

CHAPTER 1
AREA OF IMPACT

SECTION:

- 8-1-1: Applicability
- 8-1-2: Boundary Definitions
- 8-1-3: Comprehensive Plans and Ordinances
- 8-1-4: Administration and Enforcement
- 8-1-5: Amendments

8-1-1: **APPLICABILITY:** This Impact Area agreement is being adopted and defined pursuant to Idaho Code, section 67-6526, together with any and all amendments thereto, pursuant to mutual agreement between the City of Victor and Teton County. The purpose of this chapter is to identify an area of impact surrounding the City of Victor with due consideration being given to such factors as trade area, geographic factors, and areas that can reasonably be expected to be annexed to the City of Victor in the future. The intent of this chapter is to define the geographic area of impact; to set forth those ordinances that will be applicable to the impact area; and to comply with the applicable sections of Idaho Code, title 67, chapter 65, as set forth by the Idaho legislature.

8-1-2: **BOUNDARY DEFINITIONS:** The boundaries of the impact area are defined in Victor City Ordinance Title 8 and are shown on Exhibit A entitled Victor City Impact Area (hereinafter the "Impact Area"), a copy of which is also on file in the Teton County Planning, Building and GIS Department, and the City of Victor planning and zoning offices.

8-1-3: **COMPREHENSIVE PLANS AND ORDINANCES:**

A. Applicability: The officially adopted comprehensive plan and zoning ordinance of Teton County together with any subsequent amendments, as adopted pursuant to section 5 of this chapter, thereto shall apply to the land within the Impact Area, except as provided below.

B. Impact Study: The City of Victor may request an impact study as per the Victor City Ordinance 10-16-2: K. before final plat is given on any land in the Impact Area.

C. Responsibility for Maintenance: Maintenance of public streets located in the Impact Area shall be agreed to in writing between the City, the County, and any developer. In the absence of any such agreement

the County shall be responsible for the maintenance.

8-1-4: ADMINISTRATION AND ENFORCEMENT:

A. Teton County shall be responsible for the administration and enforcement of all applicable ordinances within the Area of Impact as outlined in this chapter.

B. Review Process:

1. Impact Area: All development applications within the Area of Impact shall originate with the County.

2. All Development: All development applications within the Impact Area shall be forwarded for review by the Victor Planning and Zoning Administrator. Those applications that may have an impact on current or future compatibility with easements, utility and roadway connectivity and compatibility with that of the City of Victor's easements, roadways and utilities shall be passed on the Victor Planning and Zoning Commission for their disposition. No planned unit developments are allowed in the area of impact.

3. Urban Growth Boundary, (a part of the Impact Area):

a. All public roadways that are constructed within the Urban Growth Boundary shall be designed and built to City of Victor Standard, Specifications and Drawings, as amended.

b. The unannexed area within the Victor Urban Growth Boundary, as set forth on Exhibit A, shall remain under county zoning until such time as a subdivision of higher density than that allowed by county regulations is applied for at which time it shall request annexation, and if approved, fall within the zoning and subdivision ordinances of the City of Victor.

4. Foothills Big Game Corridor and Seasonal Range: Development occurring within the eastern foothills area, generally indicated on the Teton County Natural Resource Overlay, and specifically indicated as eastern Big Game Migration Corridors and Seasonal Ranges Overlay, as depicted on Exhibit B shall be reviewed by the City of Victor under a courtesy review process. Comments and recommendations shall be forwarded to the Board of County Commissioners.

1. FEES: Fees authorized pursuant to this Ordinance and any requests for amendments to this Ordinance shall be set by the

Mayor and City Council. In the impact area, all administrative fees associated with section 4 shall be established by the city and paid to the city. These fees do not include building permit and inspection fees, zoning and subdivision fees where the county maintains sole administrative jurisdiction; such fees shall be established by the county and collected by the county. In the event costs are incurred by the City of Victor as a result of the administration or enforcement of area of city impact matters, the City of Victor and County agree to share equally such expenses.

8-1-5: AMENDMENTS:

- A. The method of amending the Impact Area and the boundaries thereof shall be governed by Idaho Code section 67-6526(d).
- B. Amendments to either the City or County comprehensive plans or zoning ordinances pertaining to the Impact Area, as well as requests for zoning changes within the Impact Area shall be reviewed and approved by both the City and the County. (Ord. 11-1109-1, 11-09-11)