



Twin Falls City Council Agenda

Monday, March 31, 2025, 5:00 PM

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

Members: Mayor Ruth Pierce, Vice Mayor Jason Brown, Council Members Craig Hawkins, Spencer Cutler, Christopher Reid, Grayson Stone, Cherie Vollmer

- 1) Call Meeting to Order/Confirmation of Quorum
- 2) Pledge of Allegiance
- 3) Consent Calendar
 - a) **ACTION ITEM:** Request to approve City Council 2025 March 17, Minutes.
By: Amy Luna, Deputy City Clerk
 - b) **ACTION ITEM:** Request to approve City Council March 19, 2025, Special Meeting Minutes.
By: Lorrie Bauer, Administrative Assistant
 - c) **ACTION ITEM:** Request to approve Accounts Payable for March 13-26, 2025.
By: Amy Luna, Deputy City Clerk
 - d) **ACTION ITEM:** Request to approve March 26, 2025, Travel Requests.
By: Amy Luna, Deputy City Clerk
 - e) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of Engage in Education.
By: Wendy Davis, Parks and Recreation Director
 - f) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the Rotary District 5400 Celebration.
By: Wendy Davis, Parks and Recreation Director
 - g) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the Living Nativity.
By: Wendy Davis, Parks and Recreation Director
 - h) **ACTION ITEM:** Request City Council to approve the Special Event Permit for the organizers of the Rotary's 14th Annual Ice Cream Funday.
By: Wendy Davis, Parks and Recreation Director
 - i) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the "Strengthening Families to Prevent Child Abuse" event.
By: Wendy Davis, Parks and Recreation Director
 - j) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the Walk A Mile in Her Shoes event.
By: Wendy Davis, Parks and Recreation Director
 - k) **ACTION ITEM:** Request City Council to approve the Special Event Permit for the organizers of the Wednesdays at Webb Farmer's Market.
By: Lou Coronado
 - l) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the 4th of July fireworks display.
By: Lou Coronado
 - m) **ACTION ITEM:** Request for approval of a Final Plat for Clubhouse 12 at the Preserve consisting of 16 lots on 8.26 (+/-) acres on property located at the northeast corner of Cheney Drive East and Clear Springs Loop c/o Jennifer Zung on behalf of mark Kelly. (PZ25-0030).
By: William Klaver, Senior City Planner

4) Items of Consideration

- a) **ACTION ITEM:** Request to confirm the City Manager's appointment of Mitchell Brooks II to the position of Fire Chief for the City of Twin Falls. Upon confirmation, Mayor Pierce will issue the Oath of Office.
By: Travis Rothweiler, City Manager
- b) **ACTION ITEM:** To confirm the appointment of Rui Gomes, and reappointment of Todd Rambur and Kelly Herrgesell, to the Planning and Zoning Commission.
By: Jonathan Spendlove, P&Z Director
- c) **ACTION ITEM:** Consider a Request to Confirm the Mayor's appointment of Steve Hayes and reappoint Deb Van Engelen to serve on the Parks and Recreation Commission.
By: Wendy Davis, Parks and Recreation Director
- d) **PRESENTATION:** Recognize Kirk Melton for his service on the Parks and Recreation Commission
By: Parks and Recreation Director, Wendy Davis
- e) **ACTION ITEM:** Request City Council approve the Special Event Permit for the organizers of the Cirque Italia Circus event.
(This is being entered as an action item under Items of Consideration due to the event organizer requesting to attend the meeting via Microsoft Teams.)
By: Lou Coronado
- f) **ACTION ITEM:** Consideration of Resolution R-2025-002 creating a policy to allow for an invocation to be delivered at the beginning of Twin Falls City Council meeting.
By: Travis Rothweiler, City Manager
- g) **ACTION ITEM:** Request to use Water enterprise funds in the amount of \$3.5 million for the construction of City of Twin Falls South Well #5.
By: Travis Rothweiler, City Manager
- h) **ACTION ITEM:** A request to use up to \$6 million in sewer reserves to fund the City's share of the expansion of the Northeast Sewer Line in Pole Line Road, from the corner at Eastland to Blue Lakes Boulevard.
By: Travis Rothweiler, city manager

5) General Public Input

6) Advisory Board Report/Announcements

7) Public Hearings

- a) **ACTION ITEM:** Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include regulations pertaining to Chapter 2, Zoning Districts. (PZ24-0130)
By: William Klaver, Senior City Planner
- b) **ACTION ITEM:** Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations". (PZ24-0134)
By: William Klaver, Senior City Planner

8) Executive Session

- a) **ACTION ITEM:** Request to adjourn to Executive Session pursuant to Idaho Code § 74-206(1)(c) To acquire an interest in real property not owned by a public agency;

9) Adjournment

Any person needing special accommodation to participate in the above-noticed meeting could contact Josh Palmer (208) 735-7312 at least two working days before the meeting. Si Desae Esta information in Español, Por favor llama a Josh Palmer al telephone (208) 735-7312.

Public Input Procedures

1. Individuals wishing to provide public input regarding matters relevant to the City of Twin falls shall:
 - a. Wait to be recognized by the Mayor or Chairman.
 - b. Approach the microphone/podium.

- c. State their name, and whether they are a resident or property owner of the City of Twin Falls and proceed with their input.
2. All public input will be limited to two (2) minutes. Individuals are not permitted to give their time to otherspeakers.
3. All presenters shall remain respectful.

Public input will not be about any of the items that were on this agenda, personnel, or a personnel-related issue. All issues involving City personnel should be directly communicated with the mayor and/or the City Manager.

Anyone failing to follow these rules will be provided with one (1) warning. Should the speaker continue to disregard these rules after the warning, they will have the microphone muted and they will be asked to return to their seats.

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chairman shall review the public hearing procedures.
2. Individuals wishing to testify or speak before the City Council or Planning & Zoning Commission shall wait to be recognized by the Mayor or Chairman, approach the microphone/podium, state their name, and then proceed with their comments. Following their statements, they shall write their name and address on the record sheet(s) provided by the staff. The staff should make an audio recording of the Public Hearing.
3. A City Staff Report shall summarize the application and history of the request.
4. The Applicant, or the spokesperson for the Applicant, will make a presentation on the application/request (request). No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing. The presentation should include the following:
 - A complete explanation and description of the request.
 - Why is the request being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.
5. Applicant is limited to 15 minutes, unless a written request for additional time is received, at least 72 hours prior to the hearing, and granted by the Mayor or Chairman.
6. The City Council or Planning & Zoning Commission may ask questions of staff or the applicant pertaining to the request.
7. The general public will then be given the opportunity to provide their testimony regarding the request. The Mayor or Chairman may limit public testimony to no less than two (2) minutes per person.
 - Individuals are not permitted to give their time to other speakers.
 - However, five (5) or more individuals that received written notice of the public hearing may appoint, by written petition, a spokesperson. The written petition must be received at least 72 hours prior to the hearing and must be granted by the Mayor or Chairman. The spokesperson shall be limited to 15 minutes.
 - The written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read onto the record or displayed to the public on the overhead projector.
8. Following the Public Testimony, the applicant is permitted five (5) minutes to respond to Public Testimony.
9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chairman, shall be allowed to question the Applicant, Staff or anyone who has testified. Responses shall be limited to answering the questions asked. The Mayor or Chairman may limit the time permitted for the answer.
10. The Mayor or Chairman shall close the Public Hearing. The City Council or Planning & Zoning Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. Once the Public Hearing is closed, additional testimony from the staff, applicants or public is not allowed. Legal or procedural questions may be directed to the City Attorney.

* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and, thereafter removed from the room by order of the Mayor or Chairman



Twin Falls City Council Minutes

Monday, March 17, 2025, 4:30 PM

Special Meeting

Council Chambers

203 Main Avenue East, Twin Falls, Idaho

1) Call Meeting to Order/Confirmation of Quorum

Present: Mayor Ruth Pierce, Council Members Craig Hawkins, Christopher Reid, Spencer Cutler, Cherie Vollmer & Grayson Stone.

Absent: Vice Mayor Jason Brown

Staff Present: City Manager Travis Rothweiler, Deputy City Managers Mitch Humble & Gretchen Scott, City Attorney Bruce Castleton, Police Chief Craig Kingsbury, Information Director Kathy Markus, Assistant Finance Director Parker Scherer, City Financial Office Breanna Howard, Environmental Manager Nathan Erickson, Assistant Public Works Director Erin Steel, Public Works Director Josh Baird, Wastewater Superintendent Doug Gonzalez, Streets Superintendent Mark Thompson, Human Resources Director Kristen Kohntopp, Senior Planner Will Klaver, City Planner Kellie Ebersole, URA Director Shawn Barigar, Public Information Coordinator Joshua Palmer, Administrative Assistant Rachael Long, Deputy City Clerk Amy Luna, Parks and Recreation Director Wendy Davis, Aquatics Director Jon Pauley.

Mayor Pierce called the meeting to order at 4:30 PM. A quorum was present.

2) Executive Session

MOTION: Council Member Reid moved to adjourn to Executive Session 74206(1)(c) To acquire an interest in real property not owned by a public agency; and (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 7 to 0.

- a) Request to adjourn to Executive Session pursuant to Idaho Code § 74-206(1)(c) To acquire an interest in real property not owned by a public agency; (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

3) Pledge of Allegiance

Mayor Pierce invited all present, who wished, to recite the Pledge of Allegiance to the Flag.

4) Proclamations

- a) National Transit Employee Appreciation Day
Mayor Pierce read and presented the **National Transit Employee Appreciation Day** Proclamation.

5) Consent Calendar

MOTION: Council Member Stone moved to approve the Consent Calendar as presented. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0

- a) Request to approve City Council 2025 March 10, Minutes.
- b) Request to approve Accounts Payable for March 6-12, 2025.
- c) Request to declare equipment number #4703 surplus and authorize disposal of the asset.

6) Items of Consideration

- a) A presentation of the City of Twin Falls' 2024 audited financial statements. The Presentation will be made by Scott Hunsaker of Mahlke Hunsaker & Company, PLLC.
Assistant Finance Director Scherer introduced a presentation of the City of Twin Falls' 2024 audited financial statements presented by Scott Hunsaker of Mahlke Hunsaker & Company, PLLC.

Discussion ensued on the following: None

Mayor Pierce thanked Mr. Hunsaker for his presentation.

- b) Request for the Mayor to sign a contract with Cole Architects for the first phase of the design and engineering of a police evidence storage facility.

Deputy City Manager Humble made a request to the Mayor to sign a contract with Cole Architects for the first phase of the design and engineering of a police evidence storage facility.

Discussion ensued on the following: None

MOTION: Council Member Stone moved to approve the request for the Mayor to sign a contract with Cole Architects for the first phase of the design and engineering of a police evidence storage facility. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- c) Authorize city staff to enter negotiations with Hazen and Sawyer regarding the Scope of Work for the Canyon Rim Drop Line project.

Environmental Manager Erickson requested to authorize city staff to enter negotiations with Hazen and Sawyer regarding the Scope of Work for the Canyon Rim Drop Line project.

Discussion ensued on the following: None

MOTION: Council Member Vollmer moved to approve the request to authorize city staff to enter negotiations with Hazen and Sawyer regarding the Scope of Work for the Canyon Rim Drop Line project. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- d) Request to utilize up to \$1,600,000 of water and wastewater reserves for the Public Works Site Improvement project and authorize the Public Works Director to sign the CM/GC contract with Suburban Construction Management.

Assistant Public Works Director Steel requested to utilize up to \$1,600,000 of water and wastewater reserves for the Public Works Site Improvement project and authorize the Public Works Director to sign the CM/GC contract with Suburban Construction Management.

Discussion ensued on the following:

Council Member Reid asked Erin to pull up a map for them to see where he is referring to. **Stone** asked if 6% is enough for the contingency amount?

MOTION: Council Member Vollmer moved to approve the request to utilize up to \$1,600,000 of water and wastewater reserves for the Public Works Site Improvement project and authorize the Public Works Director to sign the CM/GC contract with Suburban Construction Management. **Council Member Hawkins** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- e) A request to approve a professional services agreement with Steepsteel, LLC to provide the City with cellular tower lease negotiation services.

Deputy City Manager Humble requested to approve a professional services agreement with Steepsteel, LLC to provide the City with cellular tower lease negotiation services.

Discussion ensued on the following:

Mayor Pierce asked what the cost of this is.

MOTION: Council Member Reid moved to approve the request to approve a professional services agreement with Steepsteel, LLC to provide the City with cellular tower lease negotiation services. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- f) A request to approve a contract with Core Construction to serve as the City's construction manager/general contractor (CM/GC) for the remodel and addition to the City Pool.

Deputy City Manager Humble requested to approve a contract with Core Construction to serve as the City's construction manager/general contractor (CM/GC) for the remodel and addition to the City Pool.

Discussion ensued on the following:

Council Member Cutler asked if the template had been reviewed by our city attorney. **Stone** asked thoughts from the pool director on how the closure would impact the pool. **Vollmer** asked

if they had talked to staff yet about the closure.

MOTION: Council Member Reid moved to approve the request to approve a contract with Core Construction to serve as the City's construction manager/general contractor (CM/GC) for the remodel and addition to the City Pool. **Council Member Vollmer** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- g) A request to approve the reallocation of \$25,615 from budgeted full-time salaries to purchase the Human Resource module from BS&A Software.
HR Director Kohntopp requested to approve the reallocation of \$25,615 from budgeted full-time salaries to purchase the Human Resource module from BS&A Software.

Discussion ensued on the following:

Council Member Reid asked if IT has looked over this service?

MOTION: Council Member Reid moved to approve the request to the reallocation of \$25,615 from budgeted full-time salaries to purchase the Human Resource module from BS&A Software. **Council Member Stone** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- h) A request to approve a contract with Suburban CM to serve as the City's construction manager/general contractor (CM/GC) for the demo and reconstruction of the City Park Restroom.
Senior Planner Klaver requested to approve a contract with Suburban CM to serve as the City's construction manager/general contractor (CM/GC) for the demo and reconstruction of the City Park Restroom.

Discussion ensued on the following:

Mayor Pierce asked what the timeline is for this project to be done.

MOTION: Council Member Stone moved to approve the request for a contract with Suburban CM to serve as the City's construction manager/general contractor (CM/GC) for the demo and reconstruction of the City Park Restroom. **Council Member Cutler** seconded the motion. The roll call vote showed all members present voted in favor of the motion, 6 to 0.

- i) Presentation of the 2024 Annual Report of the Urban Renewal Agency of the City of Twin Falls.
URA Director Barigar made a presentation of the 2024 Annual Report of the Urban Renewal Agency of the City of Twin Falls.

Discussion ensued on the following: None

Mayor Pierce thanked Mr. Barigar for his presentation.

7) General Public Input

Ashley Visser has brought forth that the Parks and recreation department continues to bump her on the tennis court after she has already paid for and signed the contract and would like to have this discussed.

8) Advisory Board Report/Announcements

Craig Hawkins brought up Chief Kenworthy's retirement and how wonderful it was.

Travis Rothweiler said that he will be appointing Mitchell Brooks and that we will not have City Council next week.

9) Adjournment

The meeting adjourned at 06:32 PM



Twin Falls City Council Minutes

Wednesday, March 19, 2025, 9:00 AM

*** SPECIAL MEETING ***

Council Chambers
203 Main Avenue East, Twin Falls, Idaho

1) Call Meeting to Order/Confirmation of Quorum

Present: Ruth Pierce, Chris Reid, Craig Hawkins, Spencer Cutler, Cherie Vollmer, Grayson Stone, & Jason Brown (*via phone*).

Absent: None.

Staff Present: Shawn Barigar, URA Executive Director; Lorrie Bauer, Administrative Assistant; Parker Scherer, Assistant Finance Director; Travis Rothweiler, City Manager; Mitch Humble, Deputy City Manager; and Breanna Howard, Finance Director.

Mayor Pierce called the meeting to order at 9:00 AM. A quorum was present.

2) Pledge of Allegiance

Mayor Pierce invited all present to recite the Pledge of Allegiance.

3) Items of Consideration

- a) Consider a request to approve a development agreement for an industrial expansion. Executive Director, Shawn Barigar, shared the purpose of this report is to summarize and provide recommendations on the Expansion Project Development Agreement between the City of Twin Falls, the Urban Renewal Agency (URA), and Chobani, LLC. The agreement outlines responsibilities, financial commitments, and infrastructure improvements necessary to support Chobani's planned \$500 million expansion and creation of 150 new jobs at their Twin Falls facility. The proposed infrastructure improvements will support broad economic growth and job creation.

This expansion builds upon the Original 2011 Development Agreement, which established Revenue Allocation Area #4-3 to fund eligible components for Chobani's initial project as well as future expansion opportunities within the life of Area #4-3 through September 30, 2032.

The Urban Renewal Agency (URA) issued bonds to finance initial infrastructure improvements. Bond payments are made from revenue allocation revenues in RAA #4-3. Additional initial investments were made by the City of Twin Falls, Community Development Block Grants through the State of Idaho, community contributions, and Chobani.

Further expansions of Chobani's facilities and associated water and wastewater improvements were made through amended agreements in 2016 and 2019. These improvements were funded by Chobani and eligible for reimbursement from available revenue allocation revenues after meeting the bond obligations.

This expansion project requires additional upgrades to the city's water and wastewater systems to accommodate an additional 1 million gallons per day of potable water delivery and 1 million gallons per day of additional wastewater flow, as well as improvements to the electric power system. As a continuation of the previous commitments, these additional public improvements are eligible for funding from anticipated new Revenue Allocation based upon the increased assessed value of the facilities through the term of RAA #4-3.

City of Twin Falls Responsibilities

- **Water System Upgrades**
 - o Construct South Well #5 (to support additional potable water capacity) This is a project that has been previously anticipated by the City, though funding to complete it has been reallocated in recent budgets to more urgent projects.
 - o Estimated Cost: \$3.5 million (fully funded by the City).
- **Sewer System Upgrades**
 - o Install new wastewater gravity main (Pole Line Road segment).
 - o Estimated Cost: \$9 million (funded 50% by City, 50% by Chobani).
 - o City will cover up to \$1.5 million in cost overruns.

Chobani Responsibilities

- **Power System Upgrades**
 - o Install new transmission lines from Pillar Falls substation.
 - o Estimated Cost: \$3.5 million (fully funded by Chobani, eligible for reimbursement).
- **Sewer System Upgrades Contribution**
 - o Pay 50% of the new wastewater gravity main cost (up to \$4.5 million, eligible for reimbursement).
 - o Pay a \$3,746,900 industrial wastewater discharge fee for expanded Wastewater Treatment Plant capacity.
- **Pretreatment Facility (PTF) Upgrades**
 - o Expand wastewater treatment capacity.
 - o Estimated Cost: \$25 million (funded by Chobani, reimbursement optional).
- **Permit and Impact Fees**
 - o Pay all building permit fees.
 - o Advance fund Impact fees (eligible for reimbursement).

Urban Renewal Agency (URA) Responsibilities

The URA will reimburse Chobani from available additional Revenue Allocation Revenues, based upon the new value, for the following eligible improvements:

- **Sewer System Upgrades:** \$4,500,000.
- **Impact Fees:** \$701,943.
- **Power System Upgrades:** \$3,500,000.
- **Pretreatment Facility (PTF) Upgrades:** potentially \$25,000,000.

Financial Commitments & Funding Priorities

- **Total Estimated Cost:** \$45.75 million.
- **Funding Sources:**
 - o City: \$8 million.
 - o URA (Tax Increment Financing - TIF): Up to \$33.7 million.
 - o Chobani: Up to \$29 million (if no reimbursement for PTF upgrades).

Reimbursement from Revenue Allocation Revenues will be subject to the bond obligations, which take priority over all other reimbursements. The parties will work in good faith to explore additional sources and opportunities for funding the expansion improvements.

Next Steps:

1. Approval of the Development Agreement by the URA Board (which was completed prior to this meeting), the City Council, and then by Chobani.

2. Development of any amendments to construction and/or reimbursement agreements and utility service agreements.
3. Coordination of construction schedules between the City, Chobani, and utility providers.

Discussion ensued. Chobani's intent is to begin construction immediately with the anticipation of being operational by the end of the year or early 2026. The water and sewer improvements are planned to be completed within the next 24 months. The pretreatment facility improvements will advance with Chobani's construction. Idaho Power improvements will be done over the next 2-3 years.

The private investment by Chobani allows for improvements to be made to public systems that support the city. The city's use of funds along with revenue allocation which is available through the Urban Renewal Agency are invested in public systems that more broadly support the city as well as this project.

MOTION: Chris Reid moved to approve the expansion project development agreement among the Urban Renewal Agency, the City of Twin Falls, and Chobani as presented. Grayson Stone seconded the motion. Roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

4) Adjournment

The meeting adjourned at 9:14 AM.

Lorrie Bauer, Administrative Assistant



Council Agenda Information

Review

Streets



Streets Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Streets *

Engineering



Engineering Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Engineering *

Planning and Zoning



Planning and Zoning Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Planning and Zoning *

Electrical



Electrical Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Electrical *

Police



Police Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Police *

Fire



Fire Recommends *

- ☐ Permit this application as is.
- ☒ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Fire *

Any tents bigger than 400sf (20'x20') will require a permit from the TFFD. Any food vendor shall have their 2025, yellow fire inspection decal conspicuously posted.

Parks



Parks Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Parks *

Event Coordinator

Charges/Fees

Row	Description	Cost	Quantity
1	Application Fee - Paid	\$0.00	0
2	Park Fees Paid - Invoice 215938		0

Total Due *

\$0.00

Special Event Departments *

Which departments should be asked to review this application?

☒ Streets

☒ Engineering

☒ Planning and Zoning

☒ Electrical

☒ Police

☒ Fire

Reviewer Name *

Stacy McClintock

Initial Questions

Will you be using a Park Facility (City Pool and Ballfields included), City Trail, or Downtown Commons/Main Street? *

☒ Yes ☐ No

Type of Event *

Please select all that apply

☐ Car Show

☐ Carnival/Fair

☐ Dance

☒ Concert/Performance

☐ Exhibits/Miscellaneous

☒ Festival

☐ Parade

☐ Picnic/Family Gathering

☐ Pool Reservation

☐ Run/Walk/Race

☐ Special Attraction

☐ Street Fair

☐ Tournament (Sport Field/Court)

☐ Other

Estimated Number of Attendees *

1,000

50+ requires permission
250+ requires waste plan
500+ is a special event

Will there be amplified or unusual sound at your event? *

☒ Yes ☐ No

Will your event impact or require any street closure? *

☐ Yes ☒ No

Will alcohol be sold or served publicly at your event? *

☐ Yes ☒ No

Will there be tents, canopies, or other temporary structures? (includes inflatables) *

☒ Yes ☐ No

Provide a description of tents or structures.

No water features allowed. Tent stakes must be less than 12". Fire inspection may be required.

Pop-up canopies only

Will there be vendors selling goods or services at this event (including lessons or paid activities)? *

☐ Yes ☒ No

Will you be driving vehicles into the park or parking on the grass or in the park? *

☐ Yes ☒ No

Will your event require access to or use of the park after hours? (before 6am or after 11pm) *

☐ Yes ☒ No

Will you be camping overnight in any park facility? *

☐ Yes ☒ No

Will you be operating any type of motorized vehicle on any of the trail system? *

☐ Yes ☒ No

Will you be riding bicycles on any area of the park other than a paved road or trail designated for that purpose? *

☐ Yes ☒ No

Will bicycles or vehicles operate at a rate of speed exceeding fifteen (15) miles per hour? *

☐ Yes ☒ No

Will you have horses or other animals at the event? (other than dogs) *

☐ Yes ☒ No

Will there be hot air balloon(s)? *

☐ Yes ☒ No

Do you plan to scuba dive in designated swim area at Dierkes Lake? *

☐ Yes ☒ No

Will you need to park any vehicles or equipment 1 ½ ton capacity or more in any park parking lots? *

☐ Yes ☒ No

Will you require power? (There may an additional fee for power) *

☒ Yes ☐ No

Contact Information

Event Organizer

First Name *

Eva

Last Name *

Craner

Onsite Contact

First Name *

Eva

Last Name *

Craner

Event Information

Event Name*

Engage in Education

Event Location (Park or Facility Requested)

Twin Falls City Park

Is this event indoors or outdoors? *

- ☐ Indoors
- ☒ Outdoors

Event Reoccurrence

- ☐ One Time Event
- ☐ Recurring over several weeks/months

Event Description *

We plan to host a community celebration of public education. The event will feature booths from each of our 16 schools, a short performance by each school, and a free hot dog dinner for all attendees. The event will be free and open to the public.

Canyon Rim City Park Downtown Commons Sunway Soccer Park
Shoshone Falls Dierkes Harmon Park Thomsen Park Oregon Trail

Download this provided template and add your layout. Upload your completed layout below.

Event Map*

Engage in Education Map (1).pdf

1.76MB

Set-up Time Start *

05/07/2025 12:00:00 AM

Set-up Time End *

05/07/2025 04:00:00 PM

Event Time Start *

05/07/2025 04:00:00 PM

Event Time End *

05/07/2025 07:00:00 PM

Take Down Time Start *

05/07/2025 07:00:00 PM

Take Down Time End *

05/07/2025 08:00:00 PM

Important, PLEASE READ: Full payment of all fees, map of event layout and liability insurance (if applicable) must accompany this completed application in order to request a reservation. Complete reservation requests are processed in the order in which they are received with annual events (3 years or more) given first consideration.

Parking Plan

Parking Plan *

Our parking plan is for attendees to utilize on-street parking and public parking in the vicinity of city park.

Parking Plan Map

Permits, Licenses and Agreements

Will goods, services, food, or beverages be sold? *

☐ Yes ☒ No

Will you have keg beer at your event? *

☐ Yes ☒ No

Will your event utilize signs, banners, flags, etc.? *

☐ Yes ☒ No

Definitions



*A "banner sign" is a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, with the only purpose of such nonrigid material being for background.

*A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" like shape or is constructed with a base and single upward sign face, forming an upside down "T" but not permanently attached to the ground.

- Sandwich board signs are allowed within multi-tenant developments. Only 1 allowed per business.
- Sandwich board signs shall be located not more than ten feet (10') from the door of the business.

*A Community Event Sign announces a campaign, drive activity or celebration of a civic, political, public, philanthropic, religious or educational organization for noncommercial purposes. Community Event signs are allowed off premise but permission from the owner of the property where the sign will be located is required prior to issuance of a permit. Please provide a list of the locations of where any off premise signs will be located.

*May not be larger than 64 sq. ft. in size with a maximum height not to exceed 10 ft.

*An "inflatable sign" is a temporary ground mounted sign that is manufactured of plastic, cloth, canvas, or other light fabric, inflated with air and held upright, typically by mechanical means.

*The minimum setback from the road right of way shall be one and one-half (1-1/2) times the height of the sign.

Will your event generate any type of waste? *

☒ Yes ☐ No

Is this an ongoing or seasonal request? *

☐ Yes ☒ No

Will your event include pyrotechnics or fireworks? *

☐ Yes ☒ No

Notification

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event
- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Notification Acknowledgement *

☒ I have read and understand this requirement

Insurance

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will immediately terminate special event application or approval.

Insurance Documents

TFSD TF City Rec Certificate of Ins.pdf

36.23KB

Security

As an event organizer, you are required to provide a safe and secure environment for your event. This is accomplished through pre-planning and anticipation of problems or concerns related to event activities.

Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Waste Plan

As an event organizer, you are responsible for the waste generated by your participants, spectators and vendors, as well as the costs associated with proper disposal.

Discarded Materials *

List what materials from your event will be discarded by vendors and attendees (i.e. cardboard, plastic bags, food waste, Styrofoam, plastic bottles, aluminum cans etc.):

Chip bags, hot dog rappers

Have you arranged for portable toilets? *

☒ Yes ☐ No

Have you contracted for additional trash receptacles and/or dumpsters? *

☒ Yes ☐ No

Name of Contracted Company *	Number of Trash Receptacles *	Size of Trash Receptacles
PSO	10	60 gallon
Contact person in charge of waste. *	Phone number of contact	Number of staff assisting in removal.
Ryan Bowman	208-733-6900	8

Any cleanup required by City Personnel following an event will be at the expense of the event organizers.

Restrictions and Signature

Please be aware of the following restrictions:

- Fires are allowed in fireplaces or grills only.
- Dogs must be on leash in parks, with the exception of Baxter Dog Park.
- Dogs are prohibited in the grassy park area of Dierkes Lake Park.
- Alcohol is prohibited at Dierkes Lake Park, Sunway Soccer Fields, First Federal Park & St Luke's Shelter, Oregon Trail Youth Complex, and Sawtooth Softball Fields Water slides, inflatable water features and dunk tanks are prohibited.
- Hours for amplified music are Mon—Fri 11am-9pm, Sat 8am-9:30pm, Sunday 12:15pm-8pm.

