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ORDINANCE NO. 249

RECORDED BY BONNER

453283

CLARK FORK AREA OF CITY IMPACT MAP SR DEP.

BONNER COUNTY, IDAHO

AN ORDINANCE CREATING A GEOGRAPHICAL AREA OF CITY IMPACT; DEFINING THE PURPOSE OF THE AREA OF CITY IMPACT; SPECIFYING THE FACTORS CONSIDERED IN IDENTIFYING THE AREA OF CITY IMPACT; ADOPTING AN AREA OF CITY IMPACT MAP; ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE; AND REPEALING ORDINANCE NUMBERS 121 AND 122.

WHEREAS, the City of Clark Fork, Idaho has requested that the existing Area of City Impact agreement with Bonner County be renegotiated; and

WHEREAS, the Bonner County Planning and Zoning Commission held a duly noticed public hearing on August 11, 1994 on the request and recommended approval of the same; and

WHEREAS, the Bonner County Board of Commissioners held a duly noticed public hearing on August 31, 1994; and

WHEREAS, this Ordinance is required by Idaho Code, Section 67-6526;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Bonner County, Idaho that the following be and is hereby adopted as an Ordinance of Bonner County:

SECTION 1. AUTHORITY AND PURPOSE

Section 67-6526, Idaho Code, requires that the governing board adopt by Ordinance a map identifying an Area of City Impact within the unincorporated area of the County.

The purpose of establishing an Area of City Impact is to identify a logical fringe area adjoining the City of Clark Fork. The fringe area includes the unincorporated area surrounding Clark Fork that has a potential for development that could affect the provision of public services or the quality of life in Clark Fork, Idaho.

SECTION 2. CONSIDERATION

The following factors were considered by the Planning and Zoning Commission and Board of County Commissioners in identifying the Area of City Impact for Clark Fork, Idaho.

1. Trade areas.
2. Geographic factors.
3. Area that can reasonably be expected to be annexed into the City in the future.

SECTION 3. GEOGRAPHIC AREA OF CITY IMPACT

The official geographic Clark Fork Area of City Impact is hereby adopted as shown on the attached map "Exhibit A" and titled "Area of City Impact for Clark Fork, Idaho." All parcels of land lying all or in part within the Area of City Impact shall be subject to provisions of this ordinance.

The Clark Fork Area of City Impact is described as follows:

1. In Township 56 North, Range 2 East Boise Meridian:
Sections 9, 13, the south half of 14, 15, the east half of the northeast quarter of 16, 22, 23, 24, 25, 26, 27, 33, 34, 35, and 36.
2. In Township 56 North, Range 3 East Boise Meridian:
Sections 30 & 31
3. In Township 55 North, Range 2 East Boise Meridian:
Sections 1, 2, 3, 4, the east half of 5 plus government lot #3, 9, 10, 11, 12, 13, 14, and the north half of the northeast quarter of 23.

SECTION 4. REPEALER CLAUSE

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed and rescinded, including Ordinance Numbers 121 and 122.

SECTION 5. SEVERABILITY CLAUSE

If any section, paragraph, sentence or provisions hereof or the application thereof to any particular circumstances shall ever become invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

SECTION 6. EFFECTIVE DATE

This ordinance shall be in full force and effect upon its passage, approval and publication in one (1) issue of the Bonner County Daily Bee.

Regularly passed and approved as an Ordinance of Bonner County, Idaho, done this 7th day of September, 1994, upon the following roll call vote:

Chairman Eugene Brown	Aye <u>✓</u>	Nay <u> </u>
Commissioner Susan MacLeod	Aye <u>✓</u>	Nay <u> </u>
Commissioner Wayne Newcomb	Aye <u>✓</u>	Nay <u> </u>

Eugene Brown
Eugene Brown, Chairman

Susan MacLeod
Susan MacLeod, Commissioner

Wayne Newcomb
Wayne Newcomb, Commissioner

ATTEST:

MARIE SCOTT, CLERK

Bucky Witter, Dep Clerk

FILED BY BCC

453284

ORDINANCE NO. 249-A '84 OCT 3 PM 3 28

CLARK FORK AREA OF CITY IMPACT AGREEMENT
RECORDED BY BONNER
BONNER COUNTY, IDAHO COUNTY BY SR DEP.

