



BOISE COUNTY

BOISE COUNTY RESOLUTION# 2007-12

A RESOLUTION AUTHORIZING A POLICY FOR PROCEDURES FOR MITIGATION OF SUBDIVISION IMPACT

WHEREAS, Idaho Code Section 67-6513 authorizes governing boards to adopt ordinances establishing standards for the processing of subdivision permits that may provide for mitigation of the effects of subdivision development upon the ability of school districts to deliver services without compromising service delivery or imposing substantial additional costs upon current residents to accommodate proposed subdivision development, and

WHEREAS, Boise County has adopted Subdivision Ordinance 2006-02 establishing standards for the processing of subdivision permits that provide the determination of such mitigation,

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Boise County that the Policy Regarding Evaluation and Mitigation of Impacts of Development on School Districts, attached hereto as App. A, be adopted and incorporated herein as the official policy of the Board of Commissioners of Boise County.

APPROVED AND ADOPTED by the Boise County Board of County Commissioners in open session of the 12th day of March, 2007; with an effective date of passage.

BOISE COUNTY BOARD OF COMMISSIONERS

Handwritten signature of Fred Lawson in black ink.

Fred Lawson, Chairman

Handwritten signature of Terry Day in blue ink.

Terry Day, Commissioner

Handwritten signature of Linda Zimmer in black ink.

Linda Zimmer, Commissioner

Attest:

Handwritten signature of Constance Swearingen in black ink.

Constance Swearingen, Boise County Clerk

Policy Regarding Evaluation and Mitigation of Impacts of Development on School Districts

Developers shall, as part of the subdivision application process, meet with the school district wherein the development lies to discuss impacts the proposed development will have on the school district and ways to mitigate those impacts.

The developer will submit to the Planning and Zoning Administrator a report detailing the results of its meeting with the school district. That report shall include a letter from the school district summarizing the meeting.

The school district may use the attached document, prepared jointly by Planning and Zoning Commission officials and School District officials, and the method described therein for determining impacts when the school district meets with the developer. The school district and developer may agree upon methods the developer will use to mitigate the impacts of the development. The agreed upon mitigation could be a fee or some other arrangement. Agreement or lack thereof will be noted in the report from the school district and developer.

The application will not proceed to hearing until the report is received by the Administrator.

Once at hearing, the Planning and Zoning Commission will review the report. If there is an agreement between the developer and the school district, the Commission should make compliance with the agreement a condition of approval.

If there is no agreement, the school district should testify about the estimated impacts of the development or submit a report on such impacts for the record. The report should also include a recommendation for methods of mitigation. The developer will be given an opportunity to testify or report on the impacts and any proposed mitigation.

If the school district does not testify or submit a report on the impacts and make a recommendation for mitigation, the Commission may, as a general practice, evaluate the impacts using the methods set forth in the attached document. The developer will be given an opportunity to testify or report on the impacts and any proposed mitigation. The Commission will then decide what mitigation is appropriate. The Commission may accept a fee in lieu of actual mitigation when a developer is in agreement.

Once appropriate mitigation is determined by the Commission, that mitigation will become a condition of approval.