

BINGHAM COUNTY ORDINANCE 2025-_____

**TITLE 9 “AREAS OF IMPACT”
CHAPTER 1 “BLACKFOOT AREA OF IMPACT”**

AN ORDINANCE OF BINGHAM COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REPEALING TITLE 9 CHAPTER 1 TITLED “BLACKFOOT AREA OF CITY IMPACT” AND ENACTING A NEW ORDINANCE WITH THE SAME TITLE THAT PROVIDES FOR THE ORDINANCES AND REGULATIONS THAT APPLY WITHIN SUCH IDENTIFIED IMPACT AREA MAP; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH ORDINANCES AND REGULATIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Idaho Code Section 67-6526 requires that Cities and Counties shall adopt an Area of Impact (AOI) as identified on a map wherein the AOI within the unincorporated area of the County is identified, and by separate ordinance, provide for the application of plans and ordinances within the AOI; and

WHEREAS, the City of Blackfoot (“City”) and Bingham County (“County”) entered into an Impact Area Agreement with a map on September 30, 2002; and

WHEREAS, the City and the County have agreed to negotiate the Agreement and map following the requirements of Idaho Code Section 67-6526; and

WHEREAS, such negotiations considered the following factors, among others:

1. Anticipated Growth;
2. Geographic Factors;
3. Areas that can reasonably be expected to be annexed into the City in the future;
4. Areas where municipal or public sewer and water services are expected to be provided within five (5) years; and
5. Other public service District boundaries.

WHEREAS, the County has held hearings on the proposed AOI in accordance with due and regular notice procedures of Idaho Code Sections 67-6509 and 67-6526 in coordination with the City; and

WHEREAS, the governing boards for the City and the County have each agreed to the Area of City Impact with a boundary map, attached hereto and incorporated herein as Exhibit “A for the City of Blackfoot.

NOW THEREFORE, BE IT ORDAINED BY THE BINGHAM COUNTY BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

SECTION 1: That Title 9 Chapter 1 be repealed and replaced with the following:

9-1-1: PURPOSE

The purpose of this ordinance is to establish an Area of Impact (AOI) and map for the City of Blackfoot as required by Idaho Code Section 67-6526. This ordinance ensures coordination between Bingham County and the City of Blackfoot in planning and zoning matters while recognizing the County's jurisdiction over unincorporated areas.

9-1-2: BOUNDARIES OF THE AREA OF IMPACT

The boundaries of the Area of Impact shall be depicted on the official map identified as Exhibit A on file with the Bingham County Planning and Development Services Department and incorporated herein by reference.

9-1-3: APPLICABLE PLANS AND ORDINANCES

A. Comprehensive Plan: The Bingham County Comprehensive Plan, as amended and any subsequent amendments, shall apply within the AOI. The City of Blackfoot's Comprehensive Plan may be considered as an advisory document for planning purposes within the AOI.

B. Zoning Ordinance: The Bingham County zoning ordinances, zoning map, and subdivision ordinances, as amended and any subsequent amendments, shall apply within the AOI.

9-1-4: NOTICE

Any application for a change in the Comprehensive Plan, zoning ordinances, conditional use permits, variances, or subdivision plats shall be submitted to the City at least thirty (30) days before any proposed action, with the City having the right to review plans and make recommendations for change or provide other evidence pertinent to the application, if desired.

9-1-5: PUBLIC UTILITIES

All subdivisions and commercial or industrial developments approved in the AOI shall be required to connect to City sewer and water services if such are reasonably available. The City's fees, rules, ordinances, and regulations pertaining to such services shall apply.

9-1-6: REVIEW AND MODIFICATION

The AOI boundary map shall be reviewed at least once every five (5) years to determine if modifications are necessary. Any modifications shall follow the procedures as required in Idaho Code Section 67-6526.

9-1-7: ENFORCEMENT

The County shall enforce the applicable ordinances, permits, and licenses in the AOI.

SECTION 2: That all other portions of Ordinance No. 84-2 not herein amended shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED on this ____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
BINGHAM COUNTY, IDAHO

WHITNEY MANWARING, CHAIRMAN

DREW JENSEN, COMMISSIONER

ERIC JACKSON, COMMISSIONER

BINGHAM COUNTY CLERK

Attest: _____
PAMELA W. ECKHARDT