

ORDINANCE NO. #28

DOVER AREA OF CITY IMPACT AGREEMENT

BONNER COUNTY, IDAHO

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 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.

WHEREAS, the City of Dover City Council did request a recommendation; and

WHEREAS, the City of Dover, Idaho has requested that an Area of City Impact agreement with Bonner County be negotiated; and

WHEREAS, this Ordinance is required by IDAHO CODE, Section 67-6526;

WHEREAS, the City of Dover Planning and Zoning Commission did hold a duly noticed public hearing on September 29, 1994;

NOW THEREFORE BE ORDAINED by the Dover City Council of Bonner County, Idaho that the following be and is hereby adopted as an Ordinance of the City of Dover:

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 Dover. The fringe area includes the unincorporated area surrounding Dover that has a potential for development that could affect the provision of public services or the quality of life in Dover, Idaho.

SECTION 2. CONSIDERATION

The following factors were considered by the Planning and Zoning Commission and the Dover City Council in identifying the Area of City Impact for Dover, 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 Dover, Idaho is identified by Ordinance No. 27. 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 Dover 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 Dover 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 Dover Area of City Impact, shall be referred to the City Council of Dover, 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, processing shall continue under the Board's administration.

SECTION 7. ADMINISTRATIVE JURISDICTION

The administration of plans and ordinances which apply to the Dover 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, sentences or provisions hereof or the application thereof to any particular circumstances shall ever become invalid or unenforceable, such holding shall not affect the remainder thereof, 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 the City of Dover, Idaho, done this 24th day of October, 1994, upon the following roll call vote:

Aye <u>✓</u> _____	Nay _____

Loretta Boyle
MAYOR

Jenneth A. Brown
NAME

Martin B. Hoffman
NAME

Margaret Becker
NAME

Stacy E. Kinamy
NAME

ATTEST:
Karen Ames / clerk
Karen Ames, City Clerk