



# Appendix A: Twin Falls County AOI Agreements

Report 12-01

Economic Development Clinic  
University of Idaho College of Law

Stephen R. Miller, Director

Students:

Marc Bybee  
Joan Callahan  
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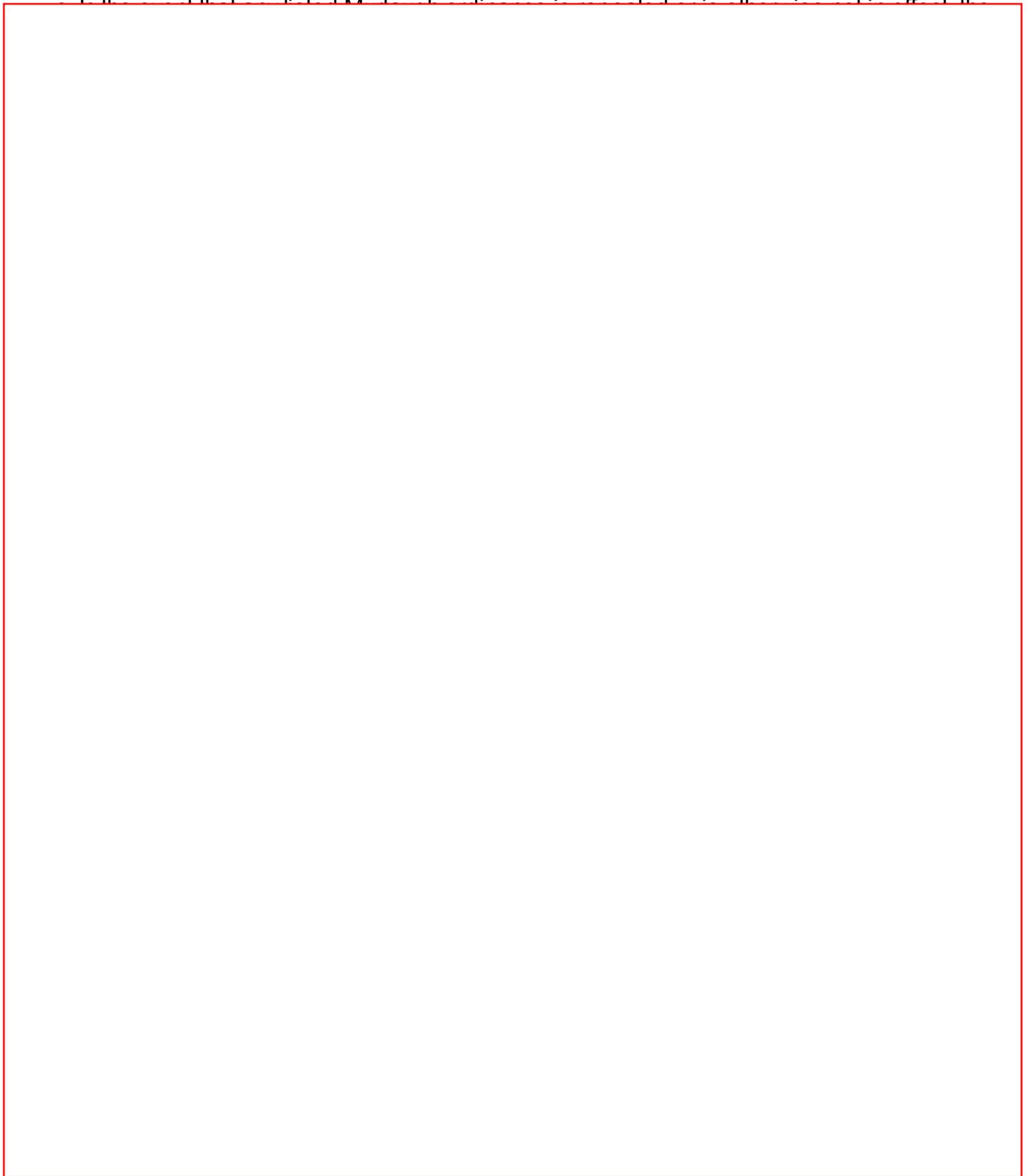
**University of Idaho**  
College of Law

## **8-9-18: NEGOTIATION PROCEDURE:**

- A. The governing body of Twin Falls County and each city therein may adopt by ordinance following the notice and hearing procedures provided in section 67-6509, Idaho Code, a map identifying an area of city impact with the unincorporated area of the County. The ordinance identifying an area of city impact shall provide for one of the following:
1. Application of the city plan and ordinances adopted under this Chapter to the area of city impact; or
  2. Application of the County plan and ordinances adopted under this Chapter to the area of city impact; or
  3. Application of any mutually agreed upon plan and ordinances adopted under this Chapter to the area of city impact.
- B. If the respective advisory committee representing the County and the city concerned cannot agree upon all details of the area of impact, the County Commissioners for the County concerned, together with three (3) elected city officials designated by the mayor of the city and confirmed by the County, shall, within thirty (30) days, select three (3) city or County residents. These nine (9) persons shall, by majority vote, recommend to the city and County governing boards an area of city impact together with plan and ordinance requirements. The recommendations shall be acted upon by the governing boards within sixty (60) days of receipt. If the city or County fails to enact ordinances providing for any area of city impact, plan, and ordinance requirements, the city or County may seek a declaratory judgment from the District Court identifying the area of city impact, the following factors shall be considered: 1) trade area; 2) geographic factors; and 3) areas that can reasonably be expected to be annexed to the city in the future.
- C. If areas of city impact overlap, the cities involved shall negotiate boundary adjustments to be recommended to the respective city councils. If the cities cannot reach agreement, the Board of County Commissioners shall, upon a request from either city, within thirty (30) days, recommend adjustments to the areas of city impact which shall be adopted by ordinance by the cities following the notice and hearing procedures provided in section 67-6509, Idaho Code. If any city objects to the recommendation of the Board of County Commissioners, the city shall, within sixty (60) days from receipt of the recommendation, seek a declaratory judgment from the District Court adjusting the areas of city impact.
- D. Areas of city impact, plan, and ordinance requirements shall remain fixed until both governing boards agree to renegotiate. In the event the city and County cannot agree, the judicial review process of subsection B of this Section shall apply. Renegotiations

shall begin within thirty (30) days after written request by the city or county and shall follow the procedures for original negotiation provided in this section.

- E. Prior to negotiation or renegotiation of areas of city impact, plan, and ordinance requirements, the governing boards shall submit the questions to the planning, zoning, or planning and zoning commission for recommendation. Each commission shall have a reasonable time fixed by the governing board to make its recommendations to the governing board.
  
- F. This section shall not preclude growth and development in areas of the county which are not within the areas of city impact provided for herein. (Ord. 21, 12-1-1998)



F. Buhl, Idaho:

1. Recitals: The recitals set forth in this subsection are incorporated in this chapter and by this reference made a part hereof.