The following are prohibited in parks and on trails:

- Glass containers
- Soliciting
- Loitering and Boisterousness
- Discharging of fireworks and explosives
- Possessing intoxicating beverages where prohibited or be under the influence in any public space
- Throwing objects other than in designated areas
- Climbing trees
- Damaging, cutting, removing, or attaching anything to any trees or plants
- Digging or disturbing grass or natural landscape
- Walking or standing on monuments, fountains, railings, fences, or other features not designed for such use
- Disfiguring or removing any buildings or park amenities
- Endangering the safety of others
- Preventing any person from using any park or its facilities
- Violating park curfew of 11pm
- Hunting, trapping, or pursuing wildlife

- Polluting waters of any kind in parks
- Dumping or depositing trash other than in proper receptacles

1. The prior named Applicant/Organization, in consideration of its use of Twin Falls Parks and Recreation facilities, agrees to release, indemnify and defend the City of Twin Falls, and its agents, employees and representative, from any and all claims, demands or lawsuits arising out of the Applicant's/Organization's use of said facilities.
2. Groups, individuals and applicants further agree that they have received the City's policies, rules and regulations governing use of said facility and agree to be bound by the same.
3. Effect Of A Permit: A Twin Falls park permittee shall be bound by all park rules and regulations and all applicable ordinances as fully as though the same were inserted in said permit. The person or persons to whom a permit is issued shall be liable for any loss, damage or injuries sustained by any person or property by reason of the negligence of the person or persons to whom such permit shall have been issued. The director, or a duly authorized representative, shall have the authority to revoke a permit upon finding of violation of any rule or ordinance, or upon good cause. (Ord. 2735, 9-16-2002)

****Based on the details of your event, a parks use permit might be issued. By signing below, I agree that this permit may be revoked for reasons outlined above. I further agree that this permit will be revoked if it conflicts with any lawful order issued by a Federal, State, or local government agency, including orders issued in response to the COVID-19 pandemic.**

By signing this application, I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Signature *

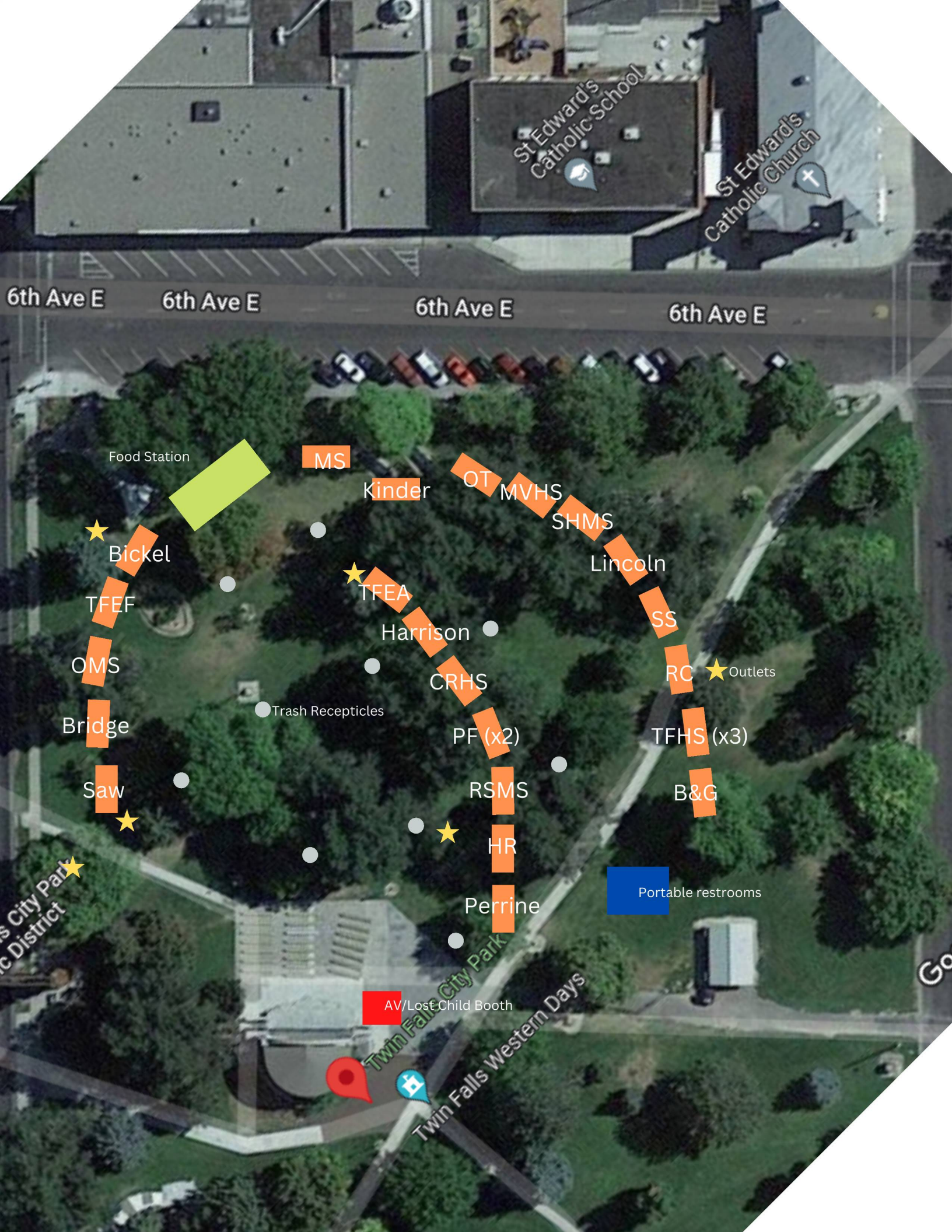
Eva Craner

Name *

Eva Craner

Date *

01/24/2025



St Edward's
Catholic School

St Edward's
Catholic Church

6th Ave E

6th Ave E

6th Ave E

6th Ave E

Food Station

MS

Kinder

OT

MVHS

SHMS

Lincoln

SS

RC

Outlets

TFHS (x3)

B&G

Perrine

HR

RSMS

PF (x2)

CRHS

Harrison

TFEA

MS

Trash Receptacles

Portable restrooms

AV/Lost Child Booth

Twin Falls City Park
City District

Twin Falls City Park

Twin Falls Western Days



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/14/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Balanced Rock Insurance Agency, Inc. 643 Canyon Drive Twin Falls ID 83301		CONTACT NAME: Lori Bergsma PHONE (A/C, No, Ext): 208-736-8111 E-MAIL ADDRESS: lori@balancedrockinsurance.com FAX (A/C, No): 208-736-1838	
INSURED Twin Falls School District #411 Attn: Erica Parrot 201 Main Ave. West Twin Falls ID 83301		INSURER(S) AFFORDING COVERAGE INSURER A: American Alternative Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 21849	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☒ OTHER: Educators Legal Liab			GPNU-EP-0015499	07/1/2024	07/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 Each Occurrence \$ 1,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			GPNU-EP-0015499	07/1/2024	07/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ UM/UIM \$ 1,000,000
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000			GPNU-EP-0015499	07/1/2024	07/1/2025	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Blanket Property			GPNU-EP-0015499	07/14/2023	07/1/2025	Replacement Cost Per Schedule

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Engage in Education Community Picnic May 1 from 4 to 7 pm at the Twin Falls City Park

CERTIFICATE HOLDER**CANCELLATION**

City of Twin Falls Parks and Rec.
136 Maxwell Avenue, P.O. Box 1907
Twin Falls, ID 83303

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Council Agenda Information

Review

Streets



Streets Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Streets *

Engineering



Engineering Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Engineering *

Planning and Zoning



Planning and Zoning Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Planning and Zoning *

Electrical



Electrical Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Electrical *

Police



Police Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Police *

Fire



Fire Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Fire *

Parks



Parks Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Parks *

Event Coordinator

Charges/Fees

Row	Description	Cost	Quantity
1	Application Fee	\$25.00	1
2	Park Fees Paid - Invoice 214747	\$0.00	0

Total Due *

\$25.00

Special Event Departments *

Which departments should be asked to review this application?

Reviewer Name *

Stacy McClintock

Initial Questions**Will you be using a Park Facility (City Pool and Ballfields included), City Trail, or Downtown Commons/Main Street? ***☐ Yes ☒ No**Type of Event ***

Please select all that apply

- | | | |
|---|--|---|
| ☐ Car Show | ☐ Carnival/Fair | ☐ Dance |
| ☐ Concert/Performance | ☐ Exhibits/Miscellaneous | ☐ Festival |
| ☐ Parade | ☐ Picnic/Family Gathering | ☐ Pool Reservation |
| ☐ Run/Walk/Race | ☐ Special Attraction | ☐ Street Fair |
| ☐ Tournament (Sport Field/Court) | ☒ Other | |

Rotary Day of Service and Celebration

Estimated Number of Attendees *

250

50+ requires permission
250+ requires waste plan
500+ is a special event

Will there be amplified or unusual sound at your event? *☒ Yes ☐ No**Will your event impact or require any street closure? ***☐ Yes ☒ No**Will alcohol be sold or served publicly at your event? ***☐ Yes ☒ No**Will there be tents, canopies, or other temporary structures? (includes inflatables) ***☒ Yes ☐ No**Provide a description of tents or structures.**

No water features allowed. Tent stakes must be less than 12". Fire inspection may be required.

We will have a canopy to provide shade with no side walls. The canopy will be covering the tables and chairs for attendees to sit while having lunch and listening to the program. We plan to also use some 10X10 canopies (Easy Up type) to provide shade for registration table and other locations where people will be seated.

Contact Information**Event Organizer****First Name *****Last Name ***

Onsite Contact

First Name *

Stephen

Last Name *

Gage

Event Information

Event Name *

Rotary District 5400 Celebration

Event Location (Park or Facility Requested)

Harmon

Is this event indoors or outdoors? *

☐ Indoors

☒ Outdoors

Event Reoccurrence

☒ One Time Event

☐ Recurring over several weeks/months

Event Description *

This is a Rotary event to showcase service in our communities. We will have Rotarians and their families from across southern Idaho. We will have members from our clubs showcasing their service projects. We plan to do some service projects that we can complete in the afternoon like putting together hygiene kits or other needed items. We plan to use a local vendor (s) to provide morning refreshments, lunch and possibly ice cream for an ice cream social in the afternoon. We will have a tent with no sides to cover the eating area as well as some 10X10 easy up type canopies for shade for functions not covered by the eating area tent. We will have a small PA system for our speakers that will be presenting to start the event, at lunch and to close the event. We plan to invite the local first responders to bring a static display to showcase local community service. The plan is to have them set up in the parking lot.

We will not be serving the public but if the public stops by we will welcome them to come and see what Rotary does in the communities we serve.

[Canyon Rim](#) [City Park](#) [Downtown Commons](#) [Sunway Soccer Park](#)
[Shoshone Falls](#) [Dierkes](#) [Harmon Park](#) [Thomsen Park](#) [Oregon Trail](#)

Download this provided template and add your layout. Upload your completed layout below.

Event Map *

Parks_20250122_144405.pdf

1.13MB

Parks_20250122_144415.pdf

91.3KB

Set-up Time Start *

05/02/2025 12:00:00 PM

Set-up Time End *

05/02/2025 06:00:00 PM

Event Time Start*

05/03/2025 08:00:00 AM

Event Time End*

05/03/2025 04:00:00 PM

Take Down Time Start*

05/03/2025 05:00:00 PM

Take Down Time End*

05/04/2025 12:00:00 PM

Important, PLEASE READ: Full payment of all fees, map of event layout and liability insurance (if applicable) must accompany this completed application in order to request a reservation. Complete reservation requests are processed in the order in which they are received with annual events (3 years or more) given first consideration.

Parking Plan

Parking Plan*

We plan to use the existing parking lot and some street parking.

Parking Plan Map

Permits, Licenses and Agreements

Will goods, services, food, or beverages be sold?*

☐ Yes ☒ No

Will you have keg beer at your event?*

☐ Yes ☒ No

Will your event utilize signs, banners, flags, etc.?*

☒ Yes ☐ No

Definitions



*A "banner sign" is a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, with the only purpose of such nonrigid material being for background.

*A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" like shape or is constructed with a base and single upward sign face, forming an upside down "T" but not permanently attached to the ground.

- Sandwich board signs are allowed within multi-tenant developments. Only 1 allowed per business.
- Sandwich board signs shall be located not more than ten feet (10') from the door of the business.

*A Community Event Sign announces a campaign, drive activity or celebration of a civic, political, public, philanthropic, religious or educational organization for noncommercial purposes. Community Event signs are allowed off premise but permission from the owner of

the property where the sign will be located is required prior to issuance of a permit. Please provide a list of the locations of where any off premise signs will be located.

*May not be larger than 64 sq. ft. in size with a maximum height not to exceed 10 ft.

*An "inflatable sign" is a temporary ground mounted sign that is manufactured of plastic, cloth, canvas, or other light fabric, inflated with air and held upright, typically by mechanical means.

A sign permit may be required from the Planning and Zoning Department.

Will your event generate any type of waste? *

☒ Yes ☐ No

Is this an ongoing or seasonal request? *

☐ Yes ☒ No

Will your event include pyrotechnics or fireworks? *

☐ Yes ☒ No

Notification

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event
- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Notification Acknowledgement *

☒ I have read and understand this requirement

Insurance

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will immediately terminate special event application or approval.

Insurance Documents

Security

As an event organizer, you are required to provide a safe and secure environment for your event. This is accomplished through pre-planning and anticipation of problems or concerns related to event activities.

Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Waste Plan

As an event organizer, you are responsible for the waste generated by your participants, spectators and vendors, as well as the costs associated with proper disposal.

Discarded Materials *

List what materials from your event will be discarded by vendors and attendees (i.e. cardboard, plastic bags, food waste, Styrofoam, plastic bottles, aluminum cans etc.):

waste from meal service, some drink containers.

We plan to have a recycle plan in place for leftover food, any plastic, paper, cardboard or aluminum.

We are working on portable toilets and recycle and trash dumpsters.

Have you arranged for portable toilets? *

☐ Yes ☒ No

Have you contracted for additional trash receptacles and/or dumpsters? *

☐ Yes ☒ No

Contact person in charge of waste. *

Stephen Alan Gage

Phone number of contact

6618053330

Number of staff assisting in removal.

Any cleanup required by City Personnel following an event will be at the expense of the event organizers.

Restrictions and Signature

By signing this application, I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Signature *

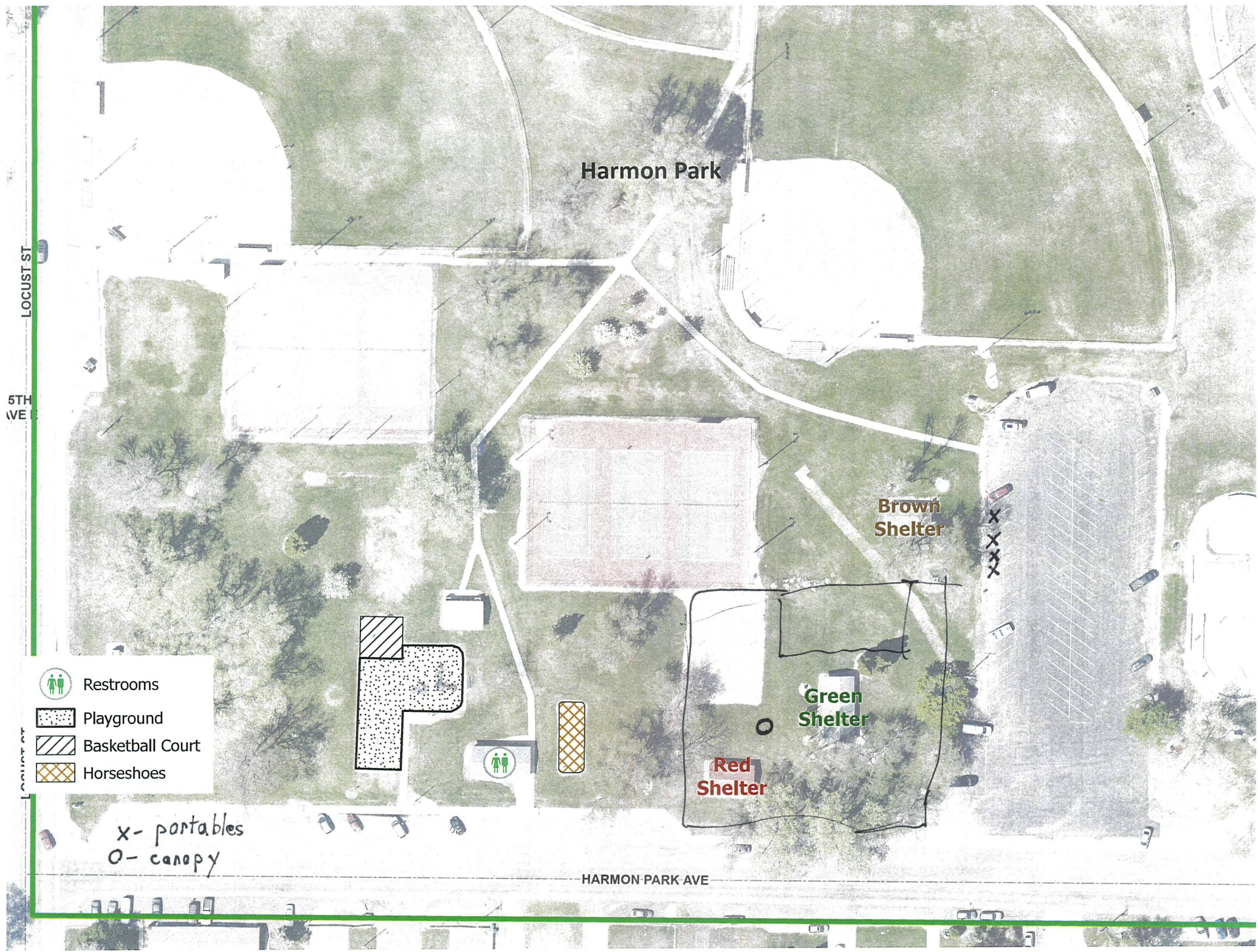
Name *

Stephen A Gage

Date *

01/12/2025

Stephen A Gage



LOCUST ST

5TH
VE

Harmon Park

Brown
Shelter

Green
Shelter

Red
Shelter

-  Restrooms
-  Playground
-  Basketball Court
-  Horseshoes

x- portables
o- canopy

HARMON PARK AVE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/20/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Hylant Group Inc 811 Madison Ave Toledo OH 43604	CONTACT NAME: Macy Gorrell / Sara Humphries	
	PHONE (A/C, No, Ext): 419-259-2710	FAX (A/C, No): 419-255-7557
Insured All Active US Rotary Clubs & Districts District 5400 Attn: Risk Management Dept. 1560 Sherman Avenue Evanston, IL 60201-3698	E-MAIL ADDRESS: Rotary@hylant.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Westchester Surplus Lines Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		
NAIC # 10172		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y		G73578917003	7/1/2024	7/1/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y		G73578917003	7/1/2024	7/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER City of Twin Falls District 5400 Celebration May 2 & 3, 2025	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Judy K. Wilson</i>
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Council Agenda Information

Review

Streets



Streets Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Streets *

Engineering



Engineering Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Engineering *

Planning and Zoning



Planning and Zoning Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Planning and Zoning *

Electrical



Electrical Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Electrical *

Police



Police Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Police *

Fire



Fire Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Fire *

Parks



Parks Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Parks *

Event Coordinator

Charges/Fees

Row	Description	Cost	Quantity
1	Application Fee	\$25.00	1

Total Due *

\$25.00

Special Event Departments *

Which departments should be asked to review this application?

- | | | |
|--|---|---|
| ☒ Streets | ☒ Engineering | ☒ Planning and Zoning |
| ☒ Electrical | ☒ Police | ☒ Fire |

Reviewer Name *

Elois Joseph

Initial Questions**Will you be using a Park Facility (City Pool and Ballfields included), City Trail, or Downtown Commons/Main Street? ***☐ Yes ☒ No**Type of Event ***

Please select all that apply

- | | | |
|---|--|---|
| ☐ Car Show | ☐ Carnival/Fair | ☐ Dance |
| ☐ Concert/Performance | ☐ Exhibits/Miscellaneous | ☐ Festival |
| ☐ Parade | ☐ Picnic/Family Gathering | ☐ Pool Reservation |
| ☐ Run/Walk/Race | ☒ Special Attraction | ☐ Street Fair |
| ☐ Tournament (Sport Field/Court) | ☐ Other | |

Estimated Number of Attendees *

12,000

50+ requires permission
250+ requires waste plan
500+ is a special event

Will there be amplified or unusual sound at your event? *☒ Yes ☐ No**Will your event impact or require any street closure? ***☐ Yes ☒ No**Will alcohol be sold or served publicly at your event? ***☐ Yes ☒ No**Will there be tents, canopies, or other temporary structures? (includes inflatables) ***☐ Yes ☒ No**Contact Information****Event Organizer****First Name ***

Mitchell

Last Name *

Moffitt

Onsite Contact**First Name ***

Mitchell

Last Name *

Moffitt

Event Information

Event Name*

Living Nativity of Twin Falls

Event Location (Park or Facility Requested)

1267 Madrona St. N., Twin Falls, ID 83301

Is this event indoors or outdoors? *

- ☐ Indoors
- ☒ Outdoors

Event Reoccurrence

- ☐ One Time Event
- ☐ Recurring over several weeks/months

Event Description *

A

- Dec 11-13, 2025 will be the 12th annual Living Nativity of Twin Falls. Visitors will enter our property and have the opportunity to experience the bustling marketplace in Bethlehem and interact with cast members acting as townspeople. They make their way into our back pasture where they will observe the shepherds with their flock of sheep, the three wisemen, and eventually to the stable scene with Mary, Joseph, and the newly born Christ Child. It is an interactive walkthrough experience. Free hot chocolate is provided. Lighting and sound is provided by Midnight Productions and broadcasts traditional Christmas hymns along with narration taken from Luke chapter 2. We employ Roman soldiers who both serve as historical actors as well as those organized to manage crowd control and keep the peace.

EJ comment - Insurance pending, applicant must submit insurance before council consideration (insurance form attached, but insurance is insufficient, EJ notified LC.

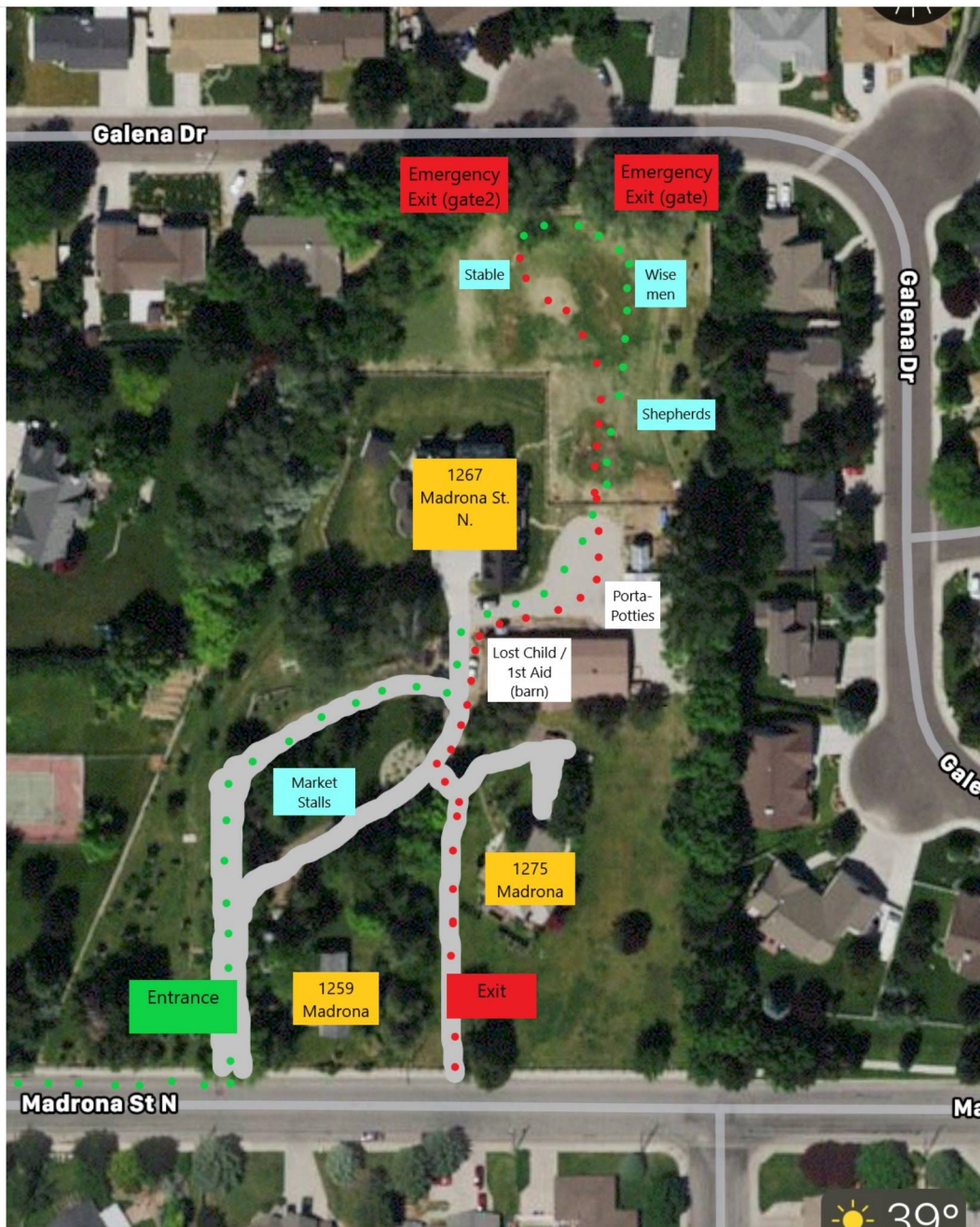
[Canyon Rim](#) [City Park](#) [Downtown Commons](#) [Sunway Soccer Park](#)
[Shoshone Falls](#) [Dierkes](#) [Harmon Park](#) [Thomsen Park](#) [Oregon Trail](#)

Download this provided template and add your layout. Upload your completed layout below.

Event Map *

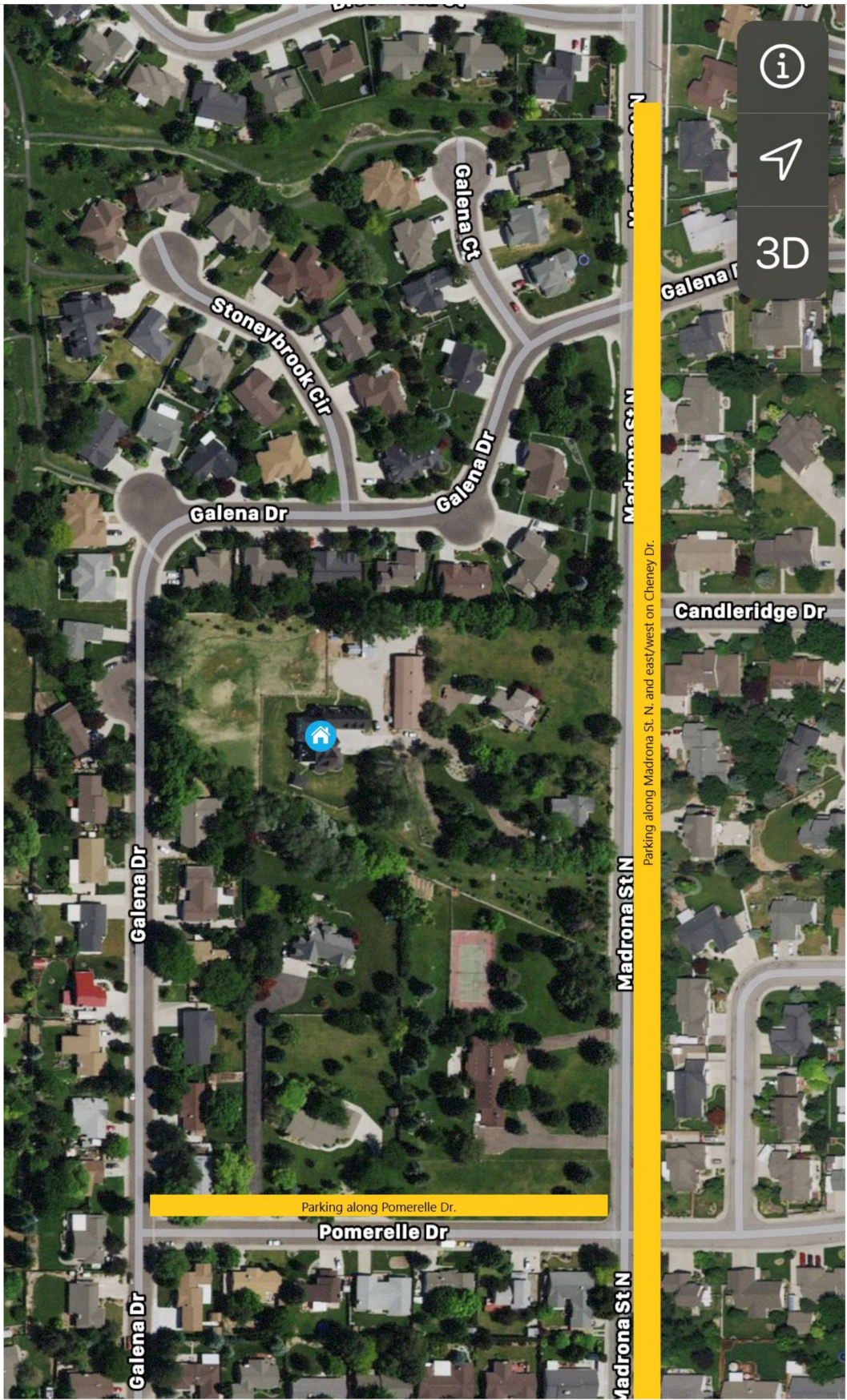
IMG_5730.jpeg

509.04KB



IMG_5731.jpeg

825.17KB





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/21/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

CONTACT
Sue Novak

Set-up Time Start *

12/08/2025 08:00:00 AM

Set-up Time End *

12/11/2025 05:30:00 PM

Event Time Start *

12/11/2025 06:30:00 PM

Event Time End *

12/13/2025 08:30:00 PM

Take Down Time Start *

12/15/2025 08:30:00 AM

Take Down Time End *

12/17/2025 08:30:00 PM

Important, PLEASE READ: Full payment of all fees, map of event layout and liability insurance (if applicable) must accompany this completed application in order to request a reservation. Complete reservation requests are processed in the order in which they are received with annual events (3 years or more) given first consideration.

Parking Plan

Parking Plan *

Street parking along Madrona St N,, Pomerelle St, Candleridge Dr, and Galena Dr. see previous graphic downloaded.

Parking Plan Map

Permits, Licenses and Agreements

Will goods, services, food, or beverages be sold? *

☐ Yes ☒ No

Will you have keg beer at your event? *

☐ Yes ☒ No

Will your event utilize signs, banners, flags, etc.? *

☐ Yes ☒ No

Definitions



*A "banner sign" is a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, with the only purpose of such nonrigid material being for background.

*A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" like shape or is constructed with a base and single upward sign face, forming an upside down "T" but not permanently attached to the ground.

- Sandwich board signs are allowed within multi-tenant developments. Only 1 allowed per business.
- Sandwich board signs shall be located not more than ten feet (10') from the door of the business.

*A Community Event Sign announces a campaign, drive activity or celebration of a civic, political, public, philanthropic, religious or educational organization for noncommercial purposes. Community Event signs are allowed off premise but permission from the owner of the property where the sign will be located is required prior to issuance of a permit. Please provide a list of the locations of where any off premise signs will be located.

*May not be larger than 64 sq. ft. in size with a maximum height not to exceed 10 ft.

*An "inflatable sign" is a temporary ground mounted sign that is manufactured of plastic, cloth, canvas, or other light fabric, inflated with air and held upright, typically by mechanical means.

