

ORDINANCE NO. 385
Case No. OA-125-06
Kootenai County Development Intensity Ordinance

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING THE REGULATIONS OF DEVELOPMENT OF MAXIMUM IMPERVIOUS COVERAGE IN PROVIDING FOR TITLE, AUTHORITY, APPLICABILITY, PURPOSE, PROVIDING DEFINITIONS OF TERMS; PROVIDING FOR ENFORCEMENT AND ADMINISTRATION; PROVIDING FOR AMENDMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Kootenai County, Idaho, as follows:

SECTION 1.0	TITLE, AUTHORITY, APPLICABILITY, AND PURPOSE
SECTION 2.0	DEFINITIONS OF TERMS
SECTION 3.0	AMENDMENTS TO TABLE 5
SECTION 4.0	REPEAL OF CONFLICTING ORDINANCES
SECTION 5.0	SEVERABILITY
SECTION 6.0	EFFECTIVE DATE

SECTION 1.0 TITLE, AUTHORITY, APPLICABILITY, AND PURPOSE

1.1 TITLE

This Ordinance shall be known as the "KOOTENAI COUNTY DEVELOPMENT INTENSITY ORDINANCE FOR THE HAUSER AREA OF CITY IMPACT."

1.2 AUTHORITY

These regulations are authorized by *Idaho Code* §67-6509 and §6511 and Hauser Comprehensive Plan, Implementation Strategies, Page 10.

1.3 APPLICABILITY

This Ordinance shall apply to all of the unincorporated areas of Kootenai County's Area of City Impact for Hauser, Idaho.

1.4 STATEMENT OF PURPOSE

It is the purpose of this Ordinance to promote the public health, safety, and general welfare, and to protect surface water by minimizing and limiting development of sensitive areas, including lakeshore and stream corridors and steep slopes. These limitations are in the form of a maximum impervious coverage, which no more than a certain portion of a site may be covered by pavement, rooftops or other impervious surfaces.

SECTION 2.0 DEFINITIONS OF TERMS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

Words in the present tense include the future tense; words in the singular number include the plural, and words in the plural number include the singular; the word "shall" is mandatory and not discretionary, and the word "may" is permissive.

Impervious Coverage- includes rooftops, paved, graveled and otherwise compacted roads, parking areas, sidewalks, and all other surfaces that effectively prevent infiltration into the ground or significantly accelerate runoff.

SECTION 3.0 DEVELOPMENT INTENSITY

See attached Table 5.

SECTION 4.0 REPEAL OF CONFLICTING ORDINANCES

This Ordinance shall repeal Hauser Development Code Ordinance Number 97 for the Kootenai County Area of City Impact area.

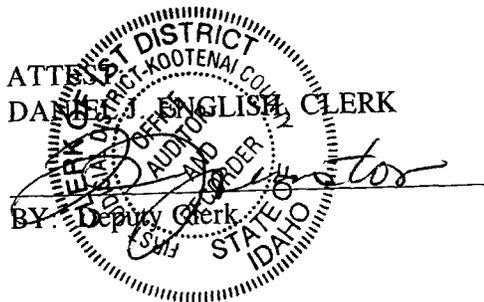
SECTION 5.0 SEVERABILITY

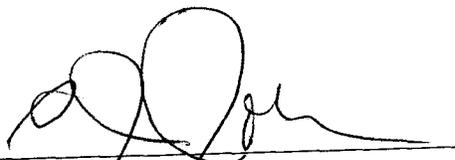
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

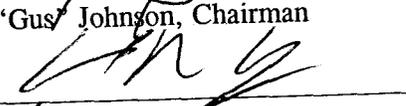
SECTION 6.0 EFFECTIVE DATE

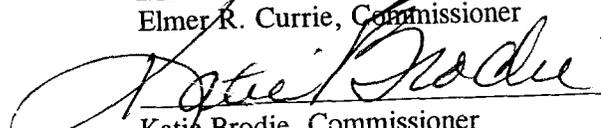
This Ordinance shall take effect and be in full force upon its passage, approval, and publication in one (1) issue of the *Coeur d'Alene Press*.

ADOPTED this 10th day of August, 2006




S.J. "Gus" Johnson, Chairman


Elmer R. Currie, Commissioner


Katie Brodie, Commissioner

Publication Date: 08-18-06

TABLE 5 – DEVELOPMENT INTENSITY

	RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USES		RESIDENTIAL USES
ZONING DISTRICT	MAXIMUM IMPERVIOUS COVERAGE	DEVELOPMENT RIGHTS	MINIMUM LOT SIZE
UPPER WATERSHED	Stream Corridor – 0%, Wetlands – 0%	1:160	5 acres
	0-8% Slopes – 35%		
	9-20% Slopes – 25%		
	21-30% Slopes – 15%		
	>30% Slopes – 0%		
LAKE VILLAGE	Lakeshore, stream corridor Wetlands – 0%	1:5	1 acre .5 acre in clusters
	0-8% Slopes – 35%		
	9-20% Slopes – 25%		
	21-30% Slopes – 15%		
	>35% Slopes – 0%		
HAUSER HILLS	Stream Corridor, Wetlands – 0%	1:5	1 acre .5 acre in clusters
	0-8% Slopes – 35%		
	9-20% Slopes – 25%		
	21-30% Slopes – 15%		
	>30% Slopes – 0%		
HIGHWAY CORRIDOR	Stream Corridor – 0%	Residential as an accessory use only	
	0-8% Slopes – 60%		
RATHDRUM PRAIRIE	Stream Corridor – 0% 0-8% Slopes – 60%	Residential as an accessory use only	