

Chapter 17.45 – Area of Impact ¹

Sections:

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17.45.010 Description

The officially adopted and agreed upon “area of impact for the City of Arco, Idaho” is established by this Chapter and is set forth herein on the map entitled “Area of City Impact of Arco, Idaho” dated November 8, 2010, and marked exhibit A attached to and incorporated herein and more particularly described as:

Area #1: Beginning at the NW corner of the SW ¼ of Section 1, R26E, T3N, Boise Meridian; Thence East to the NE corner of the SW ¼ of Section 6, R27E, T3N; Thence North to the SE corner of the SW ¼ of Section 19, R27E, T4N; Thence West to the SW corner of Section 24, R26E, T4N; Thence South to the point of beginning.

Area #2: Beginning at the NE corner of the SW ¼ of the SW ¼ of Section 10, R26E, T3N, Boise Meridian; Thence North to US Highway 20-26/93 right-of-way; Thence ENE along the said right-of-way to the NW corner of the NE ¼ Section 11, R26E, T3N; Thence South to the NW corner of the SE ¼ of the SE ¼ of Section 11, R26E, T3N; Thence South to the NW corner of the SE ¼ of the SE ¼ of Section 11, R26E, T3N; Thence West to the point of beginning.

17.45.020 Comprehensive Plan.

The comprehensive plan and subsequent amendments thereto as officially adopted by the County of Butte, Idaho, shall apply to the area of city impact within the unincorporated area of Butte County, Idaho. Upon the adoption hereof, both the City of Arco and Butte County shall amend their comprehensive plans to be consistent with this agreement, if required.

17.45.030 Subdivision Ordinance.

The subdivision ordinance and subsequent amendments thereto as officially adopted by Butte County, Idaho, shall apply to the area of city impact within the unincorporated area of Butte County, Idaho. The subdivision ordinance of Butte County shall also prevail over any City of Arco ordinances pertaining to the division of original parcels of record, plat amendments, lot line adjustments, minor subdivisions, short plats or administrative lot splits.

17.45.040 Zoning Ordinance.

The zoning ordinance, zoning map and subsequent amendments thereto as officially adopted by Butte County shall apply to the area of city impact within the unincorporated area of Butte County, Idaho.

17.45.050 Code and Ordinance Administration.

- A. Butte County shall be responsible for the administration of the county's ordinances listed in sections 2,3, and 4 of this Ordinance, and shall receive all permit fees for inspection performed to recapture direct costs for inspections, administration, legal publications and other costs arising from the process. Appeal and hearing procedures shall follow those adopted by Butte County presently and in the future.
- B. Amendments to the Butte County comprehensive plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes, special use permits, and/or conditional use permits involving property located in the area of city impact within the unincorporated area of Butte County being proposed for nonagricultural development of any type shall be submitted to the City of Arco for review and recommendation by the City Council. Review and recommendation by the City Council shall be in addition to county approval and shall be based upon standards for review as set forth in titles 67 and 50, Idaho Code. In granting a recommendation of approval, the City Council shall have the right to suggest terms and conditions pertinent to the permit under consideration.
- C. The authority to enter into and execute development agreements with a subdivider and to accept required bonding or other forms of security to guarantee construction of required street and/or utility improvements involving plats located within the area of city impact within the unincorporated area of Butte County shall rest with Butte County.
- D. Unless otherwise stipulated by written agreement, the maintenance of public streets, law enforcement, and fire services within the area of city impact within the unincorporated area of Butte County shall be the responsibility of Butte County until such time as they are annexed by the City of Arco pursuant to law.

17.45.060 Renegotiation.

The area of city impact agreement shall be reviewed by the City of Arco and Butte County at least once every ten (10) years, and shall be renegotiated at any time upon request of either party hereto. Renegotiation shall begin sixty (60) days after written request by either the city or county and shall follow procedures for the original negotiations, as set forth in Idaho Code section 67-6526.

——— NOTES ———

- (1) Ordinance 2016-A, June 13,2016.