

**ORDINANCE NO. 427  
AREA OF CITY IMPACT MAP AMENDMENT  
CITY OF COEUR D'ALENE**

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, RELATING TO THE AREA OF CITY IMPACT FOR THE CITY OF COEUR D'ALENE; ADOPTING A MAP IDENTIFYING THE AREA OF CITY IMPACT FOR THE CITY OF COEUR D'ALENE 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 § 67-6526, the City of Coeur d'Alene, Idaho, 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 February 23, 2009, on the Map identifying the aforesaid Area of City Impact, following which hearing said Commission made a recommendation of approval 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 the aforesaid Area of City Impact on April 9, 2009; and

WHEREAS, the City of Coeur d'Alene 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 Coeur d'Alene within the unincorporated area of Kootenai County, Idaho;

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

**SECTION 1.** The Area of City Impact within the unincorporated area of Kootenai County for the City of Coeur d'Alene 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. LEGAL DESCRIPTION AND OFFICIAL MAP.**

A. Legal Description.

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SECTION 15, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, AND THE WESTERLY SHORELINE OF COEUR D'ALENE LAKE;

THENCE WESTERLY ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID SECTION 15;

THENCE, NORTHERLY ALONG THE WEST LINE OF SAID SECTION 15 TO THE WEST 1/4 CORNER THEREOF;

THENCE EASTERLY ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15 TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID NORTHWEST 1/4 TO THE NORTH 1/4 CORNER OF SAID SECTION 15;

THENCE, WESTERLY ALONG THE NORTH LINE OF SAID SECTION 15 TO THE NORTHWEST CORNER THEREOF;

THENCE, WESTERLY ALONG THE SOUTH LINE OF SECTION 9 TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN TO THE SOUTHWEST CORNER THEREOF;

THENCE, NORTHERLY ALONG THE WEST LINE OF SAID SECTION 9 TO THE NORTH SHORELINE OF THE SPOKANE RIVER AND A POINT ON THE COEUR D'ALENE CITY LIMITS;

THENCE, ALONG SAID CITY LIMITS AS FOLLOWS:

WESTERLY ALONG THE SPOKANE RIVER TO AN ANGLE POINT ON SAID CITY BOUNDARY;

(NOTE.- the following bearings are based on the Idaho State Plane Coordinate System, West Zone, NAD 83, 92 adj.)

THENCE NORTH  $1^{\circ}25'34''$  EAST, 773.15 FEET TO THE SOUTH LINE OF MAPLEWOOD AVENUE BEING A POINT ON A NONTANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 5799.65 FEET, A CENTRAL OF  $05^{\circ}04'58''$ , AND A LONG CHORD THAT BEARS SOUTH  $85^{\circ}06'16''$  EAST, 514.33 FEET;

THENCE ALONG SAID SOUTH LINE AND SAID CURVE 514.50 FEET;

THENCE NORTH  $00^{\circ}05'32''$  EAST, 100.00 FEET TO THE NORTH LINE OF THE CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD BEING A POINT ON A NONTANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 5699.65 FEET, A CENTRAL OF  $00^{\circ}12'36''$ , AND A LONG CHORD THAT BEARS SOUTH  $87^{\circ}42'40''$  EAST, 20.90 FEET;

THENCE ALONG SAID SOUTH LINE AND SAID CURVE 20.90 FEET;

**ORDINANCE NO. 427 – COEUR D'ALENE AREA OF CITY IMPACT MAP AMENDMENT – 2**

P:\Public\Ordinances\Ordinances\Ordinance 427 Cda ACI Map (Replacing #193).Doc

THENCE SOUTH 87°55'39" EAST, 441.66 FEET;

THENCE NORTH 00°05'32" EAST, 446.48 FEET;

THENCE SOUTH 84°47'58" EAST, 180.82 FEET;

THENCE NORTH 00°05'32" EAST, 360.00 FEET TO THE SOUTH LINE OF REEVES-FARRELL ADDITION TO HUETTER, AS PER THE PLAT RECORDED IN BOOK "C" OF PLATS, PAGE 52, RECORDS OF KOOTENAI COUNTY;

