CITY of AMMON ORDINANCE NO. 285 BONNEVILLE COUNTY ORDINANCE NO. 205 -01

AN ORDINANCE PROVIDING FOR THE IDENTIFICATION OF AN AREA WITHIN THE COUNTY OF BONNEVILLE AS AN IMPACT AREA FOR THE CITY OF AMMON; PROVIDING FOR THE ORDINANCES AND REGULATIONS TO APPLY WITH SUCH IDENTIFIED IMPACT AREA; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH ORDINANCES AND REGULATIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the Idaho Code Section 67-6526 requires that Cities and Counties shall adopt an area of impact as identified on a map wherein the area of City impact within the unincorporated area of the County is identified, and by separate ordinance, provide for the application of plans and ordinances for the area of City impact; and

WHEREAS, the City of Ammon (the "City" herein) and the County of Bonneville (the "County" herein) have heretofore entered into an Impact Area Agreement and the Idaho Code provides that such agreements and ordinances shall be modified and amended from time to time as desired; and

WHEREAS, the City and the County through their respective governing boards have entered into negotiations regarding the area of impact and the administration of rules and regulations therefore; and

WHEREAS, such negotiations considered the following factors among others:

- 1. Trade Area;
- Geographic Factors; and
- Areas that can reasonably be expected to be annexed into the City of Ammon, Idaho in the future;

WHEREAS, the City of Ammon Planning and Zoning Commission has held hearings on the proposed impact area under due and regular notice and procedures, and has made recommendations to the City Council of the City of Ammon thereto, and the Bonneville County Planning and Zoning Commission has considered and made recommendations to the Board of County Commissioners regarding an appropriate area of City impact for the City of Ammon; and

WHEREAS, both City and County have made recommendations as to the comprehensive plan and ordinances that should apply thereto; and

WHEREAS, the governing boards for the County and the City have each by separate ordinance adopted and created the area of City impact for the City of Ammon.

- NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Ammon, and the Board of County Commissioners of Bonneville County, Idaho:
- Section 1. Legislative Purpose: The purpose of establishing the area of impact and the rules and the regulations to apply thereon, is to comply with Idaho Code Section 67-6526.
- Section 2. Geographic Area of Impact: The area of impact for the City is defined by the map attached hereto and marked Exhibit "A" and made a part hereof.
- Section 3. Comprehensive Plan: The Comprehensive Plan as adopted and amended by the County, shall apply to the area of impact of the City of Ammon. The County shall amend the County's Comprehensive Plan to be compatible where possible to the City's Comprehensive Plan.
- Section 4. Zoning Ordinance: The zoning ordinance, zoning map, as amended and any subsequent amendments thereto, as adopted by the County shall apply to the area of impact of the City of Ammon. The County shall amend its zoning ordinance and zoning map to be compatible where possible with the City's zoning ordinance and comprehensive plan.
- Section 5. Subdivision Ordinance: The subdivision ordinance as adopted by the County shall govern the development in the City of Ammon impact area and Bonneville County will amend its subdivision ordinance if necessary to cover such impact area and to be compatible where possible with the City of Ammon subdivision ordinances. All improvements within such impact area shall be required to meet the standards and criteria of the City of Ammon in order to be compliant in the event of future annexations.
- Section 6. Development Agreements: The County shall require development agreements for any development of property located in the area of impact. The County shall require the developer to conform to the requirements of the County ordinances and the building standards and criteria of the City.
- Section 7. Annexations: Annexation to the City of Ammon shall be in accordance with Section 50-222 as amended of the Idaho Code.
- Section 8. Administration and Enforcement: The Bonneville County and Planning Board shall act as the Planning Commission for the City Impact Area and all permits and licenses shall be issued through the Bonneville County Zoning Office. Enforcement of the agreement and of the ordinance shall be the responsibility of the County.
- Section 9. Notice: Any application for a change in the Comprehensive Plan, the zoning ordinances, or conditional use permits, variances or subdivision plats, shall be submitted by the County to the City at least fourteen (14) days prior to any proposed action, with the City having the right to review plans and make recommendations for

change if desired. Improvement drawings shall be made available to the City by the County upon receipt by the County of any such improvement drawings.

Section 10. Renegotiations: Renegotiations shall follow the procedures outlined in Section 67-6526 of the Idaho Code.

Section 11. Severability: The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

Section 12. Effective Date: This Ordinance shall be in full force and effect from and after its execution by both the City and the County and passage and publication as required by law.

PASSED BY THE CITY	COUNCIL OF THE CITY OF AMMON this	1 1
day of _February	_, 2001, and approved by the Mayor on the	
day of _ February	_, 2001.	15th
,	, 2001.	

Attest:

