

CHAPTER 1

PURPOSE AND SCOPE

SECTION:

- 8-1-1: Short Title
- 8-1-2: Authority
- 8-1-3: Purpose
- 8-1-4: Scope and Content
- 8-1-5: Preservation of Private Property Rights
- 8-1-6: Conflict with other Laws
- 8-1-7: Amendments
- 8-1-8: Severability

8-1-1: SHORT TITLE: This Title shall be known and may be cited and referred to as the Twin Falls County Zoning Code.

8-1-2: AUTHORITY: This Title is hereby enacted pursuant to the authority granted to the Twin Falls County Board of County Commissioners by the Idaho Local Land Use Planning Act Idaho Code §§ 67-6501 – 67-6539.

8-1-3: PURPOSE: This Title is enacted for the purpose of promoting the public health, safety, morals, comfort and general welfare; to conserve and protect property and property values; to secure the most appropriate use of lands; to control the density of population; to prevent undue traffic congestion and to facilitate adequate and economical provisions for public improvements, all in accordance with a comprehensive plan for the desirable future physical development of Twin Falls County; and to provide a method of administration and to prescribe penalties for the violations of provisions hereafter described, all as authorized by the legislature and constitution of the state.

8-1-4: SCOPE AND CONTENT: This Zoning Code is effective within the unincorporated portions of Twin Falls County. To determine which portions of this Zoning Code apply in an area of city impact within Twin Falls County Title 8, Chapter 9. This Zoning Code incorporates, as part of its terms, the Twin Falls County zoning maps which are adopted and signed by the Board of County Commissioners and filed in the office of the Twin Falls County Recorder. For the purpose of administration and enforcement, the zoning maps in the office of the Twin Falls County Community Development Services Department shall be considered as official zoning maps. Any and all amendments to the official zoning maps shall also be made on the zoning maps in the office

of the Twin Falls County Community Development Services Department at the time the amendments are filed with the County Recorder.

8-1-5: PRESERVATION OF PRIVATE PROPERTY RIGHTS:

- A. This Title shall be interpreted in its various particulars to equally protect each citizen from the undue encroachment on his or her private property by their neighbors' use of their private property to the end that each citizen shall have the maximum use of his or her property without placing undue burden upon that of his or her neighbors.
- B. In the administration of this Title, every person shall be secure in their person, house, papers and effects, and no administrator, agent or employee of the County shall enter upon, investigate or search any of the premises of any citizen without the consent of such citizen or an order issued by a court of proper jurisdiction.
- C. Every citizen of Twin Falls County shall, at all times, have the right to appear in person or by his or her agent before the Twin Falls County Planning and Zoning Commission ("Commission") or Twin Falls County Board of Commissioners ("Board"), as the case may be, in the proper order of business, and in conformance with this Title, to propose or object to a proposal before the Commission or Board and to appeal any decision of the Community Development Services Director or Commission to the Board pursuant to the procedures contained in this Title.
- D. Enforcement of this Title shall apply similarly and equally to each person and each property in similar circumstances, and shall not be enforced to discriminate between one individual or group as compared to all others, similarly situated.

8-1-6: CONFLICT WITH OTHER LAWS: In their interpretation and application, the provisions of this Title shall be held to be minimum requirements. The provisions of this Title shall control where this Title imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or resolutions.

8-1-7: AMENDMENTS: This Zoning Code, including the map, may be amended as described in this Title.

8-1-8: SEVERABILITY: If any term or section of this Zoning Code is held to be illegal, invalid, unconstitutional, or unenforceable, that finding shall not undermine the validity of the remaining portions of the ordinances, which are severable and shall remain valid.