Appendix A: Cassia County AOI Agreements

Report 12-01

Economic Development Clinic
University of Idaho College of Law

Stephen R. Miller, Director

Students:

Marc Bybee
Joan Callahan
Anna Garner
Jane Gordon
Nicholas Morgan
ORDINANCE NO. 94-12-2

AREA OF IMPACT AGREEMENT - CITY OF ALBION

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF ALBION, 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 ALBION, IDAHO, COUNTY OF CASSIA, STATE OF IDAHO AND;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, 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 Albion, 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 ALBION 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 Albion, Idaho" is established by the City of Albion, Idaho and Cassia County, Idaho and is set forth on Exhibit "A" and is attached hereto and made a part hereof by this reference. Which Exhibit is dated 12-27, 1994.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the City of Albion, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. Both the City of Albion and Cassia County, Idaho. Both the City of Albion and Cassia 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 the Cassia County, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The Subdivision
Ordinance of the County of Cassia shall also prevail over any Cassia County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

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

Section 6. Code and Ordinance Administration and Enforcement:

1) The City of Albion shall be responsible for the administration and enforcement of the City's ordinances listed in Section 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. Appeal and hearing procedures shall follow those adopted by the City of Albion presently and in the future.

2) Amendments to the City of County Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes involving property located in the Area of City Impact within the unincorporated area of Cassia County being proposed for non-agricultural development of any type shall be considered by the City Council upon recommendation of the City Planning and Zoning Commission in accordance with Title 67 and Title 50, Idaho Code.

3) The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Cassia County shall rest jointly with the Albion Highway District and the City of Albion.

4) Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Albion Highway District, Albion, Idaho, unless otherwise stipulated by written agreement between the Highway District and the City of Albion.

5) Law Enforcement and fire services in the Area of City Impact shall remain the responsibility of the City of Albion and the Albion Fire District unless otherwise stipulated by written agreement between the county and/or fire district and the City of Albion.

6) The City of Albion shall appoint two members of its Planning
and Zoning Commission to represent the Area of City Impact. those two representatives shall reside within the Area of City Impact and shall be reappointed upon any vacancy by citizens also residing within the Area of City Impact.

Section 7. Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Albion and Cassia 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 it's passage and publication as required by law.

PASSED BY THE CITY COUNCIL of the City of Albion this 29th day of December, 1994.

[Signatures]

APPROVED BY THE MAYOR of the City of Albion this 29th day of December, 1994. ATTEST:

[Signature]

Donald B. Danner, Mayor

PASSES BY THE COUNTY COMMISSIONERS of the County of Cassia this 29th day of December, 1994.

[Signatures]

ATTEST:

[Signature]

John R. Adams, Chairman

J. Weldon Beck, Commissioner

Norman E. Dayley, Commissioner

Darrell M. Roskelley, Clerk

ORDINANCE NO. 74-16

CITY 11/IMPACT-A.ORD
zone VI/IMPACT-A.ORD
Description of boundaries of Area of City Impact for City of Albion, Idaho:

Beginning at the Northwest corner of the SWNE of Section 16, Township 11 South, Range 24, EBM; Thence South approximately 1/4 mile to the Southwest corner of the SWNE of Section 1, Township 12 South, Range 24, EBM; Thence East approximately 1/4 mile to the Northeast corner of the SWNE of Section 6, Township 12 South, Range 25, EBM; Thence North approximately 1/4 mile to the Southwest corner of the NESE of Section 32, Township 11 South, Range 25, EBM; Thence West approximately 1/4 mile to the Point of Beginning.
ORDINANCE NO. 98-11-1

A JOINT ORDINANCE WITH THE CITY OF BURLEY (SEE BURLEY CITY ORDINANCE NO. 1112) DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF BURLEY, IN CASSIA COUNTY, 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 CITY 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.

IT HAVING BEEN ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BURLEY, LOCATED IN CASSIA COUNTY, STATE OF IDAHO AND;

WHEREAS THE COUNTY COMMISSION OF CASSIA COUNTY, IDAHO DESIRES TO JOIN IN THE PROVISIONS OF SAID ORDINANCE;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, IDAHO:

Section 1. Legislative Purpose: The purpose for establishing an Areas of City Impact is to identify a logical urban fringe area adjoining the City of Burley, 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 areas, geographic factors and the potential delivery of public services as being associated with the City of Burley and comprised of the areas that may reasonably be annexed to the City in the near and distant future.

