

ORDINANCE NO. 390
CASE NO. OA-118-05
HAYDEN LAKE ACI ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF KOOTENAI COUNTY, STATE OF IDAHO, AMENDING THE KOOTENAI COUNTY ZONING ORDINANCE AS FOLLOWS: AMEND ARTICLE 8 TO PROVIDE FOR A LIMITATION OF DENSITY IN THE ZONING DISTRICT REGULATIONS APPLICABLE IN THE AREA OF CITY IMPACT BOUNDARIES WITH THE CITY OF HAYDEN LAKE; REPEALING THOSE PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, STATE OF IDAHO:

SECTION I. PURPOSE

The purpose of this Ordinance is to amend the Kootenai County Zoning Ordinance to provide for a limitation of density to no more than one single family house per acre in all zones located in the Area of City Impact boundaries with the City of Hayden Lake, Kootenai County Idaho, which limitation conforms with the Comprehensive Plan and zoning regulations of the City of Hayden Lake. By restricting density in the City of Hayden Lake Area of City Impact, the County seeks to protect the safety of all users of city streets affected by increased traffic from future residential development in the Hayden Lake Area of City Impact. Traffic safety, and pedestrian safety are substantial governmental goals furthered by this Ordinance.

SECTION II. ARTICLE 8: RESTRICTED RESIDENTIAL ZONE (RR)

Article 8.01 of Kootenai County Zoning Ordinance No. 375 is hereby amended as follows:

SECTION 8.01 RESTRICTIONS

In the Restricted Residential zone, no building or premises shall be used nor shall any building or structure hereafter be erected or altered (unless provided in this Ordinance) except for one (1) or more of the following uses in accordance with the following standards.

Within the Boundaries of Area of City Impact of the City of Hayden Lake, the density shall be limited to no more than one single-family dwelling per acre.

SECTION III. SEVERABILITY

Should any Section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION IV. REPEALER CLAUSE

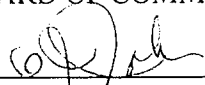
This Ordinance hereby repeals the provisions of Ordinance No. 375 in conflict herewith.

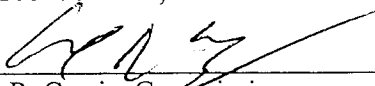
SECTION V. PROVIDING AN EFFECTIVE DATE

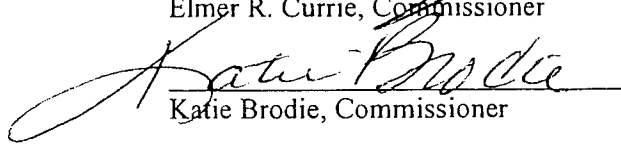
This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*.

DATED this 14th day of September, 2006.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS


S.J. "Gus" Johnson, Chairman


Elmer R. Currie, Commissioner


Katie Brodie, Commissioner

ATTORNEY GENERAL
CLERK OF 1ST DISTRICT
OFFICE OF THE CLERK
DANIEL JAUDIN
AND
RECORDED
BY Deputy Clerk
STATE OF IDAHO

Publication Date: 9-19-06