2. Geographic Area Of City Impact: The agreed upon area of city impact is established and set forth therein as the city of Buhl, Idaho, area of impact and described as: Sections 25, 26, S  $1\frac{1}{2}$  27, Section 34 and Section 35, Township 9 South, Range 14 East, of the Boise Meridian; Section 1 and 2, Township 10 South, Range 14 East, of the Boise Meridian; N  $1\frac{1}{2}$  Section 5 and Section 6, Township 10 South, Range 15 East, of the Boise Meridian; Section 30, 31 and 32, Township 9 South, Range 15 East, of the Boise Meridian, all within Twin Falls County, State of Idaho.  
(Ord. 200, 11-13-2007)
3. Governing Plan And Ordinance:
  - a. The city of Buhl comprehensive plan, comprehensive plan land use map, zoning districts map, area of impact map, and Buhl city code titles 8 and 9 shall comprise the governing plan and ordinance. (Ord. 200, 11-13-2007; amd. Ord. 230, 4-6-2012)
  - b. Within the area of city impact, any parcel of land used solely for agricultural purposes, may continue said use until a change of use occurs. (Ord. 200, 11-13-2007)
4. Administration:
  - a. The board of commissioners of Twin Falls County hereby appoints and authorizes the city of Buhl, its agents and employees to enforce and administer the provisions of titles 8 and 9 of the Buhl city code, to charge and collect fees for such administrative duties as adopted by reference herein for the area of city impact. (Ord. 200, 11-13-2007; amd. Ord. 230, 4-6-2012)
  - b. The city of Buhl accepts the appointment and authorization. (Ord. 200, 11-13-2007)
  - c. The board of commissioners of Twin Falls County hereby appoints the Buhl city planning and zoning commission as the area of city impact commission to administer titles 8 and 9 of the Buhl city code in the area of city impact. The city of Buhl accepts the appointment. Two (2) of the area of city impact commission members shall serve as representatives of the area of impact. The two (2) area of impact members, as well as an area of impact alternate, shall be appointed by the board of county commissioners with the concurrence of the Buhl city council. (Ord. 200, 11-13-2007; amd. Ord. 230, 4-6-2012)
  - d. The two (2) area of impact members and the area of impact alternate so appointed shall serve a term of three (3) years and may succeed themselves for one full term. A county appointee appointed to fill a vacated, but unexpired term, shall serve the balance of the term of three (3) years. Members appointed by the county commissioners shall be residents within the area of impact, residing outside the city limits, and shall vote on all issues coming before the commission. The area of impact alternate shall attend all meetings of the commission, including both regular and special meetings, and shall actively participate in all discussions had on any matter before the commission. The area of impact alternate shall not vote on any matter except as herein provided. The area of impact alternate shall have full voting privileges whenever an area of impact member is absent, unable to act due to conflict of interest, and whenever a vacancy among the area of impact members occurs on the commission for any reason. The area of impact alternate

member shall so act, with full voting privileges, until the disability of the area of impact member has been removed.

- e. All applications for preliminary plats of subdivisions, vacations, rezones, special use permits, variances, and other such permits shall be submitted to the city in accordance with the provisions of Buhl city code. All applications for final plats of subdivisions, for vacations and rezones shall be submitted to the city council for their recommendation and action, prior to submission to the board of county commissioners. The board of county commissioners may approve, deny or remand the application.
- f. Any person directly aggrieved and affected by a final decision of the city of Buhl planning and zoning commission regarding property located within the area of city impact may appeal to the board of county commissioners.

#### 5. Enforcement:

- a. The board of commissioners of Twin Falls County appoints and authorizes the city of Buhl and its employees and agents to enforce compliance with the provisions of this chapter and the regulations adopted herein, and to institute civil action in district court on behalf of Twin Falls County, provided that the city pays all costs associated with such enforcement action initiated by the city.
- b. The city of Buhl accepts the appointment and authorization.

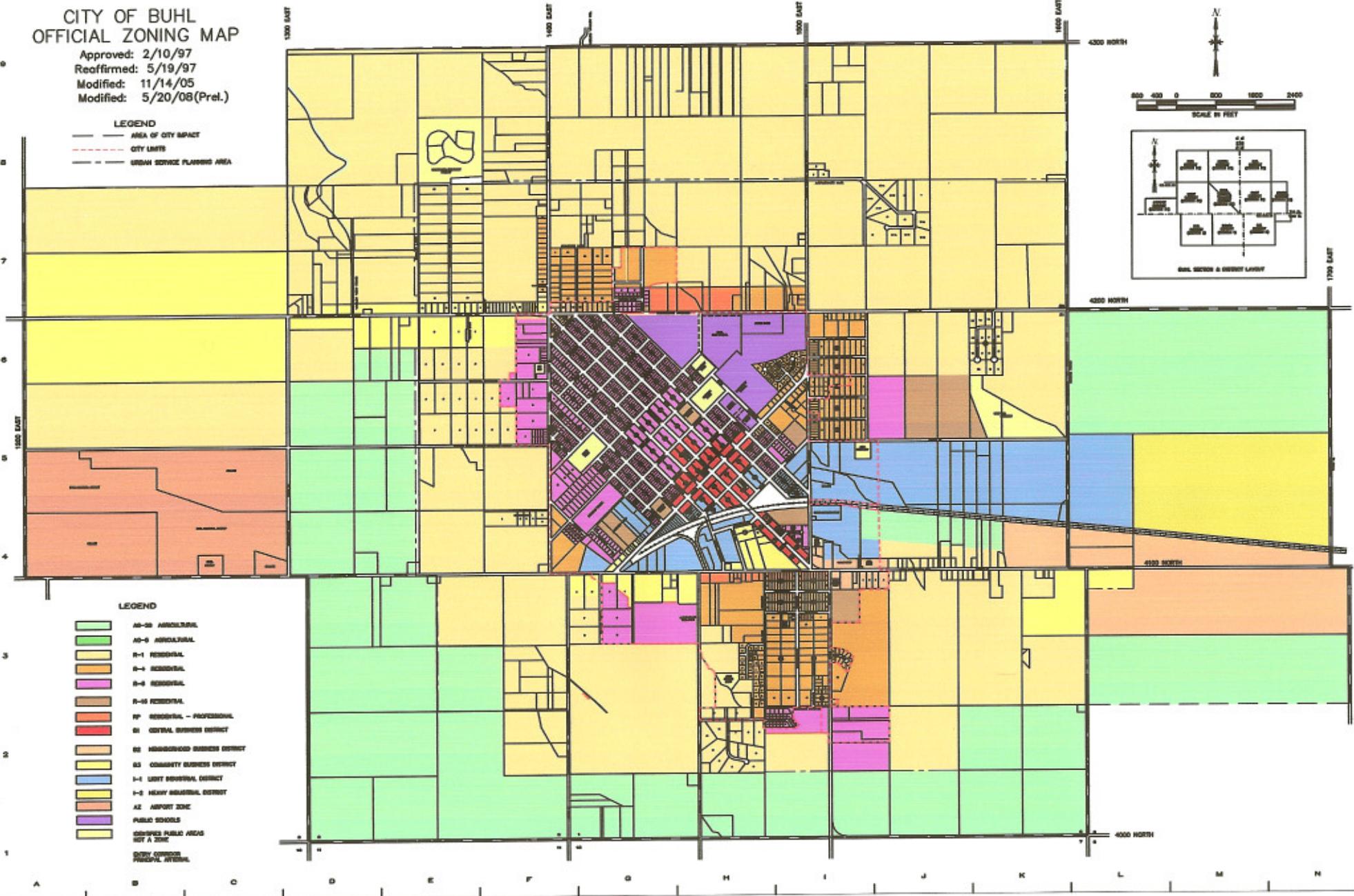
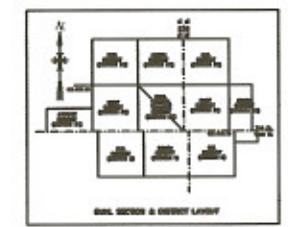
6. Renegotiation: The area of city impact may be reviewed and renegotiated at any time upon written request of either party hereto. In any event, pursuant to Idaho Code 67-6526(e), the city and the county shall review the agreement every ten (10) years.

7. Repeal Of Conflicting Provisions: All ordinances and code sections or parts thereof in conflict with this subsection are hereby repealed. (Ord. 200, 11-13-2007)

# CITY OF BUHL OFFICIAL ZONING MAP

Approved: 2/10/97  
 Reaffirmed: 5/19/97  
 Modified: 11/14/05  
 Modified: 5/20/08 (Prel.)

