

ORDINANCE NO. 74

AN ORDINANCE OF THE COUNTY OF GOODING PROVIDING FOR THE APPLICATION OF THE COUNTY PLAN AND ORDINANCES ADOPTED UNDER CHAPTER 65 OF TITLE 67 OF THE IDAHO CODE TO THE AREA OF CITY IMPACT FOR THE CITY OF HAGERMAN; IDENTIFYING METHODS AND PROCEDURES FOR GIVING NOTICE TO THE CITY OF HAGERMAN; PROVIDING FOR REVIEW OF CITY IMPACT AREA; REPEALING CONFLICTING PROVISIONS OF COUNTY ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners, Gooding County, State of Idaho:

**SECTION 1. PURPOSE.**

The purpose of establishing an Area of City Impact is to identify a logical urban fringe area adjoining the City of Hagerman, 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 Hagerman and comprised of areas that may reasonably be annexed to the City in the near and distant future.

**SECTION 2. ADOPTION OF GOODING COUNTY COMPREHENSIVE PLAN AND ORDINANCES.**

Gooding County's Comprehensive Plan and Ordinances adopted under Chapter 65 of Title 61 of the Idaho Code and all amendments thereto are hereby made applicable to the City of Hagerman area of city impact as defined in Gooding County Ordinance No. 73 and the City of Hagerman Ordinance No. \_\_\_\_\_.

**SECTION 3. ADMINISTRATION OF COMPREHENSIVE PLAN AND ORDINANCES.**

Gooding County shall be responsible for administration and enforcement of the county's ordinances and shall receive all permit fees arising from the process in the Area of Impact for the City of Hagerman.

**SECTION 4. NOTIFICATION TO THE CITY OF HAGERMAN**

Amendments to the County of Gooding'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 for the City of Hagerman and all other requests being proposed for development of any type with the exception of normal building permits allowed in the zone and residential development not

requiring any of the actions above shall be reviewed by the City Council prior to final approval by Gooding County in accordance with Title 67 and Title 50, Idaho Code. Gooding County shall send a copy of the application to the City giving at least twenty (20) days notice prior to any hearing. The City Council shall provide a recommendation of approval, denial or placement of special conditions to the County. If no recommendation is received from the City by the set date of the hearing, the County shall presume that the City has recommended approval.

Hearings may be held in Hagerman if issues directly affect the city. Each issue affecting Hagerman would be looked at separately and decided upon where the hearing should be held.

#### **SECTION 5. REVIEW OF THE AREA OF CITY IMPACT.**

The Area of City Impact Agreement shall be reviewed by the County of Gooding and the City of Hagerman at least once every five (5) years and shall be renegotiated at any time upon the request of either party hereto. Renegotiations shall begin thirty (30) days after written request after either the county or city and shall follow the procedures for the original negotiations as set forth in Idaho Code §67-6526, or as it may be amended.


#### **SECTION 6. REPEAL OF CONFLICTING PROVISIONS.**

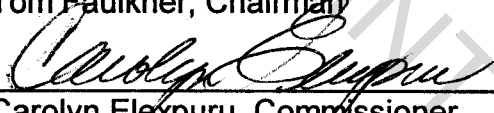
The provisions of this Ordinance shall supersede and replace all provisions of previously adopted ordinances dealing with matters addressed by this Ordinance.

#### **SECTION 7. EFFECTIVE DATE.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Regularly passed and adopted by the Board of County Commissioners, Gooding County, Idaho, this 25 of FEBRUARY, 2002

  
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Tom Faulkner, Chairman

  
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Carolyn Elexpuru, Commissioner

  
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Rob Sauer, Commissioner

ATTEST:   
Helen Edwards, Clerk