Appendix A: Washington County AOI Agreements

Report 12-01

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Chapter 3
CAMBRIDGE AREA OF CITY IMPACT

4-3-1: FACTORS CONSIDERED:

4-3-2: CAMBRIDGE AREA OF IMPACT DEFINED:

4-3-3: CHANGES IN AREA OF IMPACT OUTERMOST BOUNDARY:

4-3-4: JURISDICTION:

4-3-5: BUILDING PERMIT REQUIREMENTS:

4-3-6: AMENDMENT AND RENEGOTIATION OF PLAN POLICIES AND ORDINANCES:

4-3-7: VIOLATION AND PENALTY:

4-3-1: FACTORS CONSIDERED:

The following factors were considered by the Washington County Planning and Zoning Commission and the Mayor and Council of the City of Cambridge and the Board of Commissioners of Washington County, Idaho, in the establishment of an area of City impact:

A. Trade area.

B. Geological factors.

C. Areas that can reasonably be expected to be annexed to the City of Cambridge in the future. (Ord. 28, 7-11-88)

4-3-2: CAMBRIDGE AREA OF IMPACT DEFINED:

The Cambridge area of impact is defined as that unincorporated land mass which lies contiguous to the City of Cambridge, Idaho, having as its closest boundary to the City, the City limits of said City, as they now exist or as they may be altered by future annexation of land to the City of Cambridge, and having as its outermost boundary an imaginary line positioned and described as follows:

All of the area of Sections 2, 3, 10 and 11, T. 14 N, R. 3W. B.M. excluding those lands lying within the established City limits.

A map of the described area is attached to Ordinance 28 as Exhibit A, on file in the office of the Clerk of the District Court, and incorporated herein the same as though set out in full. (Ord. 28, 7-11-88)

4-3-3: CHANGES IN AREA OF IMPACT OUTERMOST BOUNDARY:
In the event that the City of Cambridge or the County of Washington desires to alter the outermost boundary of the City impact area, or to change the jurisdiction over said area, it shall do so by renegotiation in accordance with Idaho Code 67-6526, as amended. (Ord. 28, 7-11-88)

4-3-4: JURISDICTION:

Jurisdiction for all matters concerning zoning, building, subdividing or other matters granted under the Local Planning Act of 1975 under Idaho Code chapter 67, section 6501 et seq., within the City impact area of Cambridge, Idaho, is hereby granted to the City of Cambridge subject to the terms and conditions of this Chapter. (Ord. 28, 7-11-88)

4-3-5: BUILDING PERMIT REQUIREMENTS:

It shall be unlawful hereafter to commence construction on any building or structure, or to occupy said building or structure, until a building permit has been obtained from the City of Cambridge, Idaho, and after complying with all City of Cambridge regulations. (Ord. 28, 7-11-88)

4-3-6: AMENDMENT AND RENEGOTIATION OF PLAN POLICIES AND ORDINANCES:

A. Amendment: Any amendment proposed to be made to the Washington County Comprehensive Plan or the Washington County Zoning Ordinance, which shall have an effect within the area of impact, shall be referred to the City of Cambridge at least forty five (45) days prior to any public hearings on any such proposed amendment. Any comment by the City of Cambridge on such proposed amendment shall be entered in the official record of each public hearing conducted for the purpose of receiving public comment regarding such proposed amendment.

B. Renegotiation: In accordance with Idaho Code 67-6526(d), as amended, the City of Cambridge or the County of Washington may request, in writing, the renegotiation of the plan policies and ordinance provisions established by this Chapter. Within thirty (30) days of receipt of such written request by either party, arrangements shall be made for a meeting between the two (2) jurisdictions. The provisions of this Chapter shall remain in full force and effect during the negotiation period and until amended in accordance with Idaho Code 67-6509, as amended, or until altered as a result of a declaratory judgment issued by the applicable district court. (Ord. 28, 7-11-88)

4-3-7: VIOLATION AND PENALTY:

