

ORDINANCE NO. 205A
AREA OF CITY IMPACT AGREEMENT
CLARK FORK, IDAHO

AN ORDINANCE OF THE CITY OF CLARK FORK, IDAHO 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; PROVIDING A SEVERABILITY CLAUSE; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

WHEREAS, representatives of the City of Clark Fork and Bonner County met on August 11, 1994 to develop mutually acceptable terms which will govern an Area of City Impact, and

WHEREAS, the Clark Fork City Council held a duly noticed public hearing on October 4, 1994; and

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

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Clark Fork, Idaho that the following be and is hereby adopted as an Ordinance of the City of Clark Fork, Idaho:

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 Clark Fork City Council 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. 205. All parcels of land lying all or in part within the identified 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.

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 according to law.

Approved by the Mayor and City Council of the City of Clark Fork this 11th day of October, 1994 upon the following roll call vote:

	Aye	Nay	Absent	Abstain
Councilwoman Beverly Dawson	<input checked="" type="checkbox"/>	—	—	—
Councilman Terry Heyne	<input checked="" type="checkbox"/>	—	—	—
Councilman Paul McGregor	<input checked="" type="checkbox"/>	—	—	—
Councilwoman Helen VanStone	<input checked="" type="checkbox"/>	—	—	—

Ambrose V. Martinosky
Ambrose V. Martinosky, Mayor

ATTEST:

Elizabeth Parenti
Elizabeth Parenti, City Clerk