

ORDINANCE # 45

AREA OF IMPACT AGREEMENT -- CITY OF DIETRICH

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF DIETRICH, IDAHO, IDENTIFYING THE COMPREHENSIVE PLAN THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF CITY IMPACT; IDENTIFYING THE SUBDIVISION AND ZONING ORDINANCES THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF IMPACT; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF THE COMPREHENSIVE PLAN AND ORDINANCES THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF CITY IMPACT; ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF DIETRICH, IDAHO, COUNTY OF LINCOLN, STATE OF IDAHO, AND;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, LINCOLN COUNTY, STATE OF IDAHO:

Section 1. Legislative Purpose: The purpose for establishing an Area of City Impact is to identify a logical urban fringe area adjoining the City of Dietrich, Idaho. The urban fringe area is realizing, or will realize, growth and development pressures that must be planned and managed in an orderly fashion. The Area of City Impact recognizes trade area, geographic factors and the potential delivery of public services as being associated with the City of Dietrich and comprised of areas that may reasonably be annexed to the City in the near and distant future.

Section 2. Geographic Area of City Impact: The officially adopted and agreed upon "Area of City Impact for Dietrich, Idaho" is established by Ordinance # 45, Dietrich, Idaho and by Lincoln County, Idaho and is set forth therein in the boundary definitions specified on Exhibit "A", attached.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by Lincoln County, Idaho, shall apply to the Area of City Impact within the unincorporated area of Lincoln County, Idaho. Both the City of Dietrich and Lincoln County shall amend their comprehensive Plans to be consistent with this agreement, if required.

Section 4. Subdivision Ordinance: The Subdivision Ordinance and subsequent amendments thereto as officially adopted by Lincoln County, Idaho, shall apply to the Area of City Impact within the unincorporated area of Lincoln County, Idaho. The Subdivision Ordinance of the County of Lincoln shall prevail.

Section 5. Zoning Ordinance. The Zoning Ordinance, Zoning Map and subsequent amendments thereto as officially adopted by the County of Lincoln shall apply to the Area of City Impact within the unincorporated area of Lincoln County, Idaho.

Section 6. Code and Ordinance Administration and Enforcement:

1) The County of Lincoln shall be responsible for the administration and enforcement of the County's ordinances listed in Sections 3, 4, and 5 and shall receive all permit fees for inspection performed to recapture direct costs of inspections, administration, legal publications, and other costs arising from the process.

Section 7. Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Dietrich and Lincoln County at least once every five years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin 30 days after written request by either the City or County and shall follow procedures for the original negotiation, as set forth in Idaho Code, Section 67-6526.

Section 8. Effective Date: This ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL of the City of Dietrich this 9th day of Jan, 1995.

APPROVED BY THE MAYOR of the City of Dietrich this 9th day of Jan, 1995.

PASSED BY THE COUNTY COMMISSIONERS of the County of Lincoln this 14 day of Feb., 1995.

ATTEST:

Una Lu Green
City Clerk