Section 2. Geographic Areas of City Impact: The officially adopted and agreed upon Area of City Impact for Burley, Idaho has been established by duly enacted ordinances of the City and County establishing the following described area as the Areas of City Impact:

City of Burley:

The true Point of Beginning shall be the intersection of an extension of 200 West and the meander line of the Snake River in Cassia County, Idaho and;

Thence in a Southerly direction along 200 West to its intersection with 200 South;
Thence in an Easterly direction along 200 South to its intersection with 150 East;
Thence in a Northerly direction along 150 East to its intersection with 100 South;
Thence in an Easterly direction along 100 South to its intersection with 250 East;
Thence in a Northerly direction along 250 East and an extension thereof to the meander
line of the Snake River;
Thence in a westerly direction along the meander line of the Snake River to the true Point of Beginning.

All in Cassia County, State of Idaho. A map of the Area of Impact is attached to this ordinance and marked as Exhibit A.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the City of Burley, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. Both the City of Burley and Cassia 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 the City of Burley shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The Subdivision Ordinance of the City of Burley shall also prevail over any Cassia County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

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

Section 6. Code and Ordinance Administration and Enforcement:

1) The City of Burley shall be responsible for the administration and enforcement of the City'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. Appeal and hearing procedures shall follow those adopted by the City of Burley presently and in the future.

2) Amendments to the City Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and request for zone changes involving property located in the Area of City Impact within the unincorporated area of Cassia County being proposed for non-agricultural development of any type shall be considered by the City Council upon recommendation of the City Planning and Zoning Commission in accordance with Title 67 and Title 50 Idaho Code.

3) The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Cassia County shall rest jointly with the Burley Highway District, the City of Burley, and Cassia County.

4) Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Burley Highway District, Burley, Idaho, unless otherwise stipulated by written agreement between the Highway District and the City of Burley.

5) Law Enforcement and fire services in the Area of City Impact shall remain the responsibility of the City of Burley and the Burley Fire Department unless otherwise stipulated by written agreement between the county and/or fire district and the City of Burley.
6) The City of Burley shall appoint a proportionate number of it's Planning and Zoning Commission to represent the Area of City Impact. Those representatives shall reside within the Area of City Impact and shall be reappointed upon any vacancy by citizens also residing within the Area of City Impact.

Section 7: Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Burley and Cassia County at least once every five years and shall be renegotiated at anytime 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 it's passage and publication as required by law.

PASSED BY THE BOARD OF COUNTY COMMISSIONER OF CASSIA COUNTY this 16th day of November, 1998.

John R. Adams, Chairman

Paul Christensen, Commissioner

Lyle Woodbury, Commissioner

ATTEST:

Danell M. Roskelley, Clerk

ORDINANCE - 3
C:\Documents\Public\County Civil\Ordinance\County Impact Area for Cities.wpd
CASSIA COUNTY ORDINANCE NO. 2005-06-02

CITY OF DECKLO ORDINANCE NO. 168

AN ORDINANCE DEFINING AND PROVIDING FOR APPLICATION OF PLANS, ORDINANCES, AND REGULATIONS FOR AN AREA OF CITY IMPACT FOR THE CITY OF DECKLO, IDAHO, IDENTIFYING THE COMPREHENSIVE PLAN THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF CITY IMPACT; IDENTIFYING THE SUBDIVISION AND ZONING ORDINANCES AND REGULATIONS 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; AND ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, IDAHO; AND

FURTHER BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF DECKLO, IDAHO, COUNTY OF CASSIA, STATE OF IDAHO THAT:

Section 1. Legislative Purpose: The purpose for negotiating the Area of City Impact is to further identify a logical urban fringe area adjoining the City of Declo, 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 Declo 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 Declo, Idaho" is established by companion Ordinance
designated as Cassia County Ordinance No. 2005-06-01 and City of Declo Ordinance No. 167 and said ordinance’s attached map, which is marked Exhibit A and Exhibit B.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the County of Cassia, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. Both the City of Declo and Cassia 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 the Cassia County, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The Subdivision Ordinance of the County of Cassia shall also prevail over any Cassia County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

Section 5. Zoning Ordinance or Zoning Regulation: The Zoning Ordinance or Zoning Regulations, Zoning Map and subsequent amendments thereto, as officially adopted by the County of Cassia, shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The area within the area of impact shall be zoned Residential Agricultural (RA) under the Cassia County Ordinance, with all rules and regulations pertaining thereto applying to development and growth in that area, excepting such limits as shall, by Cassia County Ordinance or zoning regulation, provide additional and more stringent regulation in buffer zones or Area of Impact zones.

Section 6. Code and Ordinance Administration and Enforcement:

1) The County of Cassia shall be responsible for the administration and enforcement of the County's ordinances as applicable to the Area of City Impact 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. Appeal and hearing procedures shall follow those adopted by the County of Cassia presently and in the future.

2) Amendments to the County Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes involving property located in the Area of City Impact within the unincorporated area of Cassia County being proposed for non-agricultural development of any type shall be considered by the County Commissioners in accordance with Title 67 and Title 50, Idaho Code.