**LEGEND**  
 — AREA OF CITY IMPACT  
 - - - CITY LIMITS  
 - - - URBAN SERVICE PLANNING AREA



**LEGEND**

- AG-20 AGRICULTURAL
- AG-5 AGRICULTURAL
- R-1 RESIDENTIAL
- R-2 RESIDENTIAL
- R-3 RESIDENTIAL
- R-4 RESIDENTIAL
- R-5 RESIDENTIAL
- R-10 RESIDENTIAL
- RP RESIDENTIAL - PROFESSIONAL
- BI CENTRAL BUSINESS DISTRICT
- BB NEIGHBORHOOD BUSINESS DISTRICT
- BS COMMUNITY BUSINESS DISTRICT
- I-1 LIGHT INDUSTRIAL DISTRICT
- I-2 HEAVY INDUSTRIAL DISTRICT
- AZ AIRPORT ZONE
- PS PUBLIC SCHOOLS
- GPZ GROUPED PUBLIC AREAS NOT A ZONE
- UCZ UNDEVELOPED CITY ZONE
- PFZ PAVED AREAS

### C. Filer, Idaho:

1. **Integration Of Recitals:** The recitals set forth in this subsection are incorporated in this chapter and by this reference made a part hereof.
2. **Geographic Area Of City Impact:** The agreed upon area of city impact is established and set forth therein as the city of Filer, Idaho, area of impact and described as all the area bordered on the north by 4100 North, on the south by 3800 North, on the east by 2400 East, and on the west by Cedar Draw.
3. **Governing Plan And Ordinance:**
  - a. The city of Filer comprehensive plan, comprehensive plan land use map, zoning districts map, area of impact map, and Filer city code title 9 and 10 shall comprise the governing plan and ordinance.
  - b. Within the area of city impact, any parcel of land used solely for agricultural purposes, may continue said use until a change of use occurs.
4. **Administration:**
  - a. The board of commissioners of Twin Falls County hereby appoints and authorizes the city of Filer, its agents and employees to enforce and administer the provisions of title 9 and 10 of the Filer city code, to charge and collect fees for such administrative duties as adopted by reference herein for the area of city impact.
  - b. The city of Filer accepts the appointment and authorization.
  - c. The board of commissioners of Twin Falls County hereby appoints the Filer city council as the area of city impact commission to administer title 9 and 10 of the Filer city code in the area of city impact. The city of Filer accepts the appointment. Two (2) of the area of city impact commission members shall serve as representatives of the area of impact. The two (2) area of impact members, as well as an area of impact alternate, shall be appointed by the board of county commissioners with the concurrence of the Filer city council.
  - d. The two (2) area of impact members and the area of impact alternate so appointed shall serve a term of three (3) years and may succeed themselves for one full term. A county appointee appointed to fill a vacated, but unexpired term, shall serve the balance of the term of three (3) years. Members appointed by the county commissioners shall be residents within the area of impact, residing outside the city limits, and shall vote on all area of impact zoning and subdivision issues coming before the Filer city council.
  - e. All applications for preliminary plats of subdivisions, vacations, rezones, special use permits, variances, and other such permits shall be submitted to the city in accordance with the provisions of Filer city code. All applications for final plats of subdivisions, for vacations and rezones shall be submitted to the city council for their recommendation and action, prior to submission to the board of county commissioners. The board of county commissioners may approve, deny or remand the application.
  - f. Any person directly aggrieved and affected by a final decision of the city of Filer city council

regarding property located within the area of city impact may appeal to the board of county commissioners.

5. Enforcement:

- a. The board of commissioners of Twin Falls County appoints and authorizes the city of Filer and its employees and agents to enforce compliance with the provisions of this chapter and the regulations adopted herein, and to institute civil action in district court on behalf of Twin Falls County, provided that the city pays all costs associated with such enforcement action initiated by the city.
- b. The city of Filer accepts the appointment and authorization.

6. Renegotiation: The area of city impact may be reviewed and renegotiated at any time upon written request of either party hereto. In any event, pursuant to Idaho Code 67-6526(e), the city and the county shall review the agreement every ten (10) years. (Ord. 216, 6-1-2010)

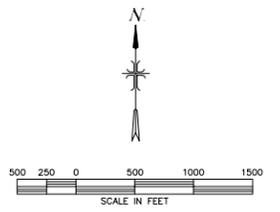
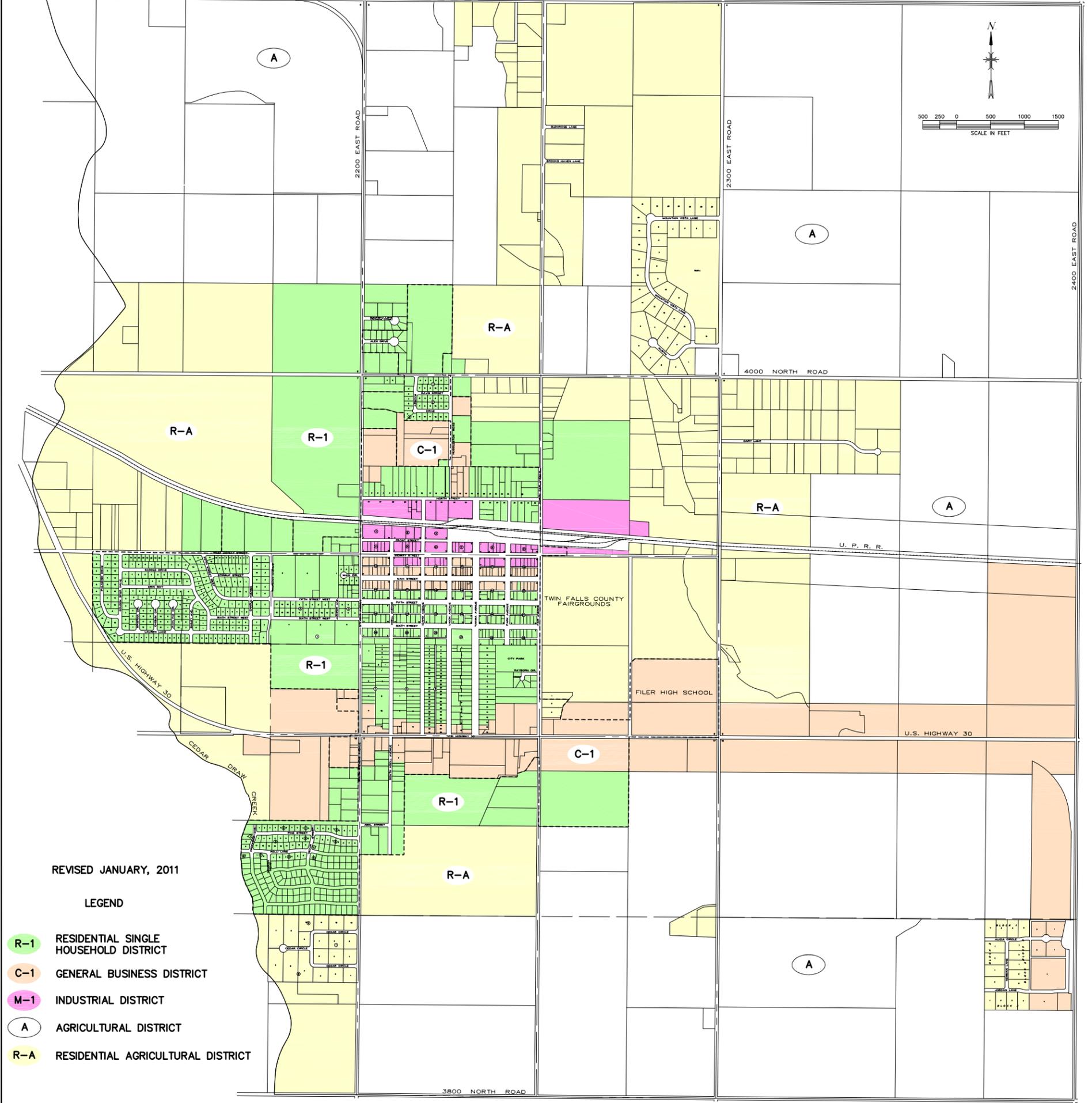
D. Hollister, Idaho: The officially adopted and agreed upon "area of city impact for Hollister, Idaho", is established by ordinance 135, Hollister, Idaho, and by Twin Falls County, Idaho, and is set forth therein on the map on file in the office of the clerk of the county commissioners entitled "Area of City Impact for Hollister, Idaho", dated January 9, 1995, and marked exhibit A. Legal description is attached as exhibit B.