Alcen Jensen, City Clerk

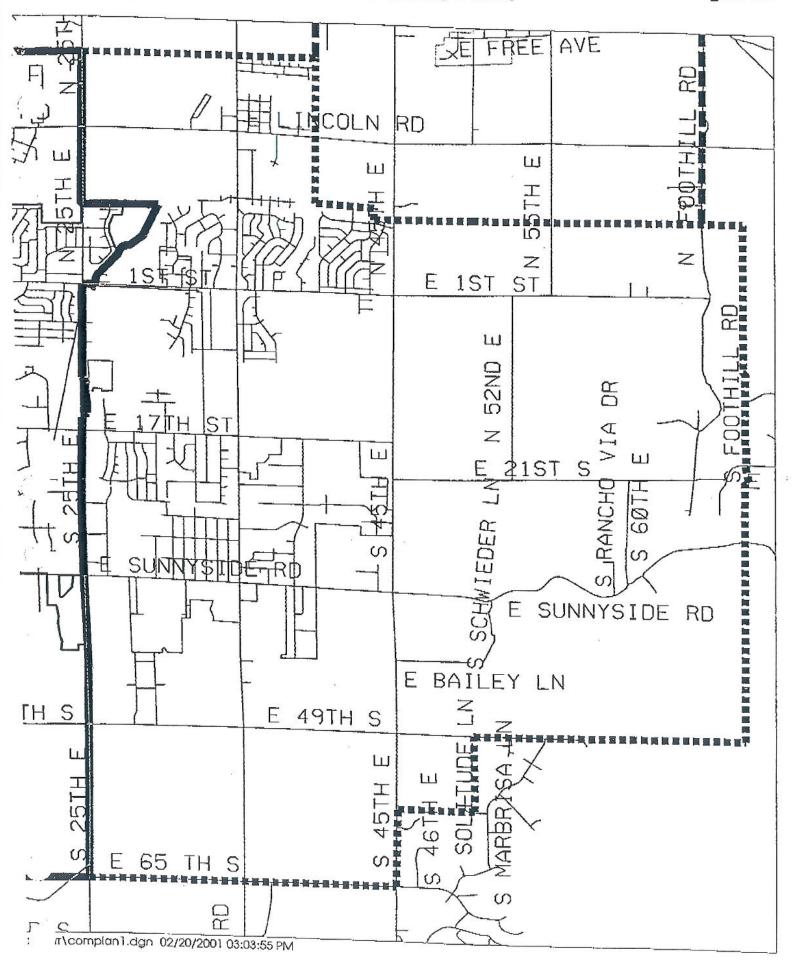
Bruce Ard, Mayor

PASSED BY THE COUNTY COMMISSIONERS OF BONNEVILLE COUNTY this 13th day of February 2001.

Attest:

Ron Longmore, County Clerk

Roger & Christensen, Chairman Board of County Commissioners



IDAHO FALLS ORDINANCE NO. 2400 BONNEVILLE COUNTY ORDINANCE NO. 203-01

AN ORDINANCE IDENTIFYING AN AREA OF IMPACT FOR THE CITY OF IDAHO FALLS; PROVIDING FOR THE APPLICATION OF PLANS AND DEVELOPMENT ORDINANCES WITHIN THE IDENTIFIED AREA OF IMPACT; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH ORDINANCES; PROVIDING FOR SEVERABILITY; SETTING FORTH A PROCESS FOR RENEGOTIATION; AND ESTABLISHING AN EFFECTIVE DATE.

- Section 1. Legislative Purpose. The purpose of establishing an area of impact is to comply with Section 67-6526 of the Idaho Code.
- Section 2. Geographic Area of Impact. The area of impact for the City of Idaho Falls is defined by Exhibit A, attached hereto and by this reference made a part hereof. If an existing parcel is divided by a boundary line of the impact area, the entire parcel shall be included in the jurisdiction in which the majority of the parcel lies.
- Section 3. Comprehensive Plan. Bonneville County will amend its Comprehensive Plan to be compatible with the Comprehensive Plan of the City of Idaho Falls. The amended Bonneville County Plan shall apply to the area of impact.
- Section 4. Zoning Ordinance. Bonneville County will amend its Zoning Ordinance to be compatible with the Zoning Ordinance of the City of Idaho Falls. The amended Zoning Ordinance of Bonneville County shall apply to the area of impact.
- Section 5. Subdivision Ordinance. Bonneville County will amend its Subdivision Ordinance to be compatible with the Subdivision Ordinance of the City of Idaho Falls. The amended Bonneville County Subdivision Ordinance shall apply to the area of impact. All improvements shall be built to infrastructure standards of the City of Idaho Falls, excluding any infrastructure standard requiring connection to City of Idaho Falls services.
- Section 6. Development Agreements. Bonneville County will enter into development agreements with owners, tenants, and developers of property located within the area of impact. The purpose of these agreements will be to address the implementation of standards for development in the area of impact as agreed to by Bonneville County and the City of Idaho Falls.
- Section 7. Impact Fees. With respect to the area of impact, if an impact fee ordinance is adopted, it will be adopted by both Bonneville County and the City of Idaho Falls. The City of Idaho Falls will be responsible for drafting and administering the ordinance.
- Section 8. Annexations. Annexations to the City of Idaho Falls shall be in accordance with Section 50-222, as amended, of the Idaho Code. All land qualifying for annexation when proposed for development should be annexed and developed in the City of Idaho Falls, unless the City chooses not to annex such lands.

Section 9. Administration and Enforcement. Bonneville County shall be responsible for administration and enforcement of Sections 3, 4, 5, 6, and 7 above.

The Bonneville County Planning and Zoning Commission shall act as the planning and zoning commission for the area of impact. The Bonneville County Commissioners will appoint two residents of the City or its impact area as representatives to the commission. The City Council may submit nominations for the commission to Chair of the Board of County Commissioners.

At least twenty days prior to action on an application, the Zoning Administrator of Bonneville County will submit to the City Planning and Building Division applications for rezonings, conditional use permits, comprehensive plan changes, and subdivision plats for review and comment. Improvement drawings will be made available to the City when Bonneville County receives them.

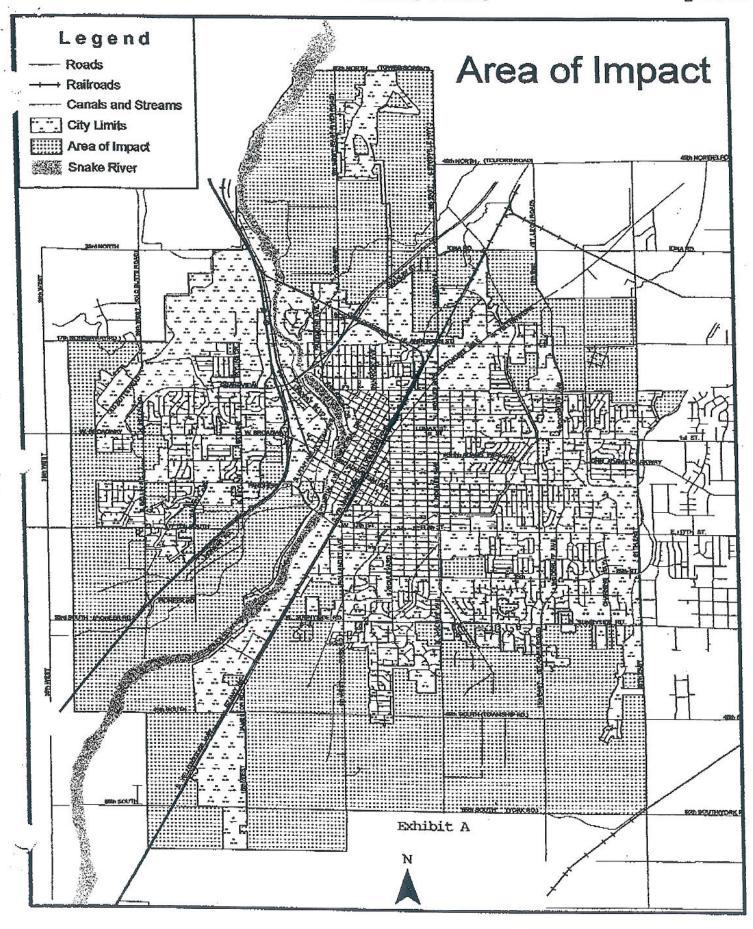
Section 10. Renegotiation. Renegotiation shall follow the procedures outlined in Section 67-6526, as amended, of Idaho Code.