Will your event generate any type of waste? *

☒ Yes ☐ No

Is this an ongoing or seasonal request? *

☒ Yes ☐ No

Agreement, insurance, and fees may apply

Will your event include pyrotechnics or fireworks? *

☐ Yes ☒ No

Notification

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event
- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Notification Acknowledgement *

☒ I have read and understand this requirement

Insurance

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements

may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will result in the City terminating the event application as requested.

Insurance Documents

IMG_5733.jpeg	299.32KB
IMG_5734.jpeg	782.6KB
IMG_5735.jpeg	983.42KB
IMG_5736.jpeg	511.95KB
IMG_5737.jpeg	313.34KB
IMG_5738.jpeg	166.47KB
IMG_5739.jpeg	559.14KB
IMG_5740.jpeg	343.11KB
IMG_5741.jpeg	413.66KB
IMG_5732.jpeg	611.22KB

Security

As an event organizer, you are required to provide a safe and secure environment for your event. This is accomplished through pre-planning and anticipation of problems or concerns related to event activities.

Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Waste Plan

As an event organizer, you are responsible for the waste generated by your participants, spectators and vendors, as well as the costs associated with proper disposal.

Discarded Materials *

List what materials from your event will be discarded by vendors and attendees (i.e. cardboard, plastic bags, food waste, Styrofoam, plastic bottles, aluminum cans etc.):

Cups from hot chocolate. Large blue garbage cans provided.

Have you arranged for portable toilets? *

☒ Yes ☐ No

Have you contracted for additional trash receptacles and/or dumpsters? *

☐ Yes ☒ No

Contact person in charge of waste. *

Mitchell Moffitt

Phone number of contact

2089611522

Number of staff assisting in removal.

4

Any cleanup required by City Personnel following an event will be at the expense of the event organizers.

Restrictions and Signature

By signing this application, I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Signature *



Name *

Mitchell Moffitt

Date *

12/26/2024

Galena Dr

Emergency
Exit (gate2)

Emergency
Exit (gate)

Stable

Wise
men

Shepherds

1267
Madrona St.
N.

Porta-
Potties

Lost Child /
1st Aid
(barn)

Market
Stalls

1275
Madrona

Entrance

1259
Madrona

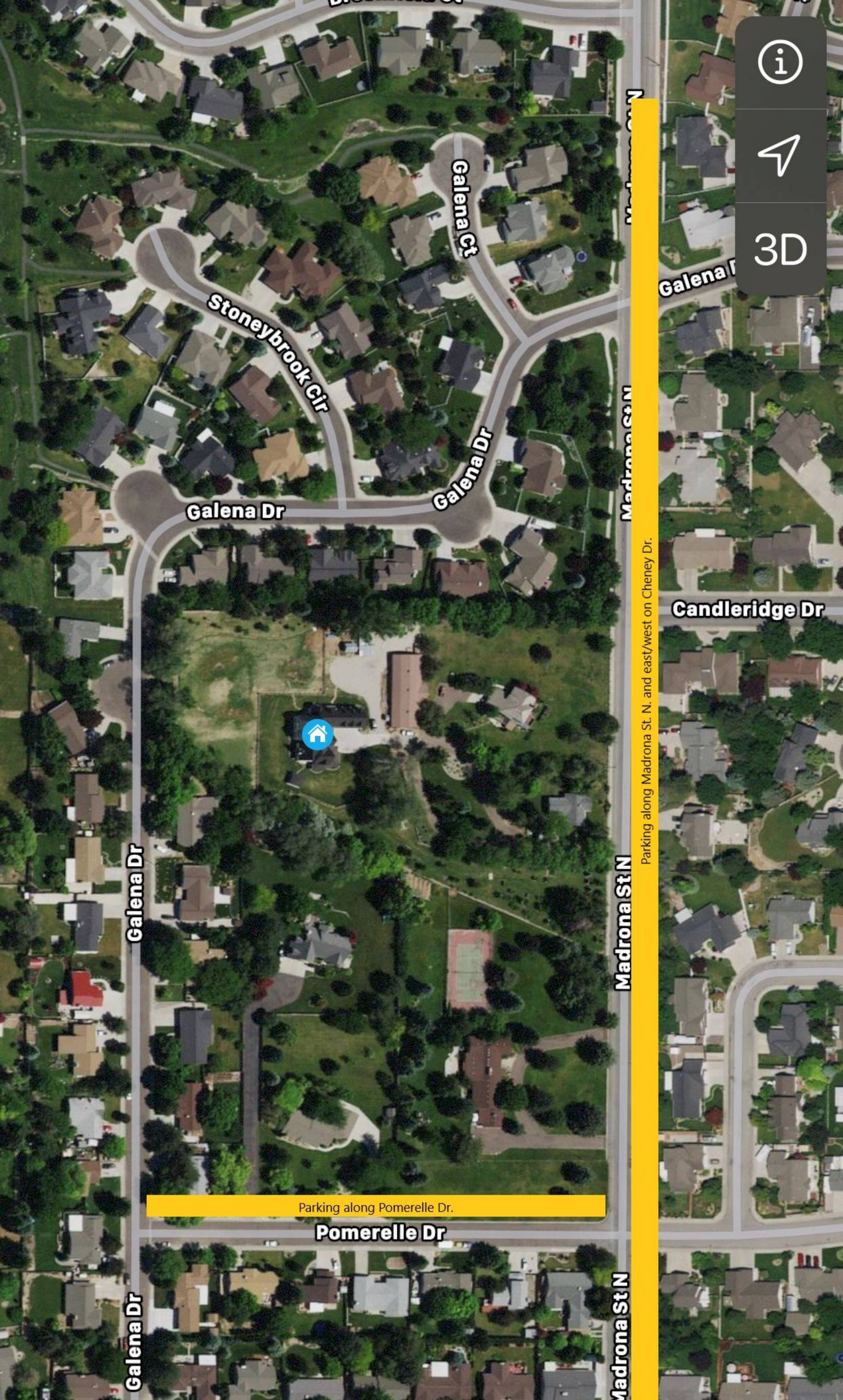
Exit

Galena Dr

Galena Dr

Madrona St N

Ma



3D

Parking along Pomerelle Dr.

Parking along Madrona St. N. and east/west on Cheney Dr.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/21/2024

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PRODUCER Starley-Leavitt Insurance Agency PO Box 1947 715 Shoshone Street North Twin Falls ID 83301		CONTACT NAME: Sue Novak PHONE (A/C, No, Ext): (208) 733-5136 E-MAIL: sue-novak@leavitt.com FAX (A/C, No): (866) 838-3392 ADDRESS: sue-novak@leavitt.com	
INSURED Brittany Moffitt Twin Falls Live Nativity 1267 Madrona Street N Twin Falls ID 83301		INSURER(S) AFFORDING COVERAGE INSURER A: Western National Mutual Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 015377	

COVERAGES

CERTIFICATE NUMBER: 24-25 GL COI

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			CPP127759403	12/16/2024	12/16/2025	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ Excluded				
			PERSONAL & ADV INJURY \$ 1,000,000				
			GENERAL AGGREGATE \$ 2,000,000				
						PRODUCTS - COMP/OP AGG \$ 2,000,000	
							\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB ☐ EXCESS LIAB DED ☐ RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE ☐ OTH-ER ☐
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

The City of Twin Falls

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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COMMERCIAL POLICY SUMMARY PAGE

BRITTANY MOFFITT
DBA TWIN FALLS LIVE NATIVITY
1267 MADRONA ST N
TWIN FALLS ID 83301

STARLEY LEAVITT INS AGENCY
PO BOX 1947
TWIN FALLS, ID 83303-1947

08217
208-733-5136

Group # 0001184870

Effective Date: DECEMBER 16, 2024
Expiration Date: DECEMBER 16, 2025
12:01 A.M. standard time at the Named
Insured's mailing address.

COVERAGE

Your coverage consists of the following lines of insurance for which a premium is indicated.
This premium may be subject to adjustment.

Commercial General Liability	\$ 502.00
Total Estimated Annual Premium	\$ 502.00

These Declarations together with the common policy conditions, coverage part declarations, coverage part form(s), and form(s) and endorsements, if any, issued, complete the above numbered policy.

Countersigned:

By _____
Authorized Representatives

Group #: 0001184870
Insured: BRITTANY MOFFITT
DBA TWIN FALLS LIVE NATIVITY
Address: 1267 MADRONA ST N
TWIN FALLS ID 83301

Date: 11/07/2024

Effective Date: DECEMBER 16, 2024

ENCLOSURE – REJECTION OF CERTIFIED TERRORISM INSURANCE

I hereby reject the offer of terrorism coverage. I understand that an EXCLUSION of certain terrorism losses will be made a part of this policy.

Policyholder Signature_____ Date_____

Print Name_____

PROPERTY COVERAGE ONLY: In this state, a terrorism exclusion makes an exception for (and thereby provides coverage for) fire losses resulting from an act of terrorism. Therefore, if you reject the offer of terrorism coverage, that rejection does not apply to fire losses resulting from an act of terrorism – coverage for such fire losses will continue to be provided in your policy. There will be an additional premium just for such fire coverage. *(Not applicable in Alaska, Idaho, Minnesota, Montana, Nevada, North Dakota, South Dakota and Utah)*

ALASKA AUTO ONLY: In this state, the terrorism exclusion applies above the minimum limits required for Liability, Uninsured and/or Underinsured Motorists Coverage by the state's Financial Responsibility Statutes. Therefore, if you reject the offer of terrorism coverage, that rejection does not apply to losses resulting from an act of terrorism, for limits up to the minimum state compulsory limits of insurance for Liability, Uninsured and/or Underinsured Motorists Coverage. The additional premium just for such coverage up to the Financial Responsibility Statutes is stated in the DISCLOSURE OF PREMIUM.

OREGON AUTO ONLY: In this state, the terrorism exclusion applies above the minimum limits required for Liability, Uninsured and/or Underinsured Motorists Coverage and Personal Injury Protection Coverage by the state's Financial Responsibility Statutes. Therefore, if you reject the offer of terrorism coverage, that rejection does not apply to losses resulting from an act of terrorism, for limits up to the minimum state compulsory limits of insurance for Liability, Uninsured and/or Underinsured Motorists, and Personal Injury Protection Coverage. The additional premium just for such coverage up to the Financial Responsibility Statutes is stated in the DISCLOSURE OF PREMIUM.

IF YOU CHOOSE TO REJECT THIS OFFER OF TERRORISM COVERAGE, PLEASE SIGN THIS REJECTION STATEMENT AND RETURN IT TO YOUR AGENT AS SOON AS POSSIBLE. IF YOUR SIGNED REJECTION IS NOT RECEIVED BY US WITHIN 30 DAYS OF THE EFFECTIVE DATE OF YOUR POLICY, OR WITHIN 30 DAYS OF THE DATE OF THIS NOTICE, WHICHEVER IS LATER, THE CHARGE FOR TERRORISM WILL NOT BE REMOVED.

Group #: 0001184870
Insured: BRITTANY MOFFITT
DBA TWIN FALLS LIVE NATIVITY
Address: 1267 MADRONA ST N
TWIN FALLS ID 83301

Date: 11/07/2024

Effective Date: DECEMBER 16, 2024

POLICYHOLDER DISCLOSURE

NOTICE – OFFER OF TERRORISM INSURANCE COVERAGE AND DISCLOSURE OF PREMIUM

Under the Terrorism Risk Insurance Act, as amended in 2019, you have a right to purchase insurance coverage for losses resulting from acts of terrorism. *As defined in Section 102(1) of the Act:* The term “act of terrorism” means any act or acts that are certified by the Secretary of the Treasury – in consultation with the Secretary of Homeland Security, and the Attorney General of the United States – to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Your decision is needed on this question: do you choose to continue to pay the premium for terrorism coverage stated in this offer of coverage, or do you choose to reject the offer of coverage and not pay the premium? Please consult your agent if you have questions regarding your options.

REJECTION OF TERRORISM INSURANCE COVERAGE

Your insurance policy has been issued/quoted with Certified Terrorist Acts coverage, and a premium has been included for the applicable lines of insurance. Unless you reject this coverage, you must pay the additional terrorism premium as stated in the DISCLOSURE OF PREMIUM. You may choose to reject the offer of terrorism coverage by signing the enclosed REJECTION STATEMENT; then your policy will be written to exclude the described coverage.

DISCLOSURE OF PREMIUM

If you continue to accept this offer, the premium for terrorism coverage is \$ 2.00

If you reject this offer, a portion of the above premium will be charged due to state law requiring coverage if a “certified act of terrorism” results in a direct loss by fire to covered property. *(Not applicable in Alaska, Idaho, Minnesota, Montana, Nevada, North Dakota, South Dakota and Utah).* This premium is \$_____.

Alaska only: If you have auto insurance, terrorism coverage up to the minimum limits required for Liability, Uninsured and/or Underinsured Motorists, by the state’s Financial Responsibility Statutes applies. The premium for this coverage is \$0.00.

Oregon only: If you have auto insurance, terrorism coverage up to the minimum limits required for Liability, Uninsured and/or Underinsured Motorists and Personal Injury Protection Coverage, by the state’s Financial Responsibility Statutes applies. The premium for this coverage is \$ 0.00.

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES: You should know that where coverage is provided by this policy for losses resulting from certified acts of terrorism, such losses may be partially reimbursed by the United States Government under a formula established by federal law. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government reimburses 80% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The premium charged for this coverage is shown above and does not include any charges for the portion of the loss that may be covered by the federal government under the Act.

CAP ON LOSSES: You should also know that the Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers’ liability for losses resulting from certified acts of terrorism when the amount of such losses in any one calendar year exceeds \$100 billion. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

COMMERCIAL GENERAL LIABILITY
COVERAGE PART

Group # 0001184870
Policy # CPP 1277594 03

Policy Period: From DECEMBER 16, 2024 To DECEMBER 16, 2025
12:01 A.M. standard time at the Named Insured's mailing address.

Transaction RENEWAL DECLARATION

Insured Name and Address
BRITTANY MOFFITT
DBA TWIN FALLS LIVE NATIVITY
1267 MADRONA ST N
TWIN FALLS ID 83301

Agent
STARLEY LEAVITT INS AGENCY 08217
PO BOX 1947
TWIN FALLS, ID 83303-1947

Telephone: 208-733-5136

Business Description	Type of Business	Audit Period	Billing Type
SPECIAL EVENT	CORPORATION	ANNUAL	DIRECT

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE
AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE

General Aggregate Limit (Other than Products-Completed Operations)	\$ 2,000,000
Products - Completed Operations Aggregate Limit	\$ 2,000,000
Each Occurrence Limit	\$ 1,000,000
Personal and Advertising Injury Limit, any one person or organization	\$ 1,000,000
Medical Expense Limit, any one person	\$ EXCL
Damage to Premises Rented to you, any one premises	\$ 100,000

LOCATIONS OF ALL PREMISES YOU OWN, RENT OR OCCUPY

Refer to attached schedule.

CLASSIFICATIONS

Refer to attached schedule.

PREMIUM FOR THIS COVERAGE PART \$ 502.00

DISCLOSURE OF PREMIUM:

The portion of your annual premium attributable to coverage for certified acts of terrorism is \$ 2.00

Forms and Endorsements Applicable to this Policy

See Forms and Endorsements Schedule

COMMERCIAL GENERAL LIABILITY
EXTENSION OF DECLARATIONS

LOCATION OF PREMISES

Location of All Premises You Own, Rent or Occupy:

001
1267 MADRONA ST N
TWIN FALLS ID 83301

PREMIUM

Location	Classification	Code No.	Exposure	Premium Base*	Prem.Ops.	Rate Prod/Comp Ops.	Advance Premium Prem/Ops.	Premium Prod/Comp Ops.
001		89900	3	T		INCL	\$500	INCL
	SPECIAL EVENTS							

"Products - completed operations are subject to the General Aggregate Limit"

- * - A = Area
- * - C = Total Cost
- * - E = Each
- * - M = Admissions
- * - O = Total Operating Expenses
- * - P = Payroll
- * - S = Gross Sales
- * - T = See Classification Notes
- * - U = Units

Extension of Declarations --Total Advance Annual Premium \$500

Western National Mutual Insurance Company
4700 West 77th Street
Edina, MN 55435
www.wnins.com

Policy Number: CPP 1277594 03
RENEWAL DECLARATION
Named Insured:
BRITTANY MOFFITT

LOCATION ADDRESS SCHEDULE

Prem # 001
1267 MADRONA ST N
TWIN FALLS, ID 83301

Western National Mutual Insurance Company
 4700 West 77th Street
 Edina, MN 55435
 www.wnins.com

Policy Number: CPP 1277594 03
 RENEWAL DECLARATION
Named Insured:
 BRITTANY MOFFITT

FORMS AND ENDORSEMENTS SCHEDULE

Coverage Line	Form Number	Ed. Date	Description
General Liability	IL0017	(11/98)	Common Policy Conditions
General Liability	IL0021	(09/08)	Nuclear Energy Liab Excl Endr
General Liability	IL0204	(09/08)	Idaho Changes - Cancellation
General Liability	WNIL09	(06/16)	Automatic Termination Provisio
General Liability	CG0001	(04/13)	Comm1 Gen Liab Coverage Form
General Liability	CG2101	(11/85)	Excl-Athletics or Sports Part
General Liability	CG2106	(05/14)	Excl-Access or Disclosure
General Liability	CG2109	(06/15)	Exclusion-Unmanned Aircraft
General Liability	CG2132	(05/09)	Communicable Disease Exclusion
General Liability	CG2135	(10/01)	Excl-Cov C-Medical Payments
General Liability	CG2171	(01/15)	Excl Oth Acts Terr Outside US
General Liability	CG2176	(01/15)	Excl Punitive Damages
General Liability	CG2187	(01/15)	Conditional Excl of Terrorism
General Liability	CG2426	(04/13)	Amendment of Ins. Contract Def
General Liability	CGMU1129	(12/20)	Exclusion-Assault or Battery
General Liability	CGMU431	(12/20)	Excl-Ammunition or Fireworks
General Liability	CGMU448	(12/20)	Excess Provision
General Liability	CGMU450	(12/20)	Limit of Cov to Sch Ev,Act,Ops
General Liability	CGMU505	(12/20)	Exclusion-Trampolines
General Liability	CGMU588	(12/20)	Excl-Mech Op Amusement Devices
General Liability	WNGL02	(07/10)	Punitive Damages Exclusion
General Liability	WNGL10	(01/04)	Excl-Lead Liability Endt
General Liability	WNGL15	(12/16)	Exclusion-Asbestos
General Liability	WNGL21	(07/14)	Abuse or Molestation Excl
General Liability	WNGL36	(07/15)	Total Liquor Liability Excl

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

EXCLUSION - COVERAGE C - MEDICAL PAYMENTS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Description And Location Of Premises Or Classification:
SPECIAL EVENTS

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

With respect to any premises or classification shown in the Schedule:

1. Section I - Coverage C - Medical Payments does not apply and none of the references to it in the Coverage Part apply: and

2. The following is added to Section I - Supplementary Payments:

- h. Expenses incurred by the insured for first aid administered to others at the time of an accident for "bodily injury" to which this insurance applies.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

LIMITATION OF COVERAGE TO SCHEDULED EVENTS, ACTIVITIES OR OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART

SCHEDULE

Date/Description of Events, Activities or Operations/Premises:
EVENTS ON FILE WITH COMPANY

1. The following is added to Paragraph 2. **Exclusions of Section I – Coverage A – Bodily Injury And Property Damage Liability**, Paragraph 2. **Exclusions of Section I – Coverage B – Personal And Advertising Injury Liability** and Paragraph 2. **Exclusions of Coverage C – Medical Payments**:

This insurance applies only to "bodily injury, "property damage", "personal and advertising injury", and medical expenses or any other injury or damage arising out of the specific events, activities or operations shown in the Schedule.

2. The following replaces **Section IV – Conditions**, Paragraph 4. **Other Insurance**:

The coverage afforded under this Coverage Part will be excess over any other valid and collectible insurance, whether that insurance is primary, excess, contingent or on any other basis.



11/07/2024

BRITTANY MOFFITT
DBA TWIN FALLS LIVE NATIVITY
1267 MADRONA ST N
TWIN FALLS ID 83301

Policy Number: CPP 1277594 03

Dear Western National Insurance Group Policyholder,

Thank you for renewing your insurance policy with Western National Insurance Group — the carrier of choice for outstanding insurance coverage and service since 1901. We sincerely appreciate your business.

From our roots as a small insurance company serving Midwestern creameries to our current role as an "A+" rated (A.M. Best) company serving businesses and families throughout the Midwestern and Western U.S., we've always defined success as a measure of the relationships we've built over time. Of course, the most important part of our relationship with you is our promise to pay covered claims and provide you with the helpful service and timely payment you need to make your business whole again.

Enclosed is the renewal information for your insurance policy. If you have any questions about these documents or feel that a document has not been included, please contact your Independent Insurance Agent for information or assistance.

We look forward to continuing to serve your insurance needs, and we encourage you to visit our website (www.wnins.com) for helpful policy tools, including online bill payment, access to free safety videos, and more loss control resources at www.wnins.com/resources. You can also download the Western National mobile app (available in the Apple and Google Play app stores) to pay your bill, access your policy information, or report a claim while you're 'on the go.'

With thanks and best wishes from all of us here at Western National Insurance Group,

Rick Long, AIC, CPCU, ARe
President and Chief Executive Officer

Western National Insurance Group | 4700 West 77th Street | Edina, MN 55435-4818 | (952) 835-5350 or (800) 862-6070
info@wnins.com | www.wnins.com

WESTERN NATIONAL MUTUAL | WESTERN NATIONAL ASSURANCE | PIONEER SPECIALTY | UMIALIK
MICHIGAN MILLERS (AFFILIATE)



Council Agenda Information

Review

Approval Process:

Consent of the City Council. This event does meet the requirements for a Special Event Permit as outlined in City Code 3-6-2

- (A) Is expected to draw five hundred (500) or more persons at any session as participants or spectators and is proposed to be held at a park;
- (B) Impacts city streets, sidewalks, parks and common areas, or city resources;
- (C) Unless otherwise permitted to do so, propose to sell or serve alcohol publicly; or
- (D) Intends to broadcast amplified sound or generate unusual noise.

Streets



Streets Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Streets *

Engineering



Engineering Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Engineering *

Planning and Zoning



Planning and Zoning Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Planning and Zoning *

Electrical



Electrical Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Electrical *

Police



Police Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Police *

Fire



Fire Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Fire *

Parks



Parks Recommends *

- ☐ Permit this application as is.
- ☒ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Parks *

Please make certain to remove any waste that may be generated during the event.

Event Coordinator

Charges/Fees

Row	Description	Cost	Quantity
1	Application Fee	\$25.00	1
2	Additional park fees will be assessed by the Parks Dept	\$0.00	0

Total Due*

\$25.00

Special Event Departments*

Which departments should be asked to review this application?

- ☒ Streets
 ☒ Engineering
 ☒ Planning and Zoning
- ☒ Electrical
 ☒ Police
 ☒ Fire

Reviewer Name*

Stacy McClintock

Initial Questions

Will you be using a Park Facility (City Pool and Ballfields included), City Trail, or Downtown Commons/Main Street? *

- ☒ Yes
 ☐ No

Type of Event*

Please select all that apply

- ☐ Car Show
 ☐ Carnival/Fair
 ☐ Dance
- ☐ Concert/Performance
 ☐ Exhibits/Miscellaneous
 ☐ Festival
- ☐ Parade
 ☐ Picnic/Family Gathering
 ☐ Pool Reservation
- ☒ Run/Walk/Race
 ☐ Special Attraction
 ☒ Street Fair
- ☐ Tournament (Sport Field/Court)
 ☒ Other
- information fair

Estimated Number of Attendees*

75

50+ requires permission
250+ requires waste plan
500+ is a special event

Will there be amplified or unusual sound at your event? *

- ☒ Yes
 ☐ No

Will your event impact or require any street closure? *

- ☐ Yes
 ☒ No

Will alcohol be sold or served publicly at your event? *

- ☐ Yes
 ☒ No

Will there be tents, canopies, or other temporary structures? (includes inflatables) *

- ☐ Yes
 ☒ No

Will there be vendors selling goods or services at this event (including lessons or paid activities)? *

☐ Yes ☒ No

Will you be driving vehicles into the park or parking on the grass or in the park? *

☐ Yes ☒ No

Will your event require access to or use of the park after hours? (before 6am or after 11pm) *

☐ Yes ☒ No

Will you be camping overnight in any park facility? *

☐ Yes ☒ No

Will you be operating any type of motorized vehicle on any of the trail system? *

☐ Yes ☒ No

Will you be riding bicycles on any area of the park other than a paved road or trail designated for that purpose? *

☐ Yes ☒ No

Will bicycles or vehicles operate at a rate of speed exceeding fifteen (15) miles per hour? *

☐ Yes ☒ No

Will you have horses or other animals at the event? (other than dogs) *

☐ Yes ☒ No

Will there be hot air balloon(s)? *

☐ Yes ☒ No

Do you plan to scuba dive in designated swim area at Dierkes Lake? *

☐ Yes ☒ No

Will you need to park any vehicles or equipment 1 ½ ton capacity or more in any park parking lots? *

☐ Yes ☒ No

Will you require power? (There may an additional fee for power) *

☒ Yes ☐ No

Contact Information

Event Organizer

First Name *

Silvia

Last Name *

Renova-Gaxiola

Onsite Contact

First Name *

Silvia

Last Name *

Renova-Gaxiola

Event Information

Event Name *

Strengthening Families to Prevent Child Abuse

Event Location (Park or Facility Requested)

Downtown Commons

Is this event indoors or outdoors? *

☐ Indoors

☒ Outdoors

Event Reoccurrence

☐ One Time Event

☐ Recurring over several weeks/months

Event Description *

This is our annual walk to raise awareness about child abuse prevention and to kick off Child Abuse Prevention Month (April) The walk will begin at the Twin Falls County Court House and continue onto Shoshone street then onto main street. It will end at the commons area on main street. At the commons are, we will have 3-4 people speak regarding child abuse prevention, we would also like to the mayo to present a proclamation for Child Abuse Prevention Month.

Canyon Rim City Park Downtown Commons Sunway Soccer Park
Shoshone Falls Dierkes Harmon Park Thomsen Park Oregon Trail

Download this provided template and add your layout. Upload your completed layout below.

Event Map *

Rally flyer 2025.pdf

508.18KB

Set-up Time Start *

04/05/2025 08:00:00 AM

Set-up Time End *

04/05/2025 05:45:00 AM

Event Time Start *

04/05/2025 11:00:00 AM

Event Time End *

04/05/2025 03:00:00 PM

Take Down Time Start *

04/05/2025 03:30:00 PM

Take Down Time End *

04/05/2025 03:30:00 PM

Important, PLEASE READ: Full payment of all fees, map of event layout and liability insurance (if applicable) must accompany this completed application in order to request a reservation. Complete reservation requests are

processed in the order in which they are received with annual events (3 years or more) given first consideration.

Permits, Licenses and Agreements

Will goods, services, food, or beverages be sold? *

☐ Yes ☒ No

Will you have keg beer at your event? *

☐ Yes ☒ No

Will your event utilize signs, banners, flags, etc.? *

☐ Yes ☒ No

Definitions



*A "banner sign" is a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, with the only purpose of such nonrigid material being for background.

*A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" like shape or is constructed with a base and single upward sign face, forming an upside down "T" but not permanently attached to the ground.

- Sandwich board signs are allowed within multi-tenant developments. Only 1 allowed per business.
- Sandwich board signs shall be located not more than ten feet (10') from the door of the business.

*A Community Event Sign announces a campaign, drive activity or celebration of a civic, political, public, philanthropic, religious or educational organization for noncommercial purposes. Community Event signs are allowed off premise but permission from the owner of the property where the sign will be located is required prior to issuance of a permit. Please provide a list of the locations of where any off premise signs will be located.

*May not be larger than 64 sq. ft. in size with a maximum height not to exceed 10 ft.

*An "inflatable sign" is a temporary ground mounted sign that is manufactured of plastic, cloth, canvas, or other light fabric, inflated with air and held upright, typically by mechanical means.

*The minimum setback from the road right of way shall be one and one-half (1-1/2) times the height of the sign.

Will your event generate any type of waste? *

☐ Yes ☒ No

Is this an ongoing or seasonal request? *

☐ Yes ☒ No

Will your event include pyrotechnics or fireworks? *

☐ Yes ☒ No

Notification

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event

- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Notification Acknowledgement*

☒ I have read and understand this requirement

Insurance

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will immediately terminate special event application or approval.

Insurance Documents

Security

As an event organizer, you are required to provide a safe and secure environment for your event. This is accomplished through pre-planning and anticipation of problems or concerns related to event activities.

Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Restrictions and Signature

Please be aware of the following restrictions:

- Fires are allowed in fireplaces or grills only.
- Dogs must be on leash in parks, with the exception of Baxter Dog Park.
- Dogs are prohibited in the grassy park area of Dierkes Lake Park.
- Alcohol is prohibited at Dierkes Lake Park, Sunway Soccer Fields, First Federal Park & St Luke's Shelter, Oregon Trail Youth Complex, and Sawtooth Softball Fields. Water slides, inflatable water features and dunk tanks are prohibited.
- Hours for amplified music are Mon—Fri 11am-9pm, Sat 8am-9:30pm, Sunday 12:15pm-8pm.