THENCE ALONG SAID SOUTH LINE SOUTH 84°47'58" EAST, 316.09 FEET;

THENCE ALONG THE EAST LINE OF SAID REEVES-FARRELL ADDITION TO HUETTER NORTH 00°03'12" WEST, 60.34 FEET;

THENCE NORTH 89°56'48" EAST, 102.63 FEET;

THENCE NORTH 00°03'12" WEST, 150.00 FEET;

THENCE SOUTH 89°56'48" WEST, 102.63 FEET;

THENCE ALONG THE EAST LINE OF SAID REEVES-FARRELL ADDITION TO HUETTER NORTH 00°03'12" WEST, 81.85 FEET TO THE SOUTH LINE OF THE ABANDONED BURLINGTON NORTHERN RAILROAD;

THENCE ALONG SAID SOUTH LINE SOUTH 73°04'49" EAST TO THE WEST ONE-SIXTEENTH LINE OF SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN;

THENCE, LEAVING SAID CITY BOUNDARY, NORTHERLY ALONG SAID ONE-SIXTEENTH LINE TO THE SOUTH RIGHT-OF-WAY LINE OF INTERSTATE 90;

THENCE, NORTHWESTERLY ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID SECTION 4;

THENCE, NORTHERLY ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION 4, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN;

THENCE, NORTHERLY ALONG THE WEST LINES OF SECTIONS 33 AND 28, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN TO THE NORTHWEST CORNER OF SAID SECTION 28;

THENCE, ALONG THE NORTH LINES OF SECTIONS 28, 27, AND 26, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN, TO U. S. HIGHWAY 95 AND THE HAYDEN CITY LIMITS;

THENCE, SOUTHERLY ALONG SAID CITY LIMITS TO THE SOUTHWEST CORNER THEREOF;

THENCE, EASTERLY ALONG THE SOUTH LINE OF THE CITY OF HAYDEN TO THE WEST LINE OF SECTION 25, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN;

THENCE, SOUTHERLY ALONG SAID WEST LINE AND THE WEST LINE OF SECTION 36, TOWNSHIP 51 NORTH, RANGE 4 WEST, BOISE MERIDIAN, TO THE WEST QUARTER CORNER OF SAID SECTION 36;

THENCE, EASTERLY ALONG THE EAST-WEST QUARTER LINE OF SAID SECTION 36 TO THE EAST QUARTER CORNER OF SAID SECTION 36;

THENCE, EASTERLY ALONG THE EAST-WEST QUARTER LINES OF SECTIONS 31 AND 32, TOWNSHIP 51 NORTH, RANGE 3 WEST, BOISE MERIDIAN, TO THE CENTER QUARTER CORNER OF SAID SECTION 32;

THENCE, SOUTHERLY ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 32 TO THE SOUTH QUARTER CORNER THEREOF;

THENCE, SOUTHERLY ALONG THE NORTH-SOUTH QUARTER LINE OF SECTION 5, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, TO THE SOUTH QUARTER CORNER THEREOF;

THENCE, EASTERLY ALONG THE SOUTH LINES OF SECTIONS 5 AND 4, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, TO THE SOUTHEAST CORNER OF SAID SECTION 4;