Section 11. Severability. The provisions of this ordinance are severable. In the event, any provision hereof is determined to be unenforceable or invalid, such determination shall not affect the validity of the remaining provisions.

Section 12. Effective Date. This ordinance shall be in full force and effect from and after its execution by both the City and County and passage and publication as required by law.

Passed by Council of the City of Idaho Falls this 14th day of December, 2000 and approved by the Mayor of the City of Idaho Falls on the 15th day of December 2000
Attest:
Rosemarie Anderson City Clerk Rosemarie Mayor
Passed by the County Commissioners of Bonneville County this 13 th day of Jebruary 2001.
Attest:
12 10 P CO 1

Ron Longmore County Clerk



CITY of IONA ORDINANCE NO. S BONNEVILLE COUNTY ORDINANCE NO.

AN ORDINANCE IDENTIFYING AN AREA OF IMPACT FOR CITY OF IONA; PROVIDING FOR THE APPLICATION OF PLANS AND DEVELOPMENT ORDINANCES WITHIN THE IDENTIFIED AREA OF IMPACT; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH ORDINANCES: PROVIDING FOR SEVERABILITY; SETTING FORTH A PROCESS FOR RENEGOTIATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Idaho Code Section 67-6526 requires, among other things, that cities and counties shall:

- (a) adopt by ordinance a map identifying an area of city impact with the unincorporated area of the county;
- (b) by separate ordinance, provide for the application of plans and ordinances for the area of city impact; and

WHEREAS, the City Council (the "City") for the City of Iona, Idaho, and the Board of County Commissioners (the "County") for the County of Bonneville, Idaho, have pursuant to the mandate of Idaho Code Section 67-6526, entered into and conducted negotiations regarding the area of impact; and

WHEREAS, the aforementioned negotiations considered the following factors, among others: (1) trade area; (2) geographic factors; and (3) areas that can reasonably be expected to be annexed into the City of Iona, Idaho in the future; and

WHEREAS, the Bonneville County Planning and Zoning Commission has considered and made recommendations to the Board regarding an appropriate Area of City Impact, and (2) the Comprchensive Plan and Zoning Ordinance requirements that should apply thereto; and

WHEREAS, the governing boards for the County and City have by separate ordinance adopted and created an Area of City Impact; and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF IONA, IDAHO AND THE BOARD OF COUNTY COMMISSIONERS OF BONNEVILLE COUNTY:

- Section 1. Legislative purpose: The purpose for establishing an area of impact is to comply with Section 67-6526 of the Idaho Code.
- Geographic Area of Impact, The area of impact for the City of Iona is defined by Exhibit A. If a Section 2. boundary line of the impact area divides an existing parcel, the parcel shall be included in the jurisdiction in which the larger area of the parcel is located.
- Comprehensive Plan: The Comprehensive Plan as adopted by Bonneville County along with Section 3. amendments shall apply to this area of impact. Modifications to the County Map will be made where possible to mirror the City plan.
- Section 4. Subdivision Ordinance: The Bonneville County Subdivision Ordinance as amended shall apply to this area of impact. All improvements within the area of impact will be built to city infrastructure standards if they arc more restrictive.
- Zoning Ordinance: The Zoning Ordinance, map and subsequent amendments thereto as officially adopted by Bonneville County shall apply to this area. It is understood that in areas where central water and sewer services are not available that densities will be limited to one dwelling per ten acres with the allowance for lot averaging and agricultural density transferring with a minimum lot size of one acre. Modifications to the County Ordinance will be made where possible to mirror City plan.
- Development Agreements: The County will enter into a development agreement with owners, tenants and developers of property located in the area of impact. The purpose of these agreements will be to address the implementation of standards for development in the area of impact as agreed to by the City and the County.

Section 7. Annexations: Annexation to the City of Iona shall be in accordance with Section 50-222 as amended of the Idaho Code.

Section 8. Administration and Enforcement: Bonneville County shall be responsible for administration and enforcement of all Sections 3, 4, 5 and 6 above. The Board of County Commissioners of Bonneville County and its employees and agents shall enforce compliance with the provisions of this ordinance and the regulations adopted herein.

The Bonneville County Planning and Zoning Board shall act as the planning commission for the area of City Impact. Impact area representatives shall be assigned as follows: Bonneville County outside of any impact area 5, and from within each city proper or it's impact area, Idaho Falls City (2), Ammon (1), alternating board member between Ucon and Iona (1) and between Swan Valley and Irwin (1). At least 3 of which shall reside within the boundaries of an incorporated city. A city can wave its board member privilege to the other city. The County Commissioners will consider recommendations by the City Council prior to making any such appointment.

The City shall have the right to review plans and make recommendations for change and inspect all infrastructures under it's purview that are being installed within the impact area.

At least fourteen (14) days prior to any proposed action the County will submit to the City for compliance check and comment all applications for rezoning, conditional use permits, comprehensive plan changes, subdivision plats, and improvement drawings.

Section 9. Overlay requirements within the Iona Impact Area.

The following shall be adopted by the County for use within the impact area.