The following are prohibited in parks and on trails:

- Glass containers
- Soliciting
- Loitering and Boisterousness
- Discharging of fireworks and explosives
- Possessing intoxicating beverages where prohibited or be under the influence in any public space
- Throwing objects other than in designated areas
- Climbing trees
- Damaging, cutting, removing, or attaching anything to any trees or plants
- Digging or disturbing grass or natural landscape
- Walking or standing on monuments, fountains, railings, fences, or other features not designed for such use
- Disfiguring or removing any buildings or park amenities
- Endangering the safety of others
- Preventing any person from using any park or its facilities
- Violating park curfew of 11pm
- Hunting, trapping, or pursuing wildlife
- Polluting waters of any kind in parks
- Dumping or depositing trash other than in proper receptacles

1. The prior named Applicant/Organization, in consideration of its use of Twin Falls Parks and Recreation facilities, agrees to release, indemnify and defend the City of Twin Falls, and its agents, employees and representative, from any and all claims, demands or lawsuits arising out of the Applicant's/Organization's use of said facilities.
2. Groups, individuals and applicants further agree that they have received the City's policies, rules and regulations governing use of said facility and agree to be bound by the same.
3. Effect Of A Permit: A Twin Falls park permittee shall be bound by all park rules and regulations and all applicable ordinances as fully as though the same were inserted in said permit. The person or persons to whom a permit is issued shall be liable for any loss, damage or injuries sustained by any person or property by reason of the negligence of the person or persons to whom such permit shall have been issued. The director, or a duly authorized representative, shall have the authority to revoke a permit upon finding of violation of any rule or ordinance, or upon good cause. (Ord. 2735, 9-16-2002)

****Based on the details of your event, a parks use permit might be issued. By signing below, I agree that this permit may be revoked for reasons outlined above. I further agree that this permit will be revoked if it conflicts with any lawful order issued by a Federal, State, or local government agency, including orders issued in response to the COVID-19 pandemic.**

By signing this application, I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Signature *



Name *

Silvia Renova-Gaxiola

Date *

02/26/2025

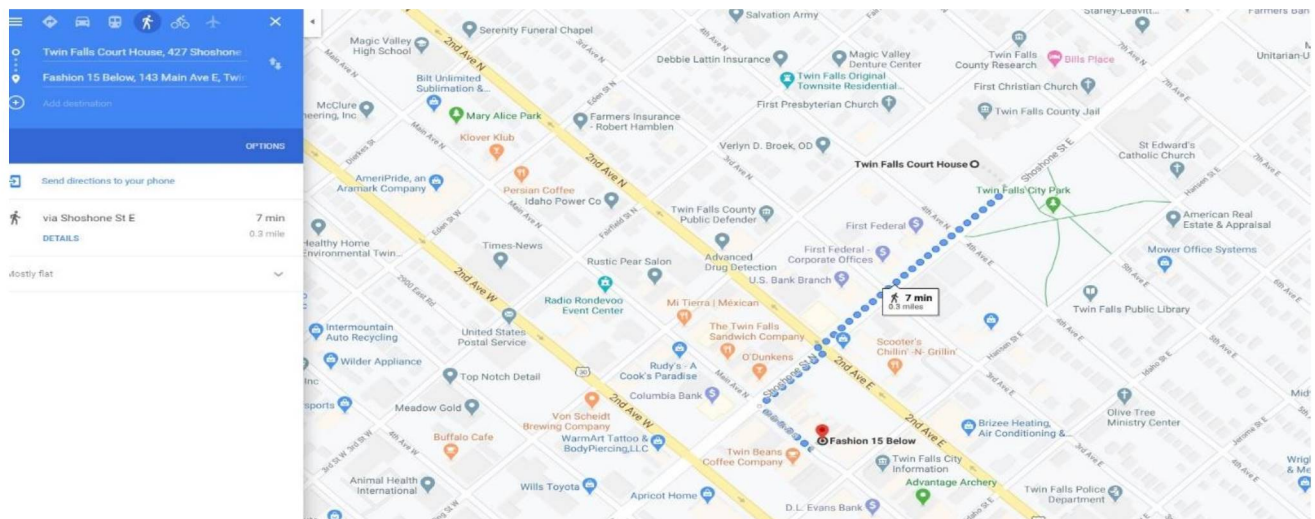
Strengthening Families to Prevent Child Abuse

* ***APRIL 5, 2025***

* ***Start at TF County Court House @ 11:00***

* ***Route:*** South on Shoshone St.—East on Main St.—Meet at Commons Area across from City Hall

***Come Join us and Rally for
KIDS!***





Council Agenda Information

Review

Streets



Streets Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Streets *

Engineering



Engineering Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Engineering *

Planning and Zoning



Planning and Zoning Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Planning and Zoning *

Electrical



Electrical Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Electrical *

Police



Police Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Police *

Fire



Fire Recommends *

- ☒ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Fire *

Parks



Parks Recommends *

- ☐ Permit this application as is.
- ☐ Permit this application with the following conditions/comments.
- ☐ Reject this application for the following reasons.

Comments, requests and requirements from Parks *

Event Coordinator

Charges/Fees

Row	Description	Cost	Quantity
1	Application Fee	\$25.00	1
2	Park Fees Paid - Invoice 216673	\$0.00	0

Total Due *

\$25.00

Special Event Departments *

Which departments should be asked to review this application?

Reviewer Name *

Stacy McClintock

Initial Questions**Will you be using a Park Facility (City Pool and Ballfields included), City Trail, or Downtown Commons/Main Street? ***☐ Yes ☒ No**Type of Event ***

Please select all that apply

- | | | |
|--|--|---|
| ☐ Car Show | ☐ Carnival/Fair | ☐ Dance |
| ☐ Concert/Performance | ☐ Exhibits/Miscellaneous | ☐ Festival |
| ☐ Parade | ☐ Picnic/Family Gathering | ☐ Pool Reservation |
| ☒ Run/Walk/Race | ☐ Special Attraction | ☐ Street Fair |
| ☐ Tournament (Sport Field/Court)
education/ awareness/ fundraising | ☒ Other | |

Estimated Number of Attendees *

150

50+ requires permission
250+ requires waste plan
500+ is a special event

Will there be amplified or unusual sound at your event? *☒ Yes ☐ No**Will your event impact or require any street closure? ***☐ Yes ☒ No**Will alcohol be sold or served publicly at your event? ***☐ Yes ☒ No**Will there be tents, canopies, or other temporary structures? (includes inflatables) ***☐ Yes ☒ No**Contact Information****Event Organizer****First Name ***

Noemi

Last Name *

Juarez

Onsite Contact

Event Information

Event Name *

Walk A mile in her shoes

Event Location (Park or Facility Requested)

Visitors Center/ Perinne Bridge area

Is this event indoors or outdoors? *

- ☐ Indoors
- ☒ Outdoors

Event Reoccurrence

- ☐ One Time Event
- ☐ Recurring over several weeks/months

Event Description *

Walk a mile in her shoes is an educational event where we collaborate with community and partners to bring awareness about sexual assault. We encourage community members to participate in this family friendly event to learn about SA and how we can come together for supporting survivors. There will be resources tabling to showcase their agency services, there will be a walk around the bridge and guest speakers. There will be one food vendor (pending).

Will email map and insurance to Stacy -2/3/25

Will be using CRT for a short distance from Visitor Center to Perrine Bridge.

Canyon Rim City Park Downtown Commons Sunway Soccer Park
Shoshone Falls Dierkes Harmon Park Thomsen Park Oregon Trail

Download this provided template and add your layout. Upload your completed layout below.

Event Map *

Set-up Time Start *

04/12/2025 10:00:00 AM

Set-up Time End *

04/12/2025 01:00:00 PM

Event Time Start *

04/12/2025 01:00:00 PM

Event Time End *

04/12/2025 03:00:00 PM

Take Down Time Start *

04/12/2025 03:00:00 PM

Take Down Time End *

04/12/2025 03:30:00 PM

Important, PLEASE READ: Full payment of all fees, map of event layout and liability insurance (if applicable) must accompany this completed application in order to request a reservation. Complete reservation requests are processed in the order in which they are received with annual events (3 years or more) given first consideration.

Permits, Licenses and Agreements

Will goods, services, food, or beverages be sold? *

☒ Yes ☐ No

*Food Concession and Commercial Activity Permit will be required
Handwashing stations may be required by Health Department
Agreement and fees may be required*

Will you have keg beer at your event? *

☐ Yes ☒ No

Will your event utilize signs, banners, flags, etc.? *

☒ Yes ☐ No

Definitions

*A "banner sign" is a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, with the only purpose of such nonrigid material being for background.

*A "sandwich board sign" is a temporary sign that is generally constructed in such a manner as to form an "A" like shape or is constructed with a base and single upward sign face, forming an upside down "T" but not permanently attached to the ground.

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*May not be larger than 64 sq. ft. in size with a maximum height not to exceed 10 ft.

*An "inflatable sign" is a temporary ground mounted sign that is manufactured of plastic, cloth, canvas, or other light fabric, inflated with air and held upright, typically by mechanical means.

*The minimum setback from the road right of way shall be one and one-half (1-1/2) times the height of the sign.

A sign permit may be required from the Planning and Zoning Department.

Will your event generate any type of waste? *

☐ Yes ☒ No

Is this an ongoing or seasonal request? *

☒ Yes ☐ No

Agreement, insurance, and fees may apply

Will your event include pyrotechnics or fireworks? *

☐ Yes ☒ No

Notification

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event
- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Notification Acknowledgement *

☒ I have read and understand this requirement

Insurance

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will immediately terminate special event application or approval.

Insurance Documents

Security

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Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Restrictions and Signature

By signing this application, I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I

further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Signature*

A handwritten signature in cursive script, reading "Noemi Suarez", is displayed within a light gray rectangular box.

Name*

Noemi Juarez

Date*

02/03/2025



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: William Klaver, Senior City Planner

ACTION ITEM

Request:

Request for approval of a Final Plat for Clubhouse 12 at the Preserve consisting of 16 lots on 8.26 (+/-) acres on property located at the northeast corner of Cheney Drive East and Clear Springs Loop c/o Jennifer Zung on behalf of mark Kelly. (PZ25-0030).

Time Estimate:

Consent Agenda Item

Background:

Mark Kelly, represented by Jennifer Zung of Harmony Design & Engineering, has submitted an application for a Final Plat for "Clubhouse 12". This final plat consists of sixteen (16) lots on 8.26 acres (+/-). This is part of the Preserve development.

Approval Process:

Per City Code 10-12-2-4

After the approval or conditional approval of the preliminary plat, the subdivide may cause the total parcel or any part thereof, to be surveyed and a final plat prepared in accordance with the approved preliminary plat. Upon the determination that the final plat is in compliance with the preliminary plat and all conditional requirements have been met, the administrator shall place the final plat on the council agenda at the next regular meeting.

The council shall approve, approve conditionally, disapprove or table the final plat for additional information. A copy of the approved plat shall be filed with the administrator. Upon granting or denying the final plat the council shall specify: Approval Period: Final plat shall be filed with the county recorded within two years after written approval by the council, otherwise such approval shall become null and void unless prior to said expiration date an extension of time is applied for by the subdivider and granted by the council. Only one extension may be granted by the council for a term of two years.

Budget Impact:

N/A

Regulatory Impact:

After a final plat is approved by the Council and construction plans approved, the final plat may be recorded, and lots sold for development. All general criteria for approval must be met per State Statute 50-Chapter 13 and shall be compatible with the Comprehensive Plan.

History:

N/A

Analysis:

N/A

Conclusion:

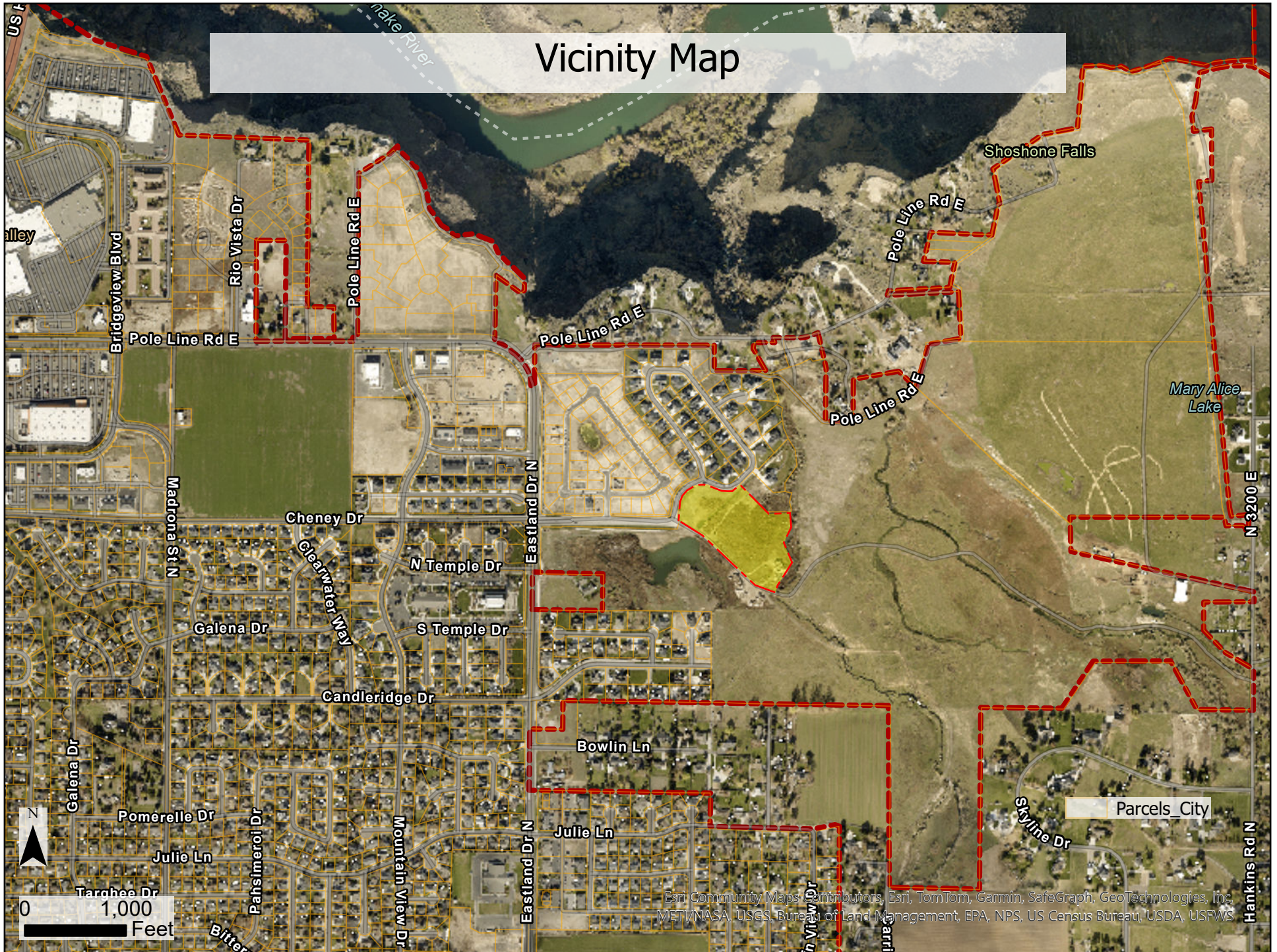
Staff recommends approval of this plat with the following condition:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards; and
2. Subject to submittal of a final plat, submitted prior to the signing of the final plat, showing compliance with all conditions and comments in Engineering Memorandum dated March 4, 2025.

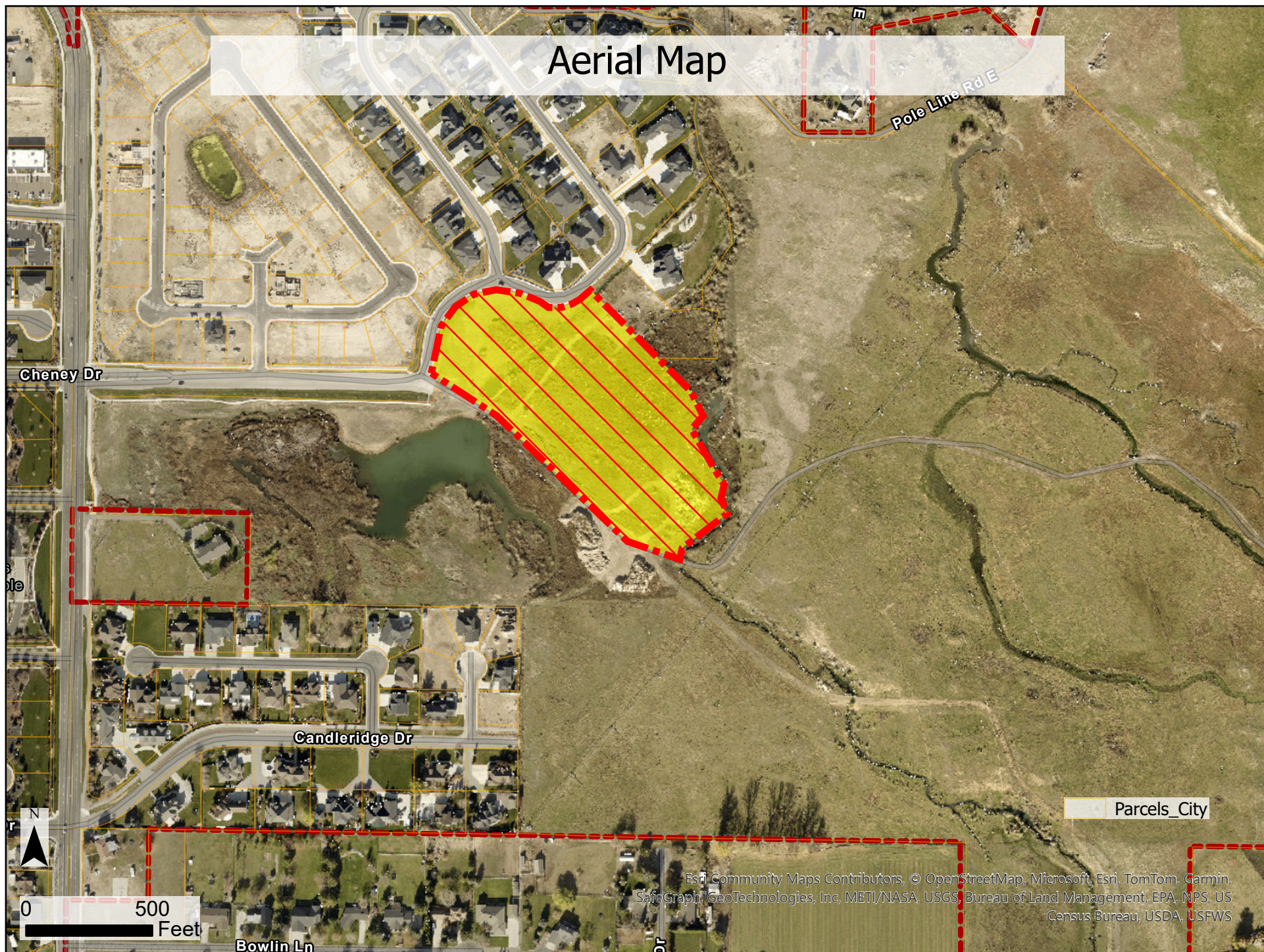
Attachments:

1. PZ25-0030 Vicinity Map
2. PZ25-0030 Aerial Map
3. PZ25-0030 Presentation Map
4. PZ25-0030 Engineering Memorandum 3.4.25

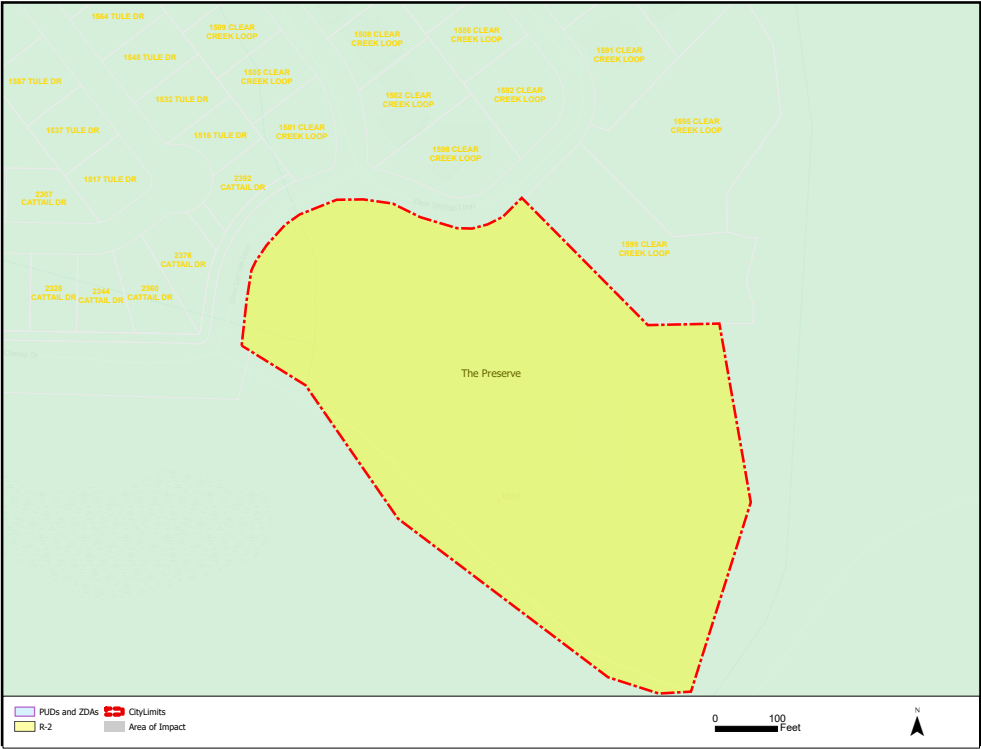
Vicinity Map



Aerial Map



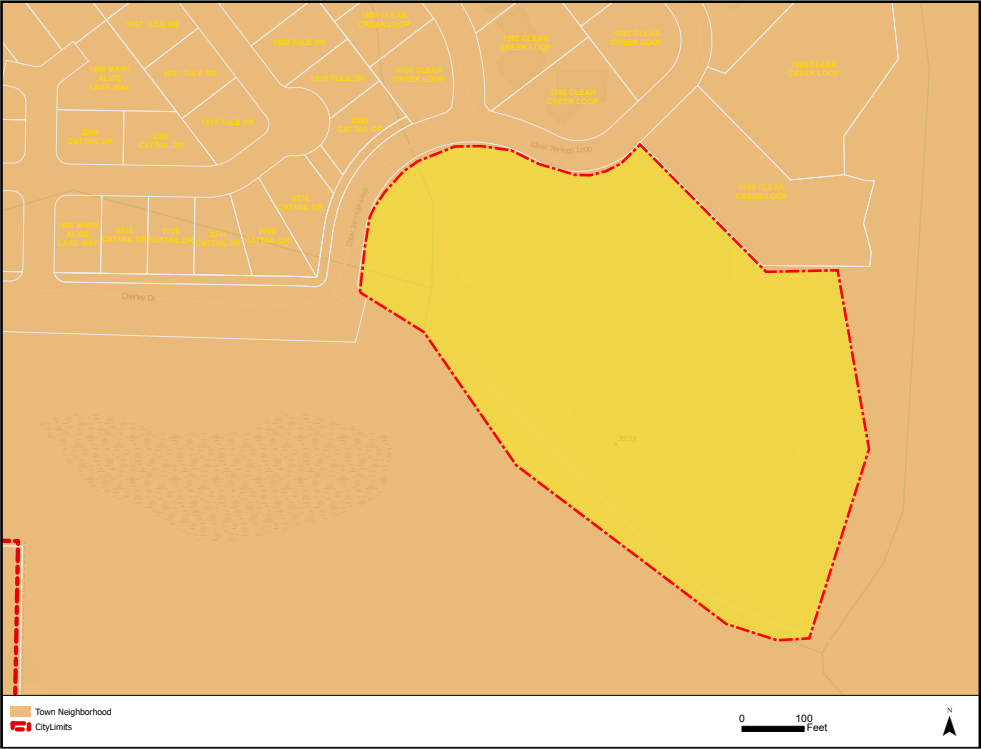
ZONING MAP



Zoning	
Current Zoning:	R-2 PUD
Current Land Use:	Undeveloped
Proposed Zoning:	R-2 PUD
Proposed Land Use:	Residential

Surrounding Area	
North:	Residential (R-2 PUD)
South:	Residential (R-2 PUD)
East:	Residential (R-2 PUD)
West:	Residential (R-2 PUD)

FUTURE LAND USE MAP



Regulations
Twin Falls Municipal Code Section(s) 10-12-2-4; 10-4-4; and 10-6-1

Future Land Use Category
Town Neighborhood: Primarily residential in character with a desired land use mixture of single family, duplex, triplex, parks and recreation facilities, schools, and civic facilities.



P.O. Box 1907

203 Main Avenue East

Twin Falls, Idaho 83303-1907

Fax: (208) 736-2293

ENGINEERING

208-735-7248

ENGINEERING MEMORANDUM

To: William Klaver, Senior Planner

From: Kristi Fehringer, Engineering Development Coordinator

Date: 3/4/2025

Re: Final Plat – **Clubhouse 12 at the Preserve, a PUD** – Application # 25-0030

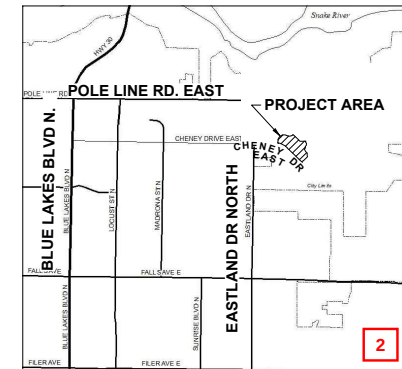
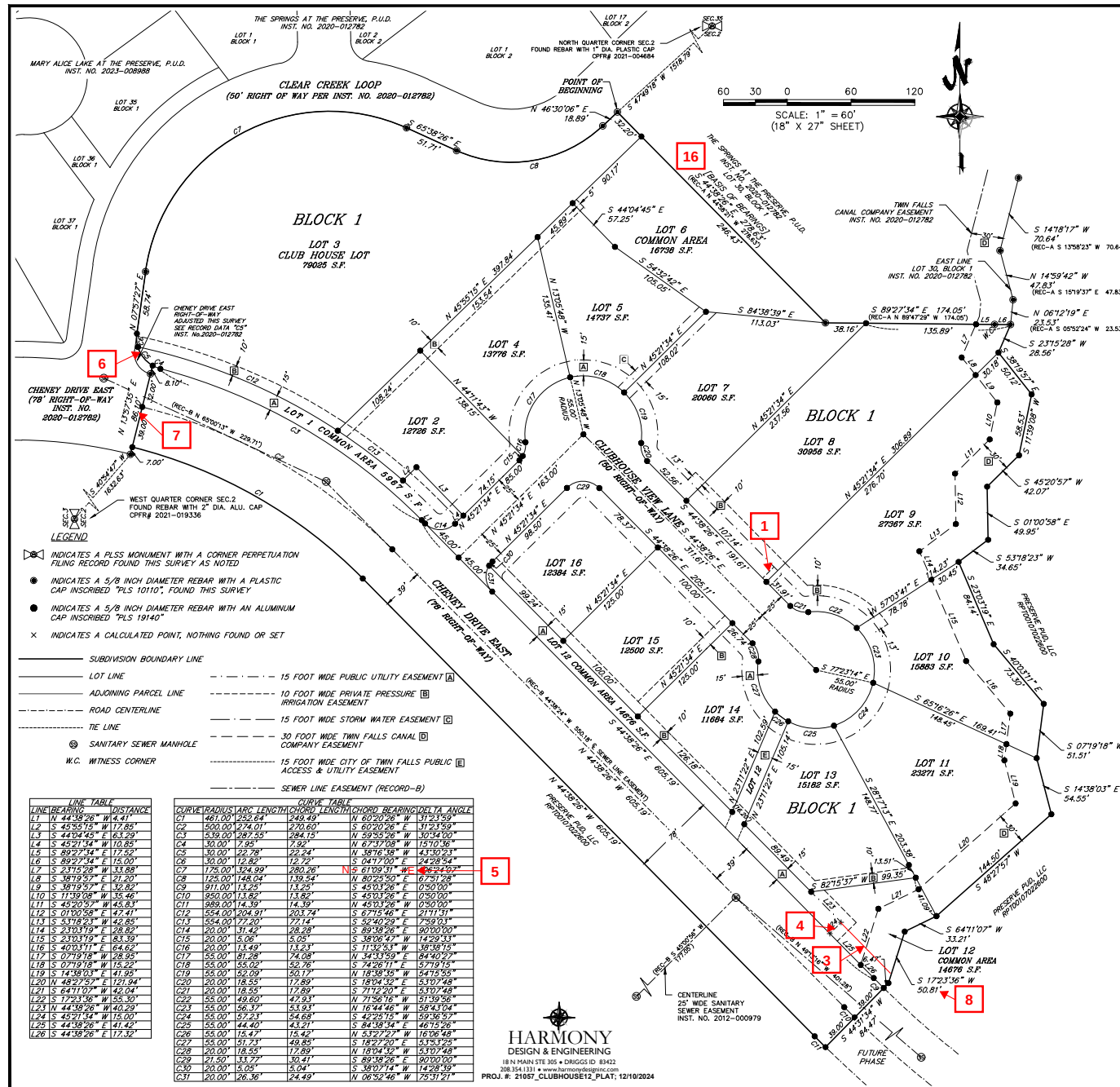
The Engineering Department has reviewed the Final Plat for Clubhouse 12 at the Preserve, a PUD. The following items shall be addressed prior to submittal of the Final Plat mylars for signatures. The Conditional Approval of this Final Plat is contingent on compliance with all applicable City Standards and City Code.

1. Please label this easement.
2. Please add a north arrow to the vicinity map.
3. The 15' public utility easement must be extended to the subdivision boundary. Please revise.
4. Please change the linetype to the "10' wide private pressure irrigation easement". Also, label and dimension this easement linework.
5. Bearing does not match the metes and bounds description in the Certificate of Owners on Sheet 2.
6. Please add a curve label and add curve data to the curve table. This curve data must be provided to correlate with the metes and bounds description in the Certificate of Owners on Sheet 2.
7. The boundary distance label does not match the Certificate of Owners on Sheet 2. Please revise the distance to 86.10 feet in the Certificate of Owners on Sheet 2. Also, please remove the call for the 8.10 feet in the Certificate of Owners on Sheet 2. The Certificate of Owners description should match the boundary labels on Sheet 1.
8. The line label on Sheet 1 is 50.81' and the call-out in the Certificate of Owners on Sheet 2 is 50.77 feet. Please revise the appropriate dimension.
9. Add the word "private" before the words Irrigation Well.
10. Please add the words "except Common Lots 1, 6, and 12".
11. Please change the year to 2025.
12. The Monument Certificate is shown on both sheets. Please remove from Sheet 2.
13. Is the wording "Mark and Kelly Kelly Trust" correct?

14. Please remove the words “Clerk and”, replace with the word “County”.
15. Please explain what these recordation numbers are referencing.
16. The previous subdivisions in this area (The Springs at The Preserve and Mary Alice Lake) used Eastland Drive North as their basis of bearing. The City Engineer is requesting that this subdivision be tied to Eastland Drive North as well. Please revise.
17. General Comment – Please submit a copy of the CC&Rs that will be applicable to this subdivision.