AN ORDINANCE DEFINING THE PURPOSE OF THE AREA OF CITY IMPACT; SPECIFYING THE FACTORS CONSIDERED IN IDENTIFYING THE AREA OF CITY IMPACT; IDENTIFYING THE COMPREHENSIVE PLAN THAT SHALL APPLY WITHIN THE UNINCORPORATED PORTION OF BONNER COUNTY, IDAHO LYING WITHIN THE AREA OF IMPACT; IDENTIFYING THE ZONING AND SUBDIVISION ORDINANCES THAT SHALL APPLY WITHIN THE UNINCORPORATED PORTIONS OF BONNER COUNTY, IDAHO LYING WITHIN THE AREA OF CITY IMPACT; PROVIDING FOR REVIEW AND COMMENT PROCEDURES BETWEEN JURISDICTIONS; PROVIDING FOR ADMINISTRATIVE JURISDICTION WITHIN THE AREA OF CITY IMPACT; ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE; AND REPEALING ORDINANCE NUMBERS 121 AND 122.

WHEREAS, the City of Clark Fork, Idaho has requested that the existing Area of City Impact agreement with Bonner County be renegotiated; and

WHEREAS, the Bonner County Planning and Zoning Commission held a duly noticed public hearing on August 11, 1994 on the request and recommended approval of the same; and

WHEREAS, the Bonner County Board of Commissioners held and duly noticed public hearing on August 31, 1994; and

WHEREAS, this Ordinance is required by Idaho Code, Section 67-6526;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Bonner County, Idaho that the following be and is hereby adopted as an Ordinance of Bonner County:

SECTION 1. AUTHORITY AND PURPOSE

Section 67-6526, Idaho Code, requires that Cities and Counties negotiate an Area of City Impact.

The purpose of establishing an Area of City Impact is to identify a logical fringe area adjoining the City of Clark Fork. The fringe area includes the unincorporated area surrounding Clark Fork that has a potential for development that could affect the provision of public services or the quality of life in Clark Fork, Idaho.

SECTION 2. CONSIDERATION

The following factors were considered by the Planning and Zoning Commission and Board of County Commissioners in identifying the Area of City Impact for Clark Fork, Idaho.

1. Trade areas.
2. Geographic factors.
3. Area that can reasonably be expected to be annexed into the City in the future.

SECTION 3. GEOGRAPHIC AREA OF CITY IMPACT

The officially adopted geographic Area of City Impact for Clark Fork, Idaho is identified by Ordinance No. 249. All parcels of land lying all or in part within the Area of City Impact shall be subject to provisions of this ordinance.

SECTION 4. COMPREHENSIVE PLAN

The Comprehensive Plan and subsequent amendments thereof as officially adopted by Bonner County, Idaho, shall apply to the unincorporated portions of Bonner County, Idaho, lying within the Clark Fork Area of City Impact.

SECTION 5. ZONING AND SUBDIVISION ORDINANCES

The Zoning and Subdivision Ordinances and subsequent amendments thereto as officially adopted by Bonner County, Idaho, shall apply to the unincorporated portion of Bonner County, Idaho lying within the Clark Fork Area of City Impact.

SECTION 6. REVIEW AND COMMENT

Any request for development, zone change, conditional use permit, variance or subdivision in the unincorporated portion of Bonner County, Idaho, lying within the Clark Fork Area of City Impact, shall be referred to the City Council of Clark Fork, Idaho, for review and comment. The City Council shall have forty (40) days to consider the request and submit a reply to the Board of County Commissioners, Bonner County, Idaho. If no reply is received by the Board within the forty (40) day period, the City Council forfeits its right to comment on the request and processing shall continue under the Board's administration.

SECTION 7. ADMINISTRATIVE JURISDICTION

The administration of plans and ordinances which apply to the Clark Fork Area of City Impact shall be the duty of Bonner County.

SECTION 8. REPEALER CLAUSE

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed and rescinded, including Ordinance Numbers 121 and 122.

SECTION 9. SEVERABILITY CLAUSE

If any section, paragraph, sentence or provisions hereof or the application thereof to any particular circumstances shall ever become invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

SECTION 10. EFFECTIVE DATE

This ordinance shall be in full force and effect upon its passage, approval and publication in one (1) issue of the Bonner County Daily Bee.

Regularly passed and approved as an Ordinance of Bonner County, Idaho, done this 7th day of September, 1994, upon the following roll call vote:

Chairman Eugene Brown	Aye <u>✓</u>	Nay <u> </u>
Commissioner Susan MacLeod	Aye <u>✓</u>	Nay <u> </u>
Commissioner Wayne Newcomb	Aye <u>✓</u>	Nay <u> </u>

Eugene Brown
Eugene Brown, Chairman

Susan MacLeod
Susan MacLeod, Commissioner

Wayne Newcomb
Wayne Newcomb, Commissioner

ATTEST:

MARIE SCOTT, CLERK

Betsy Witte, Dep. Clerk