- 1. All non-arterial streets shall have a minimum right of way width of 70'.
- Setbacks for any structure from centerline of a street shall be 85' on arterials and 70' on non-arterials.
- In Residential zones no pigs or fowl will be allowed.
- 4. Minimum starting lot size for the R-2 and MH Zones shall be 10,890 square feet.
 - Minimum side yard for the R-2 Zone shall be 10'.
 - Minimum side yards for the MH Zone shall be10'/20'.
 - Minimum lot width for the MH Zone shall be 75'.
- Minimum yards for the C-1, LNC and HC1 Zones shall be 10' side and 20' rear when adjacent to Residential zones.
- 9. Minimum yards for the M1A Zone shall be 20' side and 25' rear when adjacent to Residential zones.
- 10. Only the following county zones shall be considered for use within the Iona impact area. A-1, RA-1, RX-2, C-1, M1A, LNC, HC-1 and MH.

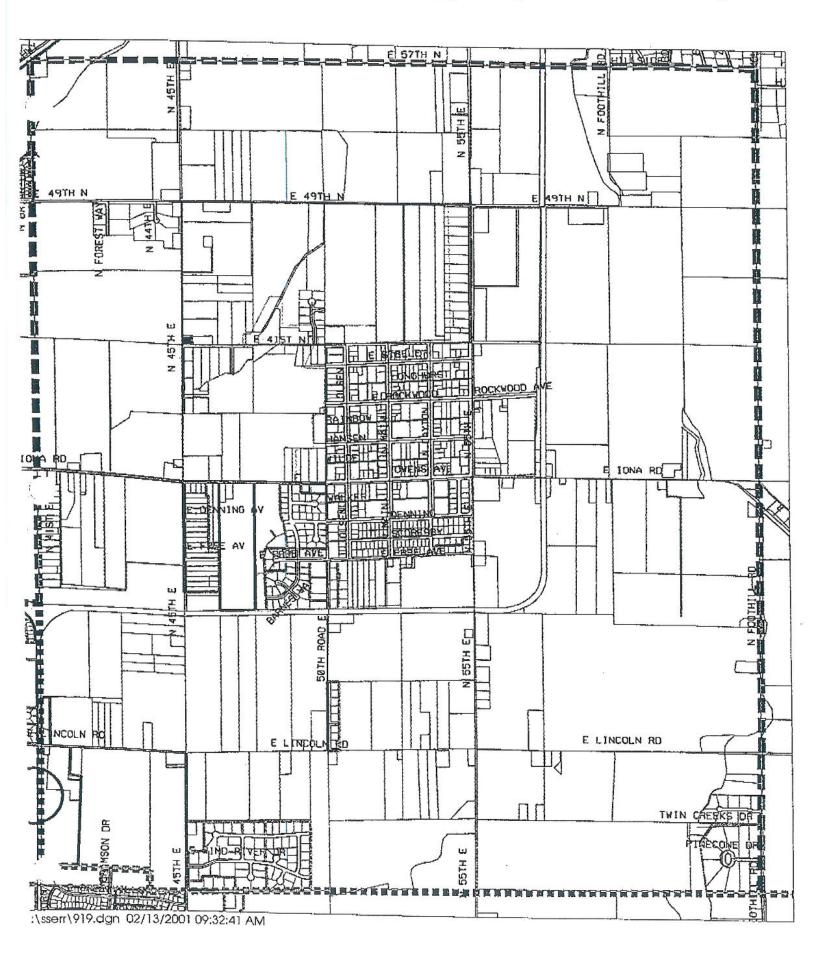
Section 10.

Renegotiations. Renegotiations shall follow the procedures outlined in Section 67-6526 of the

Section 11. Severability. The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

County Clerk

Roger S/Christensen



CITY of Irwin ORDINANCE NO. 62 BONNEVILLE COUNTY ORDINANCE NO. 201-00

AN ORDINANCE PROVIDING FOR THE ADMINISTRATION OF ORDINANCES AND DEVELOPMENT REGULATIONS FOR PROPERTIES LOCATED WITHIN AND THE CREATION OF AN IMPACT AREA AROUND THE CITY OF IRWIN, IDAHO; IDENTIFYING WHICH JURISDICTION'S ORDINANCE SHALL APPLY THEREIN; PROVIDING FOR WATER AND SEWER SERVICES OUTSIDE THE CITY BOUNDARIES; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF SAID ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

- Section 1. Legislative purpose: The purpose for establishing an area of impact between the City of Irwin and Bonneville County is to develop a common plan for land use in order to better guide growth for the next 10 years. In determining Areas of City Impact, Bonneville County and each of its incorporated cities will mutually identify the land area surrounding the corporate limits of each city that will accommodate the future physical growth of each city and will be served by current and planned urban services. The ability to provide urban services to an area will form the basis for negotiating Area of City Impact boundaries.
- Section 2. Geographic area of impact: For the purposes of this ordinance the area of impact shall be as shown on the attached Exhibit A. If an existing parcel is divided by this boundary line the parcel shall be included in the jurisdiction of where the larger area of the parcel is located. In defining the area of impact, the following factors shall be considered: trade area, geographic factors, areas that can be serviced and areas that can reasonably be expected to be annexed to the city in the future.
- Section 3. Comprehensive Plan: The Comprehensive Plan as adopted by Bonneville County along with amendments shall apply to this area of impact. Modifications to the County Map will be made where possible to mirror City plan.
- Section 4. Subdivision Ordinance: The Bonneville County Subdivision Ordinance as amended shall apply to this area of impact.

Except all improvements within the area of impact will be built to city infrastructure standards if they are more restrictive.

- Section 5. Zoning Ordinance: The Zoning Ordinance, map and subsequent amendments thereto as officially adopted by Bonneville County shall apply to this area. It is understood that in areas where central water and sewer services are not available that densities will be limited to one dwelling per ten acres with the allowance for lot averaging and agricultural density transferring with a minimum lot size of one acre. Modifications to the County Map will be made were possible to mirror City plan. Within the impact areas of a City all new RF Zone lots will average 2.5 acres in size if no central sewer system is provided
- Section 6. Building and Safety Codes Applicable to Area of Impact: Those codes adopted in County Ordinance 192-98 and all subsequent amendments shall apply to this area of impact.
- Section 7. Development Agreements: The County will enter into a development agreement with owners, tenants and developers of property located in the area of impact. The purpose of these agreements will be to address needed areas of commitment of these people for compliance with standards for development in the area of impact as agreed to between the city and the county.
- Section 8. Impact Fees: Bonneville County will adopt the same state law compliant impact fee ordinance that the City of Irwin adopts.

