

## TITLE 5 CHAPTER 3

### AREA OF CITY IMPACT

#### SECTION:

5-3-1: Legislative Purpose

5-3-2: Geographic Area of City Impact

5-3-3: Comprehensive Plan

5-3-4: Subdivision Ordinance

5-3-5: Zoning Ordinance

5-3-6: Code and Ordinance Administration and Enforcement

5-3-7: Renegotiation

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5-3-1: **LEGISLATIVE PURPOSE:** The purpose for establishing an Area of City Impact is to identify a logical urban fringe area adjoining the City of Albion, Idaho. The urban fringe area is realizing, or will realize, growth and development pressures that must be planned and managed in an orderly fashion. The Area of City Impact recognizes trade area, geographic factors and the potential delivery of public services as being associated with the City of Albion and is comprised of area that may reasonably be annexed to the City in the future.

5-3-2: **GEOGRAPHIC AREA OF CITY IMPACT:** The officially adopted and agreed upon "Area of City Impact for Albion, Idaho" is established by the City of Albion, Idaho and Cassia County, Idaho and is set forth therein on the map entitled Area of City Impact for Albion, Idaho dated December 27, 1994 and a copy of which is annexed hereto.

5-3-3: **COMPREHENSIVE PLAN:** The Comprehensive Plan and subsequent amendments thereto as officially adopted by the City of Albion shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The City of Albion is committed to protecting, to the fullest agricultural interests in this area. Both the City of Albion and Cassia County shall amend their Comprehensive Plans to be consistent with this agreement, if required.

5-3-4: **SUBDIVISION ORDINANCE:** The subdivision Ordinance and subsequent amendments thereto as officially adopted by the County of Cassia shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho. The subdivision Ordinance of the County shall also prevail over any City ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

5-3-5: **ZONING ORDINANCE:** The Zoning Ordinance, Zoning Map and subsequent amendments thereto as officially adopted by the County of Cassia shall apply to the Area of City Impact within the unincorporated area of Cassia County, Idaho.

5-3-6: CODE AND ORDINANCE ADMINISTRATION AND ENFORCEMENT:

(A) The City of Albion shall be responsible for the Administration and enforcement of the City's ordinances listed in Sections 3, 4, and 5 and shall receive all permit fees for inspection performed to recapture direct costs of inspections, administration, legal publications, and other costs arising from the process. Appeal and hearing procedure shall follow those adopted by the City of Albion presently and in the future.

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

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

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

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

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

5-3-7: RENEGOTIATION: The Area of City Impact Agreement shall be reviewed by the City of Albion and Cassia County at least once every five years and shall be renegotiated at any time upon the request of either party hereto. Renegotiation shall begin 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.

5-3-8: MAP