1. Comprehensive Plan: The comprehensive plan and subsequent amendments thereto as officially adopted by the county of Twin Falls, Idaho, shall apply to the area of city impact within the unincorporated area of Twin Falls County, Idaho. Both the city of Hollister and Twin Falls County shall amend their comprehensive plans to be consistent with this agreement, if required.
2. Subdivision Ordinance: The subdivision ordinance and subsequent amendments thereto as officially adopted by the city of Hollister, in accordance with Idaho Code 50-1306 shall apply within one mile of city limits including the area of city impact within the unincorporated area of Twin Falls County, Idaho. The subdivision ordinance of the city of Hollister shall also prevail over any county ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivision, short plats, or administrative lot splits.
3. Zoning Ordinance: The zoning ordinance, zoning map and subsequent amendments thereto as officially adopted by the county shall apply to the area of city impact within the unincorporated area of Twin Falls County, Idaho.
4. Code And Ordinance Administration And Enforcement:
  - a. The county shall be responsible for the administration and enforcement of the county's ordinances listed in subsections A, B, and C of this section 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.
  - b. Amendments to the county of Twin Falls 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 Twin Falls County or development applications being proposed for nonagricultural development which definition shall include residential development requiring subdivision, commercial or industrial development activity of any type shall be reviewed by the city council, who shall then make a recommendation to the county for approval, denial, or approval with the placement of special conditions in accordance with title 67, chapter 65, and title 50, Idaho Code. It shall be the applicant's responsibility to notify the city prior to the application process by the county. The city agrees to return a written recommendation within thirty (30) days of receipt of notice. The county agrees to consider such recommendation in its deliberation and decision making process.

- c. Maintenance of public streets located in the area of city impact shall be the exclusive responsibility of the Twin Falls highway district unless otherwise stipulated by written agreement between the highway district and the city of Hollister.
  - d. Law enforcement and fire services in the area of city impact shall remain the responsibility of Twin Falls County and the Salmon Tract fire district unless otherwise stipulated by written agreement between the county and/or fire district and the city of Hollister.
5. Renegotiation: The area of city impact agreement shall be reviewed by the city of Hollister and Twin Falls County at least once every five (5) years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin thirty (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. (Ord. 135, 12-11-1995)

# FILER CITY AND AREA OF IMPACT ZONING AREA MAP



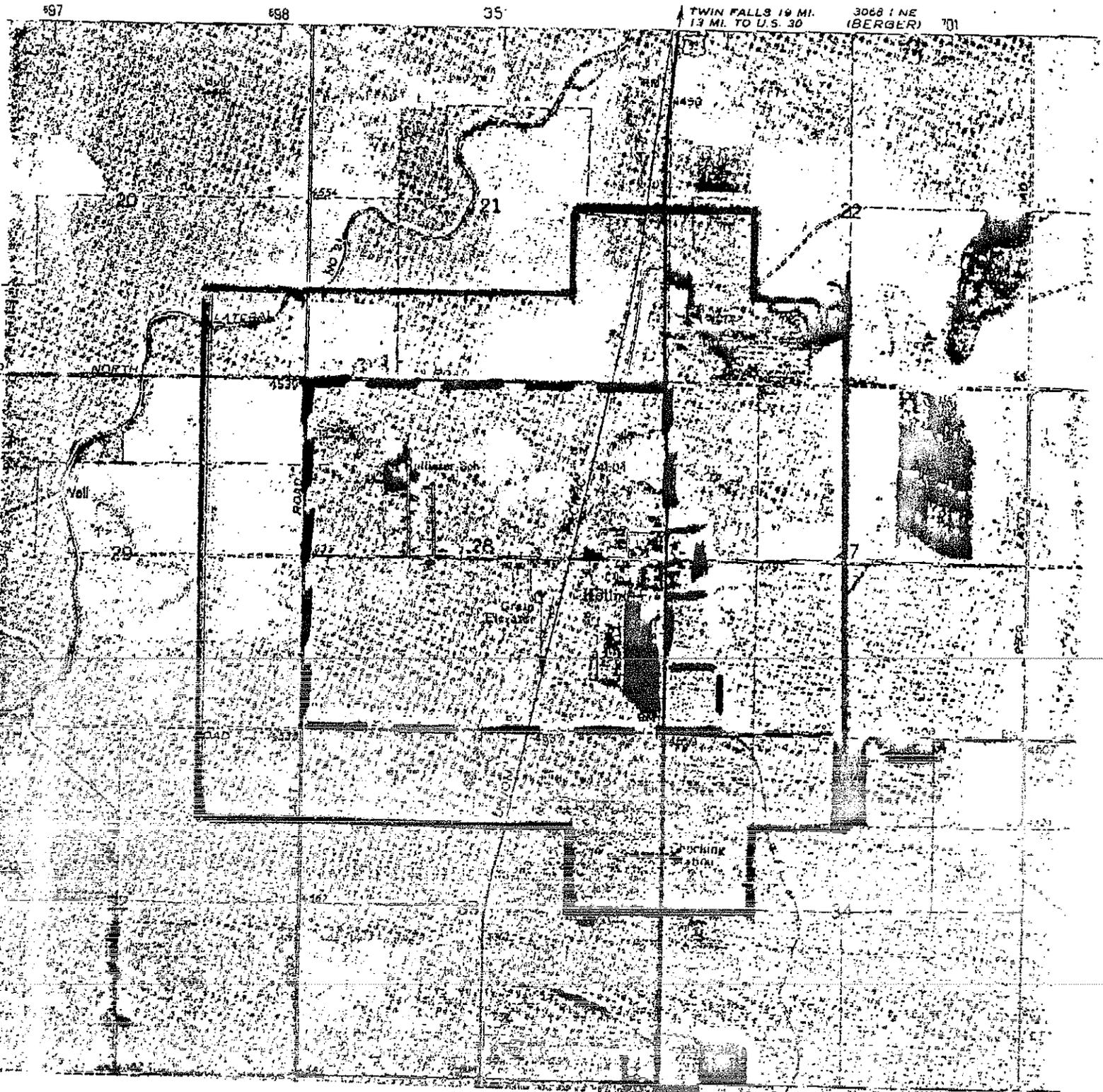
REVISED JANUARY, 2011

### LEGEND

- R-1 RESIDENTIAL SINGLE HOUSEHOLD DISTRICT
- C-1 GENERAL BUSINESS DISTRICT
- M-1 INDUSTRIAL DISTRICT
- A AGRICULTURAL DISTRICT
- R-A RESIDENTIAL AGRICULTURAL DISTRICT

— Area of Impact  
- - - City

S  
INTERIOR  
VEY



## **EXHIBIT B - LEGAL**

The Hollister Area of City Impact includes the following sections or portions thereof in Range 16 East, Township 12 South:

**Section 20 - Southeast quarter of the southeast quarter**

**Section 21 - East one-half of the southeast quarter  
Southwest quarter of the southeast quarter  
South one-half of the southwest quarter**

**Section 22 - South one-half of the southwest quarter  
Northwest quarter of the southwest quarter**

**Section 27 - West one-half of Section 27**

**Section 29 - East one-half of the northeast quarter  
East one-half of the southeast quarter**

**Section 32 - Northeast quarter of the northeast quarter**

**Section 33 - North one-half of the northwest quarter  
North one-half of the northeast quarter  
Southeast quarter of the northeast quarter**