Section 9. Annexations: All development in the impact area shall be considered ripe for annexation into the City as soon as it becomes compliant with the rules set for in Section 50-222 of the State Law. All land that is then annexable into the City when proposed for development shall be annexed and developed in the City. If the City chooses not to annex the development the development could be allowed to continue in the County.

Section 10. Administration and Enforcement: Bonneville County shall be responsible for administration and enforcement of all sections of this agreement.

The Bonneville County Planning and Zoning Board shall act as the planning commission for the area of City Impact. If possible the County will appoint residents from within the Impact Area as representatives on this board and they shall have full voting privileges. If the City Council desires it may also review and make recommendations on all applications. The County Commissioners as required by law shall make final decisions for all applications outside of the city limits.

The City shall have the right to review plans and make recommendations for change and inspect all infrastructures under its purview that are being installed within the impact area. The City may also collect an appropriate predetermined fee for said reviews and inspections.

All applications for development which require review by City Council will be submitted to the city for compliance check and sign off of the improvements such as water and sewer lines etc. before the county will consider the request. As required by State Law no city review will take more than 14 days.

Section 11. Renegotiation. Renegotiations shall follow the procedures outlined in Section 67-6526 of the State Law.

Section 12. Severability. The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

Section 13. Effective Date. This Ordinance shall be in full force and effect from and after its execution by both the City and the County and passage and publication as required by law.

Attest:

Philip Blomquist

City Clerk

Rhett Bradford

Mayor

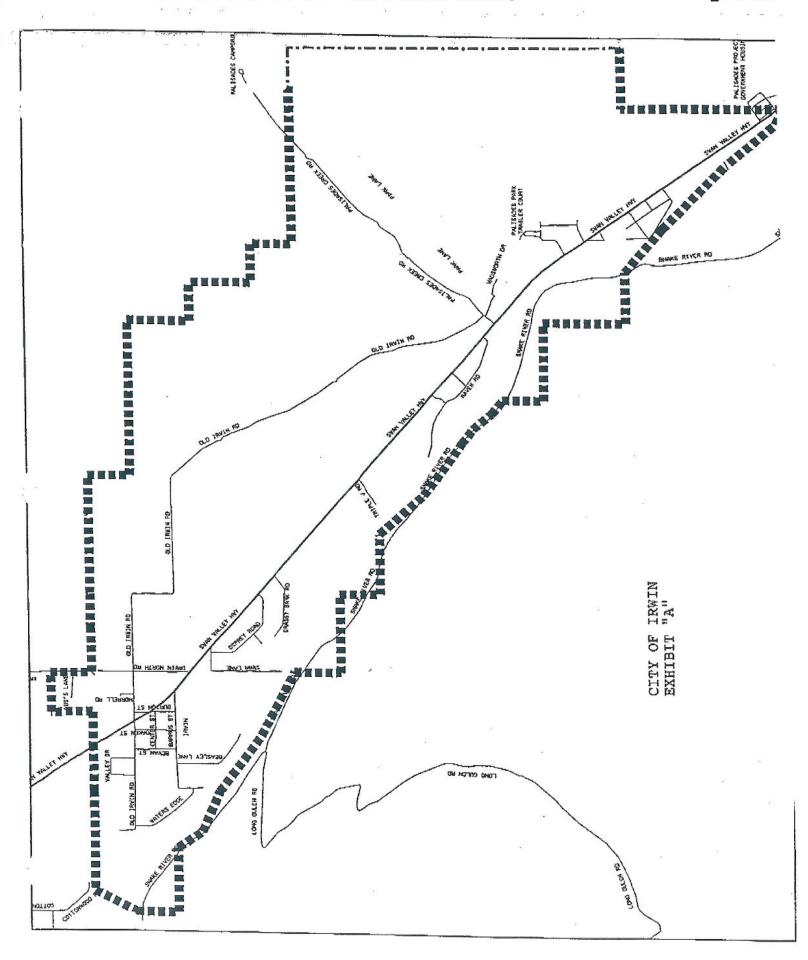
Passed by the County Commissioners of Bonneville County this 15th day of March, 2000.

Attest:

Ron Longmore

County Clerk

Bill K. Shurtleff



CITY of RIRIE ORDINANCE NO. 120 BONNEVILLE COUNTY ORDINANCE NO. 202-00

AN ORDINANCE PROVIDING FOR THE ADMINISTRATION OF ORDINANCES AND DEVELOPMENT REGULATIONS FOR PROPERTIES LOCATED WITHIN AND THE CREATION OF AN IMPACT AREA AROUND THE CITY OF RIRIE, IDAHO; IDENTIFYING WHICH JURISDICTION'S ORDINANCE SHALL APPLY THEREIN; PROVIDING FOR WATER AND SEWER SERVICES OUTSIDE THE CITY BOUNDARIES; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF SAID ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

- Section 1. Legislative purpose: The purpose for establishing an area of impact between the City of Ririe and Bonneville County is to develop a common plan for land use in order to better guide growth for the next 10 years. A part of this plan must provide for the efficient and economical provision of central services such as water and sewer etc. in the impact area. In determining Areas of City Impact, Bonneville County and each of its incorporated cities will mutually identify the land area surrounding the corporate limits of each city that will accommodate the future physical growth of each city and will be served by current and planned urban services. The ability to provide urban services to an area will form the basis for negotiating Area of City Impact boundaries.
- Section 2. Geographic area of impact: For the purposes of this ordinance the area of impact shall be as shown on the attached Exhibit A. If an existing parcel is divided by this boundary line the parcel shall be included in the jurisdiction of where the larger area of the parcel is located. In defining the area of impact, the following factors shall be considered: trade area, geographic factors, areas that can be serviced and areas that can reasonable be expected to be annexed to the city in the future.
- Section 3. Comprehensive Plan: The Comprehensive Plan as adopted by Bonneville County along with amendments shall apply to this area of impact. Modifications to the County Map will be made were possible to mirror City plan.
- Section 4. Subdivision Ordinance: The Bonneville County Subdivision Ordinance as amended shall apply to this area of impact. Except all improvements within the area of impact will be built to city infrastructure standards if they are more restrictive.
- Section 5. Zoning Ordinance: The Zoning Ordinance, map and subsequent amendments thereto as officially adopted by Bonneville County shall apply to this area. It is understood that in areas where central water and sewer services are not available that densities will be limited to one dwelling per ten acres with the allowance for lot averaging and agricultural density transferring with a minimum lot size of one acre. Modifications to the County Map will be made were possible to mirror City plan. Within the impact areas of a City all new RF Zone lots will average 2.5 acres in size if no central sewer system is provided
- Section 6. Building and Safety Codes Applicable to Area of Impact: Those codes adopted in County Ordinance 192-98 and all subsequent amendments shall apply to this area of impact.
- Section 7. Development Agreements: The County will enter into a development agreement with owners, tenants and developers of property located in the area of impact. The purpose of these agreements will be to address needed areas of commitment of these people for compliance with standards for development in the area of impact as agreed to between the city and the county.
- Section 8. Impact Fees: Bonneville County will adopt the same state law compliant impact fee ordinance that the City of Ririe adopts.
- Section 9. Extension of Water and Sewer Services: All development in the impact area should be connected to central water and central sewer systems where feasible. If adequate capacity is available and practically developable the City of Ririe will allow connection to its services for all development in the impact area. All water

