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Ordinance No. 2025-12-22 B

City of Heyburn Area of Impact

AN ORDINANCE DEFINING AND ESTABLISHING A GEOGRAPHICAL AREA OF CITY IMPACT FOR THE CITY OF HEYBURN, IN MINIDOKA COUNTY, IDAHO; IDENTIFYING THE COMPREHENSIVE PLAN THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF CITY IMPACT; IDENTIFYING THE ZONING ORDINANCES AND SUBDIVISION ORDINANCES THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF IMPACT; IDENTIFYING METHODS AND PROCEDURES FOR APPLICATION, ADMINISTRATION AND ENFORCEMENT OF THE COMPREHENSIVE PLAN AND ORDINANCES THAT SHALL APPLY WITHIN THE ESTABLISHED AREA OF CITY IMPACT; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE PURSUANT TO SECTION 67-6526, IDAHO CODE.

WHEREAS Minidoka County Code Section 6-3 shall be amended as follows:

6-3-1: Purpose:

This chapter established the authority, regulations, and criteria to be used for areas of city impact within Minidoka County. The regulations contained herein are designed to protect and promote the public health, safety, and general community welfare of Minidoka County. To promote the proper locations and development of projects based on the effective use of local resources, and avoid adverse impacts on the use and peaceful enjoyment of nearby lands for lawful purposes.

6-3-2: Area Of Impact Map:

- A. **Geographic Area of City Impact:** The officially adopted and agreed upon "Area of City Impact for Heyburn, Idaho" has been established by duly enacted ordinance in the County establishing the following described adopted Minidoka County Area of Cities Impact Map, Exhibit A and B.

6-3-3: Administration Agreement:

- A. **Section 2. Comprehensive Plan:** The Comprehensive Plan and subsequent amendments thereto, as officially adopted by the County of Minidoka, Idaho shall apply to the Area of City Impact within the unincorporated area of Minidoka County, Idaho.
- B. **Section 3. Subdivision Ordinance:** The Subdivision Ordinance and subsequent amendments thereto as officially adopted by the County of Minidoka, shall apply to the Area of City Impact within the unincorporated area of Minidoka County, Idaho.
- C. **Section 4. Zoning Ordinance:** The Zoning Ordinance, Zoning Map, and subsequent amendments thereto, as officially adopted by the County of Minidoka, shall apply to the Area of City Impact within the unincorporated area of Minidoka County, Idaho

1. Notification of land use applications within the Area of City Impact zone that require a public hearing shall be sent to the City by the applicant a minimum of 30 days in advance of such hearing for review and comment. For consideration in the review process, the City shall reply no later than ten days prior to the hearing.
2. If a recommendation is received from the City, it shall be given great weight by the County, provided it is legally and factually supported; however, such recommendation shall in no way obligate the County.
3. If no response is received, the County may proceed without a recommendation from the City.

6-3-4: Enforcement:

- A. The County of Minidoka shall be responsible for the administration and enforcement of the County's ordinances and shall receive all fees and permit fees for inspections performed to recapture direct costs of inspections, administration, legal publications, and other costs arising from the process. Appeal and hearing procedures shall follow those adopted by the County of Minidoka presently and in the future.
- B. Amendments to the County's Comprehensive Plan, requests for preliminary and final plats or the vacation thereof, and requests for zone changes involving property located in the Area of City Impact within the unincorporated area of Minidoka County being proposed for non- agricultural development of any type shall be considered by the County Commissioners upon recommendation of the County Planning and Zoning Commission in accordance with Title 67 and Title 50, Idaho Code.
- C. The County of Minidoka shall have authority to enter into and execute development agreements with a sub divider and to accept required bonding or other form of security to guarantee construction of required street improvements involving plats located within the Area of City Impact within the unincorporated area of Minidoka County.
- D. Building permits in the Area of City Impact shall be issued by the Minidoka Building County Building Department and all fees shall be collected by the building department.
- E. Maintenance of public streets located in the Area of City Impact shall be the exclusive responsibility of the Minidoka Highway District, unless otherwise stipulated by written agreement between the Minidoka Highway District and the City of Heyburn.
- F. Law Enforcement in the Area of City Impact shall remain the responsibility of the Minidoka County Sheriff's Department.
- G. Fire services in the Area of City Impact shall remain the responsibility of the

Minidoka County Fire Protection District and the West End Fire Protection District unless otherwise stipulated by written agreement between the county and/or fire districts and the City of Heyburn.

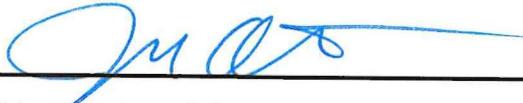
WHEREAS, Ordinance No. 09-03, previously establishing the Area of Impact for the City of Heyburn, is hereby repealed in its entirety. In addition, any other ordinances, resolutions, agreements, maps, or actions of Minidoka County—whether known or unknown—that established, amended, or purported to establish or amend an Area of City Impact for the City of Heyburn are likewise hereby repealed. This Ordinance supersedes all prior Area of City Impact enactments; and

WHEREAS, this ordinance is hereby declared to be severable. Should a court of competent jurisdiction declare any portion of this ordinance invalid, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity; and

WHEREAS, a draft of this ordinance was considered by the Minidoka Board of County Commissioners at a duly noticed public hearing on the 22nd day, of December, 2025.

