

CHAPTER 1

INTRODUCTORY PROVISIONS

SECTION:

9-1- 1:	Title
9-1- 2:	Authority
9-1- 3:	Purpose
9-1- 4:	Establishment Of Zoning Districts
9-1- 5:	Adoption Of Zoning Map
9-1- 6:	Scope
9-1- 7:	Related City Ordinances, Policies, Or Standards
9-1- 8:	Inconsistent Provisions
9-1- 9:	General Provisions
9-1-10:	Severability

9-1-1: **TITLE:** This title, together with appropriate maps and appendices, shall be known as the *POTLATCH ZONING AND DEVELOPMENT ORDINANCE*. (Ord. 426, 7-8-2002)

9-1-2: **AUTHORITY:** This title is adopted pursuant to authority granted by Idaho Code title 67, chapter 65 and the Idaho constitution article 12, section 2, as amended or subsequently codified. The standards and policies of this title have been adopted in accordance with the comprehensive plan adopted by resolution of the city council. (Ord. 426, 7-8-2002)

9-1-3: **PURPOSE:** The purpose of this title is to provide for the health, safety, and general welfare of the city. It is designed to:

- A. Protect both property rights and property values and minimize the conflicts among the uses of land and buildings;
- B. Assure adequate on site and off site public facilities or services;

- C. Establish reasonable standards for development which promote the orderly and beneficial development of all parts of the city.
- D. Prevent the pollution of air, soil, streams, rivers and ponds and safeguard the groundwater and encourage the wise use and management of natural resources throughout the city in order to preserve the integrity, stability and beauty of the city and the value of the land;
- E. Preserve the natural beauty and topography of the city and ensure appropriate development with regard to these natural features while maintaining the atmosphere of the city;
- F. Encourage well planned development, and assure equitable handling of all proposals by providing uniform procedures and standards. (Ord. 426, 7-8-2002)

9-1-4: **ESTABLISHMENT OF ZONING DISTRICTS:** Pursuant to the policies contained in this title and the city comprehensive plan, the city is divided into zoning districts as depicted upon the Potlatch zoning map, which is hereby adopted and made a part of this title, as though fully set out herein. Districts depicted on the Potlatch zoning map shall correspond to the districts established by this title. (Ord. 426, 7-8-2002)

9-1-5: **ADOPTION OF ZONING MAP:** The districts established in chapter 3 of this title are shown on the Potlatch zoning map, which is hereby adopted. The original of the Potlatch zoning map, signed by the mayor, attested by the city clerk, and kept in the office of the planning and zoning administrator, shall serve as the true record of zoning district boundaries. Provisions shall be made on the map for notation of changes to zoning district boundaries. Change notations will be initialed by the administrator upon the original zoning map. (Ord. 426, 7-8-2002)

9-1-6: **SCOPE:**

- A. Regulations of this title shall apply to all real property, buildings, structures or fixtures attached thereto in the city except as may be altered under Idaho Code sections 67-6525 (annexation) and 67-6526 (area of impact). The United States of America, the state of Idaho, city of Potlatch and all their respective agencies, boards,

departments, institutions, and local special purpose districts, shall comply with this title unless otherwise excepted by law.

- B. Whenever a provision of this title, or any provision of any city, state, federal, or county regulation, resolution, law, rule, or contract contains restrictions covering the same subject matter, the more restrictive requirement or higher standard shall govern when authorized by law. (Ord. 426, 7-8-2002)

9-1-7: **RELATED CITY ORDINANCES, POLICIES, OR STANDARDS:**

- A. The city comprehensive plan is hereby adopted as the policy guide for the application of the provisions of this title. A copy of this plan, as it now exists and may be subsequently amended, shall be retained by the planning and zoning administrator hereinafter available for public inspection during regular business hours.
- B. Related documents containing land use policies, standards, or regulations which, together with this title, shall apply in the city. (Ord. 426, 7-8-2002)

9-1-8: **INCONSISTENT PROVISIONS:** Any provision of any ordinance or resolution inconsistent with the provisions of this title are hereby repealed to the extent of such inconsistency. (Ord. 426, 7-8-2002)

9-1-9: **GENERAL PROVISIONS:**

- A. **Lawful Nonconformance:** The lawful nonconforming use of buildings, structures and land use that was in place at the time of passage hereof may be continued to the same extent and character as that which existed at that time. However, any nonconforming use which has not been exercised for a period of six (6) months shall terminate unless such termination is prohibited by law.
- B. **Sewage Disposal And Water Systems:** All domestic sewage disposal facilities must be approved and installed and operating before a building shall be occupied. No building shall be occupied as a residence or commercial, civic, or industrial establishment unless and until an approved and permitted supply of water and sewage

disposal system is installed and operating on the premises. Property owners shall connect to city water and/or sewer systems if available within three hundred feet (300').

- C. Lots Below Minimum Space Requirements: After the effective date hereof, no parcel of land may be created which has less than the minimum width and area requirements. (Ord. 426, 7-8-2002)

9-1-10: **SEVERABILITY:** If any one or more of the sections, subsections or any other part of this title is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this title and the same shall remain in full force and effect. (Ord. 426, 7-8-2002)