

# **CHANGES TO ORDINANCE ARE INDICATED BY THE BLUE FONT**

## **ARTICLE 3**

### **LAND USE ZONES**

#### **SECTION 3.01 AGRICULTURE/FOREST ZONE**

##### **3.01.04 SIGN RESTRICTIONS**

No sign shall exceed 64 square feet in display area and no sign for advertising or commercial purposes shall be allowed unless it pertains only to a permitted use engaged on the property. Directional signs that indicate the location of a business, residence, public structure or park, or similar location, shall not be larger than 6 inches by 24 inches, shall be made of a hard material, cannot bear a legend giving a command such as “stop, stop ahead, turn, caution” etc., or any legend that in any way imitates a standard or commonly used traffic signal device or sign, or displays telephone numbers or commercial advertising, and can only be posted at each corner of road intersections where the direction of travel to the intended location changes. There cannot be more than one 4x4 pressure treated post used for all directional signs located at each corner of road intersections and the height of any directional sign cannot exceed 10 feet above the road surface. To place any item or sign in the public right of way approval must be gained from the appropriate highway agency, and any sign located in the public right of way must be far enough out of the roadway to allow for plowing, ditching and all other road maintenance. Directional signs are required to be removed if the item they are describing no longer is at the location as directed by the signs. No sign or item used to post a sign may impair the sight of drivers traveling on public roads. No sign greater than two square feet shall be lighted and such lighting shall be directed onto the sign, shall be of a full-cut off fixture, and shall not impair the sight of drivers. Signs installed by the Idaho Transportation Department, local highway district, or other governmental agency for purposes of traffic safety or road information, are exempt from these restrictions.

#### **SECTION 3.02 RURAL RESIDENTIAL ZONE**

##### **3.02.04 SIGN RESTRICTIONS**

No sign shall exceed 32 square feet in display area and no sign for advertising or commercial purposes shall be allowed unless it pertains only to a permitted use engaged on the property. Directional signs that indicate the location of a business, residence, public structure or park, or similar location, shall not be larger than 6 inches by 24 inches, shall be made of a hard material, cannot bear a legend giving a command such as “stop, stop ahead, turn, caution” etc., or any legend that in any way imitates a standard or commonly used traffic signal device or sign, or displays telephone numbers or commercial advertising, and can only be posted at each corner of road intersections where the direction of travel to the intended location changes. There cannot be more than one 4x4 pressure treated post used for all directional signs located at each corner of road intersections and the height of any directional sign cannot exceed 10 feet above the road surface. To place any item or sign in the public right of way approval must be gained from the appropriate highway agency, and any sign located in the public right of way must be far enough out of the roadway to allow for plowing, ditching and all other road maintenance. Directional signs are required to be removed if the item they are describing no longer is at the location as directed by the signs. No sign or item used to post a sign may impair the sight of drivers traveling on public roads. No sign greater than two square feet shall be lighted and such lighting shall be directed onto the sign, shall be of a full-cut off fixture, and shall not impair the sight of drivers. Signs installed by the Idaho Transportation Department, local highway district, or other governmental agency for purposes of traffic safety or road information, are exempt from these restrictions.

#### **SECTION 3.03 SUBURBAN RESIDENTIAL ZONE**

##### **3.03.04 SIGN RESTRICTIONS**

No sign shall exceed 10 square feet in display area and no sign for advertising or commercial purposes shall be allowed unless it pertains only to a permitted use engaged on the property. Directional signs that

indicate the location of a business, residence, public structure or park, or similar location, shall not be larger than 6 inches by 24 inches, shall be made of a hard material, cannot bear a legend giving a command such as “stop, stop ahead, turn, caution” etc., or any legend that in any way imitates a standard or commonly used traffic signal device or sign, or displays telephone numbers or commercial advertising, and can only be posted at each corner of road intersections where the direction of travel to the intended location changes. There cannot be more than one 4x4 pressure treated post used for all directional signs located at each corner of road intersections and the height of any directional sign cannot exceed 10 feet above the road surface. To place any item or sign in the public right of way approval must be gained from the appropriate highway agency, and any sign located in the public right of way must be far enough out of the roadway to allow for plowing, ditching and all other road maintenance. Directional signs are required to be removed if the item they are describing no longer is at the location as directed by the signs. No sign or item used to post a sign may impair the sight of drivers traveling on public roads. No sign greater than two square feet shall be lighted and such lighting shall be directed onto the sign, shall be of a full-cut off fixture, and shall not impair the sight of drivers. Signs installed by the Idaho Transportation Department, local highway district, or other governmental agency for purposes of traffic safety or road information, are exempt from these restrictions.