NOW THEREFORE, this ordinance shall be in full force and effect from and after its passage and publication as required by law.

PASSED BY THE MINIDOKA COUNTY COMMISSIONERS of the county of Minidoka this
22 day of December, 2025



Jared Orton – Minidoka County Commission Chairman



Dan Schaeffer – Minidoka County Commissioner



Sheryl Koyle – Minidoka County Commissioner



Attest – Tonya Page – Minidoka County Clerk

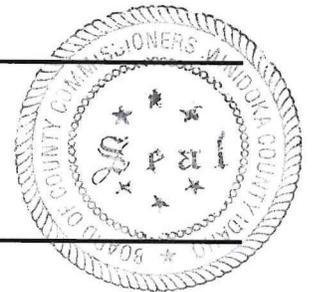
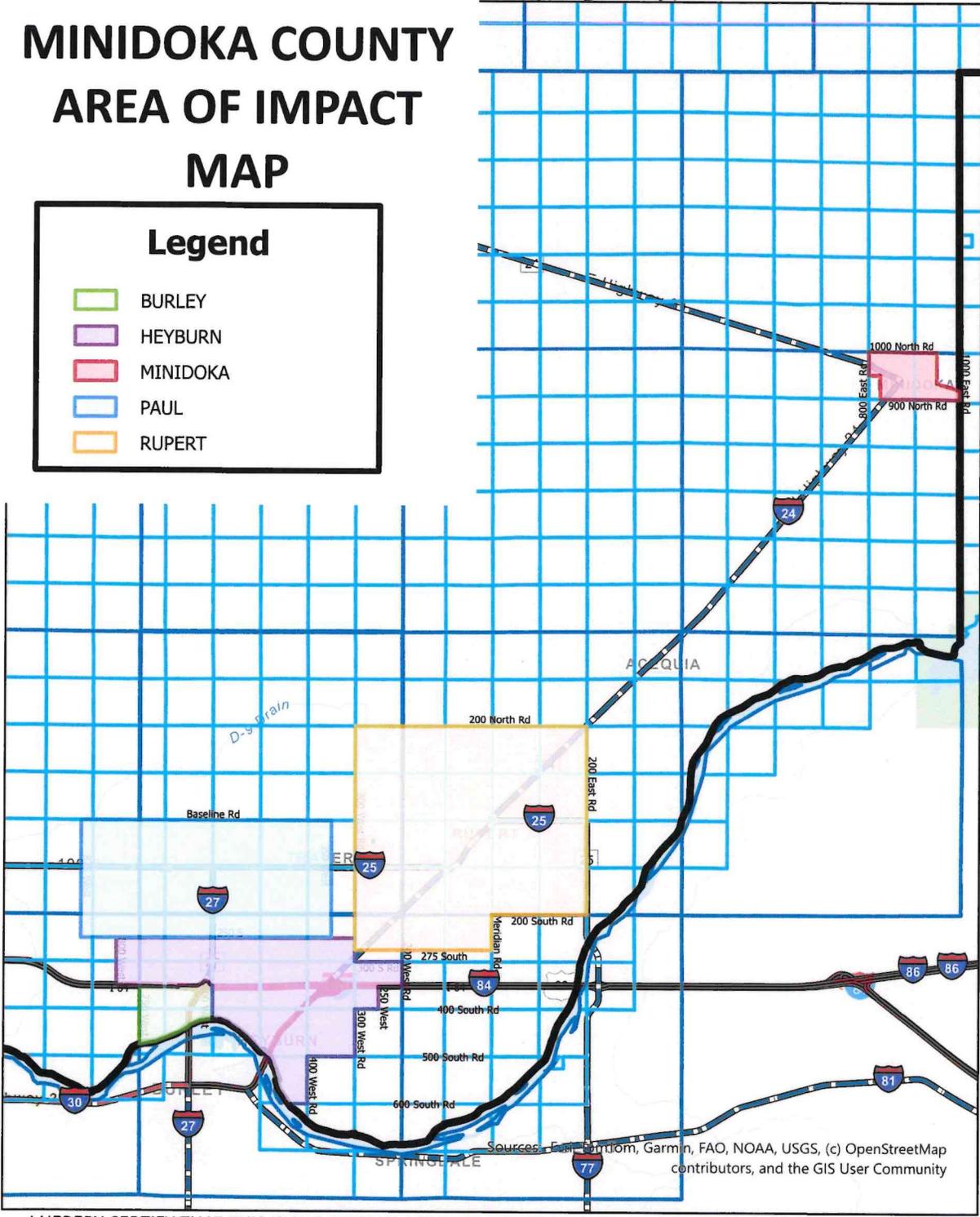


EXHIBIT A

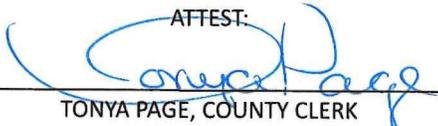
MINIDOKA COUNTY AREA OF IMPACT MAP

Legend

- BURLEY
- HEYBURN
- MINIDOKA
- PAUL
- RUPERT



I HEREBY CERTIFY THAT THIS IS THE OFFICIAL MINIDOKA COUNTY AREA OF IMPACT MAP WHICH WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MINIDOKA COUNTY ON THE 22 DAY OF December, 2025.