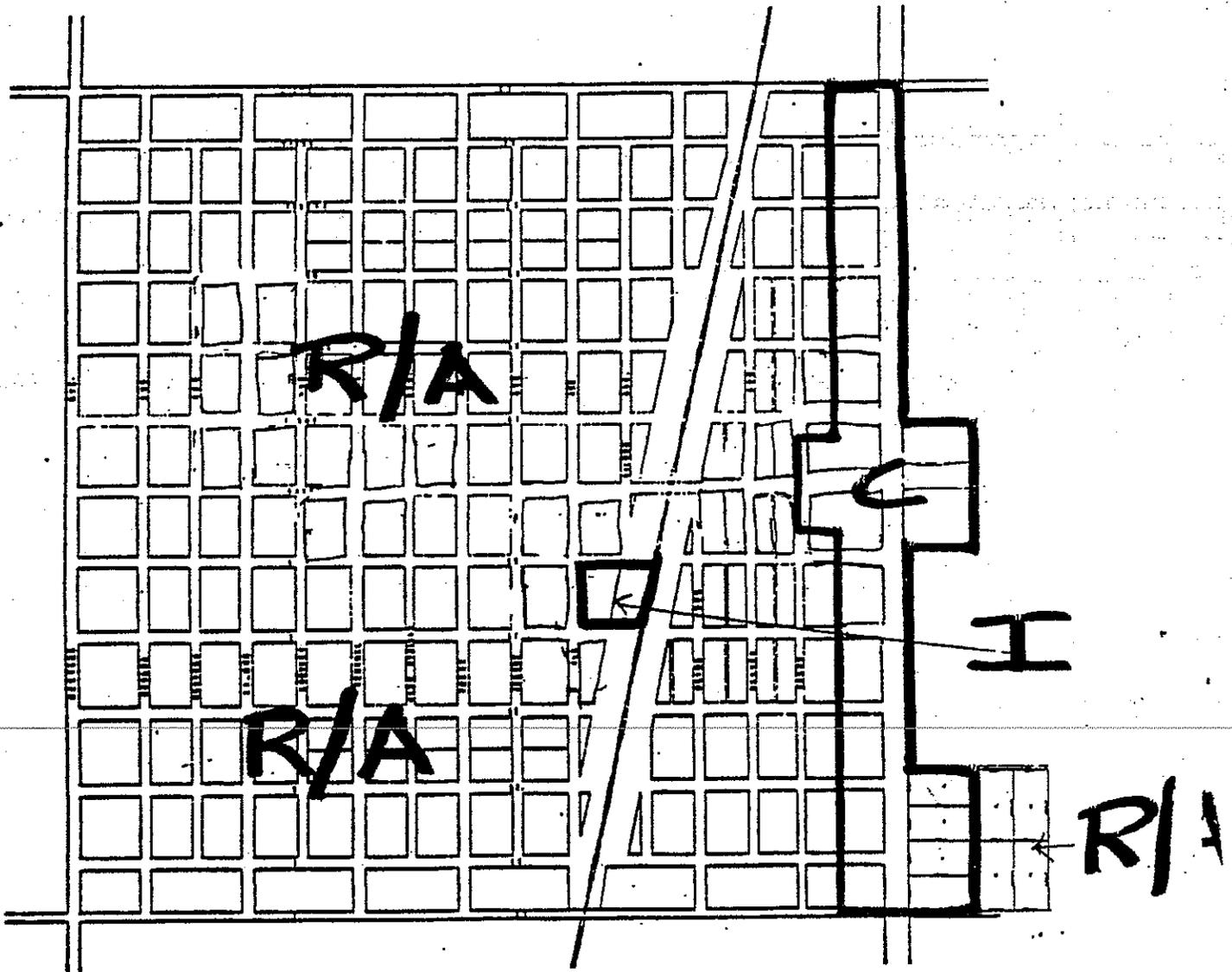
**Section 34 - West one-half of the northwest quarter  
Northeast quarter of the northwest quarter**

CITY OF HOLLISTER ZONING MAP

RA Residential/Agricultural Zone

C Commercial Zone

I Industrial Zone



- D. Hollister, Idaho: The officially adopted and agreed upon "area of city impact for Hollister, Idaho", is established by ordinance 135, Hollister, Idaho, and by Twin Falls County, Idaho, and is set forth therein on the map on file in the office of the clerk of the county commissioners entitled "Area of City Impact for Hollister, Idaho", dated January 9, 1995, and marked exhibit A. Legal description is attached as exhibit B.
1. Comprehensive Plan: The comprehensive plan and subsequent amendments thereto as officially adopted by the county of Twin Falls, Idaho, shall apply to the area of city impact within the unincorporated area of Twin Falls County, Idaho. Both the city of Hollister and Twin Falls County shall amend their comprehensive plans to be consistent with this agreement, if required.
  2. Subdivision Ordinance: The subdivision ordinance and subsequent amendments thereto as officially adopted by the city of Hollister, in accordance with Idaho Code 50-1306 shall apply within one mile of city limits including the area of city impact within the unincorporated area of Twin Falls County, Idaho. The subdivision ordinance of the city of Hollister shall also prevail over any county ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivision, short plats, or administrative lot splits.
  3. Zoning Ordinance: The zoning ordinance, zoning map and subsequent amendments thereto as officially adopted by the county shall apply to the area of city impact within the unincorporated area of Twin Falls County, Idaho.

#### 4. Code And Ordinance Administration And Enforcement:

- a. The county shall be responsible for the administration and enforcement of the county's ordinances listed in subsections A, B, and C of this section 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.
- b. Amendments to the county of Twin Falls 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 Twin Falls County or development applications being proposed for nonagricultural development which definition shall include residential development requiring subdivision, commercial or industrial development activity of any type shall be reviewed by the city council, who shall then make a recommendation to the county for approval, denial, or approval with the placement of special conditions in accordance with title 67, chapter 65, and title 50, Idaho Code. It shall be the applicant's responsibility to notify the city prior to the application process by the county. The city agrees to return a written recommendation within thirty (30) days of receipt of notice. The county agrees to consider such recommendation in its deliberation and decision making process.
- c. Maintenance of public streets located in the area of city impact shall be the exclusive responsibility of the Twin Falls highway district unless otherwise stipulated by written agreement between the highway district and the city of Hollister.
- d. Law enforcement and fire services in the area of city impact shall remain the responsibility of Twin Falls County and the Salmon Tract fire district unless otherwise stipulated by written agreement between the county and/or fire district and the city of Hollister.

5. Renegotiation: The area of city impact agreement shall be reviewed by the city of Hollister and Twin Falls County at least once every five (5) years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin thirty (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. (Ord. 135, 12-11-1995)

#### E. Murtaugh, Idaho:

1. Geographic Area Of City Impact: The agreed upon area of Murtaugh city impact is established by this *CITY OF MURTAUGH IMPACT AREA AGREEMENT* ordinance of the county of Twin Falls, Idaho, and is set forth on the map on file in the office of the clerk of the county commissioners.
2. Governing Plan And Adoption Of City Of Murtaugh Ordinance:

ORDINANCE # 95-12-1

AREA OF IMPACT AGREEMENT - CITY OF HOLLISTER

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF HOLLISTER, 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 HOLLISTER, IDAHO, COUNTY OF TWIN FALLS, STATE OF IDAHO AND;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, TWIN FALLS 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 Hollister, 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 Hollister 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 Hollister, Idaho" is established by Ordinance #95-12-1 Hollister, Idaho and by Twin Falls County, Idaho and is set forth therein on the attached map entitled Area of City Impact for Hollister, Idaho dated January 9, 1995 and marked Exhibit A.

Section 3. Comprehensive Plan: The Comprehensive Plan and subsequent amendments thereto as officially adopted by the County of Twin Falls, Idaho shall apply to the Area of City Impact within the unincorporated area of Twin Falls County, Idaho. Both the City of Hollister and Twin Falls 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 Hollister, in accordance with Idaho Code 50-1306 ~~County of Twin Falls, Idaho~~ shall apply within one mile of city limits including ~~to~~ the Area of City Impact within the unincorporated area of Twin Falls County, Idaho, The Subdivision Ordinance of the City of Hollister ~~County of Twin Falls~~ shall also prevail over any County ~~city~~ ordinances pertaining to the division of original parcels of

and effect from and after it's passage and publication as required by law.

PASSED BY THE CITY COUNCIL of the City of Hollister this 11 day of Dec, 1995.

APPROVED BY THE MAYOR of the City of Hollister this 11 day of Dec, 1995.

