODLAND HEIGHTS, as follows:

South 49°39'15" East, 647.74 feet;

thence South 64°21'30" East, 415.97 feet;

thence South 83°51'30" East, 158.91 feet;

thence North 82°20'15" East, 52.47 feet to the Northeast corner of Lot 7, Block 2 of said Plat;

THENCE leaving said plat of WOODLAND HEIGHTS, North 68°42'25" East, 1660.00 feet (of record as North 66° East, 1657 feet, more or less) along the southerly

line of WOODLAND HEIGHTS 5th ADDITION, according to the plat on file in Book G of Plats at page 64, and said southerly line extended;

THENCE North 86°59'57" East, 150.00 feet (of record as North 87° East, 150 feet, more or less);

THENCE South 47°00'03" East, 575.00 feet (of record as South 47° East, 575 feet, more or less);

THENCE South 89°59'57" East, 475.00 feet (of record as East, parallel with the North line of said Section 30, a distance of 475 feet, more or less), to a point on the East line of the NW ¼ of the NE ¼ of said Section 30, said point being South 0°10'56" East, 975.00 feet from the Northeast corner of said NW ¼ of the NE ¼;

THENCE South, along the East line of said NW ¼ of the NE ¼ to the Southeast corner thereof;

THENCE East, along the South line of the NE ¼ of the NE ¼ of said Section 30, to the Southeast corner thereof;

THENCE North, along the East line of said NE ¼ of the NE ¼ to the Northeast corner of said Section 30 (corner to said Sections 19, 20, 29, and 30);

THENCE North, along the East line of said Section 19 to the shoreline of Hayden Lake;

THENCE westerly, northerly, and easterly along the mean high water line of Hayden Lake to the Southeast corner of Tax Number 1560, according to Book 91 of Deeds at page 514;

THENCE West, along the southerly line of said Tax Number, also being along the southerly line of the Village of Hayden Lake, according to said Book 91 of Deeds at page 514, and also being along said southerly line extended to the westerly right-of-way line of Chalet Road;

THENCE northerly, along said westerly right-of-way line to the southerly line of a parcel recorded in Book 76 of Deeds at page 425, as Instrument Number 16016;

THENCE West, along said southerly line, parallel with the North line of the NW ¼ of said Section 19, a distance of 1265.9 feet, more or less, to the West line of said NW ¼;

THENCE North, along said West line to the Northwest corner of said Section 19, at Hayden Avenue;

THENCE North, along the East lines of said Sections 13 and 12 to the ¼ section corner common to said Section 12, Township 51 North, Range 4 West, and said Section 7, Township 51 North, Range 3 West, being on the centerline of Strahorn Road;

THENCE North 0°03'45" East, 770.8 feet along the West line of the NW ¼ of said Section 7 and also being the centerline of Strahorn Road;

THENCE northeasterly, along said centerline to the North line of said Section 7;

THENCE West, along the North line of said Section 7 to the Northwest corner thereof (corner to said Sections 1, 12, 6, and 7);

THENCE West, 3960 feet, more or less, along the South line of said Section 1 to the West 1/16 section corner common to said Sections 1 and 12;

THENCE North, along the East line of the West ¼ of Section 1 to the West 1/16 Section corner common to said Section 1 and Section 36, Township 52 North, Range 4 West, Boise Meridian;