Any person who violates any of the provisions of this Chapter or fails to comply with any of the terms and conditions hereof shall be guilty of a misdemeanor and shall be punished for such violation by a fine of up to three hundred dollars ($300.00) or jail sentence of up to ninety (90) days, or by both such fine and sentence. (Ord. 28, 7-11-88)
Footnote 1: See Title 5 of this Code.
Chapter 2
MIDVALE AREA OF CITY IMPACT

4-2-1: FACTORS CONSIDERED:

4-2-2: MIDVALE AREA OF IMPACT DEFINED:

4-2-3: CHANGES IN AREA OF IMPACT OUTERMOST BOUNDARY:

4-2-4: JURISDICTION (REP. BY ORD. 57, 4-4-2005):

4-2-5: BUILDING PERMIT REQUIREMENTS (REP. BY ORD. 57, 4-4-2005):

4-2-6: AMENDMENT AND RENEGOTIATION OF PLAN POLICIES AND ORDINANCES:

4-2-7: VIOLATION AND PENALTY:

4-2-1: FACTORS CONSIDERED:

The following factors were considered by the Midvale city council and the Washington County planning and zoning commission and the board of county commissioners of Washington County, Idaho, in the establishment of an area of city impact:

A. Trade area.

B. Geological factors.

C. Areas that can reasonably be expected to be annexed to the city of Midvale in the future. (Ord. 34, 8-17-1987)

4-2-2: MIDVALE AREA OF IMPACT DEFINED:

The Midvale area of impact is defined as that unincorporated land mass which lies contiguous to the city of Midvale, Idaho, having as its closest boundary to the city, the city limits of said city, as they now exist or as they may be altered by future annexation of land to the city of Midvale, and having as its outermost boundary an imaginary line positioned and described as follows: (Ord. 34, 8-17-1987)

Beginning at the Southwest corner of the NE\(^{1/4}\) of the NE\(^{1/4}\) of Section 24, Township 13 North, Range 4 West, Thence East to the Southeast corner of the NE\(^{1/4}\) of the NW\(^{1/4}\) of Section 21, Township 13 North, Range 3 West, Thence North to the Northeast corner of the SE\(^{1/4}\) of the SW\(^{1/4}\) of Section 4, Township 13 North, Range 3 West, Thence West to the Northwest corner of the SE\(^{1/4}\) of the SE\(^{1/4}\) of Section 1, Township 13 North, Range 4 West, Thence South to Midvale Airport Road, Thence West on Midvale Airport Road to Sage Creek Road, Thence South to the Southwest corner of the N\(^{1/2}\) of the NW\(^{1/4}\) of the SE\(^{1/4}\) of Section 13, Township 13 North, Range 4 West, Thence East to the Southeast corner of the N\(^{1/2}\) of the NW\(^{1/4}\) of the SE\(^{1/4}\) of Section 13, Township 13 North, Range 4 West (includes allof the Midvale Airport),
Thence South to the Southwest corner of the NE$^{1}/4$ of the NE$^{1}/4$ of Section 24, Township 13 North, Range 4 West, to the point of beginning.

(Ord. 45, 11-9-1998)

4-2-3: CHANGES IN AREA OF IMPACT OUTERMOST BOUNDARY:

In the event that the city of Midvale or the county of Washington desires to alter the outermost boundary of the city impact area or to change the jurisdiction over said area, it shall do so by renegotiation in accordance with Idaho Code 67-6526, as amended. (Ord. 34, 8-17-1987)

4-2-4: JURISDICTION:

(Rep. by Ord. 57, 4-4-2005)

4-2-5: BUILDING PERMIT REQUIREMENTS:

(Rep. by Ord. 57, 4-4-2005)

4-2-6: AMENDMENT AND RENEGOTIATION OF PLAN POLICIES AND ORDINANCES:

A. Amendment: Any amendment proposed to be made to the Washington County comprehensive plan or the Washington County zoning ordinance, which shall have an effect within the area of impact, shall be referred to the city of Midvale at least forty five (45) days prior to any public hearings on such proposed amendment. Any comment by the city of Midvale on such proposed amendment shall be entered in the official record of each public hearing conducted for the purpose of receiving public comment regarding such proposed amendment.

