

**CITY OF NEW MEADOWS
VARIANCE INTERIM MORATORIUM
ORDINANCE NO. 356-2018**

VARIANCE INTERIM MORATORIUM OF THE CITY OF NEW MEADOWS, COUNTY OF ADAMS, STATE OF IDAHO, DECLARING AN INTERIM MORATORIUM FOR A PERIOD OF THREE MONTHS (90 DAYS); STATING THE REASONS FOR A MORATORIUM; PROHIBITING THE REVIEW AND ACTION OF ANY VARIANCE APPLICATION DURING THE TIME OF THE MORATORIUM PERIOD; PROVIDING THE SCOPE OF THE MORATORIUM; PROVIDING FOR THE DURATION; PROVIDING THE SEVERABILITY CLAUSE.

Section 1. Interim Moratorium

- a. Pursuant to section 67-6524, Idaho Code, the City of New Meadows finds itself requiring an interim variance moratorium to allow the city to address setbacks of zones and adjust the Variance Procedures of the New Meadows Zoning Code.

Section 2. Findings

- a. The variance procedures are needing review and change so as to be in accordance with the continued growth and desires of the community;
- b. The zoning perimeters of the community need to be adjusted in particular zones;
- c. Continued growth expected is in such extremes as to impact the health, safety and general welfare of the community.

Section 3. Property Subject to the Moratorium

- a. The interim moratorium declared herein applies to all real property located within the New Meadows City limits and is limited to applications for variances from the New Meadows Zoning Code.

Section 4. Declaration of Moratorium

- a. In order to protect the status quo and planning options during this period of study, review, ordinance, and plan drafting, the Council hereby declares an interim moratorium for the period of three months, ninety (90) days.

Section 5. Scope of Variance Moratorium

- a. During the time that the interim variance moratorium is in effect, no application shall be reviewed or acted on by the Planning & Zoning Commission or the City Council acting on as the Planning & Zoning Commission requesting approval of a variance. This moratorium shall not

apply to any application that has been filed prior to passage of this interim moratorium.

Section 6. Duration

- a. The interim variance moratorium declared for this ordinance shall exist for the period of three (3) months [ninety (90) days] from the date of passage and publication, unless terminated sooner by the City Council.

Section 7. Severability

- a. In the event any court of competent jurisdiction enters its judgment or order declaring any portion of this moratorium to be invalid, then such judgment shall only affect that portion of the moratorium so adjudicated, all other remaining portions of this moratorium shall remain in full force and effect.

REGULARLY PASSED, APPROVED AND ADOPTED BY THE NEW MEADOWS CITY COUNCIL FOR THE CITY OF NEW MEADOWS, COUNTY OF ADAMS, STATE OF IDAHO, THIS 13th DAY OF NOVEMBER 2018.

Darbey Edwards, Mayor

ATTEST;

Jacob M Qualls, City Clerk / Treasurer