Karla Edwards  
Mayor

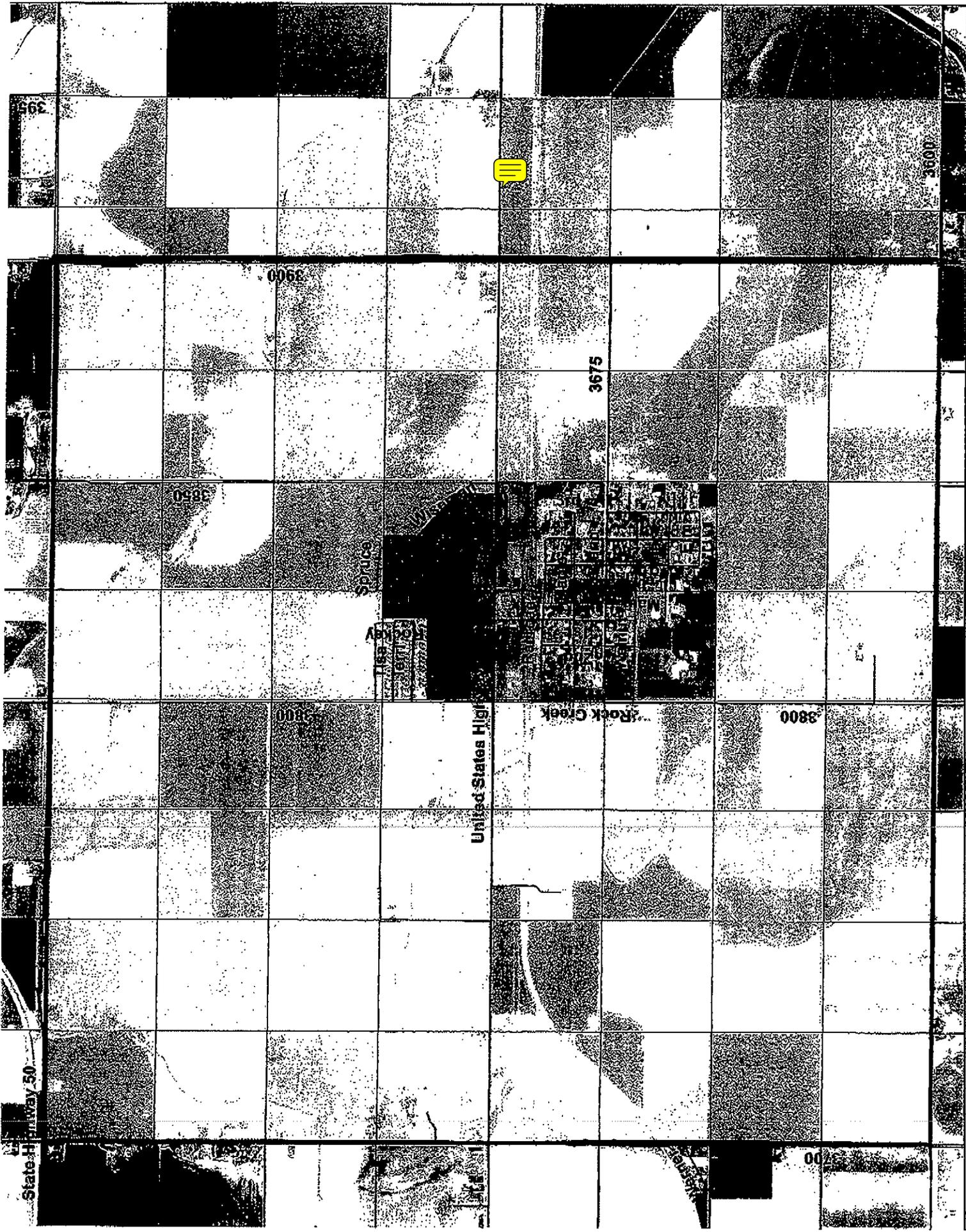
December 11, 1995  
Date

ATTEST:

Margaret Stearns  
City Clerk



Log	Zoning	CLASS								



ZONING DISTRICT MAP OF HANSEN, IDAHO  
 City of Hansen, Planning Department

## 8-9-19: AREA OF CITY IMPACT:

### A. Kimberly, Idaho:

1. Integration Of Recitals: The recitals set forth in ordinance 142 are incorporated in this subsection and by this reference made a part hereof.
2. Geographic Area Of City Impact: The agreement upon area of Kimberly city impact is established by ordinance 142 of the county of Twin Falls, Idaho, and is set forth herein as follows: the north boundary is a line parallel with, and one-half ( $1/2$ ) mile north of Kimberly Highway; the east boundary is Road 3600 E; the south boundary is Road 3600 N; the west boundary is Road 3300 E.
3. Governing Plan And Adoption Of City Of Kimberly Ordinance:
  - a. The zoning ordinance of the city of Kimberly, ordinance 357, is hereby adopted by the county of Twin Falls and shall be in full force and effect in that portion of Twin Falls County which is included in the area of impact as enacted by ordinance 65 of Twin Falls County. Three (3) copies of said ordinance herein adopted shall be held for public inspection by the clerk of the county commissioners as required by Idaho Code section 31-715.
  - b. Within the area of impact, no provision of the adopted ordinance shall apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes.
4. Administration Of Area Of Impact:
  - a. The area of city impact shall be administered by the regular seven (7) member city planning and zoning commission board who shall serve terms in office according to the bylaws for the city planning and zoning commission. The commission shall consist of an additional two (2) members to be appointed by the county commissioners. The two (2) members so appointed shall serve a term of three (3) years and may succeed themselves for one full term. A county appointee appointed to fill a vacated but unexpired term shall serve the balance of the term remaining and may continue in office for one additional full term of three (3) years. Members appointed by the county commissioners shall be owner residents within the area of impact, residing outside of the city limits, and shall vote only on issues concerning real property located within the area of impact.
  - b. Any person directly aggrieved and affected by a final decision of the planning and zoning commission in which the two (2) county commission appointees shall participate or by a final decision of the city council may appeal to a board of appeals consisting of four (4) persons. Two (2) of said persons shall be regular appointed or elected members of the Kimberly city council and appointed by said council; and two (2) members shall be duly elected or appointed county commissioners and appointed by said commission. Members of the appeals board shall serve a term of twelve (12) months and new appointments shall be made every twelve (12) months.
  - c. The appeals board shall hold a public hearing to consider the appeal of the aggrieved

party and such hearing shall be held upon such terms and conditions and pursuant to such notice to affected persons as the board shall deem just and appropriate. Upon hearing the matter, the appeals board shall decide the matter by majority vote, reduce its decision to writing and shall provide a copy of the same to the appellant. The decision of the appeals board shall be final. In the event the board is unable to decide the matter by a majority vote and the board is deadlocked, the decision appealed from shall remain in full force and effect and all administrative remedies shall be deemed exhausted.

- d. The parties hereto shall review and renegotiate the area of impact annually, the first of said annual reviews and renegotiations to commence twelve (12) months from the date city ordinance 373 was passed. In addition, the area of impact may be reviewed and renegotiated at any time upon the request of either party hereto. Said reviews and renegotiations shall be in conformance with Idaho Code section 67-6526. This ordinance, the similar county ordinance and the agreed upon area of impact and rules governing the same, shall be automatically amended to conform to any federal or state grant requirements and the respective governing boards shall take all action necessary to cause said amendments. (Ord. 142, 10-1-1997)

#### B. Twin Falls, Idaho:

1. Integration Of Recitals: The recitals set forth in this subsection are incorporated in this chapter and by this reference made a part hereof.
2. Geographic Area Of City Impact: The agreed upon area of city impact is as shown on the city of Twin Falls, Idaho, area of impact and zoning districts map. (Ord. 169, 7-12-2004)
3. Governing Plan And Ordinance:
  - a. The city of Twin Falls comprehensive plan and Twin Falls, Idaho, revised area of impact and comprehensive plan land use map, together with the city of Twin Falls zoning and subdivision regulations contained in Twin Falls city code title 10, and the city of Twin Falls, Idaho, area of impact and zoning districts map, are hereby adopted by reference by the county of Twin Falls to be in full force and effect in the area of city impact. (Ord. 225, 11-29-2011)
  - b. Within the area of city impact, no provision of this subsection shall apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes. Within the area of city impact, this subsection shall apply to any parcel of land proposed to be used for nonagricultural purposes.
4. Administration:
  - a. The board of commissioners for Twin Falls County hereby appoints the city planning administrator to administer the provisions of title 10 of the Twin Falls city code, as adopted by reference herein for the area of city impact, to provide assistance and guidance to the area of city impact commission, and to perform the same duties for the area of city impact that are performed for the city of Twin Falls.