B. Renegotiation: In accordance with Idaho Code 67-6526(d), as amended, the city of Midvale or the county of Washington may request, in writing, the renegotiation of the plan policies and ordinance provisions established by this chapter. Within thirty (30) days of receipt of such written request by either party, arrangements shall be made for a meeting between the two (2) jurisdictions. The provisions of this chapter shall remain in full force and effect during the negotiation period and until amended in accordance with Idaho Code 67-6509, as amended, or until altered as a result of a declaratory judgment issued by the applicable district court. (Ord. 34, 8-17-1987)

4-2-7: VIOLATION AND PENALTY:
Any person who violates any of the provisions of this chapter or fails to comply with any of the terms and conditions hereof shall be guilty of a misdemeanor and be punished for such violation by a fine of up to three hundred dollars ($300.00) or jail sentence of up to ninety (90) days, or by both such fine and sentence. (Ord. 34, 8-17-1987)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: See title 5 of this code.
Chapter 1
WEISER AREA OF CITY IMPACT

4-1-1: FACTORS CONSIDERED:

The following factors were considered by the Weiser city planning and zoning commission and the Washington County planning commission and the mayor and council of the city of Weiser and the board of commissioners of Washington County, Idaho, in the establishment of an area of city impact:

A. Trade area.

B. Geological factors.

C. Areas that can reasonably be expected to be annexed to the city of Weiser in the future.

(Ord. 20, 5-19-1986)

4-1-2: DEFINED:

The "Weiser area of impact" is defined as that unincorporated land mass which lies contiguous to the city of Weiser, Idaho, having as its closest boundary to the city, the city limits of said city, as they now exist or as they may be altered by future annexation of land to the city of Weiser, and having as its outermost boundary an imaginary line positioned and described as follows:

Commencing at the NE corner of Section 33, Twp. 11 N., R. 5 W.B.M.; thence North along the East line of Section 28 and 21 to the East quarter corner of said Section 21; thence West along the North line of the S1/2 of Section 21, and the north line of the S1/2 of Section 20 to the South East corner of the NW1/4 of Section 20, thence North to the South line of Section 17, thence West along the South boundary of Section 17 and Section 18 to the South West corner of Section 18, thence South to the South West corner of the NW 1/4 Section 19, thence West to the North West corner of the NE1/4SE1/4 of Section 24 of Twp. 11 N., R. 6 W.B.M.; thence South along the West line of E1/2SE1/4of Section 24, E1/2E1/2 of Section 25 and Lot 1 of Section 36, all in Twp. 11 N., R. 6 W.B.M. to the North bank of the Snake River; thence up along the North bank of the Snake River to its point of intersection.
with the South line of the N^{1/2}N^{1/2} of Section 5, Twp. 10 N., R. 5 W.B.M.; thence East on the South line of the N^{1/2}N^{1/2} of Section 5 and the N^{1/2}N^{1/2} of Section 4 to the SE corner of the NE^{1/4}NE^{1/4} of said Section 4; thence North on the East line of Section 4, Twp. 10 N., R. 5 W.B.M. and the East line of Section 33, Twp. 11 N., R. 5 W.B.M. to the point and place of beginning.

A map of the described area is attached as exhibit A to the ordinance codified herein, on file in the office of the clerk of the district court, and incorporated herein the same as though set out in full. (Ord. 52, 10-20-2003)

**4-1-3: CHANGES IN AREA OF IMPACT OUTERMOST BOUNDARY:**

In the event that the city of Weiser or the county desires to alter the outermost boundary of the city impact area, or to change the jurisdiction over said area, it shall do so by renegotiation in accordance with Idaho Code 67-6526, as amended. (Ord. 20, 5-19-1986)

**4-1-4: JURISDICTION:**

Jurisdiction for all matters concerning zoning, building, subdividing or other matters granted under the local planning act of 1975 under Idaho Code chapter 67, section 6501 et seq., as amended, within the city impact area of Weiser, Idaho, is hereby granted to Washington County subject to the terms and conditions of this chapter. (Ord. 52, 10-20-2003)

**4-1-5: BUILDING PERMIT REQUIREMENTS:**

A. All building permits and any other matters granted under "the Idaho building code advisory act of 2002" under Idaho Code section 39-4101 et seq., as amended, within the city impact area of Weiser, Idaho, shall be under the jurisdiction of Washington County.