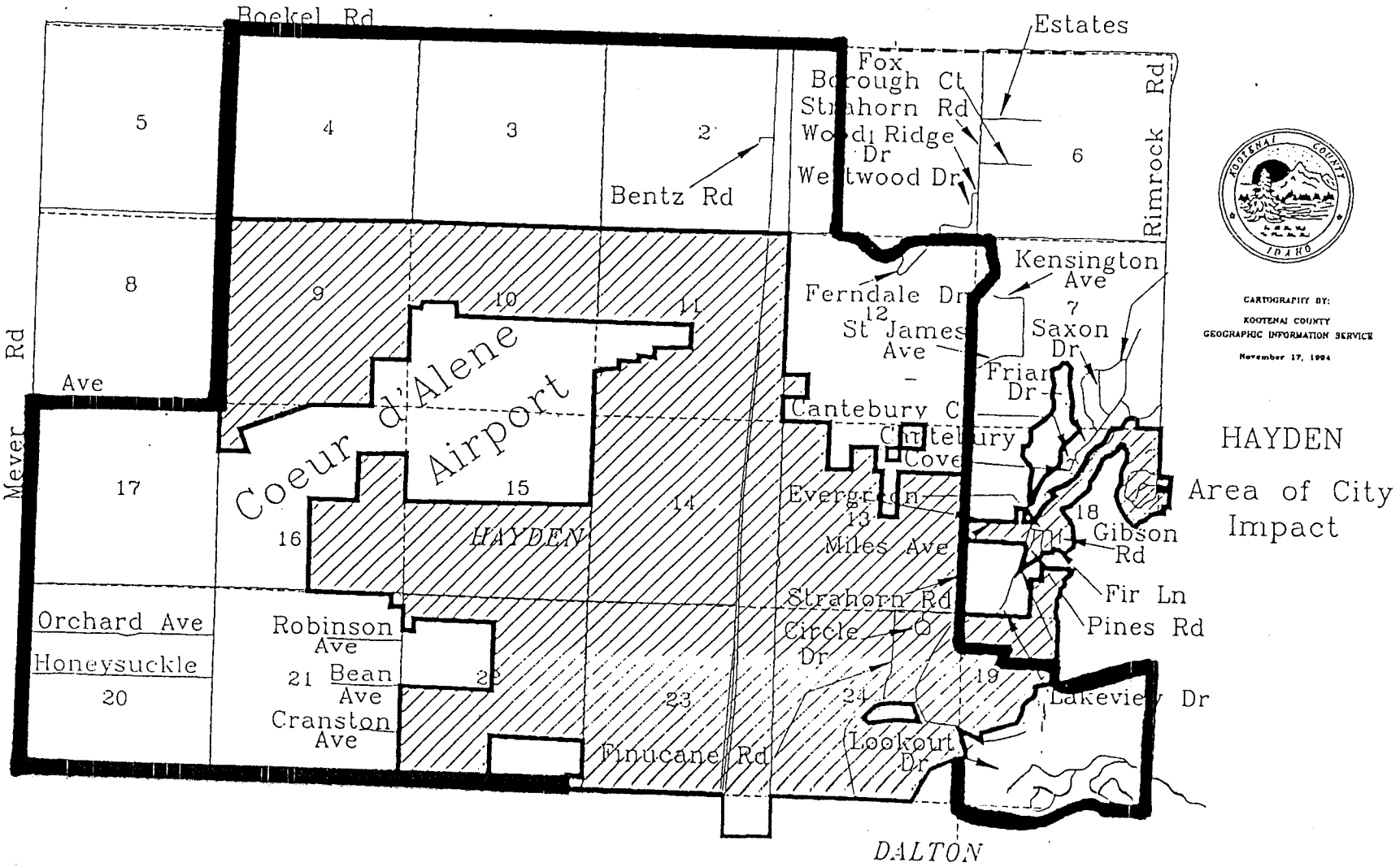
THENCE West, 1320 feet more or less, along the North line of said Section 1 to the Northwest corner thereof (corner to said Sections 1 and 2, Township 51 North, Range 4 West Boise Meridian and Sections 35 and 36, Township 52 North, Range 4 West Boise Meridian);

THENCE West, along the North line of said Section 2 and the North lines of Sections 3 and 4, Township 51 North, Range 4 West Boise Meridian, to the Northwest corner of said Section 4;

THENCE South, along the West line of Sections 4 and 9, Township 51 North, Range 4 West Boise Meridian, to the southwest corner of said Section 9;

THENCE West, along the North line of Section17, Township 51 North, Range 4 West Boise Meridian, to the northwest corner of said Section 17;

THENCE South, along the West line of said Sections 17 and 20 to the Southwest corner of said Section 20, the POINT OF BEGINNING.


Boekel Rd
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Borough Ct
Strahorn Rd
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Westwood Dr
Rimrock Rd
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Kensington
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St James
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Saxon
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Meyer Rd
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Coeur d'Alene
Airport
HAYDEN
Evergreen
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Circle
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Honeysuckle
Robinson
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Bean
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Cranston
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Finucane Rd
Lookout
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Lakevie
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KOOTENAI COUNTY
IDAHO
CARTOGRAPHY BY:
KOOTENAI COUNTY
GEOGRAPHIC INFORMATION SERVICE
November 17, 1994
HAYDEN
Area of City
Impact

Section 3

That this Map is adopted in conjunction with Ordinance No. 213, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 28th day of December 1994.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Bob Macdonald, Chairman

Mike Anderson, Commissioner

Dick Compton, Commissioner

ATTEST:

TOM TAGGART, CLERK

BY: Deputy Clerk

CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 212 of Kootenai County, Idaho, and that the attached summary provides adequate notice to the public of the contents of said Ordinance.