3) The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Cassia County shall rest jointly with the Burley Highway District and Cassia County and the City of Declo.
4) Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Burley Highway District, unless otherwise stipulated by written agreement between the Highway District, the City of Declo, and Cassia County.

5) Law Enforcement and fire services in the Area of City Impact shall remain the responsibility of the County of Cassia and the North Cassia Rural Fire District unless otherwise stipulated by written agreement between the county and/or fire district and the City of Declo.

Section 7. Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Declo and Cassia 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 Declo this ___ day of June, 2005.

APPROVED BY THE MAYOR of the City of Declo this ___ day of June, 2005.

CITY OF DECLO, IDAHO

[Signature]

Jay Darrington, Mayor

ATTEST:

[Signature]

Terri Koyle, Clerk
PASSED BY THE BOARD OF COUNTY COMMISSIONERS of Cassia County this 30th day of June, 2005.

BOARD OF COMMISSIONERS FOR CASSIA COUNTY, IDAHO

Dennis D. Crane, Chairman

[Signature]

Absent

Paul Christensen, Commissioner

[Signature]

Clay Handy, Commissioner

ATTEST:

[Signature]

Larry A. Mickelsen, Clerk
CASSIA COUNTY ORDINANCE NO. 2005-06-01
CITY OF DECLO ORDINANCE NO. 167

A ORDINANCE ADOPTING A MAP IDENTIFYING AN AREA OF CITY IMPACT FOR THE CITY OF DECLO, WITHIN THE UNINCORPORATED AREA OF THE COUNTY; AND ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, IDAHO; AND

FURTHER, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF DECLO, COUNTY OF CASSIA, STATE OF IDAHO THAT:

Section 1. Legislative Purpose: The purpose of establishing the Area of City Impact is to identify a logical urban fringe area adjoining the City of Declo, 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 Declo 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 Declo, Idaho” is established by this Ordinance and as set forth therein on the attached maps marked Exhibit A and Exhibit B.

Section 3. The Area of City Impact is more particularly defined as:
- Beginning at the SW corner of Section 34, Township 10 South, Range 24 East of the Boise Meridian which shall be the POINT OF BEGINNING;
- Thence North along West boundary line of Sections 34 & 27, Township 10 South, Range 24 EBM to the NW corner of said Section 27;
- Thence East along North boundary line of Sections 27 & 26, Township 10 South, Range 24 EBM to the NE corner of said Section 26;
- Thence South along East boundary line of Sections 26 & 35, Township 10 South, Range 24 EBM to the SE corner of said Section 35;
- Thence West along the South boundary line of Sections 35 & 34, Township 10 South, Range 24 EBM to the POINT OF BEGINNING.

Section 4. Renegotiation: The Area of City Impact shall be reviewed by the City of Declo and Cassia 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 5. 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 Declo this ___ day of June, 2005.

APPROVED BY THE MAYOR of the City of Declo this ___ day of June, 2005.

CITY OF DEarlo, IDAHO

[Signature]

Jay Darrington, Mayor

ATTEST:

[Signature]

Terri Koyle, Clerk

PASSED BY THE BOARD OF COUNTY COMMISSIONERS of Cassia County this ___ day of June, 2005.

BOARD OF COMMISSIONERS FOR CASSIA COUNTY, IDAHO

[Signature]

Dennis D. Crane, Chairman

[Signature]

Paul Christensen, Commissioner

ATTEST:

[Signature]

Clay Handy, Commissioner

Larry A. Mickelsen, Clerk

AREA OF IMPACT MAP ADOPTION - CITY OF DEarlo
ORNIDANCE NO. 64-12-1

AREA OF IMPACT AGREEMENT - CITY OF MALTA

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF MALTA, 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 MALTA, IDAHO, COUNTY OF CASSIA, STATE OF IDAHO AND;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, 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 Malta, 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 Malta 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 Malta, Idaho" is established by this Ordinance and as set forth herein on the attached map marked Exhibit A.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the County of Cassia, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. Both the City of Malta and Cassia 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 the Cassia County, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The Subdivision Ordinance of the County of Cassia shall also prevail over any Cassia County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

ORNIDANCE NO. _______ -1
CTY II/IMPACT-m.ORD
Section 5. Zoning Ordinance: The Zoning Ordinance, Zoning Map and subsequent amendments thereto as officially adopted by the County of Cassia shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The area within the area of impact shall be zoned RA-1 under the Cassia County Ordinance.

Section 6. Code and Ordinance Administration and Enforcement:

1) Cassia County shall be responsible for the administration and enforcement of the City's ordinances listed in Section 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. Appeal and hearing procedures shall follow those adopted by the County of Cassia presently and in the future.