If you have any questions, please contact Kristi Fehringer at 735-7332 or email at kfehringer@tfid.org

Cc: Mark Kelly, Preserve PUD, LLC, mark@triumphgroup.co
Pete Whitehead, Preserve PUD, LLC, pete@triumphgroup.co
Jennifer Zung, Harmony Design & Engineering, jen.zung@harmonydesigninc.com



SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE A PREVIOUSLY UNPLATTED TRACT OF LAND, BEING A PORTION OF THAT TRACT CONVEYED AS PARCEL NUMBER 1 BY THAT NEED RECORDED AS INSTRUMENT NUMBER 2020100229 IN THE OFFICE OF THE CLERK AND RECORDER OF TWIN FALLS COUNTY, IDAHO.

ALL LOTS CONNECTED TO THE CITY OF TWIN FALLS SEWER SYSTEM.

ALL LOTS CONNECTED TO THE CITY OF TWIN FALLS WATER SYSTEM.

ALL LOTS SHALL HAVE ACCESS FROM RESIDENTIAL STREETS ONLY, NO LOTS SHALL HAVE ACCESS TO CHENEY DRIVE EAST OR CLEAR CREEK LOOP.

THE BASIS OF BEARINGS FOR THIS SURVEY IS REFERENCED TO A DIRECT GPS MEASUREMENT AND IS CONSIDERED GEODETIC (GEODETIC NORTH USING NAD83/2011/LEPCH02010000), RESULTING IN THE BEARING OF S 44°58'26" E ALONG THE SOUTHWESTERLY LINE OF LOT 30, BLOCK 1 OF THE SPRINGS AT THE PRESERVE, P.L.D., FILED AT THE OFFICE OF THE CLERK AND RECORDER OF TWIN FALLS COUNTY, IDAHO AS INSTRUMENT NUMBER 2020-012782, AS SHOWN HEREON.

RECORD INFORMATION IS REFERENCED TO "THE SPRINGS AT THE PRESERVE, A P.L.D." AS RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF TWIN FALLS COUNTY, IDAHO AS INSTRUMENT (REC-A #2020-012782), #2023-000988 (REC-B #2012-000919).

CURRENT ZONING - TWIN FALLS CITY CODE: TITLE 10-4-A-4; R2, RESIDENTIAL SINGLE HOUSEHOLD OR CULDEY DISTRICT.

EASEMENTS OF SIGHT AND RECORD NOT SHOWN HEREON MAY EXIST.



HEALTH DEPARTMENT CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13, HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF SANITARY RESTRICTIONS. BUYER IS CAUTIONED AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH THE APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE RE-IMPOSED. IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

DISTRICT HEALTH DEPARTMENT, EHS DATE

MONUMENT CERTIFICATE

MONUMENTS AS SHOWN HEREON INSCRIBED "PLS 19140" WILL BE SET IN ACCORDANCE WITH SECTION 50-1333 IDAHO CODE, ON OR BEFORE 1 YEAR AFTER THE RECORDATION OF THE FINAL PLAT OR AS DETERMINED BY THE CITY OF TWIN FALLS.

FINAL PLAT
CLUBHOUSE 12 AT THE PRESERVE
A PLANNED UNIT DEVELOPMENT
Located within a portion of Gov't Lots 3 & 4
and the Northwest Quarter of Section 2
T. 10 S., R. 17 E., BOISE MERIDIAN,
CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO
2024
SHEET 1 OF 2

HARMONY
DESIGN & ENGINEERING
18 N MAIN STE 305 • DRIGGS ID 83422
808.354.1301 • www.harmonydesigneng.com
PROJ. #: 21057_CLUBHOUSE12_PLAT; 12/10/2024

CERTIFICATE OF OWNERS

The undersigned owners and proprietors hereby certify that the foregoing subdivision, being a portion of that tract conveyed as Parcel Number 1 by that deed recorded as instrument number 2021008719 in the Office of the County and Recorder of Twin Falls County, Idaho, as illustrated and described hereon is with the free consent and in accordance with our desires;

THAT the name of the subdivision shall be the CLUBHOUSE 12 AT THE PRESERVE PLANNED UNIT DEVELOPMENT;
THAT this planned unit development is subject to the Declaration of Covenants, Conditions and Restrictions as recorded in accordance with the plat;
THAT this planned unit development is subject to any other easements, restrictions, reservations, rights-of-way, and conditions of sight and/or record including, but not limited to those shown hereon;
THAT access to Clubhouse View Lane within this Planned Unit Development shall be from the Cheney Drive East Right-Of-Way, as platted this survey, and as illustrated on Plat number 2020-012787;
THAT the extension of Cheney Drive East and Clubhouse View Lane within this Planned Unit Development is hereby dedicated to the City of Twin Falls as public Rights-Of-Way;
THAT pursuant to Idaho Code 50-1334, the Lots shown hereon will be eligible to receive water service from the City of Twin Falls municipal water;
THAT pursuant to Idaho Code 31-3802, that the irrigation water rights appurtenant and the assessment obligation of the lands in the plat have not been transferred from said lands and that a satisfactory irrigation water delivery system has been provided. Lots within the planned unit development will be entitled to water rights and will be obligated for assessments from the Twin Falls Canal Company;
THAT Lot 1, Lot 3, Lot 6, and Lot 12 of Block 1 are designated as Common Areas. Lot 1 of Block 1, as shown hereon, shall be used primarily as the Irrigation Well Lot. Lot 6 and Lot 12 of Block 1 shall be used primarily as storm-water retention areas. Lot 3 shall be used as the Clubhouse Lot;
THAT said Common Areas are maintained by and dedicated to the Homeowners Association as defined in the Declaration of Covenants, Conditions and Restrictions as recorded in accordance with the plat;
THAT the easements indicated on this plat are not dedicated to the public, but the rights to use said easements are hereby perpetually reserved for public utilities and such other uses designated on this plat. No structures are to be erected within the lines of said easements;
THAT this Plat represents a Planned Unit Development of the following described parcel of land;

A tract of land lying within a portion of the North-Half of Section 2, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, said tract being more particularly described by metes and bounds as follows:

COMMENCING at the North Quarter Corner of said Section 2, being as described on that Corner Record recorded as instrument number 2021-004684 in the Office of the Clerk and Recorder of Twin Falls County, Idaho;
THENCE S 47°49'18" W, 1518.79 feet, to the southwestern corner of Lot 30 of The Springs At The Preserve, a Planned Unit Development, recorded as instrument number 2020-012787 in said office, said corner being the POINT OF BEGINNING, marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE S 44°38'26" E, 278.63 feet, along the southerly line of said Lot 30, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE S 89°27'34" E, 174.05 feet, along said southerly line, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE S 2°15'28" W, 26.56 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 38°19'57" E, 50.12 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 11°39'08" W, 58.53 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 45°20'57" W, 42.07 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 01°00'58" E, 49.95 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 5°18'23" W, 34.65 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 2°30'19" E, 84.14 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 40°31'11" E, 73.30 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 07°19'18" W, 51.51 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 14°38'03" E, 54.55 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 48°27'57" W, 144.50 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 64°11'07" W, 33.21 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 12°31'36" W, 50.77 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE S 44°31'34" W, 84.47 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE with a curve turning to the right with an arc length of 14.39 feet, with a radius of 989.00 feet, with a chord bearing of N 45°32'26" W, with a chord length of 14.39 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE N 44°38'26" W, 605.19 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE with a curve turning to the left with an arc length of 252.64 feet, with a radius of 461.00 feet, with a chord bearing of N 60°20'26" W, with a chord length of 249.49 feet, to a point of intersection with the easterly Right-Of-Way line of Cheney Drive East as illustrated on said instrument number 2020-012787, said point being marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE N 13°57'35" E, 790.00 feet, along said Right-Of-Way to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE continuing along said Right-Of-Way, N 13°57'35" E, 0.10 feet, to a point marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE continuing along said Right-Of-Way, with a curve turning to the right with an arc length of 35.60 feet, with a radius of 30.00 feet, with a chord bearing of N 26°22'11" W, with a chord length of 33.55 feet, to a point of intersection with the easterly Right-Of-Way line of Clear Creek Loop as illustrated on said instrument number 2020-012787, said point being marked by a 5/8 inch diameter rebar with a 1-1/2 inch diameter aluminum cap inscribed "PLS 19140";
THENCE continuing along said Right-Of-Way, N 07°57'27" E, 58.74 feet, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE continuing along said Right-Of-Way, with a curve turning to the right with an arc length of 324.98 feet, with a radius of 175.00 feet, with a chord bearing of N 61°09'31" E, with a chord length of 280.26 feet, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE continuing along said Right-Of-Way, S 65°38'26" E, 51.71 feet, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE continuing along said Right-Of-Way, with a curve turning to the left with an arc length of 148.04 feet, with a radius of 125.00 feet, with a chord bearing of N 80°28'30" E, with a chord length of 139.54 feet, to a point marked by a 5/8 inch diameter rebar with a plastic cap inscribed "LS 10110";
THENCE continuing along said Right-Of-Way, N 46°30'06" E, 18.89 feet, to the POINT OF BEGINNING;

Said tract encompasses 9.905 acres, more or less.

TOGETHER WITH AND SUBJECT TO those easements of record as shown on The Springs At The Preserve, a Planned Unit Development, recorded as instrument number 2020-012787 in the Office of the Clerk and Recorder of Twin Falls County, Idaho.

Preserve PUD, LLC, an Idaho Limited Liability Company
By: Mark and Kelly Kelly Trust dated December 18, 1997, Managing Member

By: Mark D. Kelly, Co-Trustee, Date

ACKNOWLEDGEMENT

STATE OF IDAHO))
COUNTY OF TWIN FALLS)

On this ____ day of ____, 20____, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark D. Kelly known or identified to me to be the person whose name is subscribed to the within instrument, as Co-Trustee of The Mark and Kelly Kelly Trust dated December 18, 1997, said Trust known to me to be a Managing Member of Preserve PUD, LLC, the limited liability company that executed the within instrument and acknowledged to me that he executed the same as Co-Trustee and that such Trust executed it as a Managing Member of the limited liability company and that said limited liability company executed it.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Signature of Notary

Name (printed)

Residing at:
My commission expires:

COUNTY TREASURER CERTIFICATE

I, _____, COUNTY TREASURER IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO PER THE REQUIREMENTS OF IDAHO CODE 50-1308, DO HEREBY CERTIFY THAT ALL COUNTY PROPERTY TAXES DUE FOR THE PROPERTY INCLUDED IN THIS PLAT HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY DAYS ONLY.

COUNTY TREASURER DATE

APPROVAL OF CITY COUNCIL

THIS PLAT WAS ACCEPTED AND APPROVED BY THE CITY COUNCIL OF TWIN FALLS, IDAHO AT THEIR MEETING ON THIS ____ DAY OF ____, 20____.

MAYOR DATE CITY CLERK, DEPUTY DATE

APPROVAL OF CITY ENGINEER

I HAVE REVIEWED THE ACCOMPANYING PLAT AND HEREBY CERTIFY THAT IT CONFORMS WITH THE APPLICABLE ORDINANCES OF THE CITY OF TWIN FALLS, IDAHO.

CITY ENGINEER DATE ATTEST DATE

COUNTY SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYOR FOR TWIN FALLS COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND THAT IT COMPLIES WITH THE STATE OF IDAHO CODE RELATED TO PLATS AND SURVEYS.

COUNTY SURVEYOR DATE

ACKNOWLEDGEMENT

ON THIS ____ DAY OF ____, 20____, AT _____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED GEORGE A. VERNON, PERSONALLY KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE CERTIFICATE AND ACKNOWLEDGE TO ME THAT HE EXECUTED THE SAME.

SIGNATURE OF NOTARY RESIDING AT:
MY COMMISSION EXPIRES:

COUNTY RECORDER'S CERTIFICATE

INSTRUMENT NO. _____

STATE OF IDAHO))

COUNTY OF TWIN FALLS)

ON THIS ____ DAY OF ____, 20____, AT _____, THE FOREGOING PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF TWIN FALLS COUNTY, IDAHO AND DULY RECORDED IN PLAT BOOK _____, ON PAGE _____.

DEPUTY EX-OFFICIO RECORDER

SURVEYOR'S CERTIFICATE

I, PATRICK W. GILROY, HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY PERFORMED UNDER MY DIRECTION DURING THE MONTHS OF APRIL 2021 THROUGH DECEMBER, 2024, AND FROM RECORDS ON FILE WITH THE OFFICE OF THE CLERK AND RECORDER, TWIN FALLS COUNTY, IDAHO, AND THAT THIS PLAT REPRESENTS CLUBHOUSE 12, A PLANNED UNIT DEVELOPMENT OF THE PARCEL OF LAND DESCRIBED HEREON, AND THAT THIS PLAT CORRECTLY REPRESENTS THE POINTS AND CORNERS FOUND AT THE TIME OF SAID SURVEY AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

PATRICK W. GILROY
IDAHO PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 19140
DATED THIS ____ IN DAY OF ____, 20____.

MONUMENT CERTIFICATE

THE INTERIOR MONUMENTS OF THIS PLAT SHOWN AS "TO BE SET" WILL BE SET IN ACCORDANCE WITH SECTION 50-1333 IDAHO CODE, ON OR BEFORE 1 YEAR AFTER THE RECORRATION OF THE FINAL PLAT OR AS DETERMINED BY THE CITY OF TWIN FALLS.



FINAL PLAT
CLUBHOUSE 12 AT THE PRESERVE
A PLANNED UNIT DEVELOPMENT
Located within a portion of Gov't Lots 3 & 4
and the Northwest Quarter of Section 2
T. 10 S., R. 17 E., BOISE MERIDIAN,
CITY OF TWIN FALLS, TWIN FALLS COUNTY, IDAHO



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

ACTION ITEM

Request:

Request to confirm the City Manager's appointment of Mitchell Brooks II to the position of Fire Chief for the City of Twin Falls. Upon confirmation, Mayor Pierce will issue the Oath of Office.

Time Estimate:

10 minutes

Background:

Mitchell Brooks has built a distinguished career within the fire department, accumulating a wealth of experience that showcases his accomplishments and leadership qualities, indicating his readiness to transition into the role of Fire Chief.

In his current position as Deputy Fire Chief since December 2022, Brooks has adeptly managed strategic departmental operations, covering fire suppression, emergency medical services, and disaster response. His initiative to develop operational policies and conduct post-incident analysis has significantly enhanced departmental performance. Brooks has worked to establish robust collaborations with other public safety agencies, notably through the implementation of regional communication meetings that have strengthened inter-agency coordination and resource sharing. Through collaboration with the Sheriff's Office, Brooks has successfully acquired shared assets to improve responses in our local challenging canyon terrain. His participation in implementing a Fleet Management Plan underscores his capability to secure substantial financial investments for the department. Moreover, Brooks has worked closely with the Twin Falls and Southern Idaho Regional Communication Centers to integrate technology that boosts response efficiency.

Previously, Brooks served as Battalion Chief from June 2015 to December 2022, where he led a shift of firefighters, ensuring safety and operational readiness. His command in numerous fire incidents spotlighted his strategic decision-making abilities, particularly in significant firefighting scenarios. One of Brooks's notable contributions was developing an Operational Manual that streamlined and standardized field operations. His involvement in cross-departmental projects improved incident response efficiency through the implementation of CAD and RMS software, and his emphasis on mental health protection has effectively reduced firefighter exposure to stress-inducing scenarios.

Brooks's dedication to leadership development is further demonstrated by his participation in LEAD training at the University of Virginia, his active involvement in the Executive Management Team, his continuous engagement in leadership training, and his membership in the Idaho Fire Chief's Association. His journey through these key positions highlights his adeptness in strategic operations management, inter-agency collaboration, and personnel development—core competencies necessary for the role of Fire Chief.

Approval Process:

The approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Budget Impact:

The position of Fire Chief is included in the fiscal 2025 year.

Regulatory Impact:

Idaho Code Section 50-811, City Manager – Duties, states: shall “make the appointment of all department heads, subject to such civil service regulations as may relate thereto.”

Twin Falls Municipal Code Section 1-2-3 – CITY MANAGER – states, "The city council and its members shall deal with the administrative services of the city only through the city manager, except for the purpose of inquiry, and neither the city council nor any member thereof shall give orders to any subordinates of the city manager. It shall be the responsibility of the city council and its members to aid and assist in an advisory capacity any department head, individually or collectively, on any phase of policy and/or public relations, such association not to conflict with the administrative duties of the city manager." (Ord. 3106, 10-5-2015)

Twin Falls Municipal Code Section 1-2-4 defines department heads as the deputy city managers, chief financial officer, police chief, fire chief, city engineer, public works director, and human resource director. (Ord. 3106, 10-5-2015)

Idaho Code Title 59-401 Public Officers Oath of Office. Loyalty oath — Form. Before any officer elected or appointed to fill any office created by the laws of the state of Idaho enters upon the duties of his office, he must take and subscribe an oath, to be known as the official oath.

History:

NA

Analysis:

NA

Conclusion:

Based on Mitchell Brooks' extensive career and proven leadership abilities within the fire department, I submit his appointment for the position of Fire Chief and strongly recommend confirmation by the City Council. Mr. Brooks has consistently demonstrated exceptional management skills, strategic operations oversight, and collaborative initiatives with other public safety agencies. His dedication to continuous professional development through leadership training and active participation in executive management further underscores his capability to lead the department effectively. Approving his appointment will ensure capable and visionary leadership for the City of Twin Falls Fire Department.

Attachments:

1. Brooks, M Resume 2025
2. Oath of Office - Brooks Mitchell

Mitchell W. Brooks II

Leadership Skills

Team Building
Conflict Resolution
Customer Relations
Analytical Mindset
Workforce Engagement

Employee Training and Development
Effective Communication
Program Leadership
Safety Management
Long-term Strategy Development

Professional Experience

City of Twin Falls, Idaho

A municipality consisting of 352 employees providing a full complement of services to a community of 55,000+.

Deputy Fire Chief, December 2022 – Current

As the Deputy Fire Chief, I oversee the strategic management and execution of all fire department operations. This role involves directing and coordinating fire suppression, emergency medical services, and disaster response activities to ensure public safety and effective incident management. I am tasked with developing operational policies, conducting post-incident analyses to improve performance and ensuring compliance with safety regulations. Additionally, my position requires close collaboration with other public safety agencies, continuous training of firefighting personnel, and efficient resource management to enhance emergency response capabilities in the City of Twin Falls. I have worked closely with Chief Kenworthy and city administration to increase my knowledge of city governance and budget responsibilities.

Key Results:

- Created a strong working relationship with City officials in all departments. Most notable are city administrators and city council members.
- Built a professional network with local and state fire officials, EMS leaders, and business executives.
- Organized and conduct bi-monthly regional communication meetings with internal and external leaders. Having this process has allowed us to communicate more effectively and to share resources and reduce duplication of equipment.
- Partnered with the Sheriff's Office to acquire a shared asset (boat) to aid in our responses on the Snake River. Accomplishing this, now allows firefighters and medics to use a boat to travel by water versus carrying heavy equipment over land to remote areas.
- I currently participate on a team that developed and implemented a Fleet Management and Replacement Plan. This plan projects a 15-year funding plan for the rolling stock of the organization. City Council invested over 2M in equipment in the plan's initial year.
- I am currently working with both Twin Falls Communication Center (TWINCOMM) and Southern Idaho Regional Communication Center (SIRCOMM) to connect both CAD systems through an interface from the vendor. This will allow us to create more efficient response plans which will help with resource management.

Battalion Chief, June 2015 – December 2022 (7 years)

In my role as Battalion Chief, I was responsible for leading a shift of firefighters, ensuring they were adequately trained and equipped to perform their duties. My primary goal was to maintain the safety and well-being of my team to ensure they all returned home safely. I greatly valued working alongside my team during calls for service and took immense pride in witnessing their achievements. My leadership included serving in the incident command role for thousands of service calls, with notable experiences such as managing the Ford Storage Fire on New Year's Day and the Radio Rondevo Fire.

Key Results:

- Developed an Operational Manual to ensure clear and consistent field operations for our firefighters.
- Helped chose and implement a new CAD software package that allowed police and fire operations to run more efficiently.
- Implemented a new report management system (RMS) that made reporting easier and provided more abilities to use data to drive operational decisions.
- Worked with the Coroner's office and Mortuaries to limit our firefighter's exposure to postmortem events. This was in direct alignment with our goal to protect the mental health of our firefighters.
- I was responsible for overseeing and coordinating all aspects of fire response operations, making strategic decisions, managing resources, and ensuring the safety of personnel and the public throughout incidents.
- I actively mentored and guided the Captains on my shift, providing them with the necessary leadership development and training opportunities to prepare them for advancement to the role of Battalion Chief. This involved assessing their strengths and areas for growth, implementing tailored professional development plans, and offering consistent support and feedback during daily operations and emergency responses. I facilitated team-building exercises and encouraged the Captains to assume greater responsibilities, such as leading incident debriefings and participating in strategic planning sessions, to enhance their decision-making and command capabilities. By fostering an environment of continuous learning and collaboration, I ensured that each Captain was well-equipped with the skills and confidence required to succeed in their future leadership roles.

Captain, January 2009 – June 2015 (6 years, 6 months)

As a fire Captain, I served as a leader within our fire department, overseeing the daily operations of my assigned station. Responsibilities included managing and supervising the activities of firefighters during shifts, ensuring personnel are properly trained and equipped, and maintaining readiness for emergency response. The Captain leads firefighting efforts on the scene, making critical decisions, often serving as the incident commander during smaller incidents, and supporting higher command in larger incidents. I was responsible for station administration, including scheduling, and equipment maintenance, and played a vital role in community engagement and public safety education. The role required strong leadership, communication, and decision-making skills to ensure both operational effectiveness and the safety of my team.

Key Results:

- Served in the role of Training Officer on my days off.
- Assisted the command staff with department projects and community initiatives.

Driver Operator, January 2003 – January 2009 (6 years)

As a Driver Operator in the fire department, I was responsible for operating fire apparatus, including engines, aerial ladders, and other emergency vehicles. I ensured these vehicles were maintained in a state of readiness, conducting regular inspections and performing basic maintenance to ensure equipment reliability. During emergencies, efficiently navigated routes to incident sites, adhering to safety protocols and traffic regulations. Upon arrival, I managed the deployment and operation of pumps, ensuring an adequate water supply to firefighters and adjusting pressure settings as needed. Beyond equipment operation, I maintained thorough knowledge of department protocols and participate in training exercises to enhance readiness and continue my professional development within the Twin Falls Fire Department.

Key Results:

- Instructed multiple Driver Academies, training aspiring Driver Operators.

Firefighter, November 1999 – January 2003 (3 years 2 months)

As a firefighter, my primary responsibility was responding to emergency calls, which included fire suppression, rescue operations, and providing emergency medical services. I worked as part of a coordinated team to control and extinguish fires, conduct search and rescue operations, and ensure public safety. As a firefighter, I also engaged in regular training, maintain equipment readiness, and participated in fire prevention and safety education programs in the community. My role required physical readiness, quick decision-making, and a commitment to upholding departmental protocols to protect lives and property effectively.

Key Results:

- Learned the basics of firefighting and started my leadership journey as an informal leader.

Education & Certifications

Leadership:

- LEAD (Leading, Educating and Developing), University of Virginia, February 2020
- Chamber of Commerce – Adult Leadership, September 2024 – Current
- Executive Management Team, December 2022 - Current

Grand Canyon University

Bachelor of Science – Applied Management, May 2024

A Bachelor of Science degree in Applied Management at Grand Canyon University is designed to prepare students for leadership roles across various industries by providing a solid foundation in management principles. The program covers key areas such as organizational behavior, strategic management, project management, marketing, and finance. Students learn to apply theoretical concepts to real-world business challenges, enhancing their problem-solving, decision-making, and leadership skills. The degree emphasizes practical applications and ethical considerations, equipping graduates to manage and lead teams effectively in diverse organizational settings. Students emerge prepared to pursue careers in management positions or to further their education with advanced degrees.

College of Southern Idaho

Associate – Drafting Technology, May 1995

A Drafting Technology degree focuses on equipping students with the technical skills necessary to produce detailed drawings and plans used in the construction, engineering, and manufacturing industries. The curriculum typically includes courses in computer-aided design (CAD), engineering graphics, materials technology, and blueprint reading. Students learn to create precise architectural and mechanical drawings, develop expertise in 3D modeling, and apply industry-specific software tools. This degree prepares graduates to work as drafters, designers, or CAD technicians, collaborating closely with engineers, architects, and construction professionals to transform concepts into technical plans and schematics.

Organizations

Idaho Fire Chief's Association, February 2021 - current

Volunteer

Coached youth sports – 2005-2015



P.O. Box 1907
203 Main Ave. E
Twin Falls, ID 83303-1907

OATH OF OFFICE

I, Mitchell W. Brooks II, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Fire Chief, of the City of Twin Falls, according to the best of my ability.

Mitchell W. Brooks II

Date: March 31, 2025



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: Jonathan Spendlove, P&Z Director

ACTION ITEM

Request:

To confirm the appointment of Rui Gomes, and reappointment of Todd Rambur and Kelly Herrgesell, to the Planning and Zoning Commission.

Time Estimate:

Approximately five (5) minutes.

Background:

After fulfilling a full 3-year term, Todd Rambur has requested to be re-appointed for his second term. Todd has been an active member of the commission, and offers insights from his experience living in Twin Falls for many years, and running a medical clinic business.

Kelly Herrgesell is finishing a partial term of 1 year and is willing to continue to volunteer for a full 3-year term. Her experience in working for large companies in the area, focusing on community relationships, gives her a unique perspective on many of the decisions the commission makes.

In January we had received word that one of our commissioners would be moving out of the area. We had published a request for volunteers during the month of December and January, receiving a handful of applicants. Mayor Ruth Pierce, PZ Commission Vice Chair Cortney Campbell, and PZ Director Jonathan Spendlove reviewed the applications and conducted interviews.

The interview panel found Rui Gomes to be knowledgeable about development, and as a longtime member of the community with historical background information, he would be an excellent choice to fill the future vacant position. His profession is a Project Manager for Goffin Homes. His interest in development and regulations will bring a new perspective to the Planning Commission.

Approval Process:

A simple majority vote of the Council is needed to approve this request.

Budget Impact:

N/A

Regulatory Impact:

Approval of this request will fill the vacant Planning and Zoning Commission seat, and keep the Commission fully appointed.

History:

N/A

Analysis:

N/A

Conclusion:

The Council is tasked with making a decision on the Mayoral appointment of Rui Gomes to the Planning and Zoning Commission to begin his first 3 year term; and reappointment of Todd Rambur and Kelly Herrgesell to their respective seats.

Attachments:

None



Date: Monday, March 31, 2025

To: Honorable Mayor and City Council

From: Wendy Davis, Parks and Recreation Director, Parks and Recreation Director

ACTION ITEM

Request:

Consider a Request to Confirm the Mayor's appointment of Steve Hayes and reappointment of Deb Van Engelen to serve on the Parks and Recreation Commission.

Time Estimate:

Allow approximately 5 minutes

Background:

City Code 2-4-3 Membership: states: "There shall be nine (9) voting members of the Parks and Recreation Commission to be appointed by the Mayor and confirmed by members of the City Council".

It has been the City's policy to conduct interviews when vacancies occurred due to resignation, terms not being renewed or members serving their full terms.

Deb Van Engelen is completing her first three year term on the commission and has agreed to serve another term.

Parks and Recreation Commissioner Kirk Melton served the allowed two consecutive terms. Because there was a recent opening and interviews of very qualified candidates, staff contacted Steve Hayes, who was recently interviewed for the Commission vacancy by Councilwoman and Parks and Recreation Commission liaison Cherie Vollmer and Parks and Recreation Director Wendy Davis. The committee evaluated the composition of the Commission and recommended Mayor Pierce appoint Steve Hayes to fill the vacancy based on his extensive background in youth sports, adding depth to the Commission membership. Mayor Pierce is recommending that the Council confirm her recommendation to appoint Steve Hayes, and to reappoint Deb Van Engelen each to serve a three year term beginning April 2025 and expiring in March of 2028.

Approval Process:

A majority vote by the City Council is needed to approve this request.

Budget Impact:

There is no budgetary impact associated with this request.

Regulatory Impact:

Confirmation of the Mayor's recommendation will appoint Steve Hayes and reappoint Deb Van Engelen to serve a three year term on the Parks and Recreation Commission.

History:

N/A

Analysis:

N/A

Conclusion:

A back ground check has been successfully completed and Mayor Pierce recommends approval of this request.

Attachments:

None



Date: Monday, March 31, 2025

To: Honorable Mayor and City Council

From: Wendy Davis, Parks and Recreation Director, Parks and Recreation Director

PRESENTATION

Request:

Recognize Kirk Melton for his service on the Parks and Recreation Commission

Time Estimate:

Allow approximately 5 minutes for introduction and presentation of plaque.

Background:

Kirk Melton joined the Parks and Recreation Commission in April of 2019, and dedicated six years to the Commission. Kirk brought with him a connection to the pool, it's programs and the inherent challenges of balancing all the different interest groups. Additionally, Kirk's professional experience as a civil law attorney proved invaluable as the Commission wrestled with updating the language in the City's Donation Policy as well as navigating difficult tree removal requests. Kirk served as the chairperson of the Commission for three years and attended every Arbor Day bringing his family and shovels, as well as all open houses and relevant Council meetings. Heartfelt thanks to Kirk for his dedication, leadership and service. We will miss him!

Approval Process:

N/A

Budget Impact:

N/A

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

None



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: Lou Coronado

ACTION ITEM

Request:

Request City Council to approve the Special Event Permit for the organizers of the Cirque Italia Circus event.

****This is being entered as an action item under Items of Consideration due to the event organizer requesting to attend the meeting via Microsoft Teams.****

Time Estimate:

Staff requests this item be listed as an action item on the upcoming City Council agenda.

Background:

Manuel Rebecchi, representing Cirque Entertainment III, LLC, has submitted a special event application to hold the Cirque Italia Circus Acts from Friday, April 25th, through Monday, April 28th, 2024. The event will take place in the Magic Valley Mall parking lot, in front of the old Shopko building, from 6:00 p.m. to 11:00 p.m. nightly.

The specific dates and times for the circus are as follows:

- **Friday, April 25th:** 7:30 p.m.
- **Saturday, April 26th:** 1:30 p.m., 4:30 p.m., and 7:30 p.m.
- **Sunday, April 27th:** 1:30 p.m. and 4:30 p.m.
- **Monday, April 28th:** 7:30 p.m.

