Appendix A: Payette County AOI Agreements

Report 12-01

Economic Development Clinic
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Chapter 1
FRUITLAND AREA OF CITY IMPACT

11-1-1: PURPOSE:

The purpose of establishing an area of city impact is to identify a logical urban fringe area adjoining the City of Fruitland. The urban fringe area is realizing, or will realize, development pressure that must be planned for in an orderly manner. Idaho Code section 67-6526, requires that cities and counties negotiate an area of city impact. (Ord. 27, 5-17-1976, eff. 5-27-1976)

11-1-2: CONSIDERATION:

The following factors were considered by the Planning and Zoning Commission and the Fruitland City Council in the establishment of an area of City impact:

A. Trade area;

B. Geographic factors; and

C. Areas that can reasonably be expected to be annexed to the City of Fruitland in the future. (Ord. 27, 5-17-1976, eff. 5-27-1976; 1996 Code)

11-1-3: GEOGRAPHIC AREA OF CITY IMPACT:

The officially adopted geographic area of City impact is shown on the map entitled "City of Fruitland, Impact Area Map" attached to Ordinance 69 as Exhibit B, on file in the office of the County Clerk, and incorporated herein the same as if set out in full. (Ord. 27, 5-17-1976, eff. 5-27-1976; amd. Ord. 69, 5-6-1991)
11-1-4: COMPREHENSIVE PLAN:

The Comprehensive Plan and subsequent amendments thereto as officially adopted by the City of Fruitland shall apply to the area of City impact within the unincorporated area of Payette County. (Ord. 27, 5-17-1976, eff. 5-27-1976)

11-1-5: ZONING AND SUBDIVISION ORDINANCES:

The zoning and subdivision ordinances and subsequent amendments thereto as officially adopted by the City of Fruitland shall apply to the area of City impact within the unincorporated area of Payette County. (Ord. 27, 5-17-1976, eff. 5-27-1976)
2-1-2: QUALIFICATIONS; TERM OF OFFICE:

The Planning and Zoning Commission shall consist of seven (7) members to be appointed by the Mayor, and confirmed by the City Council. All members shall be residents of the City, except that two (2) of the members may be from the New Plymouth impact area. All appointed members of the Planning and Zoning Commission shall be appointed for and shall hold office for a term of six (6) years. In the event of the death, resignation or any vacancy in said Commission, the Mayor is hereby authorized and empowered to fill such vacancy by appointment for the unexpired term of such member or members. All present members are hereby reappointed in the present positions for the remainder of their terms. (Ord. 252, 1-19-1999)

2-1-5: POWERS AND DUTIES:

It shall be the duty of the Planning and Zoning Commission to study economic, social and physical conditions of the City, and to recommend and make suggestions to the Council concerning the laying out, widening, extending, parking and locating the streets, sidewalks, boulevards, the establishment of setback lines, the relief of traffic congestion, the betterment of housing and sanitation conditions and the establishment of zones and districts limiting the use, height, area and bulk of buildings, and structures; to recommend to the Council plans for the regulation of the future growth, development and beautification of the Municipality in respect to its public and private buildings and work, streets, parks, grounds and vacant lots, and plans consistent with the future growth and development of the City in order to secure the City and its inhabitants, sanitation, proper service of all public utilities, and transportation facilities, and in general to study and to propose such measures as may be advisable for the promotion of the public interest, health, morals, safety, comfort, convenience and welfare of said City, and in the City impact area. (Ord. 252, 1-19-1999)

11-1-4: JURISDICTION:

This Title applies to the zoning and uses of land within the incorporated area of the City, together with the unincorporated area of Payette County, Idaho, as the same is included within the City's adopted impact area.

11-21-4: DEFINITIONS:

When used in this Chapter the following words and phrases shall have the meanings given in this Section:
HAZARDOUS or TOXIC WASTE or MATERIAL: Any waste or material which because of its quantity, concentration or physical, chemical or infectious characteristics may:

(A) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

(B) Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed;

(C) Hazardous or toxic waste means any material or substance designated as a hazardous or toxic substance by the United States of America acting through the Environmental Protection Agency, or any successor agency, section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, or any material or substance designated as a hazardous or toxic substance by the State of Idaho, acting through the Division of Environmental Quality or any successor agency.

SANITARY LANDFILL: A disposal site where solid wastes, including putrescible wastes, or hazardous wastes, are disposed of on land by placing earth cover thereon.

WELLHEAD: The upper terminal of a well, including adapters, ports, seals, valves and other attachments.

ZONE I: An area extending fifty feet (50') radially from the wellhead supplying potable water to the City water system.

ZONE II: An area extending between the fifty feet (50') designated as Zone I and the outer limit of the City impact area. (Ord. 204, 8-3-92)

11-21-5: ESTABLISHMENT OF WELLHEAD PROTECTION ZONES:

There is hereby established a use district to be known as a wellhead protection area identified and described as all the area within the City limits and to include the city impact area. It is further established that this area be composed of two (2) zones, Zone I and Zone II as they are defined in Section 11-21-4. (Ord. 204, 8-3-92)
Chapter 2
PAYETTE AREA OF CITY IMPACT

11-2-1: PURPOSE:

The purpose of establishing an area of city impact is to identify a logical urban fringe area adjoining the city of Payette. The urban fringe area is realizing, or will realize, development pressure that must be planned for in an orderly manner. Idaho Code section 67-6526 requires that cities and counties negotiate an area of city impact. (Ord. 29, 9-26-1977, eff. 9-29-1977)

11-2-2: CONSIDERATION:

The following factors were considered by the planning and zoning commission and the Payette city council in the establishment of an area of city impact:

A. Trade area;

B. Geographic factors; and

C. Areas that can reasonably be expected to be annexed to the city of Payette in the future. (Ord. 29, 9-26-1977, eff. 9-29-1977; amd. 1996 Code)

11-2-3: GEOGRAPHIC AREA OF CITY IMPACT:

The officially adopted geographic area of city impact is shown on the map entitled "city of Payette, Payette County, Idaho, comp plan map" introduced as exhibit A in the public hearing held October 25, 2010, which map is adopted herein by reference, as if set out in full verbatim, and made a part of this code. Three (3) copies of that map shall be kept in the office of the county clerk and three (3) additional copies shall be kept in the office of the planning and zoning administrator/building inspector. Copies thereof shall be made available to members of the public upon request. (Ord. 2010-08, 10-25-2010)
11-2-4: COMPREHENSIVE PLAN:

The comprehensive plan and subsequent amendments thereto as officially adopted by Payette shall apply to the area of city impact within the unincorporated area of the county. (Ord. 29, 9-26-1977, eff. 9-29-1977)

11-2-5: ZONING AND SUBDIVISION ORDINANCES:

The zoning and subdivision ordinances and subsequent amendments thereto as officially adopted by the city of Payette shall apply to the area of city impact within the unincorporated area of the county. (Ord. 29, 9-26-1977, eff. 9-29-1977)