B. It shall be unlawful to commence construction on any building or structure or to occupy said building or structure, until a building permit has been obtained from the Washington County building inspector and after complying with all regulations of Washington County.
C. Washington County shall require the construction of curb, gutter, and sidewalk as a condition precedent to the issuance of a building permit in the city impact area of Weiser for new construction and for remodels, consisting of sixty percent (60%) of the square footage or sixty percent (60%) of the assessed value of the structure, on the following streets:

- All platted rights of way within Delbaere Acres
- Indianhead Road within 660 feet of city limits
- Jenkins Creek Road adjacent to Delbaere Acres
- Loafer Lane west of the intersection with E. 112th Street
- Pioneer Road
- Valley View Drive
- Weiser River Road within 660 feet of city limits

E. 6th Street

E. 9th Street

W. 9th Street

The construction of curb, gutter, and sidewalk shall be in conformity with the standard specifications of Weiser city as on file in the county planning and zoning office, except where the construction of such is prohibited by irrigation district rules and easements. (Ord. 59, 7-17-2006)

4-1-6: PLANNING, ZONING, SUBDIVISIONS, VARIANCES, NOTICE AND HEARINGS:

A. All planning, zoning, subdivisions, granting of variances, notices and hearings, and any matters granted under the local planning act of 1975 under Idaho Code chapter 67, section 6501 et seq., as amended, within the city impact area of Weiser, Idaho, other than building permit requirements under section 4-1-5 of this chapter, shall first be established, amended, granted, or otherwise processed for approval or other appropriate action by the city of Weiser planning and zoning commission, the city of Weiser city council, and mayor, according to the regulations and ordinances established by the city. After approval and upon recommendation by the city, any such matters will be submitted directly to the Washington County commissioners for approval, disapproval or remand, with such action to be taken by the county commissioners within forty five (45) days after submission and after notice of hearing as provided in Idaho Code 67-6509. The
decisions of the Washington County commissioners shall be based upon regulations and ordinances established by the city of Weiser.

B. Until such time as the city of Weiser has adopted different regulations as to zoning, subdivisions, and building requirements, the Washington County ordinances in effect at that time shall be controlling within the city impact area. (Ord. 52, 10-20-2003)

4-1-7: AMENDMENT AND RENEGOTIATION OF PLAN POLICIES AND ORDINANCES:

A. Amendment:

1. Any amendment proposed to be made to the Washington County comprehensive plan or the Washington County zoning ordinance, which shall have an effect within the area of impact, shall be referred to the city of Weiser at least forty five (45) days prior to any public hearings on any such proposed amendment. Any comment by the city of Weiser on such proposed amendment shall be entered in the official record of each public hearing conducted for the purpose of receiving public comment regarding such proposed amendment.

2. Any amendment proposed to be made to the Weiser subdivision and/or zoning ordinance, which shall have an effect within the area of impact, shall be referred to the county at least forty five (45) days prior to any public hearing on such proposed amendment. Any comment by the county on such proposed amendment shall be entered in the official record of each public hearing conducted for the purpose of receiving public comment regarding such proposed amendment.

B. Renegotiation: In accordance with Idaho Code 67-6526(d), as amended, the city of Weiser or the county of Washington may request, in writing, the renegotiation of the plan policies and ordinance provisions established by this chapter. Within thirty (30) days of receipt of such written request by either party, arrangements shall be made for a meeting between the two (2) jurisdictions. The provisions of this chapter shall remain in full force and effect during the negotiation period and until amended in accordance with Idaho Code 67-6509, as amended, or until altered as a result of a declaratory judgment issued by the district court. (Ord. 52, 10-20-2003)

4-1-8: PENALTY:
Any person who violates any of the provisions of this chapter or fails to comply with any of the terms and conditions hereof, shall be guilty of a misdemeanor and be punished for such violation by a fine of up to three hundred dollars ($300.00) or jail sentence of up to ninety (90) days, or by both such fine and sentence. The Washington County prosecuting attorney shall have the authority and responsibility of prosecuting any such violations. (Ord. 52, 10-20-2003)