The event will feature a temporary acrobatic theatrical Cirque-style circus show under a tent:

- **Tent #1:** Entrance tent, 42 x 110 ft
- **Tent #2:** Main tent, 131 ft round

Additional details include:

- No animals, alcohol, open fires, pyrotechnics, rides, or games.
- All required permits have been secured.
- A High Wind Action Plan is in place.
- Emergency Fire and Evacuation Plan submitted.
- Security Plan submitted.
- Public Safety Announcement Plan ready for emergencies.
- Certificate of Liability Insurance secured.
- Waste management plans are in place.

Approval Process:

Consent by the City Council. This event meets the Special Event Permit requirements outlined in City Code 3-6-2:

- (A) Expected to draw 500 or more attendees per session.
- (B) Intends to broadcast amplified sound or generate unusual noise.

The required documents have been attached for review.

Budget Impact:

There is no budget impact on the City of Twin Falls. Alcohol will not be served, and law enforcement will not be required to provide security.

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

Relevant City Staff members have approved this Special Event Application. Staff recommends that the Council approve the Cirque Italia Circus event. Additionally, Twin Falls Police Department Staff requests the on-duty Patrol Supervisor be granted authority to close the event in the case of non-compliance with noise regulations or disturbances.

This report ensures the Council is fully informed to make a decision on approving the permit for the Cirque Italia Circus event.

Attachments:

1. Cirque Italia 2025
2. 17 - Silver Unit - Twin Falls, ID (schedule)
3. 17 - Silver Unit - Twin Falls, ID (site plan)
4. 17 Silver Unit Twin Falls ID Fire Permit Application
5. Cirque Italia Flame Retardant Certificate
6. Cirque Italia Flame Test Report
7. Cirque Italia High Wind and Severe Weather Action Plan
8. Cirque Italia I Silver Unit Emergency Fire and Evacuation Plan
9. Cirque Italia I Silver Unit Tent Information
10. Cirque Italia Power Plan
11. Cirque Italia Public Safety Announcement
12. Cirque Italia Security Plan
13. Special Event Application



Date: Monday, March 31, 2025, Council Meeting

To: Honorable Mayor and City Council

From: Sergeant Lou Coronado, Twin Falls Police Department

Request:

Request City Council to approve the Special Event Permit for the organizers of the Cirque Italia Circus event.

Time Estimate:

Staff requests this item be listed as an action item on the upcoming City Council agenda.

Background:

Manuel Rebecchi, representing Cirque Entertainment III, LLC, has submitted a special event application to hold the Cirque Italia Circus Acts from Friday, April 25th, through Monday, April 28th, 2024. The event will take place in the Magic Valley Mall parking lot, in front of the old Shopko building, from 6:00 p.m. to 11:00 p.m. nightly.

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- All required permits have been secured.
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- Security Plan submitted.
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- (A) Expected to draw 500 or more attendees per session.
- (B) Intends to broadcast amplified sound or generate unusual noise.

Budget Impact:

There is no budget impact on the City of Twin Falls. Alcohol will not be served, and law enforcement will not be required to provide security.

Regulatory Impact:

N/A

Conclusion:

Relevant City Staff members have approved this Special Event Application. Staff recommends that the Council approve the Cirque Italia Circus event. Additionally, Twin Falls Police Department Staff requests the on-duty Patrol Supervisor be granted authority to close the event in the case of non-compliance with noise regulations or disturbances.

This report ensures the Council is fully informed to make a decision on approving the permit for the Cirque Italia Circus event.

Twin Falls, ID

When: April 25th – 28th, 2025

Where: 1485 Pole Line Rd East, Twin Falls, ID 83301

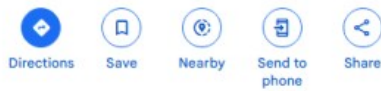
At: Magic Valley Mall

Near: In the parking lot.

—Under the stunning White & Blue Big Top Tent

- **April 25 – Friday: 7:30pm**
- **April 26 – Saturday: 1:30pm, 4:30pm & 7:30pm**
- **April 27 – Sunday: 1:30pm & 4:30pm**
- **April 28 – Monday: 7:30pm**

1485 Pole Line Rd E



NOTES:

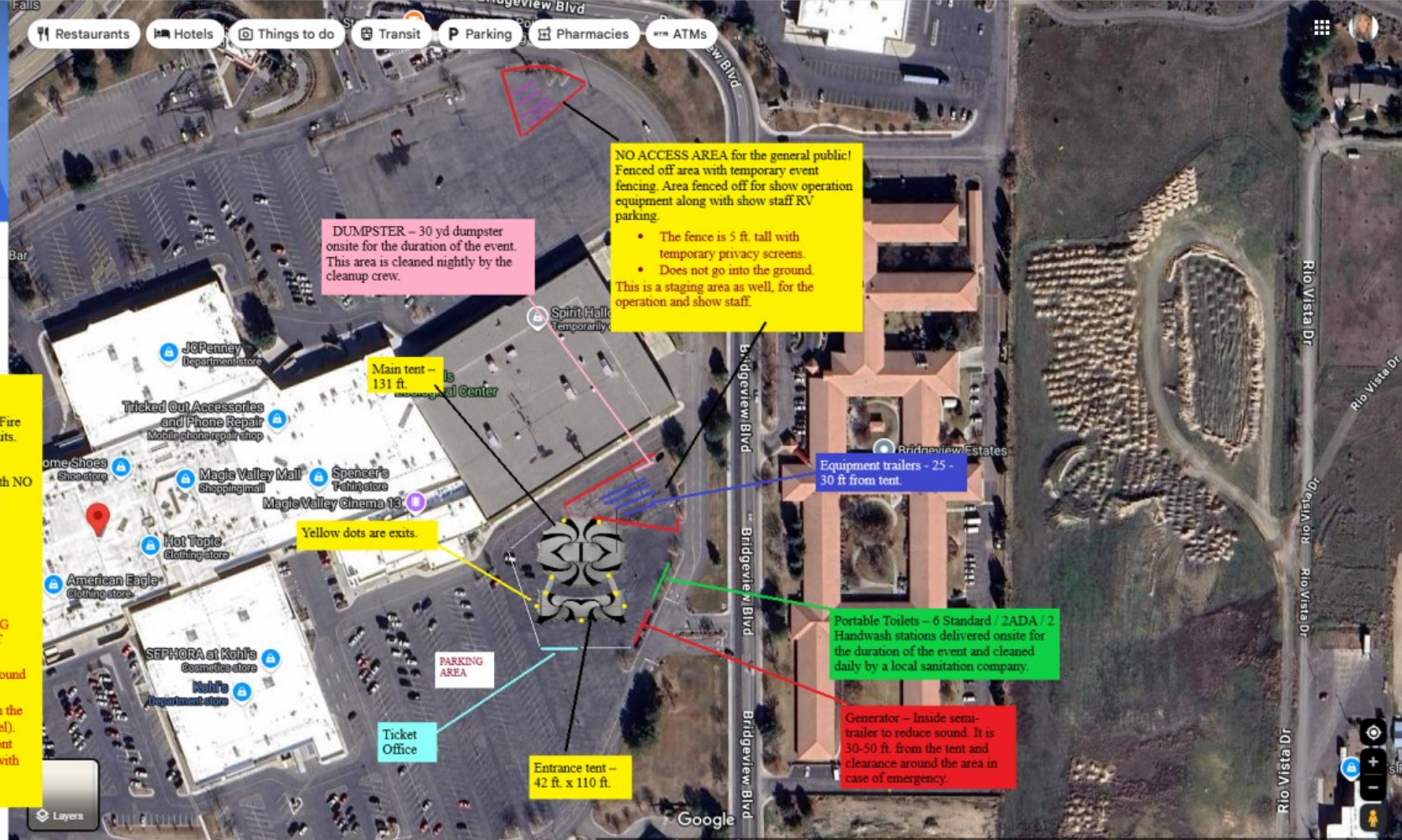
Both tents have NO SMOKING signs and Fire extinguishers throughout tents and at all exits. Exit signs – light up at every exit with the generator on as backup light in case of an emergency. No fire performances along with NO Pyrotechnics in the show! NO ANIMALS!

- Main tent is round – 110ft.
- Entrance tent is rectangular – 48ft. x 63 ft.
- Tent capacity is 998 seats

Front tent has concessions – NO COOKING UNDER TENT! PRE-MADE & BOUGHT PRODUCT ONLY.

Anchoring tent is with stakes located all around each tent.

- Parking is directed by staff that run the show. Parked in rows of 50 (parallel).
- Designated ADA parking in the front area of parking closest to the tent with signs in the ground showing area.



NO ACCESS AREA for the general public! Fenced off area with temporary event fencing. Area fenced off for show operation equipment along with show staff RV parking.

- The fence is 5 ft. tall with temporary privacy screens.
- Does not go into the ground.

This is a staging area as well, for the operation and show staff.

DUMPSTER – 30 yd dumpster onsite for the duration of the event. This area is cleaned nightly by the cleanup crew.

Main tent –
131 ft

Yellow dots are exits.

PARKING

Ticket
Office

Entrance tent –
42 ft. x 110 ft.

Equipment trailers - 25 - 30 ft from tent.

Portable Toilets – 6 Standard / 2ADA / 2
Handwash stations delivered onsite for
the duration of the event and cleaned
daily by a local sanitation company.

Generator – Inside semi-trailer to reduce sound. It is 30-50 ft. from the tent and clearance around the area in case of emergency.



FIRE DEPARTMENT



APPLICATION FOR TENT PERMIT

(Issued by Twin Falls Fire Department)

Name of Applicant: Cirque Entertainment LLC / Manuel Rebecchi

Mailing Address: 2903 9th St W
Bradenton, FL 34205

Telephone Number: (Home) _____ **(Work)** 941-539-3596

Emergency Contact Name: Manuel Rebecchi

Telephone Number: (Home) _____ **(Work)** 941-539-3596

Date(s) of Use: April 25-28, 2025

Inspection Date: Friday 4/25 @ 9am

Site Address: Magic Valley Mall - 1485 Pole Line Rd, Twin Falls, ID 83301

Size of Tent: Tent #1 - Entrance Tent 42ft x 110ft / Tent #2 - Main tent 131ft round

Manufacturer's Name: _____

Flame Retardant Certification Last Date Treated: See attached

Date to be Removed By: April 29, 2025 / By Applicant

Other Pertinent Information: _____

Set up of 2 tents for an Event in the Mall Parking Lot - (Cirque Italia Silver Unit)

No animals, no rides, no alcohol, no open fires, no pyro, no street closures

No parades, no games.

Temporary Acrobatic Theatrical Cirque Style Circus Show under a tent

Issued By:

(Fire Code Official) _____ **Date:** _____

LIABILITY: THIS PERMIT DOES NOT RELIEVE THE PERMITTEE FROM CRIMINAL OR CIVIL LIABILITY FOR DAMAGES ARISING FROM EVENTS OCCURRING UNDER HIS/HER CONTROL. VIOLATIONS OF THE REQUIREMENTS MAY RESULT IN THE ISSUANCE OF A CITATION OR CIVIL PENALTY.

I have read and understand the above and agree to the conditions.

Permittee or Permittee's Agent:

(Signature) _____ **Manuel Rebecchi** **Date:** 03/12/2025

**PERMIT INVALID WITHOUT SIGNATURE AND FIRE DEPARTMENT
SIGN-OFF!**



IDAHO STATE FIRE MARSHAL'S OFFICE

700 W. STATE STREET
BOISE, IDAHO 83720



TENT INSPECTION CHECKLIST

Based on the 2018 International Fire Code as Adopted

Name: Cirque Entertainment, LLC / Manuel Rebecchi / Cirque Italia

	PASS	FAIL	N/A
A copy of this inspection shall be posted in the tent and signed by the vendor. By signing this form, the vendor agrees to comply with these regulations. (IFC 3103.7.1)			
Tents or membrane structures shall not be located within 20 feet of <i>lot lines</i> , buildings, other tents or membrane structures, parked vehicles or internal combustion engines. For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the temporary membrane structure or tent. (IFC 3103.8.2)			
Membrane structures having an area of 15,000 square feet or more shall be located not less than 50 feet from any other tent or structure as measured from the sidewall of the tent or membrane structure unless joined together by a corridor. (IFC 3103.8.3)			
Tents or membrane structures and their appurtenances shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. Documentation of structural stability shall be furnished to the <i>fire code official</i> on request. (IFC 3103.9)			
<i>Exits</i> shall be spaced at approximately equal intervals around the perimeter of the tent or membrane structure, and shall be located such that all points are 100 feet or less from an <i>exit</i> . (IFC 3103.12.1)			
Tents, or membrane structures or a usable portion thereof shall have at least one <i>exit</i> and not less than the number of <i>exits</i> required by Table 3103.12.2. The total width of <i>means of egress</i> in inches shall not be less than the total <i>occupant load</i> served by a <i>means of egress</i> multiplied by 0.2 inches per person. (IFC 3103.12.2)			
<i>Exit</i> openings from tents shall remain open unless covered by a flame-resistant curtain. The curtain shall comply with the following requirements: 1. Curtains shall be free sliding on a metal support. The support shall be a minimum of 80 inches above the floor level at the <i>exit</i> . The curtains shall be so arranged that, when open, no part of the curtain obstructs the <i>exit</i> . 2. Curtains shall be of a color, or colors, that contrasts with the color of the tent. (IFC 3103.12.3)			
<i>Exit</i> doors (if any) shall swing in the direction of <i>exit</i> travel. (IFC 3103.12.4)			
<i>Exits</i> shall be clearly marked. <i>Exit</i> signs shall be installed at required <i>exit</i> doorways and where otherwise necessary to indicate clearly the direction of egress when the <i>exit</i> serves an <i>occupant load</i> of 50 or more. (IFC 3103.12.6)			
<i>Exit</i> signs shall be either <i>listed</i> and <i>labeled</i> in accordance with UL 924 as the internally illuminated type (IFC 3103.12.6.1)			
<i>Means of egress</i> shall be illuminated with light having an intensity of not less than 1 footcandle (11 lux) at floor level while the structure is occupied. Fixtures required for <i>means of egress</i> illumination shall be supplied from a separate circuit or source of power. (IFC 3103.12.7)			
The required width of <i>exits</i> , <i>aisles</i> and passageways shall be maintained at all times to a <i>public way</i> . Guy wires, guy ropes and other support members shall not cross a <i>means of egress</i> at a height of less than 8 feet. The surface of <i>means of egress</i> shall be maintained in an <i>approved</i> manner. (IFC 3103.12.8)			
The sidewalls, drops and tops of tents and canopies shall be of flame resistant material or treated with a flame retardant in an approved manner. A NFPA 701, CPAI-84 or the State of California Fire tag or other acceptable listing agency shall be permanently fixed to the structure. (IFC 3104.2)			
Hay, straw, shavings or similar combustible materials shall not be located within any tent or membrane structure containing an assembly occupancy, except the materials necessary for the daily feeding and care of animals. Sawdust and shavings utilized for a public performance or exhibit shall not be prohibited provided the sawdust and shavings are kept damp. Combustible materials shall not be permitted under stands or seats at any time. (IFC 3107.2)			

	PASS	FAIL	N/A
Smoking shall not be permitted in tents or membrane structures. <i>Approved</i> "No Smoking" signs shall be conspicuously posted (IFC 3106.4.5)			
Open flame or other devices emitting flame, fire or heat or any flammable or <i>combustible liquids</i> , gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet of the tent or membrane structures while open to the public unless <i>approved</i> by the <i>fire code official</i> . (IFC3107.4)			
Fireworks shall not be used within 100 feet of tents or membrane structures. (IFC 3107.5)			
A portable fire extinguisher shall be provided. The minimum size for the extinguisher is 2A 10B: C (5 lbs.). Extinguishers shall have a current inspection tag. (IFC 3105.9, 3106.9.9, 3107.9)			
Fire extinguishers shall be attached in an accessible and visible location, between 3 and 5 feet above the ground. (NFPA 10)			
Cooking and heating equipment shall not be located within 10 feet of <i>exits</i> or combustible materials. (IFC 3107.12.3.1)			
Operations such as warming of foods, cooking demonstrations and similar operations that use solid flammables, butane or other similar devices which do not pose an ignition hazard, shall be <i>approved</i> . (IFC 3107.12.4)			
Cooking Tents: Tents with sidewalls or drops where cooking is performed shall be separated from other tents or membrane structures by a minimum of 20 feet (IFC 3107.12.5)			
Cooking appliances that produce sparks or grease-laden vapors or flying embers (firebrands) shall not be used within 20 feet of a tent or temporary structure. (IFC3106.5.1)			
LP-gas containers shall be located outside in accordance with Table 6104.3. Safety release valves shall be pointed away from the tent or membrane structure (IFC 3107.13.2)			
Portable LP-gas containers with a capacity of 500 gallons or less shall have a minimum separation between the container and structure not less than 10 feet. (IFC Chapter 61 Table 6109.12)			
Portable LP-gas containers with a capacity of more than 500 gallons shall have a minimum separation between the container and structures not less than 25 feet (IFC Chapter 61 Table 6109.12)			
Portable LP-gas containers, piping, valves and fittings, which are located outside and are being used to fuel equipment inside a tent or membrane structure shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be located in an <i>approved</i> location. Portable LP-gas containers shall be securely fastened in place to prevent unauthorized movement. (IFC 3107.13.3)			
Flammable-liquid-fueled equipment shall not be used or stored in tents or membrane structures. (IFC 3107.14.1)			
Flammable and <i>combustible liquids</i> shall be stored outside in an <i>approved</i> manner not less than 50 feet from tents or membrane structures. (IFC 3107.14.2)			
Generators shall be installed not less than 10 feet from combustible materials, and shall be isolated from the public by physical guard, fence or enclosure installed not less than 3 feet away from the internal combustion power source. (IFC 3106.6.2)			
Combustible vegetation that could create a fire hazard shall be removed from the area occupied by a tent or membrane structure, and from areas within 30 feet of such structures. (IFC 3107.18)			
The floor surface inside tents or membrane structures and the grounds outside and within a 30-foot perimeter shall be kept free of combustible waste and other combustible materials that could create a fire hazard. Such waste shall be stored in <i>approved</i> containers and removed from the premises at least once a day during the period the structure is occupied by the public. (IFC 3107.19)			

Vendor Signature: _____

Manuel Rebecchi

Inspector: _____

Agency: _____

Date: _____



FLAME RETARDANT

Fabric Registration

LICENSE NUMBER: F-044408

PRECONSTRAINT 702 BLACKOUT

Product Marketed by:

SERGE FERRARI

ZONE INDUSTRIELLE BP54 38352 LA TOUR DU PIN
CEDEX

Issue Date : 06/03/2024

Expiration Date : 06/30/2025

This product meets the minimum requirements of flame resistance established by the California State Fire Marshal for products identified in Section 13115, California Health and Safety Code.

The scope of the approved use of this product is provided in the current edition of the
CALIFORNIA APPROVED LIST OF FLAME RETARDANT CHEMICALS AND
FABRICS, GENERAL AND LIMITED APPLICATIONS CONCERNS published by the
California State Fire Marshal.

C Walker

Issued By Cortney Walker
Fire Engineering License Manager
Fire Engineering & Investigations Division

Patricia J. Setter

Reviewed and Approved By Patricia Setter
Deputy State Fire Marshal III
Fire Engineering & Investigations Division

OFFICE OF THE STATE FIRE MARSHAL

Please visit calfire.govmotus.org for more information on Licensing and Permitting with CAL FIRE



Total Quality. Assured.

16015 Shady Falls
Elmendorf, Texas 78112

Telephone: 210-635-8100
Facsimile: 210-635-8101
www.intertek.com/building

TEST REPORT FOR SERGE FERRARI

Report No.: 103491724SAT-003

Date: 5/9/18

REPORT QUALITY TO

Serge Ferrari

Zone Industrielle BP 54
38352 La Tour Du Pin Cedex
La Tour Du Pin, 38110
France

SECTION 1

SCOPE

Intertek Building & Construction (B&C) was contracted by Serge Ferrari, Zone Industrielle BP 54, 38352 La Tour Du Pin Cedex, La Tour Du Pin, 38110, France, to evaluate the flame spread and smoke developed properties of 1002. Testing was conducted at the Intertek B&C test facility in Elmendorf, Texas. Results obtained are tested values and were secured by using the designated test method(s). A summary of test results and the complete graphical test data is reported herein.

This report does not constitute performance certification of this product nor an opinion or endorsement by this laboratory.

SECTION 2

SUMMARY OF TEST RESULTS

Specimen I.D.: 1002

ASTM E84-18 Test Results

FLAME SPREAD INDEX	SMOKE DEVELOPED INDEX
5	350

For INTERTEK B&C:

COMPLETED BY: Joseph Martinez

TITLE: Technician

SIGNATURE:

DATE: 5/9/18

REVIEWED BY: Servando Romo

TITLE: Project Engineer

SIGNATURE:

DATE: 5/9/18

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SERGE FERRARI SAS

TEST REPORT

SCOPE OF WORK

NFPA 701-2019, METHOD 2 - STANDARD METHODS OF FIRE TESTS FOR FLAME PROPAGATION OF TEXTILES AND FILMS FOR FLAT SHEETS (SEE SECTION 13.1.3) ON 702 OPAQUE

REPORT NUMBER

105207650MID-001B

TEST DATE(S)

10/05/22

ISSUE DATE

10/06/22

[REVISED DATE]

N/A

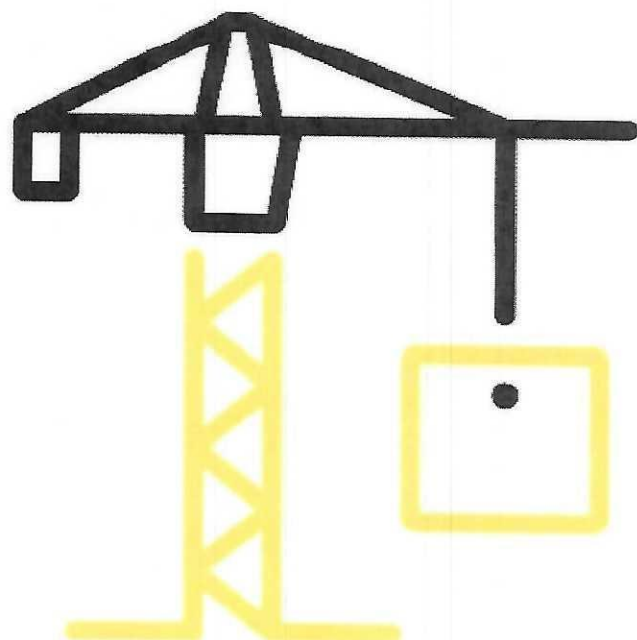
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DOCUMENT CONTROL NUMBER

GFT-OP-10c (09/29/20)

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TEST REPORT FOR SERGE FERRARI SAS

Report No.: 105207650MID-001B

Date: 10/06/22

REPORT ISSUED TO

SERGE FERRARI SAS

Zone Industrielle BP 54

38352 La Tour Du Pin Cedex

La Tour Du Pin, 38110

France

SECTION 1

SCOPE

Intertek Testing Services NA, Inc. dba Intertek Building & Construction (B&C) was contracted by Serge Ferrari SAS, Zone Industrielle BP 54, 38352 La Tour Du Pin Cedex, La Tour Du Pin, 38110, France to perform testing in accordance with NFPA 701-2019, Method 2 - *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films for Flat Sheets* (See section 13.1.3), on their 702 Opaque. Results obtained are tested values and were secured by using the designated test method(s). Testing was conducted at Intertek test facility in Middleton, WI.

Unless differently required, Intertek reports apply the "Simple Acceptance" rule also called "Shared Risk approach," of ILAC-G8:09/2019, Guidelines on Decision Rules and Statements of Conformity.

Intertek B&C will service this report for the entire test record retention period. The test record retention period ends four years after the test date. Test records, such as detailed drawings, datasheets, representative samples of test specimens (where required by Certification or Accreditation bodies), or other pertinent project documentation, will be retained for the entire test record retention period.

SECTION 2

SUMMARY OF TEST RESULTS

702 Opaque met the specified performance requirements.

For INTERTEK B&C:

COMPLETED BY: Joel Zumwalt

TITLE: Lab Technician III

SIGNATURE:

DATE: 10/06/22

REVIEWED BY: Sandy Osborne

TITLE: Lab Technician I

SIGNATURE:

DATE: 10/06/22

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TEST REPORT FOR SERGE FERRARI SAS

Report No.: 105207650MID-001B

Date: 10/06/22

SECTION 3

TEST METHOD(S)

The specimens were evaluated in accordance with the following:

NFPA 701-2019, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films

SECTION 4

MATERIAL SOURCE/INSTALLATION

Test samples were provided by the client. The results outlined in this report apply to the sample as received. Samples were received at the Evaluation Center on October 3, 2022 in good condition verified by Sample ID# MID2210031411-002.

SECTION 5

EQUIPMENT

EQUIPMENT			
DESCRIPTION - ASSET #:	Stopwatch - 1404	CALIBRATION DUE:	4/5/2023
DESCRIPTION - ASSET #:	Oven - 1200	CALIBRATION DUE:	FRO
DESCRIPTION - ASSET #:	Scale - 1396	CALIBRATION DUE:	4/5/2023
DESCRIPTION - ASSET #:	Test Cabinet - 1203	CALIBRATION DUE:	FRO
DESCRIPTION - ASSET #:	Flowmeter - 1209	CALIBRATION DUE:	8/5/2023
DESCRIPTION - ASSET #:	Burner- 1473	VBU:	10/5/2022
DESCRIPTION - ASSET #:	Oven Logger - 701	CALIBRATION DUE:	1/6/2023
DESCRIPTION - ASSET #:	Temp/Humid Reader - 1562	CALIBRATION DUE:	2/2/2023
DESCRIPTION - ASSET #:	Temp/Humid Reader Sample Rm- 1451	CALIBRATION DUE:	3/21/2023

SECTION 6

TEST PROCEDURE

Testing was conducted in accordance with Chapter 14; Flame Test Procedures for Test Method 2. There were no deviations to the standard.

SECTION 7

TEST CRITERIA

TEST CRITERIA	
1. No specimen shall continue flaming for more than two sec.	
2. Length of char shall not exceed 17.1 in from the bottom edge of the specimen.	
3. No flaming on the floor of apparatus is allowed for longer than 2 sec.	

TEST REPORT FOR SERGE FERRARI SAS

Report No.: 105207650MID-001B

Date: 10/06/22

SECTION 8

TEST SPECIMEN DESCRIPTION

Samples were received as a large roll white in color consisting of Polyester yarns (1100 dtex) coated with PVC flame retardant on both sides and varnished. Weight : 830 g/m²±-5% Thickness: 0.63 mm±-10% Polyester yarn 1100 dtex : 24% - PVC flame retardant : 76%. It was then cut to ten approximately 47" by 5" panels. The panels were subjected to conditioning for at least 60 minutes at 105°C ± 3°C and not more than 180 minutes by Intertek prior to testing.

SECTION 9

TEST RESULTS

TEST RESULTS			
Specimen	After Flame	Floor Flaming (sec)	Char Length (in)
1	0	0	6.13
2	0	0	7.00
3	0	0	6.06
4	0	0	7.38
5	0	0	7.50
6	0	0	7.19
7	0	0	7.50
8	0	0	6.19
9	0	0	6.75
10	0	0	6.19
Average	0	0	6.79

OBSERVATIONS

Specimens ignited upon introduction to test flame producing light grey smoke. Specimens self-extinguished prior to removal of test flame. Specimens exhibited no flaming dripping.

SPECIMEN DENSITY			
	Specimen 1	Specimen 2	Specimen 3
Weight (g)	8.78	8.71	8.83
Length (mm)	101	101	101
Width (mm)	100	100	101
g/m ²	869.31	862.38	865.60
		Average	865.76

SECTION 10

CONCLUSION

No specimen continued flaming for more than two seconds. The length of char did not exceed 17.1 inches from the bottom edge of the specimen for flat sheets (see section 13.1.3). No flaming on floor of apparatus lasted longer than two seconds.

702 Opaque met the specified performance requirements.

TEST REPORT FOR SERGE FERRARI SAS

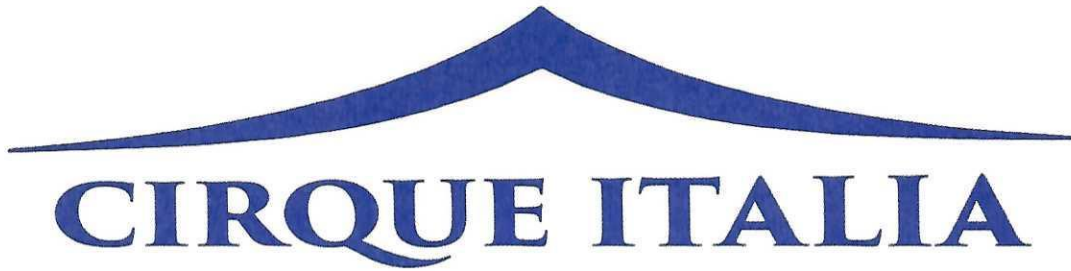
Report No.: 105207650MID-001B

Date: 10/06/22

SECTION 11

REVISION LOG

REVISION #	DATE	SECTION	REVISION
0	10/06/22	N/A	Original Report Issue



High Wind Action Plan

In the event of High Winds of more than 55mph, Designated Team Leaders begin immediate evacuation of the Tent with the assistance of the designated staff leaders who are certified in Crowd Management. The sound crew will then notify the public immediately regarding the evacuation over the PA system.

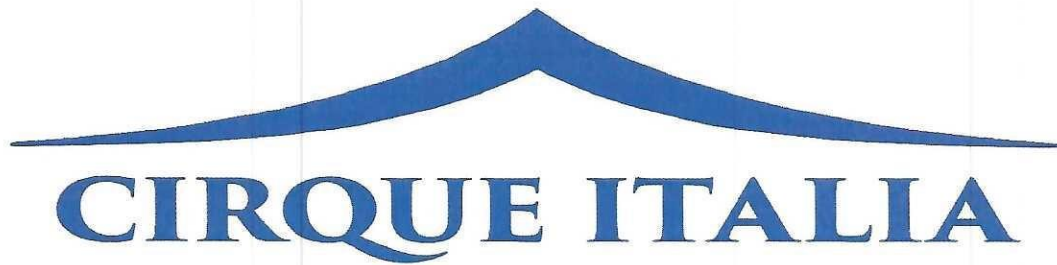
The public will hear the following Instructions:

Please listen to the following instructions: "We request at this time the immediate evacuation of the tent. Please proceed to the nearest exit closest to you. Please look around you, there are seven exits located in the Tent. We ask that you walk, do not run to the nearest exit which will lead you outside of the Tent to safety, where there will be Cirque Italia staff awaiting to assist".