and sewer facilities installed in the impact area will be constructed in accordance with City guidelines. Developers will be required to sign a Utility Service Agreement with the City if they are connected to the city system.

Section 10. Annexations: All development in the impact area shall be considered ripe for annexation into the City as soon as it becomes compliant with the rules set for in Section 50-222 of the State Law. All land that is then armexible into the City when proposed for development shall be annexed and developed in the City. If the City chooses not to annex the development the development could be allowed to continue in the County.

Section 11. Administration and Enforcement: Bonneville County shall be responsible for administration and enforcement of all sections of this agreement.

The Bonneville County Planning and Zoning Board shall act as the planning commission for the area of City Impact. If possible the County will appoint residents from within the Impact Area as representatives on this board and they shall have full voting privileges. If the City Council desires it may also review and make recommendations on all applications. The County Commissioners as required by law shall make final decisions for all applications out side of the city limits.

The City shall have the right to review plans and make recommendations for change and inspect all infrastructures under its purview that are being installed within the impact area. The City may also collect an appropriate predetermined fee for said reviews and inspections.

All applications for development which require review by city staff will be submitted to the city for compliance check and sign off of the improvements such as water and sewer lines etc. before the county will consider the request. As required by State Law no city review will take more than 14 days.

Section 12. Renegotiation. Renegotiations shall follow the procedures outlined in Section 67-6526 of the State Law.

Section 13. Severability. The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

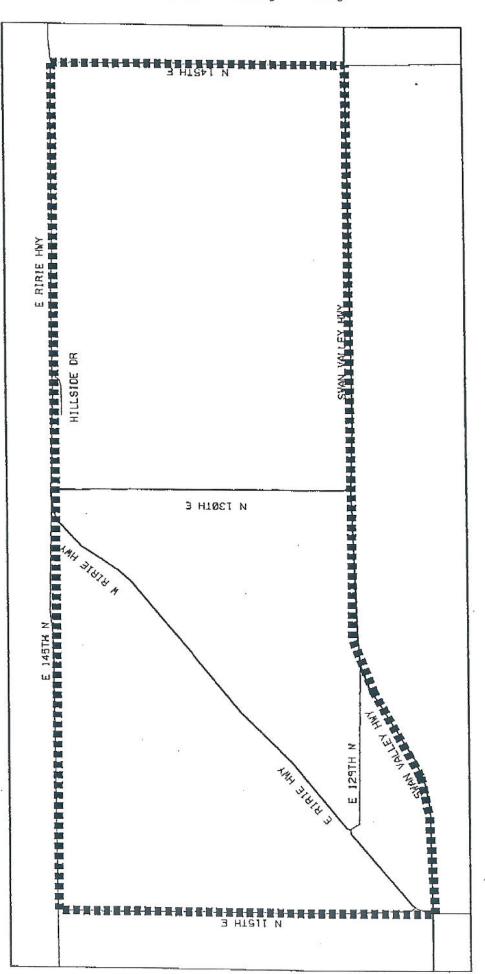
Section 14. Effective Date. This Ordinance shall be in full force and effect from and after its execution by both the City and the County and passage and publication as required by law.

City of Ririe Ordinance No. 120 passed and adopted by the City of Ririe December 29, 1994.

Passed by the County Commissioners of Bonneville County this 15th day of March 2000.

Altest:

Ron Longmore County Clerk



CITY OF RIRIE EXHIBIT "A"

CITY of SWAN VALLEY ORDINANCE NO. 33 BONNEVILLE COUNTY ORDINANCE NO. 200-00

AN ORDINANCE PROVIDING FOR THE ADMINISTRATION OF ORDINANCES AND DEVELOPMENT REGULATIONS FOR PROPERTIES LOCATED WITHIN AND THE CREATION OF AN IMPACT AREA AROUND THE CITY OF SWAN VALLEY, IDAHO; IDENTIFYING WHICH JURISDICTION'S ORDINANCE SHALL APPLY THEREIN; PROVIDING FOR WATER AND SEWER SERVICES OUTSIDE THE CITY BOUNDARIES; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF SAID ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