ATTEST:

 TONYA PAGE, COUNTY CLERK
 MINIDOKA COUNTY

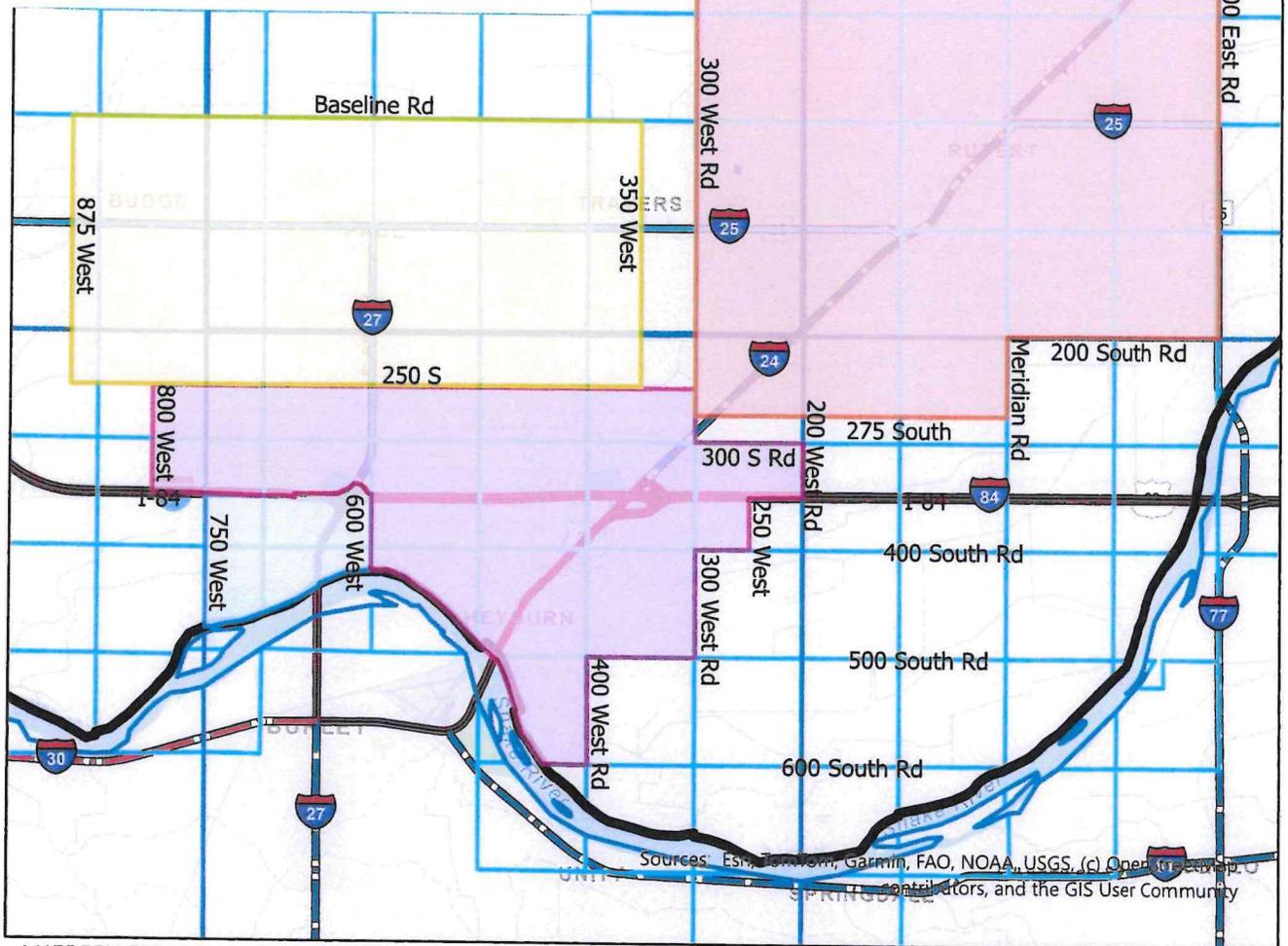

 JARED ORTON, CHAIRMAN
 BOARD OF COUNTY COMMISSIONERS

EXHIBIT B

MINIDOKA COUNTY AREA OF IMPACT MAP

Legend

- BURLEY
- HEYBURN
- PAUL
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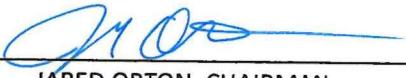


Sources: Esri, DeLorme, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

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