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 Twin Falls County or development applications being proposed for nonagricultural development which definition shall include residential development requiring subdivision, commercial or industrial development activity of any type shall be reviewed by the city council, who shall then make a recommendation to the county for approval, denial, or approval with the placement of special conditions in accordance with title 67, chapter 65, and title 50, Idaho Code. It shall be the applicant's responsibility to notify the city prior to the application process by the county. The city agrees to return a written recommendation within thirty (30) days of receipt of notice. The county agrees to consider such recommendation in its deliberation and decision making process.

- c. Maintenance of public streets located in the area of city impact shall be the exclusive responsibility of the Twin Falls highway district unless otherwise stipulated by written agreement between the highway district and the city of Hollister.
  - d. Law enforcement and fire services in the area of city impact shall remain the responsibility of Twin Falls County and the Salmon Tract fire district unless otherwise stipulated by written agreement between the county and/or fire district and the city of Hollister.
5. Renegotiation: The area of city impact agreement shall be reviewed by the city of Hollister and Twin Falls County at least once every five (5) years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin thirty (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. (Ord. 135, 12-11-1995)

#### E. Murtaugh, Idaho:

- 1. Geographic Area Of City Impact: The agreed upon area of Murtaugh city impact is established by this *CITY OF MURTAUGH IMPACT AREA AGREEMENT* ordinance of the county of Twin Falls, Idaho, and is set forth on the map on file in the office of the clerk of the county commissioners.
- 2. Governing Plan And Adoption Of City Of Murtaugh Ordinance:
  - a. The comprehensive plan, zoning ordinance, subdivision ordinance and building codes of the city of Murtaugh, is hereby adopted by the county as an "overlay" ordinance taking precedence and having full force and effect over the same types of county regulations for the period of time that the Murtaugh impact area is in effect over that portion of Twin Falls County designated on the Murtaugh area of impact map established herein. The city of Murtaugh shall file a copy of said ordinances herein referred to, with the county recorder for public inspection. By reference, the county hereby adopts the subject city of Murtaugh ordinances as "overlay" regulations within the area of impact.
  - b. Within the area of impact, no provision of the adopted ordinance shall apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes. Those lands shall remain in the jurisdiction of the underlying county ordinances.

- c. In the event that any listed Murtaugh ordinance is repealed or is otherwise not in effect, the Twin Falls County ordinance dealing with the same subject matter shall be fully in effect within the city impact area.

### 3. Administration Of Area Of Impact:

- a. The area of city impact shall be administered through the regular city of Murtaugh administrative processes, particularly those of the planning and zoning commission who shall serve terms in office according to the bylaws for the city planning and zoning commission. The commission shall consist of one additional member to be appointed by the county commissioners. That member so appointed shall serve a term of three (3) years and may succeed to a second consecutive full term. A county appointee appointed to fill a vacated but unexpired term shall serve the balance of the term remaining and may continue in office for one additional full term of three (3) years. A former member may again serve two (2) consecutive terms provided there is at least a full one year separation between appointments. Members appointed by the county commissioners shall be owner residents within or adjoining the area of impact, residing outside of the city limits.
- b. Any person directly aggrieved and affected by a final decision of the city planning and zoning commission on land in the impact area, may appeal to a board of appeals consisting of five (5) persons. Two (2) of said persons shall be regularly appointed or elected members of the Murtaugh city council and appointed by said council; and two (2) members shall be duly elected or appointed by the county commissioners, and the fifth person may come from any area within the boundaries of the county and shall be agreed upon and jointly appointed by the county commissioners and the city council.
- c. The appeals board shall hold a public hearing to consider the appeal of the aggrieved party and such hearing shall be held upon such terms and conditions and pursuant to such notice to affected persons as the appeals board shall deem just and appropriate. Upon hearing the matter, the appeals board shall decide the matter by majority vote, reduce its decision to writing and shall provide a copy of the same to the appellant. The decision of the appeals board shall be final. In the event the appeals board is unable to decide the matter by a majority vote, and the board is deadlocked, the decision appealed from shall remain in full force and effect and all administrative remedies shall be deemed exhausted.
- d. The parties hereto shall review and renegotiate the area of impact at any time upon the request of either party hereto. Said reviews and renegotiations shall be in conformance with Idaho Code section 67-6526. This section and the agreed upon area of impact and rules governing the same shall be automatically amended to conform to any federal or state requirements and the respective governing boards shall take all action necessary to amend this agreement accordingly. (Ord. 146, 1-26-1998)

### F. Buhl, Idaho:

1. Recitals: The recitals set forth in this subsection are incorporated in this chapter and by this reference made a part hereof.

## B. Twin Falls, Idaho:

1. Integration Of Recitals: The recitals set forth in this subsection are incorporated in this chapter and by this reference made a part hereof.
2. Geographic Area Of City Impact: The agreed upon area of city impact is as shown on the city of Twin Falls, Idaho, area of impact and zoning districts map. (Ord. 169, 7-12-2004)
3. Governing Plan And Ordinance:
  - a. The city of Twin Falls comprehensive plan and Twin Falls, Idaho, revised area of impact and comprehensive plan land use map, together with the city of Twin Falls zoning and subdivision regulations contained in Twin Falls city code title 10, and the city of Twin Falls, Idaho, area of impact and zoning districts map, are hereby adopted by reference by the county of Twin Falls to be in full force and effect in the area of city impact. (Ord. 225, 11-29-2011)
  - b. Within the area of city impact, no provision of this subsection shall apply to any parcel of land twenty (20) acres or larger used solely for agricultural purposes. Within the area of city impact, this subsection shall apply to any parcel of land proposed to be used for nonagricultural purposes.
4. Administration:
  - a. The board of commissioners for Twin Falls County hereby appoints the city planning administrator to administer the provisions of title 10 of the Twin Falls city code, as adopted by reference herein for the area of city impact, to provide assistance and guidance to the area of city impact commission, and to perform the same duties for the area of city impact that are performed for the city of Twin Falls.