## **ARTICLE 5 OVERLAY ZONES**

### **SECTION 5.01 FLOOD HAZARD AREAS**

#### **5.01.02 GENERAL PROVISIONS FOR FLOOD HAZARD AREA REGULATION**

5. PROHIBITION ON NEW ACTIVITIES - There shall be no new construction of dwellings; or placement of manufactured housing, ~~or accessory buildings~~ in the floodplain or floodway, ~~or new construction or placement of accessory buildings in the floodway~~, unless an applicant can show that there is no other portion of their parcel available for their intended purpose that is outside of the floodplain. Parcels created after the date of adoption of this ordinance shall only be allowed to develop on portions of these parcels that are outside of the designated floodplain. If an act of nature destroys a residence, and the infrastructure for that residence is still useable, the residence may be replaced at that location so long as the remaining portions of the old structure, the new structure, and any additional improvements that need to be made are brought into compliance with this ordinance, and so long as its location is not in the floodway.

## **ARTICLE 8 DIVISIONS OF PROPERTY**

### **SECTION 8.02 SHORT PLATS**

#### **8.02.01 PRELIMINARY SHORT PLAT APPROVAL**

5. Each lot shall have at least 25 feet of frontage on a public road or at least 50 feet of frontage onto one 50 foot easement that is a shared private driveway that accesses a public road. Each access onto the public road must be approved in writing by the jurisdiction maintaining the public road. No short plat may include new public roads or shared private driveways, unless required and approved in writing by the responsible highway district in the interest of public safety. As part of a development agreement via the rezone, the Board of Latah County Commissioners can require the private driveway be built to highway district standards for a public road. In addition to meeting the requirements of Section 9.01.02.4, all shared private driveways in a short plat shall have 20 feet of graveled surface. The shared private driveway meeting the previous requirements shall be built to completion prior to issuance of any building permit for said short plat.

Unless the following requirements are met, no short plat may include driveways entering directly onto state highways maintained by the Idaho Transportation Department. All new lots created via a short plat, and rezones which will ask for a subsequent subdivision, must be designed to meet this requirement.

- A. An applicant for a short plat may request a hearing before the Zoning Commission, applying the general procedures set forth in Section 7.02 of this ordinance, excepting 7.02.02 and using the criteria set below, to ask for permission to use an existing residential access approach (existing residential access approach defined as approval from Idaho Transportation Department for a residential access approach given prior to the adoption of this section) to a state highway maintained by the Idaho Transportation Department if no reasonable lot configuration can meet the requirement and one of the following applies:
  - 1. The original parcel from which a rezone was created does not touch any other public roadway.
  - 2. An area rezoned prior to the adoption of this provision does not touch any other public roadway.
  - 3. It is physically impractical for the new or existing parcel to gain access to a public roadway that is not a state highway maintained by the Idaho Transportation Department that touches that parcel.
  
- B. The Zoning Commission shall use the following criteria in making its decision:
  - 1. The proposed access is not detrimental to the health or safety of those in the surrounding area or the safety of the public at large.
  
- C. If the existing residential access approach is approved by the Zoning Commission, the applicant shall be required to:
  - 1. Gain approval from the Idaho Transportation Department for access for each new residential lot prior to the short plat being approved by the Planning Department.
  - 2. Make any additional improvements as required by the Idaho Transportation Department to the driveway or approach prior to issuance of any building permit for said short plat, in addition to the requirements listed under section 8.02.01.5 of this ordinance.