

# Planning & Zoning: Intergovernmental Coordination



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## Overview

- Area of Impact
- Annexation
- Infrastructure and Services



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# Area of Impact



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## Purpose of Area of Impact

- Establish/plan for expected urban growth
- Must be established before Category B or C annexations may occur (see §50-222)



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# County Ordinance

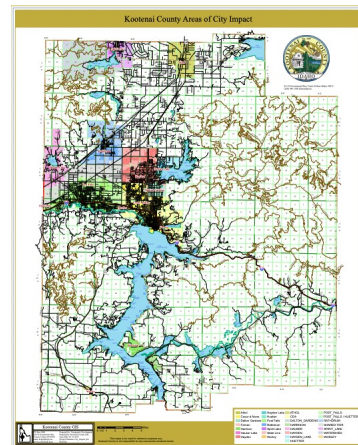
- The area of impact ordinance must be adopted by the county ([§67-6526](#))
  - See *Blaha v Ada County*
  - ~~Application of city plan and ordinances~~
  - Application of county plan and ordinances
  - ~~Application of mutually agreed upon plan and ordinances~~
- Notice and hearing procedures apply ([§67-6509](#))



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# Identifying Area of Impact

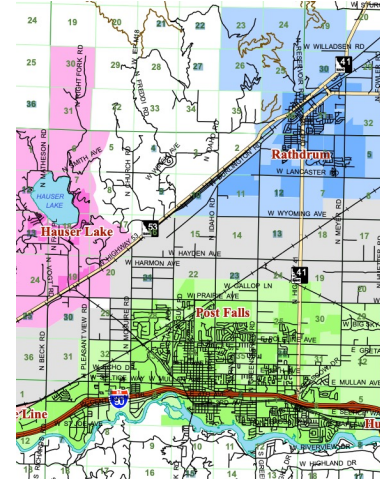
- Adoption of map identifying areas of city impact
- Adopted via county ordinance



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# Overlapping Areas of Impact

- If city areas of impact overlap, cities must negotiate
- If cities cannot agree, BOCC decides
- If cities disagree with BOCC decision, an election may be held
- Election results are binding
- [§67-6526\(c\)](#)

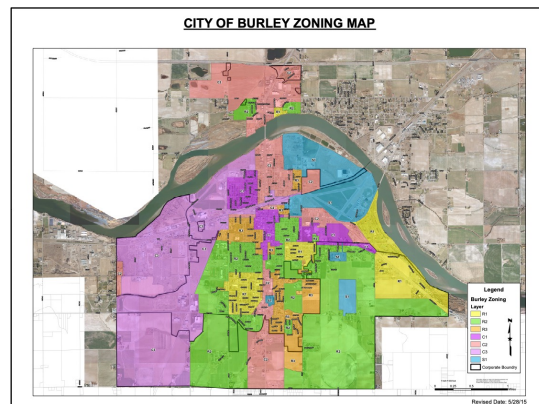


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# Overlapping Counties

- Cross-county agreements are possible with mutual consent
- City must be within three (3) miles of the adjoining county



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## What if no Area of Impact

- Areas of the county without area of impact may be developed
- A city may proceed with voluntary annexations



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## County and City Cannot Agree

- Committee of nine:
  - Three BOCC representatives
  - Three city council representatives
  - Three representatives agreed upon by county and city
  - Has 180 days to submit recommendation to BOCC
  - BOCC has 60 days to act upon recommendation
- Judicial review
  - City may seek declaratory judgement
  - District judge to order area of impact map, plan, and ordinance



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## Review of Area of Impact

- Area of impact should be reviewed at least every ten years
- A county or city may request renegotiation of area of impact
  - Renegotiations initiate within 30 days of request
  - Renegotiations follow same process used to establish area of impact



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## Planning & Zoning Commission Review

- P&Z Commission reviews area of impact plan and ordinance requirements prior to BOCC action
- BOCC sets reasonable timeline for P&Z to review and make recommendations



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# Annexation



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## Purpose of Annexation

- Reasonably necessary for:
  - Orderly development
  - Efficient provision of tax-supported services
  - Provide cost-effective access to city services
  - Equitably allocate costs of public service in the urban fringe
- [§50-222](#)



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## Annexation Categories

- Category A
  - All land owners consent to annexation
  - Enclaves of residential development surrounded by a city
- Category B
  - City initiated annexation
  - No land owner consent if less than 100 parcels
  - 50% of land area with more than 100 parcels consent
- Category C
  - City initiated annexation
  - Less than 50% of land area with more than 100 parcels consent
  - City mails notice to request consent and may annex only upon majority consent



## Limitations

- City must have area of impact to initiate Category B or C annexations
- City must follow public notice and hearing requirements
- Lands must be contiguous
- No shoestring annexations
- Highway wholly or partially in annexation area included in annexation unless other agreement exists between city and highway jurisdiction





## Taxing District Annexations

- Separate laws govern taxing district annexations (i.e.: fire districts, highway districts, water/sewer districts, etc.)
- If two districts consolidate, lower levy rate must be adopted



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## Public Facilities and Infrastructure



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## Servicing Residential Developments

- Cities are best equipped to service urban style residential development
- Does the county have capacity to:
  - Develop and maintain urban style roads, traffic control, pedestrian safety, and bridges
  - Provide police, emergency response, and other public safety services in urban/urbanizing settings



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## Impact on Taxing Districts

- LLUPA allows for taxing districts to participate in land use planning
- Availability of community water and sewer system vs. domestic wells and septic systems
- Impact on water rights (or availability of water)
- Impact on highway districts (if no county road and bridge)
- Impact on school districts



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