Cirque Italia staff and crew will assist in leading the public safely away from the structure of the Tents. All staff and crew have two-way radios to communicate quickly in such case of emergency. Staff is easily identified as they will be wearing neon vest and will have flashlights.

Once the public is cleared out of the tent, the staff will then also clear out of the tent and the Tent Boss will then oversee the tent structure to determine if it is safe to disassemble or remove the tent from the site due to the severity of the weather. In which we have wind monitoring devices that help determine the steps that Cirque Italia staff will take in either the removal of the tent or a full personnel evacuation from the premises to safety.

Thank you.



Emergency Fire and Evacuation Plan

At Cirque Italia the safety of the audience, its employees and its venues are of paramount importance to management and staff. And with total safety in mind, we have developed the following procedure to deal with emergencies and evacuation of the tent, whether due to fire or any other public safety emergency. The procedure consists of three specific actions that all staff are trained and familiar with.

1. In the event of an evacuation due to fire or other public safety emergency they will follow the protocol in section of this plan as well as the direction of the Fire Team Members who will also be providing emergency action instructions.
2. Once safely out of the tent, staff will proceed to the predetermined external SAFE location (The Mall Building) a safe distance away from the tent.
3. The Fire Safety Team Members assigned to each exit have two-way radios to communicate with management and obtain the most up to date information regarding the status of the tent, to provide instructions for staff members and assist exiting patrons if needed.

A. Emergency Instructions

1. In the event of a fire or any other emergency 911 is the first call (Done by the Onsite & Emergency manager.) All staff are then notified by way of radios and or cell phones.
2. In the tent the show will stop, all lights will come on and the audience will be informed over the PA system of the emergency at hand and will be given instructions to walk, not run to the nearest exit calmly and safely.
3. Direct verbal instructions will continue over the Tent PA System.

In addition to the Instructions above if you see a fire or smell smoke, please try to immediately contact one of the Fire Safety team members located at each entrance.

If you cannot find a Fire Safety team member, please advise someone in the front tent or at the ticket office of the situation and they will make sure to tend to the emergency. There are fire extinguishers at every exit and emergency exits signs next to each entrance and exit of the tent.

B.

After notifying staff or receiving instructions to evacuate quickly try to do as many of the following things as possible **if safe to do so**.

1. Terminate all performances, music, phone conversations, meetings and vacate both tents and restrooms ASAP.
2. Close any cabinet drawers secure any monies or funds in the areas that have such requirements. Close box office doors behind you, remain calm and head for the emergency SAFE location.
3. Leave TENTS quickly and proceed to the predetermined SAFE location and check in with the Fire Safety members.
4. It is important for you to check in with the Fire Safety team staff once you have arrived safely at the SAFE location as they will have the two-way radios and will be in touch with the emergency service personnel and they can advise when and if, it will be safe to return to the tent.

Checking in will also enable the Fire Safety Team to determine if any staff members are still in the tent.

5. In the event of a non – fire emergency, Staff will follow the same procedure as above. Staying in contact with the Fire Team Staff will keep you informed of any instructions that may need to be followed as they are in contact with the Emergency Service personnel during any emergency.

C. Technical Information

1. In the event of a Fire or smoke situation, Fire Safety Team members have portable flashlights, and each exit has a fire extinguisher. There is also a PA System throughout the tents. In this case all management, Fire Team and Security Staff members stay closely connected, if the need for an evacuation arises. In this case all teams work together to make that decision.

D. Fire Safety Teams and their Duties.

At the direction of the onsite Emergency manager, each tent has a Fire Safety Team composed of responsible and dedicated individuals who undergo training in Fire safety and evacuation. The Fire Safety Team are periodically trained by a class that certifies them as a Crowd Manager. In every City/ Location that we visit the Fire Department, Police and emergency offices are always provided with our emergency action plans.

The Fire Safety Teams will direct evacuations of the tent and any emergency including fires, high winds, blackouts, bomb threats or any other situation that will require evacuating the tent.

In the event of Fire or evacuation the staff shall determine the location of the fire or source of smoke and immediately assume an emergency and notify the onsite emergency manager.

When necessary, the tent will be evacuated according to directions over the PA system with the following guidelines:

1. The most critical area for evacuation is the tent and all audience members in all locations in or near the tent. Evacuation from the locations shall be instituted when instructions from crowd control managers indicate such action. Evacuation should be via unaffected areas.
2. Crowd control managers and staff shall see that all occupants are notified of the fire or other emergency and see that they proceed immediately to execute the fire safety and evacuation plan.
3. The crowd control managers on the premises will immediately notify the onsite emergency manager who will then notify 911 of the particulars of the emergency.
4. In the event that exits are affected by fire and or smoke, the fire safety team members will direct attendees to alternate exits if an exit is unusable or cut off for any reason.
5. Although the tents have emergency backup power systems, staff members make rounds several times a day to visually check for fire or smoke conditions
6. In the event of a fire, fire safety teams will wear their emergency vests, have flashlights and portable radios to communicate with all staff.

E. Disabled employees or public

1. It is the responsibility of crowd control managers to periodically meet to discuss the needs of any employees or disabled public attendees who would need assistance during an evacuation or emergency. Fire teams are responsible for maintaining an update list of such personnel and public attendees and assign “buddies” to assist during an evacuation. Advanced plans are worked out regularly between the crowd control manager and staff to always maintain a plan in place to assure ADA people are assisted by and able to exit with the help of staff or personnel.
2. With the assistance of the designated control manager or coworker, a disabled audience member or employee should proceed to the ramp exit if assembled to assure safe exit and await assistance by authorized personnel.
3. If exists determined to be unusable, this will be informed over the PA system and Fire safety team members and staff will direct everyone to alternate exits.

Onsite & Emergency Manager

Morgaine Rosenthal (404) 406-9423

Tent Boss- Edmundo Cortes (941) 807-1214

Tent #1 - Entrance Tent -Fire Team members – Feliza Rosenthal, Dee Fernandez.

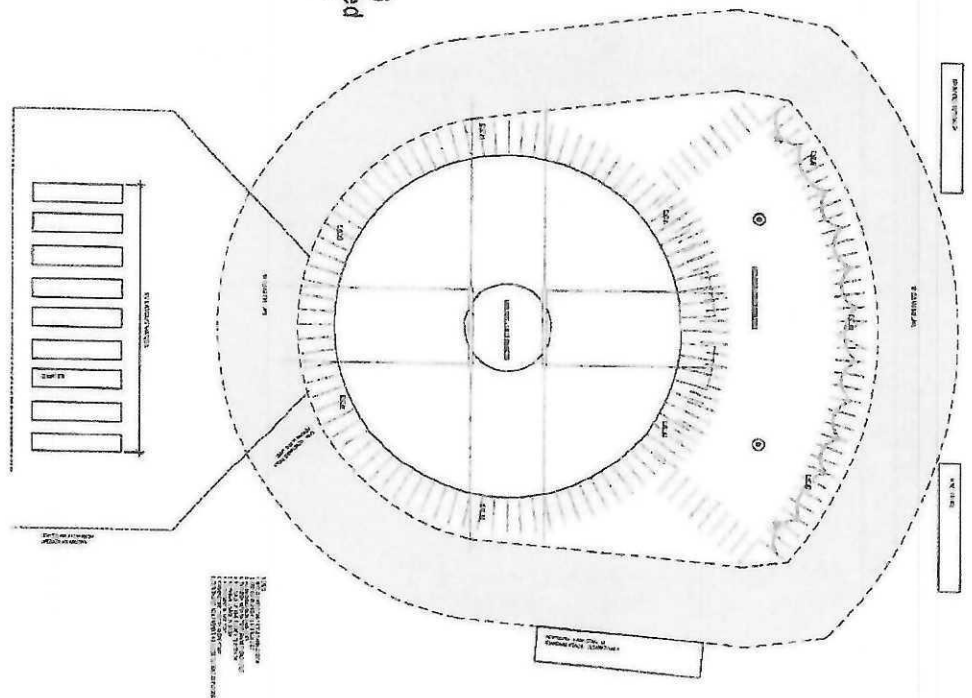
Tent #2 - Main Tent – Fire Team members – Armando Perez, Itzuri Jimenez.

CIRQUE ITALIA Silver Unit

ORIGINAL ENGINEER
JEREMY FUDO PE

Sheet Number	Sheet Name
C-1	SITE PLAN
C-2	SEATING LAYOUT AND HARDWARE
C-3	ROOF PROWDOWN DESIGN DATA
C-4	ROOF STRUCTURE DESIGN DATA
C-5	POWER PLAN AND ELEVATION AT LATERAL POLES
C-6	ENTRY TENT FLOORING PLAN AND DETAILS
C-7	ENTRY TENT LATERAL POLES
C-8	ELEVATION SECTION AND HARDWARE
C-9	ENTRY TENT ROOF STRUCTURE

This is a Temporary Structure.
The Tents are Rated for MRI 10 year 76
mph Gusts. Evacuation is Recommended
when Gusts of 55 mph are Predicted or
Experienced. WRPE 4-3-2023



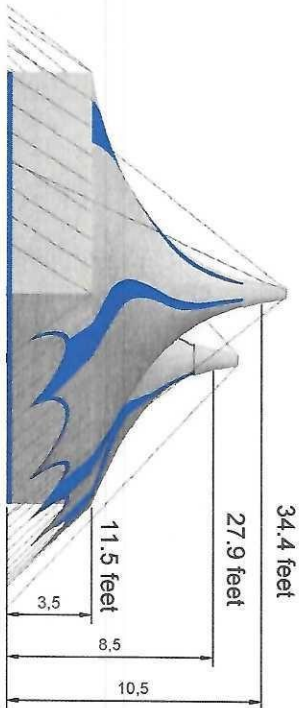
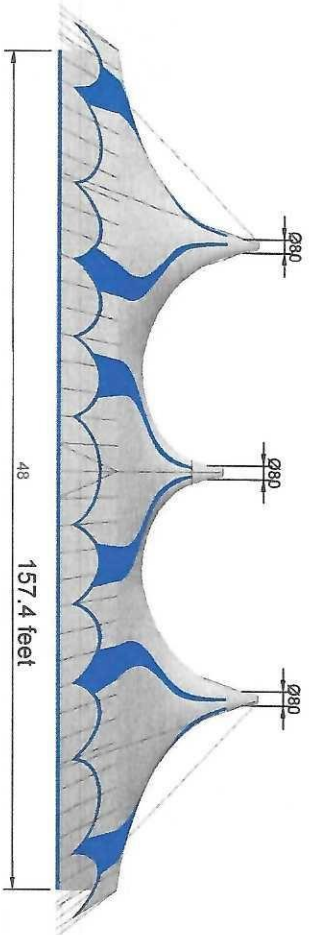
CIRQUE ITALIA TENT

200 Whitefield Ave
Sarasota, Florida

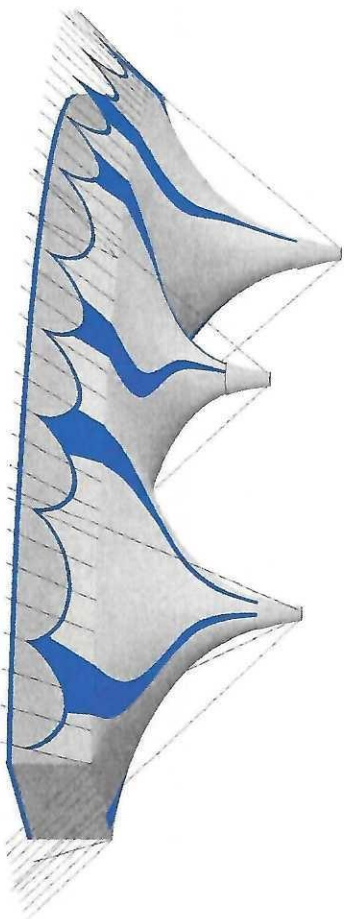
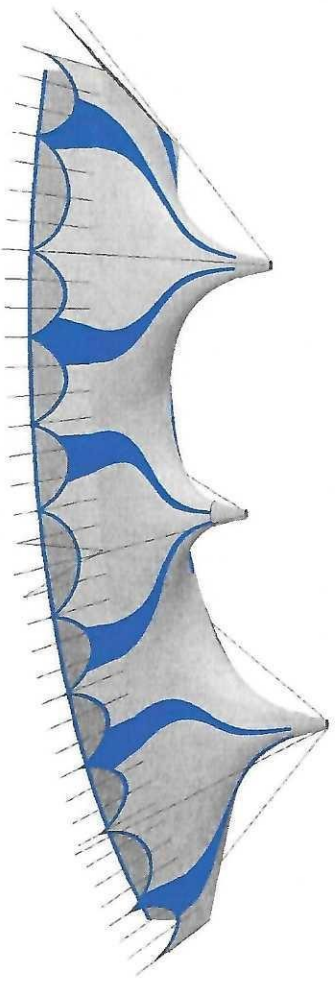
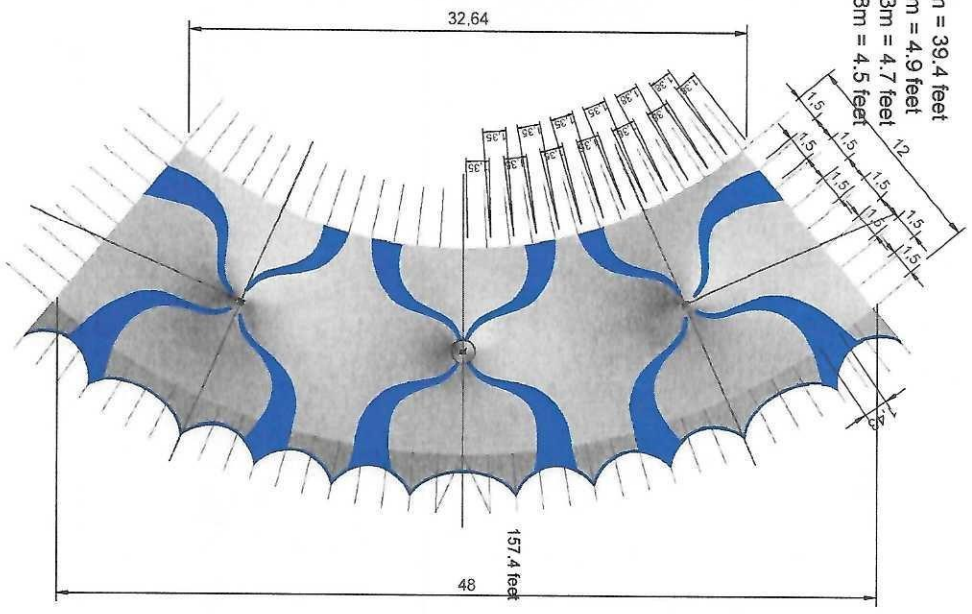
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SHEET	C-1



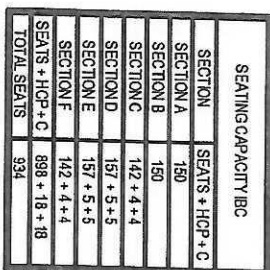
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12m = 39.4 feet
 1.5m = 4.9 feet
 1.43m = 4.7 feet
 1.38m = 4.5 feet



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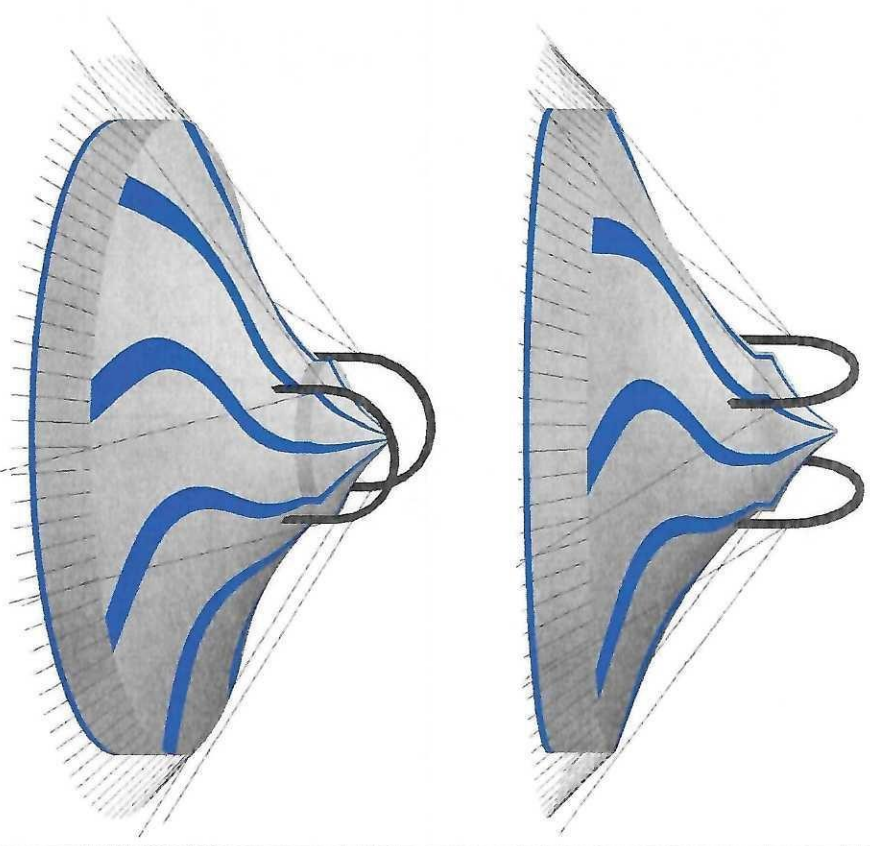
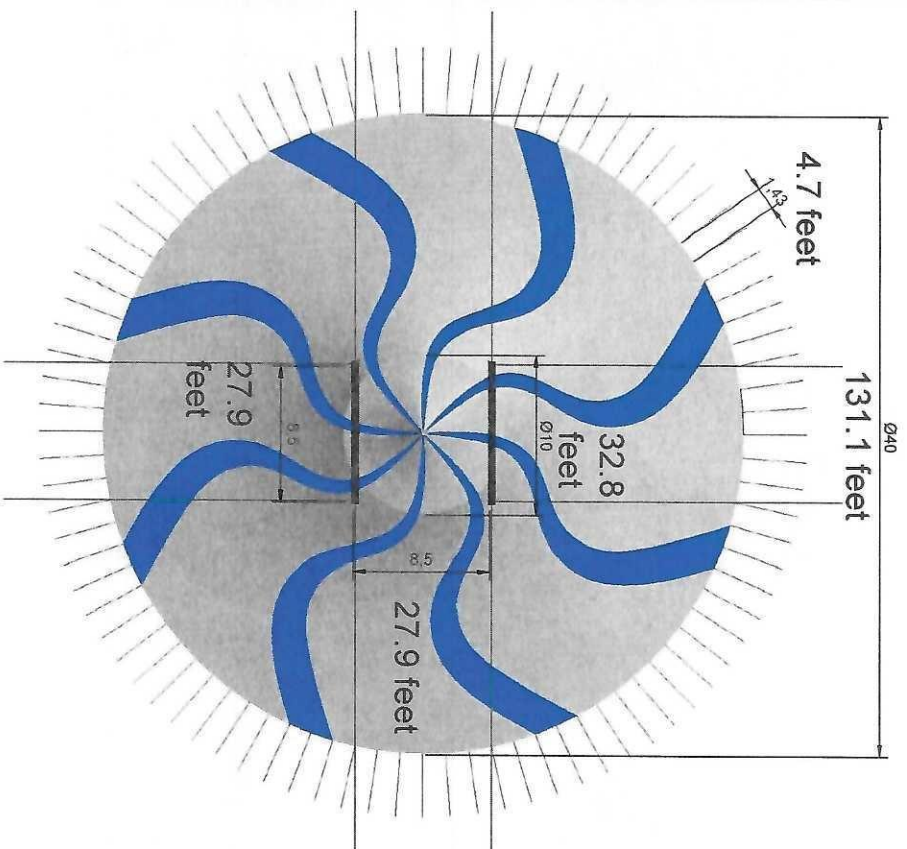
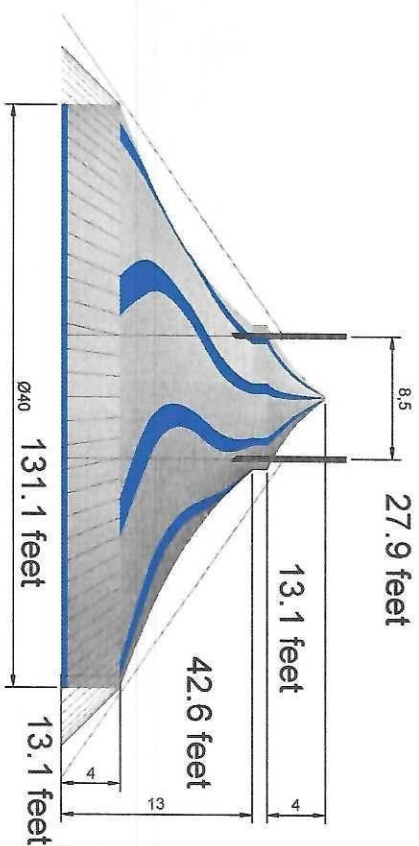
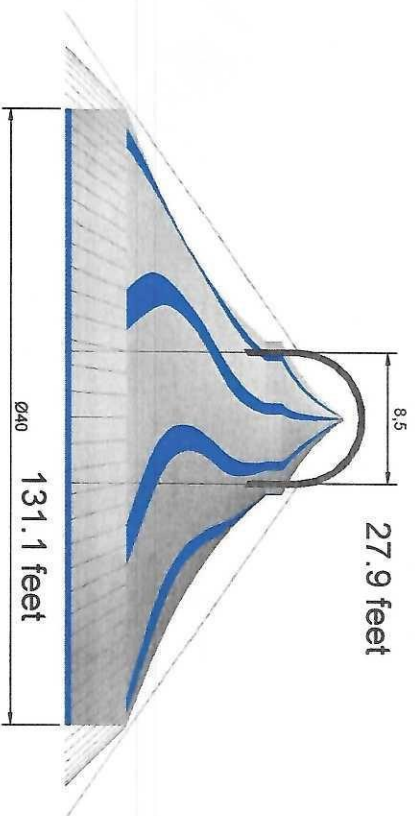


REVISION SCHEDULE	
No	Date

40 M Ø
10 M Ø RING

SHEET NUMBER

A



FG

MEMBRANE

Via Cartigliana, 146
36061 - BASSANO DEL GRAPPA
Tel. 0424-567723
Fax: 0424-880169
e-mail: info@fgsrl.com
web site: www.fgsrl.eu

CLIENTE

MANUEL AMERICA

CONTENUTO

CIRCO Ø40 mt cupola
rotonda

RIF.

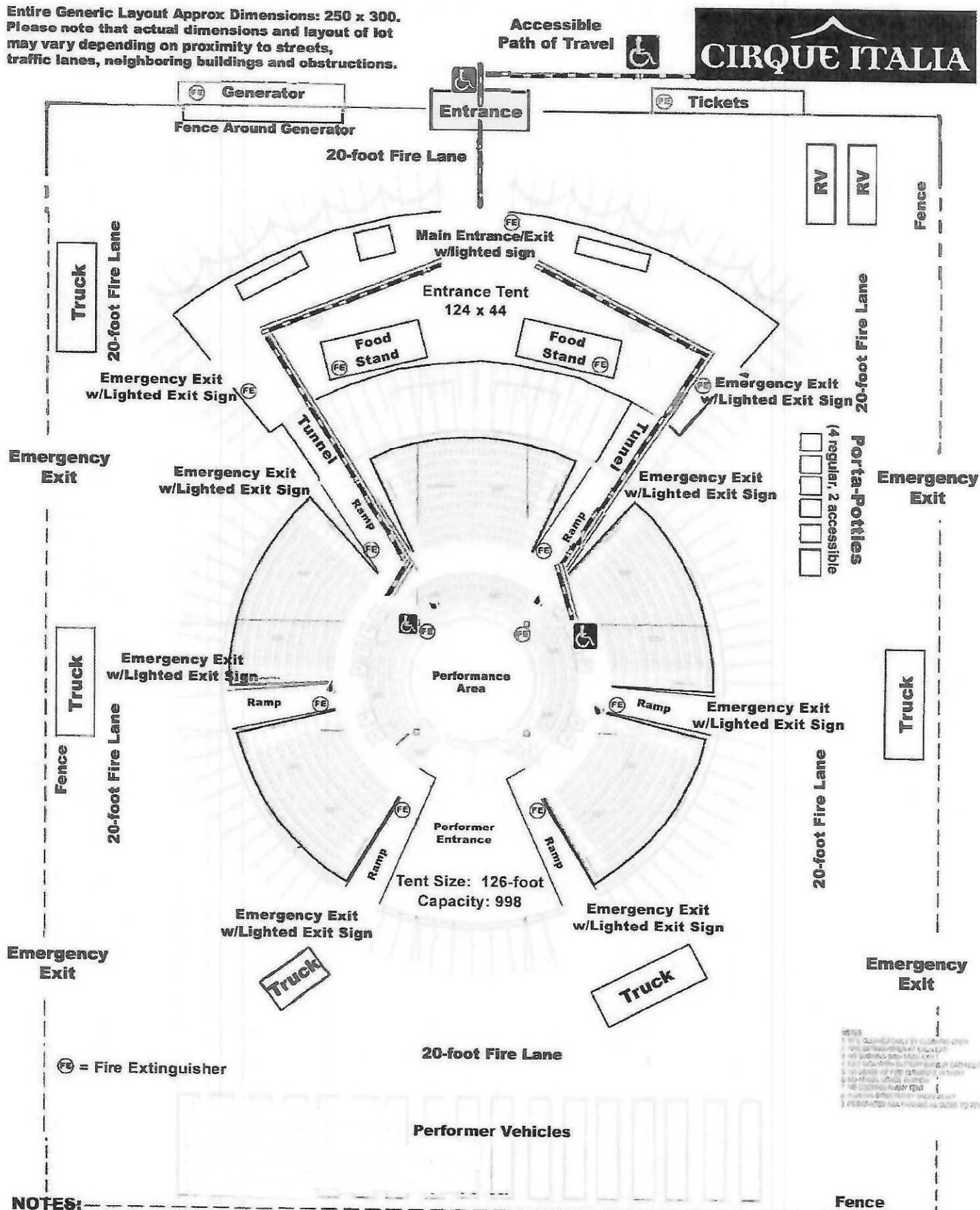
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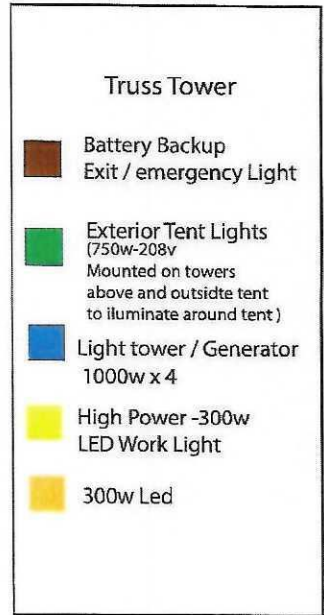
Entire Generic Layout Approx Dimensions: 250 x 300.
Please note that actual dimensions and layout of lot may vary depending on proximity to streets, traffic lanes, neighboring buildings and obstructions.



NOTES:

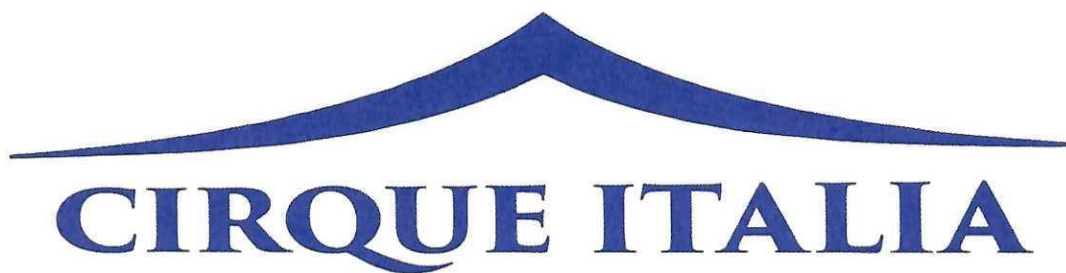
Lighted Exit signs have 2 sources of power (Generator and battery back-up)
No Smoking Signs Posted Throughout
Curtain at Emergency Exits are 10-foot wide with contrasting colors on free sliding poles

This is a generic lot layout. Modifications may be made, as necessary, for specific locations



-No other Lighting or electrical Elements within 5' of water tank.

- inner and outer fountain pipes bonded to ground



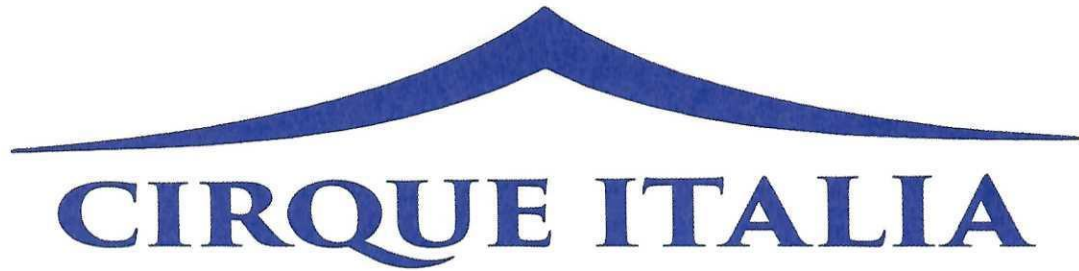
Public Safety Announcement

At the beginning of every performance the public will hear:

Welcome all to the 2024 Edition of Cirque Italia before we begin the show today, we'd like to make you all aware of the emergency exit locations in our tent. Please look around you and make yourself aware of the lighted exit signs and their locations.

In case of an emergency, we ask that you walk, do not run to the nearest exit to you which will lead you outside of the tent to safety, and where Cirque Italia staff will be waiting to assist you.

Thank you for your attention.



