

CITY OF DOVER, IDAHO
ZONING REGULATIONS (TITLE 12)
AMENDMENT TO CHAPTER 4, ZONING MAP
OFFICIAL ZONING MAP REPLACEMENT

ORDINANCE NO. 155

AN ORDINANCE OF THE CITY OF DOVER, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING TITLE 12 (DOVER ZONING REGULATIONS), CHAPTER 4, TO PROVIDE A PROCESS TO ADOPT A REPLACEMENT OFFICIAL ZONING MAP AND TO PROVIDE FOR A SAVINGS CLAUSE, SEVERABILITY, AND AN EFFECTIVE DATE.

Whereas, the Constitution of the State of Idaho, Article XII, Section 2, the Idaho Local Land Use Planning Act, Title 67, Chapter 65, and the Idaho Municipal Corporations Title 50, Chapters 3 and 9 provide authority for the City of Dover to adopt ordinances establishing land use standards, procedures, and uses; and

Whereas, the City of Dover has initiated an amendment to Title 12, Chapter 4, to establish a process whereby the official zoning map can be replaced by resolution of the City Council, provided no changes are made to adopted zoning boundaries; and

Whereas, the Dover Planning and Zoning Commission conducted a duly noticed public hearing on the proposed ordinance, in accord with the Local Land Use Planning Act, Title 67, Chapter 65, on May 3, 2018, and did make a recommendation to the Dover City Council to approve; and

Whereas, Dover City Council conducted a public hearing on the proposed amendment on May 24, 2018, in accord with Title 67, Chapter 65.

Now therefore,

Be it ordained by the Mayor and City Council of the City of Dover, Bonner County, Idaho as follows:

Section 1. Adoption.

Part A: Amending Title 12, Chapter 4.

Title 12 (Zoning Regulations) of Dover City Code is hereby amended to add a new section 12-4-5 "Replacement of Official Zoning Map," to read as follows:

12-4-5: REPLACEMENT OF OFFICIAL ZONING MAP:

If the official zoning map is damaged, lost, destroyed, difficult to read due to multiple amendments, or contains outdated aerial imagery, parcel information, or mapping technology, the City Council may adopt by resolution a replacement official zoning map to supersede it. The replacement map may also correct drafting errors upon a finding by Council that the correction accurately represents the approved zoning boundaries. The replacement map shall not amend any zoning district boundaries but shall only serve to replace the official zoning map.

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Section 2. Saving Clause.

All ordinances repealed by this ordinance shall remain in force to authorize the enforcement, arrest, prosecution, conviction, or punishment of a person who violated said ordinances prior to the effective date of this Ordinance.

Section 3. Severability. The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 4. Effective date.

This ordinance shall be in full force and effect upon the passage and publication of the ordinance or ordinance summary in one (1) issue of the official newspaper for the City of Dover.

This ordinance passed under suspension of rules and duly enacted as an ordinance of the City of Dover, Idaho on this 24th day of May, 2018, upon the following roll call vote:

ROLL CALL:

Council Member Brockway	<u>Absent</u>
Council Member Goodvin	<u>Aye</u>
Council Member Evans	<u>Aye</u>
Council Member Strand	<u>Aye</u>

Approved by the Mayor this 24th day of May, 2018.

Annie Shaha
City of Dover Mayor Annie Shaha

Michele Hutchings
Attest: Michele Hutchings, City Clerk

APPROVAL OF ORDINANCE SUMMARY

Publication of this ordinance by summary in the official newspaper is hereby approved by the Dover City Council on this 24th day of May, 2018, upon the following vote:

Council Member Brockway	<u>Absent</u>
Council Member Goodvin	<u>Aye</u>
Council Member Evans	<u>Aye</u>
Council Member Strand	<u>Aye</u>

Approved by Mayor Annie Shaha this 24th day of May, 2018.

Annie Shaha
City of Dover Mayor Annie Shaha

Michele Hutchings
Attest: Michele Hutchings, City Clerk