



BOISE COUNTY

BOISE COUNTY, STATE OF IDAHO

RESOLUTION No. 2024-32

A RESOLUTION OF THE BOISE COUNTY BOARD OF COMMISSIONERS:

- **Making Certain Findings;**
- **Amending The *Boise County Comprehensive Plan* by the amendment of Chapter 8 Public Services, and Utilities, Objectives part 15, by the addition of new language and the *Garden Valley Fire Protection District Impact Fee Study and Capital Improvement Plan (Final Report – April 19, 2023)* as Appendix K; and**
- **Directing the County Clerk;**
- **Setting an Effective Date.**

NOW, THEREFORE, BE IT RESOLVED by the Boise County Board of Commissioners:

Section 1: Findings

It is hereby found by the Boise County Board of Commissioners that:

- 1.1 The Boise County Commissioners originally adopted the Boise County Comprehensive Plan in August of 1994 which has subsequently been updated and revised with the last update in December 2019, which is the current edition of the *Boise County Comprehensive Plan* (the “Comprehensive Plan”); and
- 1.2 The County is experiencing and is affected by considerable growth and development; and
- 1.3 The Garden Valley Fire Protection District (the “Fire District”) provides fire protection and emergency medical services within the unincorporated area of the County that is also within the boundaries of the Fire District; and
- 1.4 The Fire District has requested the County, pursuant to I.C. § 67-8204A to enter into an intergovernmental agreement and enact an ordinance to provide for development impact fees for the Fire District; and
- 1.5 The *Idaho Development Impact Fee Act* (the “Act”) codified at Chapter 82 of Title 67 Idaho Code provides for:
 - The imposition, collection, and expenditure of development impact fees in accordance with the provisions of the Act; and
 - The promotion of orderly growth and development by establishing uniform standards by which local governments may require that those who benefit from new growth and development pay a proportionate share of the costs of new public facilities needed to

serve new growth and development; and

- Minimum standards for the adoption of development impact fee ordinances by governmental entities which are authorized to adopt ordinances; and
- The contents of a capital improvements plan and the process to be followed for the adoption of a capital improvements plan.

- 1.6** Boise County is a governmental entity as defined in the Act at Idaho Code § 67-8203(14) and, as provided at Idaho Code § 67-8202(5), has ordinance authority to adopt a development impact fee ordinance whereas the Fire District does not have ordinance authority and cannot adopt a development impact fee ordinance; and
- 1.7** The Act provides, at Idaho Code § 67-8204A, that the County when affected by growth and development, has the authority to enter into an intergovernmental agreement with the Fire District for the purpose of agreeing to collect and expend development impact fees for Fire District System Improvements; and
- 1.8** In anticipation and in consideration of the Boise County Board of Commissioners adopting the Ordinance, which is intended to provide for the collection and expenditure of development impact fees for the Fire District, the County has established and appointed, pursuant to Idaho Code § 67-8205, a Development Impact Fee Advisory Committee; and
- 1.9** The Fire District retained Brent Davis of BD Consulting, a qualified professional in the field of public administration, to prepare an impact fee study and capital improvements plan in consultation with the *Boise County/Garden Valley Fire Protection District Development Impact Fee Advisory Standing Committee* (the “Advisory Committee”); and
- 1.10** The Advisory Committee has submitted to the Boise County Board of Commissioners the *Garden Valley Fire Protection District Impact Fee Study and Capital Improvement Plan* (Final Report – April 19, 2023) prepared in accordance with the requirements of Idaho Code § 67-8208 in consultation with the Advisory Committee as provided in Idaho Code §§ 67-8205 and 67-8206(2); and
- 1.11** Prior to the adoption of the Capital Improvements Plan, the Fire District Board of Commissioners and the Boise County Board of Commissioners, in accordance with Idaho Code § 67-8206(3), have published notice and held a joint combined public hearing; and
- 1.12** At the joint hearing, it was determined that the Capital Improvements Plan contains all the necessary contents of a capital improvements plan as provided in the Act by Idaho Code § 67-8208; and
- 1.13** The Fire District has concluded its process for the adoption of the Capital Improvements Plan as required in the Act by Idaho Code §§ 67-8205 and 67-8206(3); and
- 1.14** The Act at I.C. § 67-8208 (1) provides that governmental entities, such as the County, who are required to undertake comprehensive planning pursuant to Chapter 65, Title 67, Idaho Code, are also required to prepare and adopt a capital improvements plan according

to the requirements contained in chapter 65 of title 67 Idaho Code (the “Local Planning Act”), and section 67-6509, Idaho Code, and shall be included as an element of the comprehensive plan; and

- 1.15 The County does not have a planning and zoning commission and the Boise County Board of Commissioners has provided notice and held a public hearing in accordance with section 67-6509, Idaho Code and has made its findings of fact, conclusions of law, and order authorizing this resolution amending the County Comprehensive Plan.

Section 2: Action Amending the Boise County Comprehensive Plan.

- 2.1 Chapter 8 Public Services, and Utilities, Objectives Part 15 of the Boise County Comprehensive Plan is hereby amended to read as follows:

15. Follow the policy that new growth shall pay for itself. In order to provide fire services at the levels currently needed and to assure that new growth pays its share; Boise County enacts an impact fee ordinance and enters into an intergovernmental agreement with the Garden Valley Fire Protection District for the collection and expenditure of development impact fees for the Fire District’s systems improvements as identified in the *Garden Valley Fire Protection District Impact Fee Study and Capital Improvement Plan (Final Report – April 19, 2023)*, which is included as Appendix K. Encourage the County to research ways to make this possible.

Addition to the Boise County Comprehensive Plan Appendices:

Appendix K- *Garden Valley Fire Protection District Impact Fee Study and Capital Improvement Plan (Final Report – April 19, 2023)*

Section 3: Direction to County Clerk

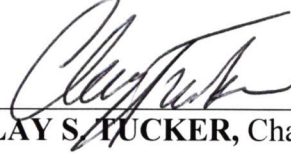
- 3.1 The County Clerk is hereby directed to retain this resolution in the official records of the County and to provide a certified copy of this resolution to the Secretary of the Garden Valley Fire Protection District and facilitate the inclusion of the above stated amendment in an updated edition of the Boise County Comprehensive Plan.

Section 4: Effective Date.

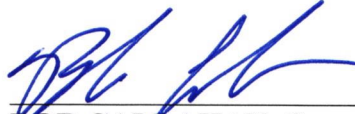
- 4.1 This Resolution shall be in full force and effect after its passage and approval.

Approved and adopted by the Boise county commissioners, state of Idaho, on this 16th day of July 2024.

BOISE COUNTY BOARD OF COMMISSIONERS



CLAY S. TUCKER, Chairman/ Commissioner



BOB CALLAHAN, Commissioner



LINDY E. LINDSTROM, Commissioner



Attest:

By Mary T. Prisco
MARY T. PRISCO, Clerk of the Board

APPENDIX K

Attached

CAPITAL IMPROVEMENTS PLAN

*Garden Valley Fire Protection District Impact Fee Study and Capital Improvement Plan
Final Report June 2023*

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