TOM TAGGART, CLERK

BY: Kelly L Stoffel

Deputy Clerk

NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance Number 212 (Hayden Area of City Impact Map). The full text of the ordinance addresses the following subjects:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE HAYDEN AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

The full text of Ordinance No. 212 is available at the Kootenai County Courthouse, 501 Government Way, Suite 202, Coeur d'Alene, Idaho 83814, weekdays, from 9 a.m. to 5 p.m. The map attached as Exhibit A defines the area with which this Ordinance is concerned.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

R E Macdonald

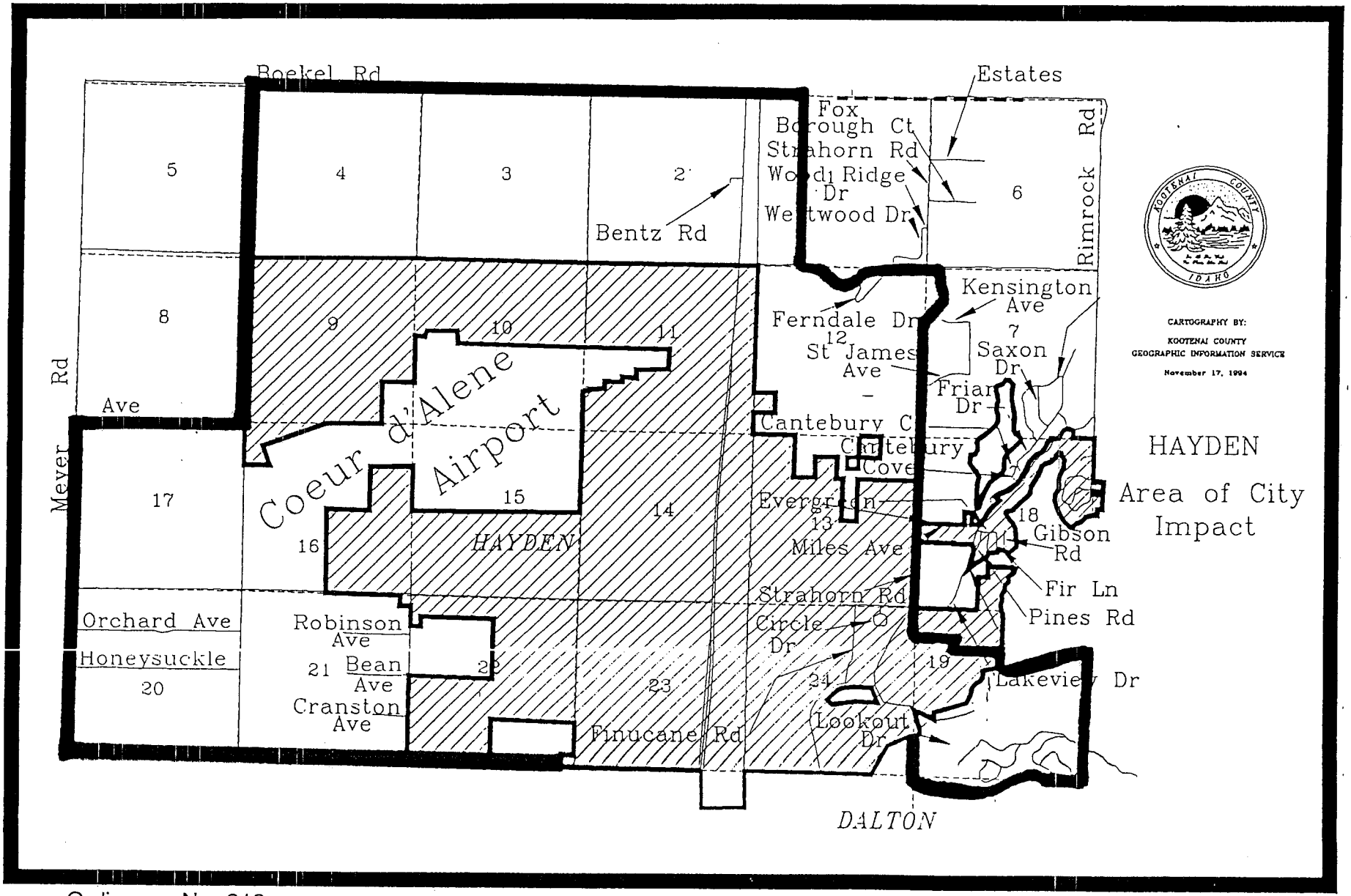
Bob Macdonald, Chairman

ATTEST:

TOM TAGGART, CLERK

BY: Kelly L Shifflett
Deputy Clerk

Publication Date: December 30, 1994



Ordinance No. 212

Exhibit A

ORDINANCE NO. 246

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, AMENDING THE MAP IDENTIFYING THE POST FALLS AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Post Falls, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Post Falls within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on February 12, 1996, concerning Amendment No. 1 to the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on March 6, 1996; and

WHEREAS, the City of Post Falls and Kootenai County, in accordance with the procedure required by law, have mutually agreed upon the amendment to the Map identifying an Area of City Impact for the City of Post Falls within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County shall be amended as particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

The Post Falls Area of City Impact shall be amended by including the following described area:

AMENDMENT NO. 1

All that portion of the Southeast ¼ of the Southeast ¼ of Section 4, Township 50 North, Range 5 West, Boise Meridian, also known as Government Lot 13, Kootenai County, State of Idaho, being more particularly described as follows:

BEGINNING	At the Southeast corner of Section 4, Township 50 North, Range 5 West, Boise Meridian;
Thence	West 1320 feet along the South section line of said Section 4;
Thence	North 1320 feet along the midsection line of the Southeast quarter of said Section 4;
Thence	Eastward along the midsection line of the Southeast quarter of said Section 4 to an intersecting point along the south bank of the Spokane River;
Thence	Southeasterly along the south bank of the Spokane River to the East section line of said Section 4;
Thence	South along said Section line of Section 4 to the Southeast corner of said Section 4 being the True Point of Beginning.