- Section 1. Legislative purpose: The purpose for establishing an area of impact between the City of Swan Valley and Bonneville County is to develop a common plan for land use in order to better guide growth for the next 10 years. A part of this plan must provide for the efficient and economical provision of central services such as water and sewer etc. in the impact area. In determining Areas of City Impact, Bonneville County and each of its incorporated cities will mutually identify the land area surrounding the corporate limits of each city that will accommodate the future physical growth of each city and will be served by current and planned urban services. The ability to provide urban services to an area will form the basis for negotiating Area of City Impact boundaries.
- Section 2. Geographic area of impact: For the purposes of this ordinance the area of impact shall be as shown on the attached Exhibit A. If an existing parcel is divided by this boundary line the parcel shall be included in the jurisdiction of where the larger area of the parcel is located. In defining the area of impact, the following factors shall be considered: trade area, geographic factors, areas that can be serviced and areas that can reasonable be expected to be annexed to the city in the future.
- Section 3. Comprehensive Plan: The Comprehensive Plan as adopted by Bonneville County along with amendments shall apply to this area of impact. Modifications to the County Map will be made were possible to mirror City plan.
- Section 4. Subdivision Ordinance: The Bonneville County Subdivision Ordinance as amended shall apply to this area of impact. Except all improvements within the area of impact will be built to city infrastructure standards if they are more restrictive.
- Section 5. Zoning Ordinance: The Zoning Ordinance, map and subsequent amendments thereto as officially adopted by Bonneville County shall apply to this area. It is understood that in areas where central water and sewer services are not available that densities will be limited to one dwelling per ten acres with the allowance for lot averaging and agricultural density transferring with a minimum lot size of one acre. Modifications to the County Map will be made were possible to mirror City plan. Within the impact areas of a City all new RF Zone lots will average 2.5 acres in size if no central sewer system is provided
- Section 6. Building and Safety Codes Applicable to Area of Impact: Those codes adopted in County Ordinance 192-98 and all subsequent amendments shall apply to this area of impact.
- Section 7. Development Agreements: The County will enter into a development agreement with owners, tenants and developers of property located in the area of impact. The purpose of these agreements will be to address needed areas of commitment of these people for compliance with standards for development in the area of impact as agreed to between the city and the county.
- Section 8. Impact Fees: Bonneville County will adopt the same state law compliant impact fee ordinance that the City of Swan Valley adopts.
- Section 9. Extension of Water and Sewer Services: All development in the impact area should be connected to central water and central sewer systems where feasible. If adequate capacity is available and practically developable the City of Swan Valley will allow connection to its services for all development in the impact area. All water and sewer facilities installed in the impact area will be constructed in accordance with City guidelines.

Developers will be required to sign a Utility Service Agreement with the City if they are connected to the city system.

Section 10. Annexations: All development in the impact area shall be considered ripe for annexation into the City as soon as it becomes compliant with the rules set for in Section 50-222 of the State Law. All land that is then annexible into the City when proposed for development shall be annexed and developed in the City. If the City chooses not to annex the development the development could be allowed to continue in the County.

Section 11. Administration and Enforcement: Bonneville County shall be responsible for administration and enforcement of all sections of this agreement.

The Bonneville County Planning and Zoning Board shall act as the planning commission for the area of City Impact. If possible the County will appoint residents from within the Impact Area as representatives on this board and they shall have full voting privileges. If the City Council desires it may also review and make recommendations on all applications. The County Commissioners as required by law shall make final decisions for all applications out side of the city limits.

The City shall have the right to review plans and make recommendations for change and inspect all infrastructures under its purview that are being installed within the impact area. The City may also collect an appropriate predetermined fee for said reviews and inspections.

All applications for development which require review by city staff will be submitted to the city for compliance check and sign off of the improvements such as water and sewer lines etc. before the county will consider the request. As required by State Law no city review will take more than 14 days.

Section 12. Renegotiation. Renegotiations shall follow the procedures outlined in Section 67-6526 of the State Law.

Section 13. Severability. The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

Section 14. Effective Date. This Ordinance shall be in full force and effect from and after its execution by both the City and the County and passage and publication as required by law.

Passed by the City Council of the City of Swan Valley this 10 day of APRIL, 2000, and approved by the Mayor on the 10 day of APRIL, 2000

Attest:

Ann Loughistge

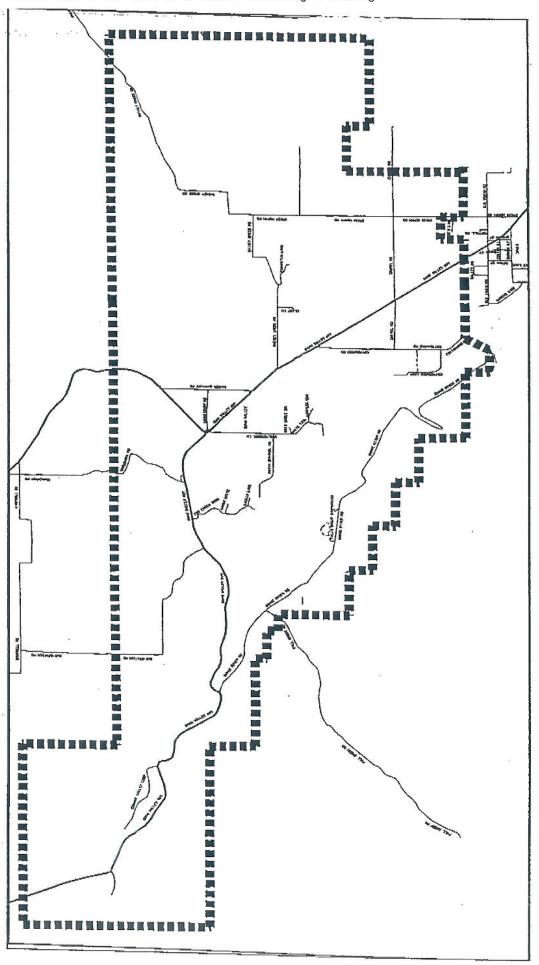
Travis Weeks Mayor

Passed by the County Commissioners of Bonneville County this 15th day of March, 2000.

Attest:

Ron Longmore County Clerk

Bill R. Shurtleff



CITY OF SWAN VALLEY EXHIBIT "A"

CITY of UCON ORDINANCE NO. 130 BONNEVILLE COUNTY ORDINANCE NO. 199-00

AN ORDINANCE PROVIDING FOR THE ADMINISTRATION OF ORDINANCES AND DEVELOPMENT REGULATIONS FOR PROPERTIES LOCATED WITHIN AND THE CREATION OF AN IMPACT AREA AROUND THE CITY OF UCON, IDAHO; IDENTIFYING WHICH JURISDICTION'S ORDINANCE SHALL APPLY THEREIN; PROVIDING FOR WATER AND SEWER SERVICES OUTSIDE THE CITY BOUNDARIES; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF SAID ORDINANCES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

- Section 1. Legislative purpose: The purpose for establishing an area of impact between the City of Ucon and Bonneville County is to develop a common plan for land use in order to better guide growth for the next 10 years. A part of this plan must provide for the efficient and economical provision of central services such as water and sewer etc. in the impact area. In determining Areas of City Impact, Bonneville County and each of its incorporated cities will mutually identify—the—land—area—surrounding the corporate limits of each city—that—will—accommodate the future physical growth of each city and will be served by current and planned urban services. The ability to provide urban services to an area will form the basis for negotiating Area of City Impact boundaries.
- Section 2. Geographic area of impact: For the purposes of this ordinance the area of impact shall be as shown on the attached Exhibit A. If an existing parcel is divided by this boundary line the parcel shall be included in the jurisdiction of where the larger area of the parcel is located. In defining the area of impact, the following factors shall be considered: trade area, geographic factors, areas that can be serviced and areas that can reasonable be expected to be annexed to the city in the future.
- Section 3. Comprehensive Plan: The Comprehensive Plan as adopted by Bonneville County along with amendments shall apply to this area of impact. Modifications to the County Map will be made were possible to mirror City plan.
- Section 4. Subdivision Ordinance: The Bonneville County Subdivision Ordinance as amended shall apply to this area of impact.