2) Amendments to the County Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes involving property located in the Area of City Impact within the unincorporated area of Cassia County being proposed for non-agricultural development of any type shall be considered by the Cassia Commissioners in accordance with Title 67 and Title 50, Idaho Code.

3) The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Cassia County shall rest jointly with the Raft River Highway District, County of Cassia and the City of Malta.

4) Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Raft River Highway District, unless otherwise stipulated by written agreement between the Highway District, the City of Malta, and Cassia County.

5) Law Enforcement and fire services in the Area of City Impact shall remain the responsibility of the County of Cassia and the Malta Fire District unless otherwise stipulated by written agreement between the county and/or fire district and the City of Malta.

6) The City of Malta shall appoint an appropriate number of it's Planning and Zoning Commission to represent the Area of City Impact. Those representatives shall reside within the Area of City Impact and shall be reappointed upon any vacancy by citizens also residing within the Area of City Impact.

ORDINANCE NO. ________ -2
CITY II/IMPACT-M.ORD
Section 7. Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Malta and Cassia 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 Malta this 14th day of November, 1994.

APPROVED BY THE MAYOR of the City of Malta this 14th day of November, 1994.

PASSES BY THE COUNTY COMMISSIONERS of the County of Cassia this 5th day of December, 1994.

ATTEST:

[Signature]
City Clerk

[Signature]
County Clerk

ORDINANCE NO. 11/IMPACT-0.ORN
OAKLEY CITY ORDINANCE NO.94-3
CASSIA COUNTY ORDINANCE 94-11-1

AREA OF IMPACT AGREEMENT - CITY OF OAKLEY

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF OAKLEY, 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 Oakley, IDAHO, COUNTY OF CASSIA, STATE OF IDAHO AND;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, CASSIA COUNTY, 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 Oakley, 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 Oakley 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 Oakley, Idaho" is established by this Ordinance for Oakley, Idaho and for Cassia County, Idaho and is set forth herein on the attached map marked Exhibit A.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the County of Cassia, Idaho shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho, until such time as Oakley City adopts a comprehensive plan. Cassia County shall amend their Comprehensive Plan to be consistent with this agreement, if required.

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

IMPACT ORDINANCE -1
CTY II/IMPACT-0.ORD
Cassia County ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

Section 5. Zoning Ordinance: The Zoning Ordinance, Zoning Map and subsequent amendments thereto as officially adopted by the County of Cassia shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The area of city impact shall be zoned RA-1 under the Cassia County Zoning Ordinance.

Section 6. Code and Ordinance Administration and Enforcement:

1) The County of Cassia shall be responsible for the administration and enforcement of the County’s ordinances listed in Section 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. Appeal and hearing procedures shall follow those adopted by the County of Cassia presently and in the future.

2) Amendments to the County Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes involving property located in the Area of City Impact within the unincorporated area of Cassia County being proposed for non-agricultural development of any type shall be considered by the County Commissioners in accordance with Title 67 and Title 50, Idaho Code.

3) The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Cassia County shall rest jointly with the Oakley Highway District, County of Cassia and the City of Oakley.

4) Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Oakley Highway District, Oakley, Idaho, unless otherwise stipulated by written agreement between the Highway District, the City of Oakley and the County of Cassia.

5) Law Enforcement and fire services in the Area of City Impact shall remain the responsibility of the County of Cassia and the Oakley Fire District unless otherwise stipulated by written agreement between the county and/or fire district and the City of Oakley.

6) The City of Oakley shall appoint a proportionate number of members of it’s Planning and Zoning Commission to represent the

IMPACT ORDINANCE -2
CTY II/IMPACT-0.ORD
Area of City Impact. Those representatives shall reside within the Area of City Impact and shall be reappointed upon any vacancy by citizens also residing within the Area of City Impact.

Section 7. Renegotiation: The Area of City Impact Agreement shall be reviewed by the City of Oakley and Cassia 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 it's passage and publication as required by law.

PASSED BY THE CITY COUNCIL of the City of Oakley this ___ day of December, 1994.

APPROVED BY THE MAYOR of the City of Oakley this ___ day of December, 1994.

PASSED BY THE COUNTY COMMISSIONERS of the County of Cassia this ___ day of December, 1994.

OAKLEY CITY

[Signatures]

COUNTY

[Signatures]

APPROVED:

[Signatures]

ATTEST:

[Signatures]

IMPACT ORDINANCE -3

CTY II/IMPACT-0.ORD
RECORDED AT THE REQUEST OF
Claude O. Commissions

FILM 261

1995 JAN - 5 P 12:07  234560

DARRELL F. MESSELY
RECORDE

DEPUTY