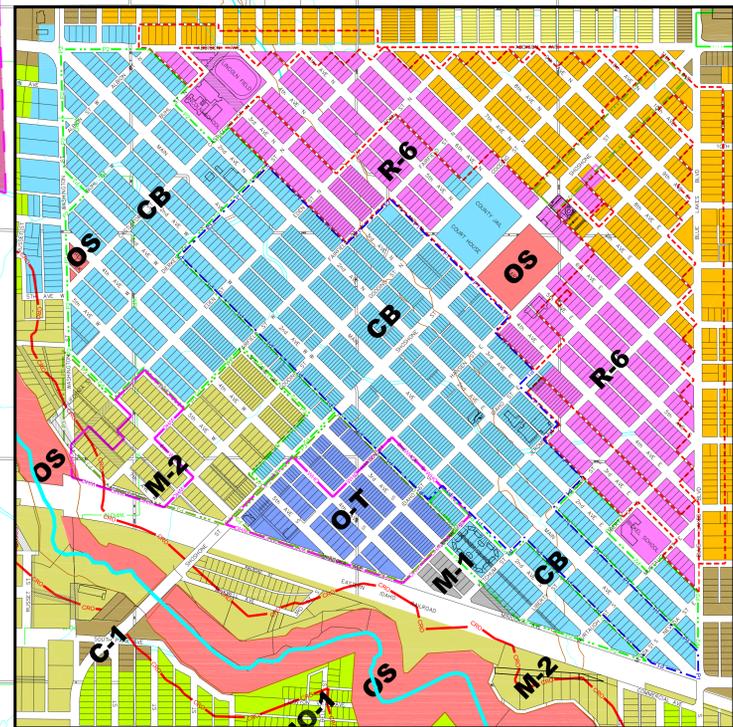
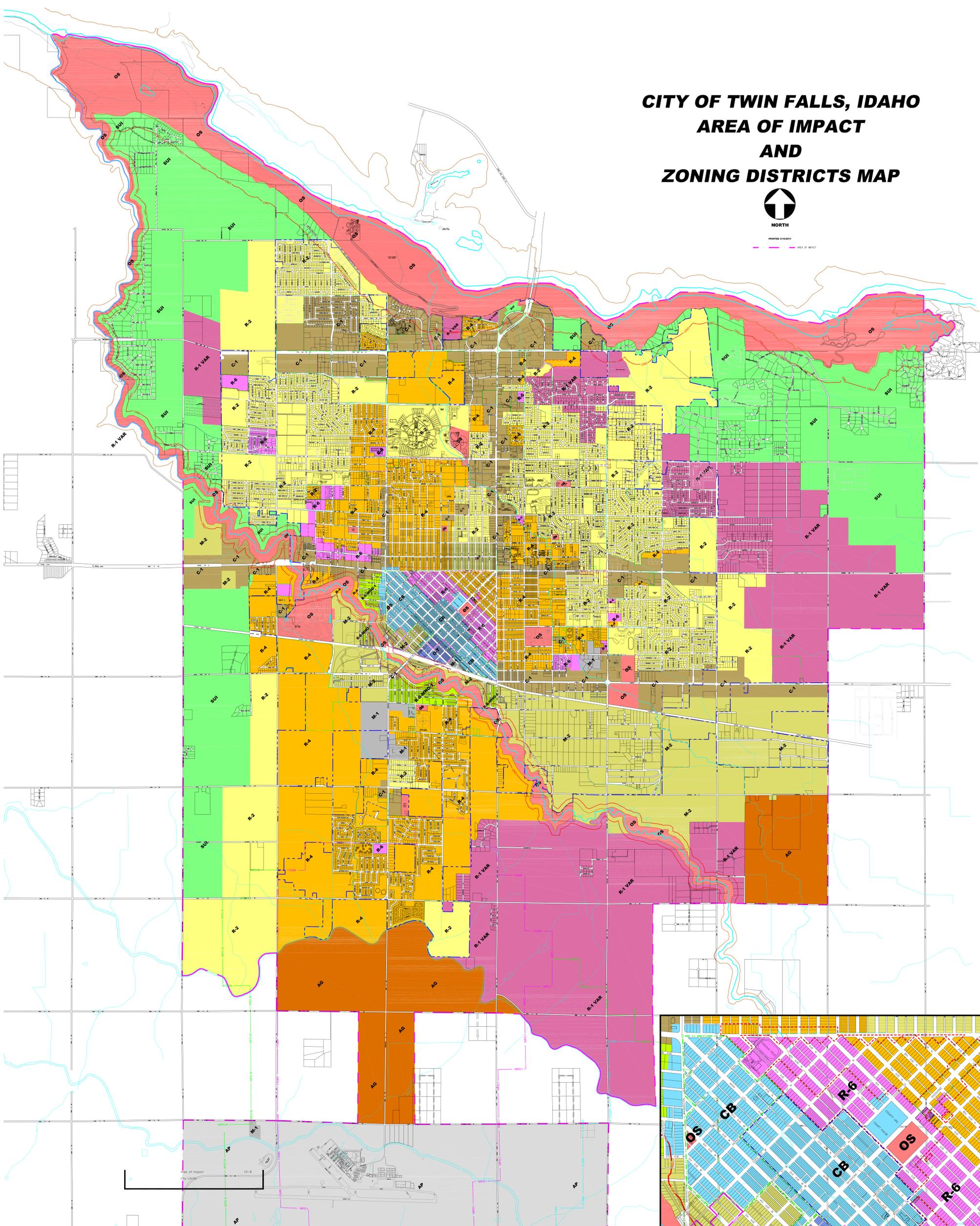
- b. The board of commissioners of Twin Falls County hereby appoints and authorizes the city of Twin Falls and its agents and employees to issue zoning and building permits required by the regulations adopted herein, and to charge and collect fees for such administrative duties. The city of Twin Falls accepts the appointment and authorization. The building permit fees for the area of impact shall be the same as established for the county. Any portion of the building permit fee in excess of the fee charged by the city shall be paid over to the county on a monthly basis. (Ord. 169, 7-12-2004)
  - c. The board of commissioners of Twin Falls County hereby appoints the Twin Falls city planning and zoning commission as the area of city impact commission to administer the area of city impact. The city of Twin Falls accepts the appointment. Two (2) of the area of city impact commission members shall serve as representatives of the area of impact. The two (2) area of impact members shall be appointed by the county commissioners with the concurrence of the Twin Falls city council. The two (2) area of impact members so appointed shall serve a term of three (3) years and may succeed themselves for one full term. A county appointee appointed to fill a vacated but unexpired term shall serve the balance of the term of three (3) years. Members appointed by the county commissioners shall be residents within the area of impact, residing outside the city limits, and shall vote on all issues coming before the commission.
  - d. All applications for preliminary plats of subdivisions, vacations, rezones, special use permits and variances shall be submitted to the city and area of city impact planning and zoning commission. All applications for final and conveyance plats of subdivisions, for vacations and for the rezoning of property within the area of city impact shall be submitted to the city council for their recommendation, prior to submission to the board of county commissioners. The board of county commissioners may approve the application as recommended by the city council, deny the application or remand the application to the city for further proceedings. (Ord. 204, 3-31-2008)
  - e. Any person directly aggrieved and affected by a final decision of the planning and zoning commission regarding property located within the area of city impact may appeal to the board of county commissioners. The board of county commissioners shall not make a decision on the appeal until it has received a recommendation from the city council. All appeal hearings shall be based upon the record established by the planning and zoning commission.
5. Enforcement: The board of commissioners of Twin Falls County appoints and authorizes the city of Twin Falls and its employees and agents to enforce compliance with the provisions of this subsection and the regulations adopted herein, and to institute civil action in district court on behalf of Twin Falls County, provided that the city pays all costs associated with such enforcement action and, further, the city agrees to indemnify Twin Falls County from all compliance enforcement actions. The city of Twin Falls accepts the appointment and authorization.
  6. Renegotiation: The area of city impact may be reviewed and renegotiated at any time upon the request of either party hereto. (Ord. 169, 7-12-2004)

# CITY OF TWIN FALLS, IDAHO AREA OF IMPACT AND ZONING DISTRICTS MAP



NORTH

PLANNED DEVELOPMENT  
AREA OF IMPACT



ZONING DISTRICTS		LEGEND		ZONING SUBDISTRICTS	
AG	Agricultural District	10-4-1	College of Southern Idaho Overlay	10-6-1	PUD Planned Unit Development
SU1	Suburban-Urban Interface	10-4-2	8-6-MHD Residential Multi-Household	10-6-2	MHP Middle Home Park
R-1-USH	Residential Single Household	10-4-3	Residential Home Overlay One	10-6-3	MHS Middle Home Subdivision
R-2	Residential Single Household or Single	10-4-4	PRO Professional Office Overlay	10-6-4	PO1 Parking Overlay - One
R-4	Residential Medium Density	10-4-5	CRO Canyon Ridge Overlay	10-6-5	PO2 Parking Overlay - Two
R-6	Residential Multi-Household	10-4-6	WPD Wetland Protection Overlay District	10-6-6	PO3 Parking Overlay - Three
CB	Commercial Central Business	10-4-7	WPD Wetland Protection Overlay District	10-6-7	Area of Impact
C-1	Commercial Highway	10-4-8	WPD Wetland Protection Overlay District	10-6-8	City Limits
M-1	Manufacturing - Light	10-4-9	WPD Wetland Protection Overlay District		
M-2	Manufacturing - Heavy	10-4-10	WPD Wetland Protection Overlay District		
OS	Open Space	10-4-11	WPD Wetland Protection Overlay District		
AP	Airport	10-4-12	WPD Wetland Protection Overlay District		
O-T	Out Town District	10-4-13	WPD Wetland Protection Overlay District		
CM	Commercial Mixed Use	10-4-14	WPD Wetland Protection Overlay District		
RM	Residential Mixed Use	10-4-15	WPD Wetland Protection Overlay District		