Except all improvements within the area of impact will be built to city infrastructure standards if they are more restrictive.

- Section 5. Zoning Ordinance: The Zoning Ordinance, map and subsequent amendments thereto as officially adopted by Bonneville County shall apply to this area. It is understood that in areas where central water and sewer services are not available that densities will be limited to one dwelling per ten acres with the allowance for lot averaging and agricultural density transferring with a minimum lot size of one acre. Modifications to the County Map will be made were possible to mirror City plan. Within the impact areas of a City all new RF Zone lots will average 2.5 acres in size if no central sewer system is provided
- Section 6. Building and Safety Codes Applicable to Area of Impact: Those codes adopted in County Ordinance 192-98 and all subsequent amendments shall apply to this area of impact.
- Section 7. Development Agreements: The County will enter into a development agreement with owners, tenants and developers of property located in the area of impact. The purpose of these agreements will be to address needed areas of commitment of these people for compliance with standards for development in the area of impact as agreed to between the city and the county.
- Section 8. Impact Fees: Bonneville County will adopt the same state law compliant impact fee ordinance that the City of Ucon adopts.
- Section 9. Extension of Water and Sewer Services: All development in the impact area should be connected to central water and central sewer systems where feasible. If adequate capacity is available and practically developable the City of Ucon will allow connection to its services for all development in the impact area. All water

and sewer facilities installed in the impact area will be constructed in accordance with City guidelines. Developers will be required to sign a Utility Service Agreement with the City if they are connected to the city system.

Annexations: All development in the impact area shall be considered ripe for annexation into the City as soon as it becomes compliant with the rules set for in Section 50-222 of the State Law. All land that is then annexible into the City when proposed for development shall be annexed and developed in the City. If the City chooses not to annex the development the development could be allowed to continue in the County.

Administration and Enforcement: Bonneville County shall be responsible for administration Section 11. and enforcement of all sections of this agreement.

The Bonneville County Planning and Zoning Board shall act as the planning commission for the area of City Impact. If possible the County will appoint residents from within the Impact Area as representatives on this board and they shall have full voting privileges. If the City Council desires it may also review and make recommendations on all applications. The County Commissioners as required by law shall make final decisions for all applications out side of the city limits.

The City shall have the right to review plans and make-recommendations for change and inspect all infrastructures under its purview that are being installed within the impact area. The City may also collect an appropriate predetermined fee for said reviews and inspections.

All applications for development which require review by city staff will be submitted to the city for compliance check and sign off of the improvements such as water and sewer lines etc. before the county will consider the request. As required by State Law no city review will take more than 30 days.

Section 12. Renegotiation. Renegotiations shall follow the procedures outlined in Section 67-6526 of the State Law.

Section 13. Severability. The provisions of this ordinance are severable and in the event any provision hereof is determined to be unenforceable or invalid for any reason, such determination shall not affect the enforceability of the remaining provisions.

Effective Date. This Ordinance shall be in full force and effect from and after its execution by Section 14. both the City and the County and passage and publication as required by law.

Passed by the City Council of the City of Ucon this 2000, and approved by the

Attest:

City Clerk

Mayor

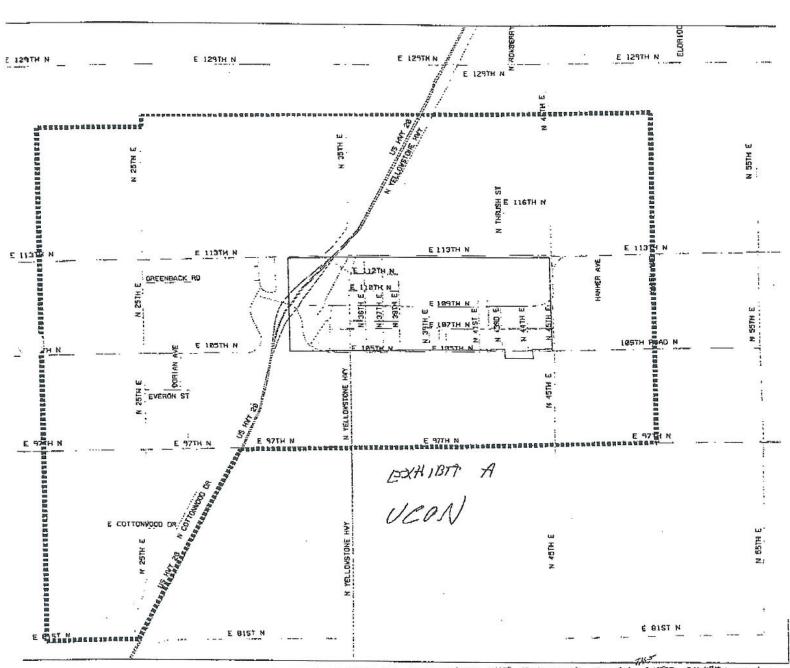
Passed by the County Commissioners of Bonneville County this 15th day of March, 2000.

Attest:

Ron Longmore

County Clerk

Bill/K. Shurtleff



THE UCON IMPACT AREA IS DEFINED BY A LINE THAT APPROXIMATE THE FOLLOWING AREA! WEST COUNTRY IS & MILE WEST OF J.STA E. THE NORTH BOWNERS IS & MILE WEST OF 1/3 TH P. THE EAST COUNTRY & IS & MILE E

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