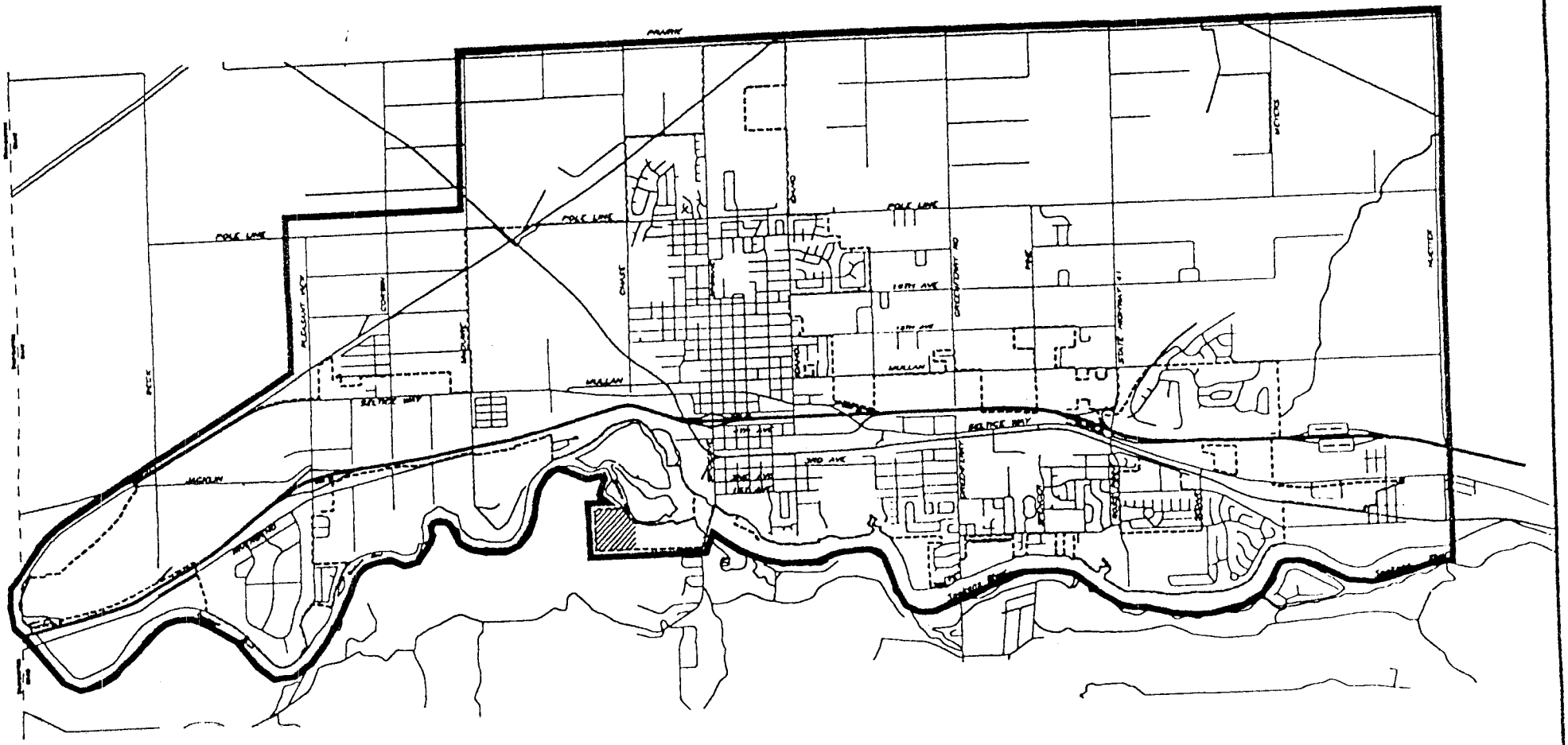
Section 3

POST FALLS AREA OF CITY IMPACT MAP AMENDED: The area of city impact is hereby amended as shown on the map entitled "Post Falls Area of City Impact" attached hereto and made a part hereof by reference; said map being specifically adopted by Ordinance No. 205 and the City of Post Falls Ordinance No. 792.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other

AMENDMENT #1



LEGEND

- AREA OF IMPACT
- AMENDMENT TO CITY IMPACT AREA
- RAILROAD
- CITY LIMITS
- STATE LINE

N

SCALE IN FEET

0 5,000 10,000 15,000

408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 773-3511

Incorporated 1901 POST FALLS Idaho's Other City

PLANNING

POST FALLS AREA OF CITY IMPACT

DRAWN BY: M.L.H.	DATE: 5/13/96	SHEET 1 of 1
FILE: M:\MAPS\AOI.DWG	SCALE: 1" = 5000'	DWG No. 96-060

persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by the Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7

This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 8 day of May 1996.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

Publication Date May 13, 1996

Dick Compton, Chairman

ATTEST:

DANIEL J. ENGLISH, CLERK

Bob Macdonald, Commissioner

Jan Corwin
BY: Deputy Clerk

Dick Panabaker, Commissioner

NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance Number 246 (Post Falls Area of City Impact Map, Amendment No. 1). The full text of the ordinance addresses the following subjects:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, AMENDING THE MAP IDENTIFYING THE POST FALLS AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

The full text of Ordinance No. 246 is available at the Kootenai County Courthouse, Suite 202, 501 Government Way, Coeur d'Alene, Idaho 83814, from 9 a.m. to 5 p.m. The map entitled "Amendment 1, Post Falls Area of City Impact," defines the area with which this Ordinance is concerned.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

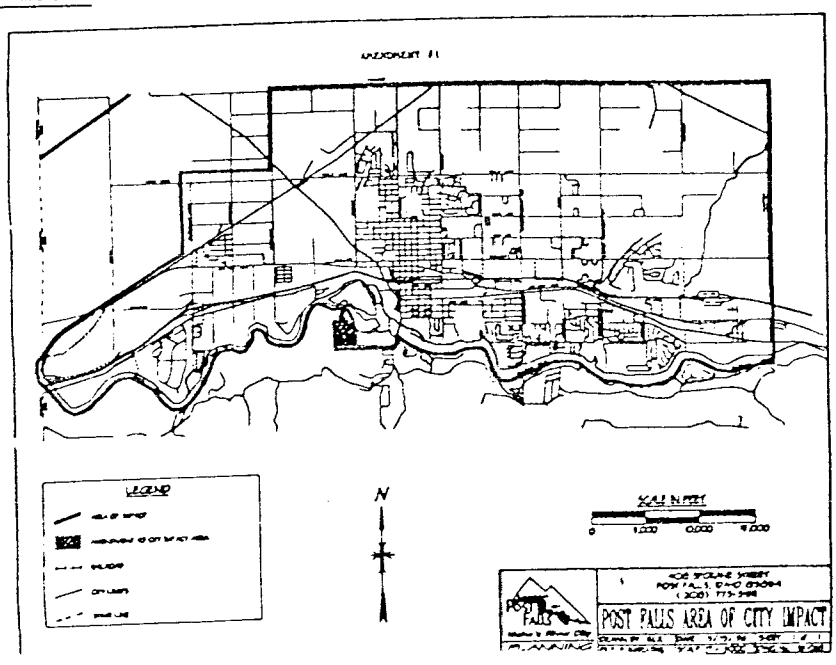
Dick Compton, Chairman

ATTEST:

DANIEL J. ENGLISH, CLERK

BY: _____
Deputy Clerk

Publication Date: May 13, 1996



CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 246 of Kootenai County, Idaho, and that the attached summary provides adequate notice to the public of the contents of said Ordinance.

DANIEL J. ENGLISH, CLERK

BY: Jan Corwin
Deputy Clerk