



Appendix A: Butte County AOI Agreements

Report 12-01

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ZONING ORDINANCE
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Chapter 1
GENERAL PROVISIONS

Sections:

- 1-1 Intent.
- 1-2 Interpretation in case of conflict with other laws.
- 1-3 Interpretation of district boundaries.
- 1-4 Lots of record.
- 1-5 Yard and setback requirement exceptions.
- 1-6 Nonconforming uses.
- 1-7 Conflict of Interest
- 1-8 Mediation

1-1 Intent: The following provisions shall be subject to the general regulations of this title and to the special provisions and exceptions in this and the following sections so as to secure the intent of this title. In all cases of administration and enforcement of this title for which no other provisions herein, the planning commission shall provide for the same by order, resolution or the adoption of a rule, regulation or by-law, which provisions shall be in accord with and consistent with the objectives and standards of this title. Uses not specified within use districts are prohibited unless determined by the planning commission or its authorized representative to be similar in nature to those specified.

1-2 Interpretation in case of conflict with other laws: It is not intended by this title to impair or interfere with other regulations of state or local law, or with private restrictions on the use of land, improvements, and structures. Where this title imposes greater restriction than that imposed by other law or private restrictions, this title shall prevail.

1-3 Interpretation of district boundaries: Whenever any uncertainty exists as for the boundary of any district shown on any zoning map, the following rules shall apply:

A. Where any such boundary line is indicated as following a street, alley or public way, it shall be construed as following the centerline thereof.

B. Where a boundary line is indicated as approximately following a lot line, such lot line shall be constructed to be such boundary line.

C. Where a boundary line divides a lot or crosses unsubdivided property, the location of such boundary shall be indicated upon the zoning map. The zone in which a majority of the property is located shall be considered the zone for the whole property.

CHAPTER 12 AREA OF CITY IMPACT

Butte County has three incorporated cities. Some of these cities provide water and sewer utilities, streets, parks and other services to their residents. Expansion of the county's cities will be facilitated if Butte County and the cities cooperate in imposing consistent requirements on development in each urbanizing area.

Enabling Authority: Idaho local planning Act IC §67-6527, even without legal mandate, cooperation between county and city governments is a common sense requirement for any community that values the efficient provision of public services and wishes to encourage a functional pattern of land development on the urban fringe.

Planning Studies: As of 3/31/2006 there are no agreements in place.

Area of City Impact Issues

A number of issues arise as cities expand into the surrounding countryside. Public discussion of the impact of urban development on farm operations, irrigation systems, traffic congestion, stormwater management, the compatibility of proposed and existing uses, the loss of wildlife habitat, and similar issues. The mapping of areas of city impact should also help avoid future friction over the conversion of rural to urban uses by clearly delineating the areas expected to urbanize in the near future.

Area of City Impact Planning Goal

Butte County should work with incorporated cities to adopt area of city impact agreements, as required by State Law. All area of city impact agreements should require that subdivisions and other development within the designated area of city impact be compatible with eventual expansion of the city's street network and utility systems.

While Butte County anticipates eventual development of the areas of city impact, the transition from agricultural to urban uses will be regulated so as to minimize the impact on remaining farm operations. All building permits issued in the areas of city impact should bear a note explaining that the normal activities of existing farm operations are protected by Idaho's "right to farm" law (I.C. §22-4501. et. Seq.)

Chapter 13 FLOODPLAIN OVERLAY ZONE

Sections:

- 13-1 Purpose.
- 13-2 Applicability.
- 13-3 Flood Insurance Rate Map adopted by reference.