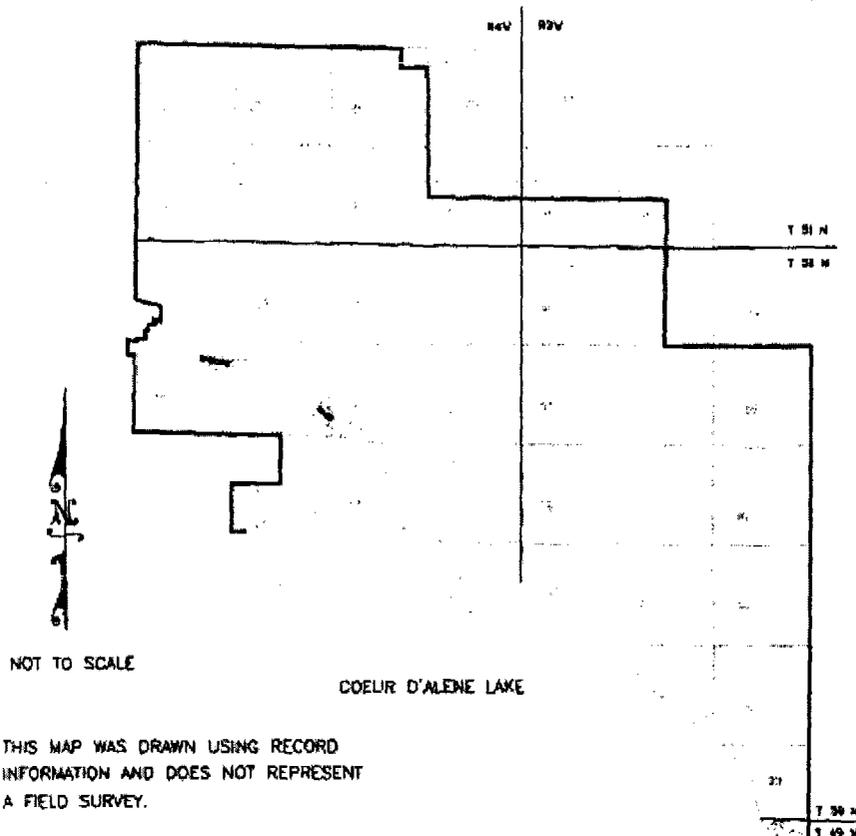
THENCE, SOUTHERLY ALONG THE EAST LINES OF SECTIONS 9, 16, 21, 28, 33, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN TO THE SOUTHEAST CORNER OF SAID SECTION 33;

THENCE, SOUTHERLY ALONG THE EAST LINE OF SECTION 3 TOWNSHIP 49 NORTH, RANGE 3 WEST, BOISE MERIDIAN, TO THE NORTH SHORELINE OF COEUR D'ALENE LAKE;

THENCE, ALONG SAID SHORELINE IN A NORTHWESTERLY, WESTERLY AND SOUTHERLY DIRECTION TO THE POINT OF BEGINNING.

B. Official Map.

COEUR D'ALENE AREA OF CITY IMPACT



**SECTION 3. INTENT.** This Map is adopted in furtherance of the Area of City Impact for the City of Coeur d'Alene established pursuant to Kootenai County Ordinance No. 194, enacted on October 28, 1993, and is intended to be an integral part of said Ordinance. Nothing in this Ordinance shall be construed as an amendment to the provisions of Kootenai County Ordinance No. 194.

**SECTION 4. 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 5. SAVINGS CLAUSE.** 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.

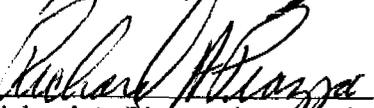
**SECTION 6. REPEAL OF CONFLICTING ORDINANCES.** All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed, including, without limitation, Kootenai County Ordinance No. 193, enacted on October 28, 1993.

**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 published within Kootenai County, Idaho, and the official newspaper thereof.

DATED this 7th day of May 2009

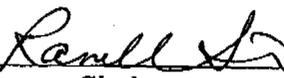
KOOTENAI COUNTY  
BOARD OF COMMISSIONERS

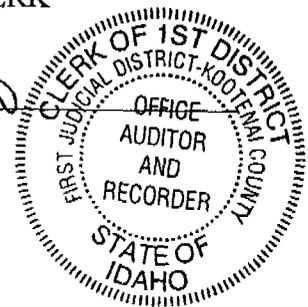
  
\_\_\_\_\_  
Elmer R. Currie, Chairman

  
\_\_\_\_\_  
Richard A. Piazza, Commissioner

\_\_\_\_\_  
W. Todd Tondee, Commissioner

ATTEST:  
DANIEL J. ENGLISH, CLERK

By:   
\_\_\_\_\_  
Deputy Clerk



C: Prosecuting Attorney (Civil Division), City of Coeur d'Alene, Ordinance File