

# TITLE 9

## LAND USE CODE

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CHAPTER 1

**TITLE**

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9-1-1: TITLE

This Title shall be known and cited as the TETONIA LAND USE CODE. (Ord. 2008-4)

9-1-2: AUTHORITY

This Title is adopted pursuant to authority granted by title 67, chapter 65 and title 50, chapter 13; and title 31, chapter 7, of the Idaho Code, article 12, section 2, Idaho Constitution, as amended or subsequently codified. In the interpretation and application of this Title, the provisions contained herein are declared to be minimum requirements. (Ord. 2008-4)

9-1-3: PURPOSE

The purpose of this Title is to promote the orderly development of the city and the area of impact of the city; to conserve and stabilize the value of property; and otherwise to promote public health, safety, convenience, morals and general welfare of the people of Tetonia; and, to avoid undue concentration of population. It is the intent of this Title to regulate the use of land and guide development in the city in harmony with the policies and guidelines of the officially adopted Tetonia Comprehensive Plan and to achieve the following objectives:

- A. Encourage orderly growth and development of land.
  - 1. Mitigate adverse impacts upon the water supply, sewage disposal, public safety and emergency services, educational facilities; and
  - 2. Mitigate the unnecessary imposition of expenditures of public funds for the delivery of such services as listed in Section 9-1-3(A)(2), above.
- B. Encourage proper distribution and compatible integration of agricultural, residential, commercial and manufacturing uses within designated areas and protect these areas from unreasonable intrusion of incompatible uses.
- C. Provide for appropriately located residential areas with opportunities for a variety of dwelling types and densities.
- D. Provide for adequate parking on and off street.
- E. Encourage variety, excellence and creativity in the design of development, preservation of critical open space areas and preservation of the natural beauty of the area.
- F. Provide the manner and form for preparing and processing applications for modification of and variances from zoning regulations.

- G. Ensure that additions and alterations to or remodeling of existing buildings or structures is completed in accordance with the restrictions and limitations imposed in this Title. (Ord. 38, 11-5-1984; Ord. 2008-4)

9-1-4: VESTING RULE

The vesting (grandfather) rule will apply to all existing lands or businesses as of the date of publication of this code. Owners can operate their farm or business, including the additions of improvements as they now do or until they elect to change to a different land or business classification. Should the land or business pass to the heirs, the grandfather rule will apply unless said heirs elect to enter a different classification. The grandfather rule will apply to the sale of property if the classification and use remain unchanged. (Ord. 2008-4)