Security Plan

To whom it may concern:

Cirque Italia has its own crew of Certified Crowd Mangers & Security Staff that travel with the event. Their main responsibilities include but are not limited to; Crowd Control, Patrolling the grounds and General Public Safety. (The crews take turns walking the grounds to ensure all is in order and provide overnight 24-hour surveillance)

1. One hour before the public arrives, they are to check the grounds to ensure all is in place for the event and the means of egress.
2. During the event they are to remain in and around the tents (making rounds) to ensure all is running smoothly.
3. At the end of the event, they are assigned to an exit to facilitate and assist the public as they exit the tents\.
4. They are instructed to keep an eye out and report any suspicious or unusual activity directly to the onsite / Emergency Manager who will then decide the appropriate course of action.

At Cirque Italia the safety and wellbeing of our audience is our main goal and responsibility, we want to ensure the patrons have an enjoyable and memorable experience with us.

Thank you.



Special Event Application

Event Application

The City of Twin Falls recognizes the importance of hosting special events in our community. Each year the City of Twin Falls receives in excess of one hundred (100) special event applications. This application sets forth the minimum requirements for holding a special event inside the City, however additional items may be required by the Twin Falls City Special Events Coordinator or other Twin Falls City departments.

*All Special Event Applications must be completed and submitted to the City of Twin Falls no less than forty-five (45) days prior to hosting an event.

*A non-refundable application fee of twenty-five dollars (\$25) is required at the time of application submission. Applications with unpaid fees will not be reviewed for approval.

Questions: Contact the Twin Falls Police Department Special Events Sergeant at (208)735-7200.

Questionnaire and Good Faith Estimate

Name of Event *	Cirque Italia		
Event Start Date *	04/25/2025 06:00:00 PM		
Event End Date *	4/28/2025 11:00:00 PM		
Location of Event *	Magic Valley Mall - 1485 Pole Line Rd E. Twin Falls, ID 83301		
Name of Organizer *	Cirque Entertainment, LLC / Manuel Rebecchi		
Organizer Contact *	Manuel Rebecchi		
Business Phone *	ONLY TYPE NUMBERS. (941)539-3596 DO NOT TYPE ANY DASHES OR OTHER PUNCTUATION.		
Cell Phone *	ONLY TYPE NUMBERS. (941)539-3596 DO NOT TYPE ANY DASHES OR OTHER PUNCTUATION.		
Email Address *	rosa@cirqueitalia.com		
Mailing Address *	Street Address 2903 9th St W Address Line 2 City Bradenton Postal / Zip Code 34205		
	State / Province / Region FL Country USA		
Estimated Attendance *	☐ Less than 500 attendees ☒ 500 or more attendees		

Basis for Attendance Online and Walk up Ticket Sales

Estimate

* Will anything be offered for sale at your event? (Such as food, beverage, crafts, or other products)

☒ Yes ☐ No

* Do you accept the responsibility and liability of all vendors at your event to follow the rules outlined in City of Twin Falls Code, Title 3, Chapter 18 - Commercial Vending?

☒ Yes ☐ No

As the event organizer, you acknowledge that you are responsible to ensure that all vendors at your event abide by all applicable federal, state, and local laws, including (but not limited to) the International Fire Code, and the rules set forth in Twin Falls City Code Title 3, Ch 18 – Commercial Vending.

The rules in Title 3, Chapter 18 address several requirements, including, but not limited to, food safety, insurance coverage, and proper waste disposal. Click here for the link to City Code; select Title 3, Ch 18.
https://codelibrary.amlegal.com/codes/twinfallsid/latest/twinfalls_id/0-0-0-1162

[You, as the event organizer, are not required to apply (or pay) for a Commercial Vending license for your special event; but you are responsible as outlined above.]

* Will Alcohol be sold, served or consumed at your event?

☐ Yes ☒ No

(Alcohol permits and/or catering permits may apply.)

* Will you use a City Park or any portion of a City of Twin Falls walking trail?

☐ Yes ☒ No

(Additional permits required by the Department of Parks and Recreation.)

* Will there be tents or structures utilized at your event?

☒ Yes ☐ No

(A fire inspection may be required from the Fire Department.)

Description of tents or structures *

Set up of 2 Tents for event
Tent #1 - Entrance Tent 42 X 110ft
Tent#2 - Main Tent 131ft Round

* Will your event include pyrotechnics or fireworks?

☐ Yes ☒ No

(Fire permit required from the Fire Department.)

* Will there be amplified sound at your event?

☒ Yes ☐ No

* Will your event require any street closures?

☐ Yes ☒ No

* Will there be any inflatables, such as bounce houses, at your event?

☐ Yes ☒ No

* Will your event generate any type of waste (trash plan)?

☒ Yes ☐ No

* Will your event utilize signs, banners, flags, etc.?

☐ Yes ☒ No

(Sign permit may be required from Planning and Zoning.)

Special event applicants, promoters and sponsors whose special event requires the use of extraordinary City resources as a result of their anticipated attendance or heightened security concerns shall be required to pay for those extraordinary resources as determined by the Special Events Coordinator. Full payment for said extraordinary resources shall be required no later than sixty (60) days following the conclusion of the special event.

**Signature of Event
Organizer***

By my signature, I hereby acknowledge my understanding of the aforementioned requirement concerning the payment for extraordinary resources and application fee.

A handwritten signature in black ink, reading "Manuel Rebecchi", is centered within a light gray rectangular box. The signature is written in a cursive, flowing style.

Event Summary

Event Categories: *

Check all that apply.

- | | | |
|--|---|---|
| ☐ Athletic/Recreation | ☐ Exhibits/Misc. | ☐ Run/Walk/Race |
| ☐ Concert/Performance | ☐ Farmers/Outdoor Market | ☐ Special Attraction |
| ☐ Carnival/Fair | ☐ Parade | ☐ Dance |
| ☐ Festival | ☒ Other | |
| | Circus Event | |

Location *

- ☐ Public Property
☒ Private Property

Set-Up *

4/22/2025
08:00:00 AM

Event Starts *

4/25/2025
06:00:00 PM

Event Ends *

4/28/2025
11:00:00 PM

Dismantle *

4/29/2025
11:00:00 PM

**Please provide a detailed description of the event and activities.
Lack of info may delay this process.**

Summary *

Temporary Acrobatic Theatrical Cirque Style Circus show under a tent
Set up of 2 tent for an event on the mall parking lot
Tent #1 - Entrance tent 42 X 110ft
Tent #2 - Main Tent 131ft Round
No Animals, No Alcohol, No Open Fires, No Pyro, No Rides, No Games, No
Parades, No Street Closures.

Event Details

Entertainment

Will there be entertainment at your event? *

☒ Yes ☐ No

Entertainment

☐ Live Music

☐ Recorded Music

☐ Video

☐ Other Live Stage

☒ Other

Circus Acts

Number of Bands

0

Type of Amplification

Sound System

Amplification Start Time

06:00:00 PM

Amplification End Time

11:00:00 PM

As an event organizer, you must be certain that all event-related activities comply with Twin Falls City Ordinance 6-2-3. A Police Officer who determines the level of noise from your event is offensive to others may require you to lower or discontinue the noise.

Waste Plan

As an event organizer, you are responsible for the waste generated by your participants, spectators and vendors, as well as the costs associated with proper disposal.

Discarded Materials * List what materials from your event will be discarded by vendors and attendees (i.e. cardboard, plastic bags, food waste, Styrofoam, plastic bottles, aluminum cans etc.):

The event set out 30gl trash cans throughout both tents for the disposal of patron trash.

The event rents a 30yd Dumpster for the disposal of trash and has it replaced as necessary.

* Have you contracted for additional trash receptacles and/or dumpsters?

☒ Yes ☐ No

* Have you arranged for portable toilets?

☒ Yes ☐ No

Name of contracted company

Number of trash receptacles

Size of trash receptacles

Name of person in charge of trash *

Morgaine Rosenthal

**Phone Number for
person in charge of
trash *** 9415393596

**Number of staff
handling trash *** 8

Any cleanup required by City Personnel following an event will be at the expense of the event organizers.

Security/Event Services

As an event organizer, you are required to provide a safe and secure environment for your event. This is accomplished through pre-planning and anticipation of problems or concerns related to event activities.

Most major events require the services of approved security (either paid professional security or a law enforcement agency). The Special Events Coordinator/Sergeant will evaluate each event application and determine the necessity of and type of security. Police Officers may be required depending on the scope of event.

The organizer may also be required to provide additional services (lost child booth, trained medical personnel, etc.) at the discretion of the Special Events Coordinator.

Have you spoken with the Special Events Coordinator regarding security?

☐ Yes ☒ No

Have you contracted with any private security or law enforcement agency to provide your security?

☐ Yes ☒ No

Does your plan involve a lost child booth?

☒ Yes ☐ No

Does your plan involve a first aid station staffed with trained personnel?

☒ Yes ☐ No

**Number of staff
working the event** 20

**Number of volunteers
working the event** 0

Event Map

Event organizers are required to submit a detailed aerial map of the proposed event location. This map must include, but is not limited to, the locations of all of the following:

1. Stages or platforms
2. All temporary structures (tents, booths, cooking areas, etc.)
3. Beer gardens and/or locations where alcohol will be dispensed
4. Additional trash receptacles, dumpsters and portable toilets
5. Emergency services (lost child booth, security, first aid, etc.)
6. Fences/Barricades used to block any street or entrance access
7. Firework launch locations (if applicable)
8. All vehicles and trailers
9. Parking for the event (may require an additional parking plan)
10. Generators

Insurance and Indemnification

It is the responsibility of the special event organizer(s) to secure and provide a **COMMERCIAL GENERAL LIABILITY** insurance policy that covers the planned special event. This policy must provide coverage of no less than \$500,000 combined single limit per occurrence. This insurance policy must include a rider for alcohol if it is to be sold, provided or consumed. Insurance requirements may be increased upon demand of the Twin Falls City Attorney, Twin Falls City Risk Manager and/or other local government entities with jurisdiction.

Each policy shall be written as a primary policy, not contributing to, or in excess of, any coverage which the City may carry. A certificate of Insurance naming the City of Twin Falls as additionally insured and as the certificate holder must be provided with this application. Failure to provide insurance coverage will immediately terminate special event application or approval.

Upload Insurance Information

Notification Requirement

Event organizers are required to notify any nearby property owners who may be impacted by the holding of their special event. This notification must be made in writing and be given to said property owners no less than fourteen (14) days prior to the planned event. The special event permit will not be issued unless this requirement has been met. The written notice must include the following information:

- Date and time of special event
- Location of the event
- Additional areas affected by the event
- Type of event
- Planned road or parking lot closures
- Noise considerations (loud music, etc.)
- Estimated number of attendees

Additional Information

Additional items may be required at the discretion of the City of Twin Falls and/or the Special Events Coordinator. Additional fees may pertain to these items.

Building Department Permits/Electrical Permits

Building Department permits may be required for your event from the Twin Falls Building Department. Use of electricity supplied by the City of Twin Falls may require an electrical permit.

Twin Falls Building Department: (208)735-7238.

PLEASE NOTE: Due to the varying duration limits of permits (i.e. catering, electrical, building, etc.), all permits must be approved and submitted no less than two (2) weeks prior to the special event.

Affidavit of Application

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge. I understand that this application is made subject to the rules and regulations established by the Twin Falls City Council. I further agree to abide by these rules, and further certify that I, on behalf of the Host Organization, am authorized to commit that organization, and therefore agree to be financially responsible for any costs and fees that may be uncured by, or on behalf of, the Special Event to the City of Twin Falls.

Application
Signature *

Manuel Rebecchi

Application Date *

03/12/2025



Date: March 31, 2025
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

Request:

Consideration of Resolution R-2025-002 creating a policy to allow for an invocation to be delivered at the beginning of Twin Falls City Council meeting.

Time Estimate:

This item is scheduled for a public hearing. It is estimated this time will take 10 minutes, plus time to answers.

Background:

Starting a meeting with an Invocation is grounded in a longstanding tradition, tracing its origins to Benjamin Franklin's historical call for prayer at the opening of the Continental Congress sessions. This practice continues to be an institutional element of legislative proceedings at all levels—local, state, and national—across the United States.

In the 2014 Supreme Court case, *Town of Greece v. Galloway*, it was affirmed that opening invocations for public meetings do not violate the Establishment Clause of the U.S. Constitution. As such, these ceremonies serve a valuable purpose by inviting council members to reflect on shared ideals and common objectives before engaging in civic governance. The Invocations aim to foster national peace, wisdom for lawmakers, and justice for all citizens, resonating with universal values found not only in religious traditions but also in our foundational documents and legal principles.

An Invocation, by definition, is an act of seeking guidance/support and celebrating/recognizing blessings, typically through a prayer or entreaty directed to a higher authority. The Resolution before the City Council outlines the process and provides guidelines for when Invocations are offered at the beginning of a City Council meeting.

As described in the Resolution, the City will annually notify the public of the opportunity for interested individuals from diverse religious denominations or spiritual organizations to volunteer for the Invocation. The City Clerk, in collaboration with such groups, will compile a comprehensive list of religious and spiritual organizations within the broader Twin Falls area. This list will be publicly accessible, and organizations may be added upon request. Notification regarding the opportunity to deliver the Invocation will be circulated to all enlisted organizations. Furthermore, a sign-up protocol will be implemented to manage the scheduling of interested participants.

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Regulatory Impact:

In general, starting public meetings with invocations (prayers) is permissible under the Establishment Clause of the First Amendment, as affirmed by the Supreme Court in *Town of Greece v. Galloway* (2014). However, certain guidelines and considerations apply to ensure the practice doesn't violate religious equality.

Attachments:

Resolution with Attachments

RESOLUTION NO. 2025-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, CREATING A POLICY TO ALLOW FOR AN INVOCATION TO BE DELIVERED AT THE BEGINNING OF A TWIN FALLS CITY COUNCIL MEETING.

WHEREAS, allowing an invocation at the opening of public meetings of the Twin Falls City Council is a desire of the City Council;

WHEREAS, an invocation is the act or process of petition for help or support, usually in the form of prayer of entreaty to a higher authority;

WHEREAS, beginning with Benjamin Franklin, who called for prayer to open each meeting of the Continental Congress, and proceeding to the present day, such innovations have been a traditional and institutional act of local, state, and national legislative bodies;

WHEREAS, such a prayer takes place at the opening of legislative sessions, where it is meant to lend gravity to the occasion and reflect values long part of the heritage of the United States; and

WHEREAS, the United States Supreme Court stated in its 2014 *Town of Greece v. Galloway* decision that invocations to open public meetings are not in violation of the Establishment Clause of the U.S. Constitution; and

WHEREAS, invocations serve a legitimate function of inviting council members to reflect upon shared ideals and common ends before they embark on the business of governing;

WHEREAS, opening invocations seek peace for the nation, wisdom for its lawmakers, and justice for its people, appealing to universal values embodied not only in religious traditions but also in our founding documents and laws.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

Section 1. The Twin Falls City Council may begin the regular City Council meetings with an invocation presented by representatives of the greater Twin Falls area spiritual community.

Section 2. The City will provide notice, at least once per year, that it is seeking interested members of public from any and all religious denominations or spiritual organizations to present invocations at City Council meetings. In cooperation with such groups, the City Clerk shall establish a list of religious and spiritual organizations located within the greater Twin Falls area. The list shall be available to the public and additional organizations shall be added at the request of any organization. Notice of the opportunity to give the invocation will be sent to all organizations on the

list. In cooperation with such groups, a sign-up procedure will be established by the City for scheduling of interested volunteers.

Section 3. The opportunity to offer an invocation is voluntary and the contents of the invocation may be dictated by the beliefs of the individual or organization offering the invocation.

Section 4. With the adoption of this Resolution, the City of Twin Falls adopts the general guidelines, as and describe on Exhibit “A”.

PASSED BY THE CITY COUNCIL: _____, 2025.

SIGNED BY THE MAYOR: _____, 2025.

MAYOR ATTEST:

DEPUTY CITY CLERK

TWIN FALLS CITY COUNCIL – INVOCATION GUIDANCE

1. There shall be only one invocation on the agenda at each regular City Council meeting preceding all legislative business, which invocations should not exceed two (2) minutes.
2. Any person may volunteer to provide an invocation. No remuneration or other compensation shall be given for providing an invocation.
3. Invocations shall be scheduled on a “first come, first serve” basis. To allow opportunities of persons of different beliefs to participate, preference shall be given to persons who have not given an invocation in the previous four (4) months.
4. To avoid the appearance of establishing or promoting a certain religion or belief, if a City Council member or City employee desires to provide an invocation, the agenda shall state the following next to his/her name: “Mr./Mrs. (Name) is delivering the invocation today in his/her capacity as a private citizen, and not in his/her official capacity as a City Council member/City employee.”
5. Anyone interested in providing an invocation may contact the City Clerk to be placed on the calendar.
6. An assigned City staff person will work with local faith-based organizations to schedule individuals to offer an invocation on a voluntary basis. The person delivering the invocation shall herein be referred to as a cleric. Clerics wishing to provide the invocation may also call City staff at the Twin Falls City Deputy City Clerk Office (208-735-7245) or aluna@tfid.org
7. A cleric's faith shall not preclude his/her ability to give an invocation.
8. The Council serves constituents of all faiths, expresses no faith preference, and recognizes no faith as superior or inferior to others.
9. All invocations or other statements shall be positive and uplifting and are not an opportunity to disparage other people, organizations, or beliefs. No invocation shall be used to lobby or request funding or support. Should the cleric’s invocation be considered offensive, he/she will not be able to offer an invocation again for a period of 2 years.
10. The Mayor will introduce a person by name and title prior to an invocation.
11. Some Council meetings will not have a person scheduled to give an invocation. In such cases, the Mayor, at his/her discretion, may ask for a moment of silence.
12. No member of the Council, public or City staff present at the Council meeting shall be required or expected to participate in an invocation.



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

ACTION ITEM

Request:

Request to use Water enterprise funds in the amount of \$3.5 million for the construction of City of Twin Falls South Well #5.

Time Estimate:

5-10 Minutes

Background:

The City of Twin Falls is requesting approval for the allocation of \$3.5 million from water fund reserves for the construction of South Well Number 5. This project is crucial for expanding our water infrastructure and ensuring a reliable potable water supply. The well was initially developed as a test well in 2015, and was intended to be developed to municipal standards in 2018. The design and permitting were handled by J-U-B Engineers, Inc., in collaboration with Brockway Engineering. Although unresolved water rights disputes and shifting infrastructural priorities delayed progress, an agreement with the College of Southern Idaho has recently resolved these barriers.

The South Well Number 5 and Transmission Main Project estimate from 2020 stands at approximately \$2.12 million, this request is for a reserve allocation of \$3.5 million to adequately fund the project. This amount would cover contingencies, unanticipated costs, and potential cost escalations to ensure comprehensive completion, including updates for compliance with state codes and DEQ guidelines and coordination with agencies like the Twin Falls Canal Company.

Approving this funding is essential for enhancing our city's water infrastructure resilience, ensuring timely project readiness for fiscal year 2026, and preventing further delays. This allocation targets bolstering municipal water infrastructure, ensuring the City of Twin Falls' sustained growth and water security.

Approval Process:

Requires Council Approval

Budget Impact:

This is an unbudgeted project that would be funded from the Water Enterprise fund.

Regulatory Impact:

NA

History:

NA

Analysis:

NA

Conclusion:

Given the important nature of this project in securing and enhancing Twin Falls' water infrastructure, it is recommended that the City Council approves this request. This action will ensure timely project delivery, compliance with regulatory standards, and support the city's long-term growth and sustainability.

Attachments:

1. SouthWell5_CloseOutMemo_Oct24
2. South Well No. 5 Opinion of Cost 100%

Memorandum

DATE: October 23, 2024

TO: City of Twin Falls: Robert Bohling,
Lee Glaesemann, P.E.

FROM: Josh Elliott, P.E.

REVIEWED BY: Mark Holtzen, P.E.

SUBJECT: **South Well No. 5 and Transmission Main Project –
Project Delay and Close-out Information**

Background

In 2015, The City of Twin Falls (City), in collaboration with J-U-B ENGINEERS, Inc. (J-U-B) and Brockway Engineering, developed a test well in the south well field that was eventually reconstructed to municipal well standards in 2018. The well is located at 348 Oriole Ave., Twin Falls, Idaho 83301 (Parcel # RPT425500000C0) and was developed with the intent to bring the facility into production for potable water consumption as South Well No. 5. A Well Completion Report, including groundwater under direct influence (GWUDI) analysis, was subsequently compiled by J-U-B and completed in 2019 with Department of Environmental Quality (IDEQ) approval. Later that year a Preliminary Engineering Report (PER) was completed by J-U-B for the well house and transmission main and approved by IDEQ.

Final design by J-U-B and their retained sub-consultants (AEI, Strata) spanned portions of 2019 and 2020 with final, sealed and IDEQ-approved construction documents submitted to the City for bidding in the summer of 2020. Approximately 100 LF of 16-inch water transmission main was installed during design prior to roadway improvements within the Pheasant Meadows residential development along Southwood Drive. This portion of pipeline was installed by City crews in late April 2020 and subsequently tested, plugged, and marked for future connection.

Due to an unresolved protest from the College of Southern Idaho (CSI) regarding a proposed consolidation of the City's water rights in both the Hankins and South well fields, a protested 1995 water right permit, and the addition of a new point of diversion for South Well No. 5, the City did not bid the project. In October of 2023, the City entered into an Agreement with CSI to swap land and drop the water right dispute.

J-U-B was again retained by the City in late 2023 to revise the design including a topographic base mapping update through the developing Pheasant Meadows Subdivision, an update to the 2018 IBC, reobtain permit approvals and address a few minor corrections noted in the plans and specifications after the original Bid Set was produced in July of 2020. While the City's original intent was to bid and fund the project in 2024, other infrastructure projects have taken priority and the South Well No. 5 project will likely not be budgeted until FY26 at the earliest.

At the direction of the City, J-U-B's open design and construction contract related to this project will be closed and this Summary Memorandum has been produced. The purpose of this Memorandum is to

document the status and history of the project and to list our understanding of the appropriate steps necessary for reapproval of the design when the City intends to proceed with funding and construction.

Construction Reapproval Considerations

In order to regain the necessary construction approvals at some point in the future, J-U-B recommends the following tasks be completed, at a minimum:

- Topographic ground survey and base map update, as necessary depending on when the project is budgeted.
- A permanent easement for the transmission main was obtained from the Magic Valley Ranch homeowner's association, adjacent to Sundown Way. HOA membership may change, and we recommend notifying the HOA of the City's intentions to construct the project once budgeted.
- Obtain updated DEQ approval.
- Check the design against potential code updates for compliance. This may include Idaho Administrative Code (IDAPA) requirements, building code, and electrical code.
- Coordinate with Twin Falls Canal Company (TFCC) for the 'K' Coulee crossing. The design was previously approved with no license agreement requirement; however, one may be required in the future.
- Compile and submit updated Building Permit and ITD ROW Encroachment Permit Applications for construction approval.

Key Documents

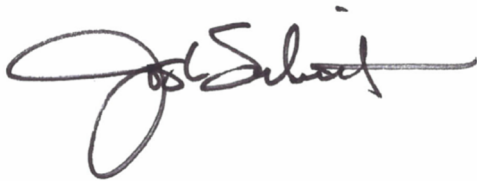
Key documents transmitted to the City with this Memorandum, include:

- Well House structural calculations (Dated May 2024)
- Well House and Transmission Main Plans and Project Manual (Dated October 2024)

If any additional information is needed, please don't hesitate to call me at (208) 376-7330.

Sincerely,

J-U-B ENGINEERS, Inc.



Josh Elliott, P.E.

Cc: Lee Glaesemann, P.E. – City of Twin Falls
Rob Bohling – City of Twin Falls
Mark Holtzen, P.E. – J-U-B ENGINEERS, Inc.

City of Twin Falls
South Well House No. 5 and Transmission Main - Engineer's Opinion of Probable Construction Cost

BASE BID UNIT PRICE SCHEDULE A

Pay Item		Estimated Quantity	Unit	Unit Price	Total Price
ISPMC Reference	Description				
201.4.1.E.1	Remove and Replace Retaining Wall	100	LF	\$65.00	\$6,500.00
201.4.1.E.1	Remove and Replace Tree	2	EA	\$1,000.00	\$2,000.00
201.4.1.F.1	Removal of Tree	1	EA	\$500.00	\$500.00
302.4.1.B.1	Rock Excavation	297	LF	\$115.00	\$34,155.00
307.4.1.A.1	Miscellaneous Surface Restoration (Natural Ground)	1,090	LF	\$12.00	\$13,080.00
307.4.1.A.3	Miscellaneous Surface Restoration (Sod)	254	LF	\$40.00	\$10,160.00
307.4.1.D.1	Type "C" Surface Restoration (Gravel)	354	LF	\$35.00	\$12,390.00
307.4.1.F.1	Type "P-1" Surface Restoration (Asphalt Roadway)	105	LF	\$75.00	\$7,875.00
307.4.1.F.1	Type "P-2" Surface Restoration (Asphalt Roadway)	914	LF	\$100.00	\$91,400.00
307.4.1.K.1	Bike Path Surface Restoration	320	LF	\$160.00	\$51,200.00
401.4.1.A.1	Water Main Pipe - 12" PVC	20	LF	\$450.00	\$9,000.00
401.4.1.A.1	Water Main Pipe - 16" PVC	1,701	LF	\$200.00	\$340,200.00
401.4.1.A.1	Water Main Pipe - 20" PVC	1,208	LF	\$210.00	\$253,680.00
401.4.1.A.1	Water Main Pipe - 30" PVC	143	LF	\$480.00	\$68,640.00
401.4.1.C.1	Connection to Existing Main - 12"	1	EA	\$3,500.00	\$3,500.00
401.4.1.C.1	Connection to Existing Main - 16"	2	EA	\$1,500.00	\$3,000.00
401.4.1.C.1	Connection to Existing Main - 36"	1	EA	\$15,000.00	\$15,000.00
401.4.1.D.1	Water Main Sleeve - 24"	20	LF	\$125.00	\$2,500.00
402.4.1.A.1	Valve - 12", Gate	1	EA	\$2,700.00	\$2,700.00
402.4.1.A.1	Valve - 20", Butterfly	2	EA	\$6,600.00	\$13,200.00
402.4.1.A.1	Valve - 30", Butterfly	1	EA	\$10,000.00	\$10,000.00
706.4.1.A.1	Standard 3 inch Rolled Curb and Gutter	120	LF	\$50.00	\$6,000.00
706.4.1.E.1	Concrete Sidewalk, 5" Thickness	120	LF	\$80.00	\$9,600.00
1103.4.1.A.1	Construction Traffic Control	1	LS	\$40,000.00	\$40,000.00
2010.4.1.A.1	Mobilization	1	LS	\$81,000.00	\$81,000.00
2040.4.1.D.1	Remove and Reset Fence	350	LF	\$30.00	\$10,500.00
SP-2125.1.5	Well House - Piping	1	LS	\$40,000.00	\$40,000.00
SP-2125.1.6	Well House - Pump and Motor	1	LS	\$320,000.00	\$320,000.00
SP-2125.1.7	Well Site - Flow Meter Vault	1	LS	\$20,000.00	\$20,000.00
SP-2125.1.8	Well House - Site Work and Grading	1	LS	\$60,000.00	\$60,000.00
SP-2125.1.9	Well House - Yard Piping	1	LS	\$25,000.00	\$25,000.00
SP-2125.1.10	Well House - Structural	1	LS	\$100,000.00	\$100,000.00
SP-2125.1.11	Well House - HVAC	1	LS	\$20,000.00	\$20,000.00
SP-2125.1.12	Well House - Electrical	1	LS	\$45,000.00	\$45,000.00
SP-2125.1.13	Well House - Site Electrical	1	LS	\$70,000.00	\$70,000.00
SP-2125.1.14	Well House - Back-up Generator	1	LS	\$125,000.00	\$125,000.00
SP-2139.4.1.A.1	Construction Coordination	1	LS	\$30,000.00	\$30,000.00
SP-2216.4.1.A.1	Storm Water Management	1	LS	\$6,500.00	\$6,500.00
SP-2220.4.1.A.1	Waterway Crossing - "K Coulee"	1	LS	\$15,000.00	\$15,000.00
SP-2225.4.1.A.1	Permits and Licenses	1	LS	\$500.00	\$500.00
SP-2240.4.1.A.1	Air Valve Vault	2	EA	\$16,000.00	\$32,000.00
SP-3000.4.1.A.1	Dual Fiber Optic Conduit - 1.25"	3,192	LF	\$16.00	\$51,072.00
SP-3000.4.1.B.1	Fiber Optic Manhole	5	EA	\$4,000.00	\$20,000.00
Total Base Bid Unit Price Schedule A:				\$2,069,352.00	

ADDITIVE ALTERNATE UNIT PRICE SCHEDULE B

Pay Item		Estimated Quantity	Unit	Unit Price	Total Price
ISPMC Reference	Description				
401.4.1.A.1	Water Main Pipe - 24" PVC	1,208	LF	\$250.00	\$302,000.00
402.4.1.A.1	Valve - 24", Butterfly	2	EA	\$8,000.00	\$16,000.00
401.4.1.A.1	Water Main Pipe - 20" PVC (Deduct)	-1,208	LF	\$210.00	-\$253,680.00
402.4.1.A.1	Valve - 20", Butterfly (Deduct)	-2	EA	\$6,600.00	-\$13,200.00
Total Additive Alternate Bid Unit Price Schedule B:				\$51,120.00	

Total Unit Price Schedule A and B:				\$2,120,472.00	
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Date: March 31, 2025
To: Honorable Mayor and City Council
From: Travis Rothweiler, City Manager

Request: Action Item

A request to use up to \$6 million in sewer reserves to fund the City's share of the expansion of the Northeast Sewer Line in Pole Line Road, from the corner at Eastland to Blue Lakes Boulevard.

Time Estimate:

This item will take 10 minutes, plus time for hearing and time to answers.

Background:

The City of Twin Falls initiated improvements to the Northeast Sewer trunk line in 2008. One of the first segments to be completed was along Pole Line Road, stretching from Eastland to Blue Lakes Boulevard. In 2011, our efforts to bring Chobani to Twin Falls expedited the completion of the sewer line by 2013. However, funding limitations left the Pole Line Road segment was not expanded.

On March 19, 2025, the City of Twin Falls, the Twin Falls Urban Renewal Agency, and Chobani formalized a development agreement. The Agreement paves the way for Chobani's \$500 million expansion and the creation of more than 150 jobs. Chobani will increase its daily water consumption by 1 million gallons per day (1MGD). This growth necessitates enhancements to our water and wastewater systems to support additional daily capacities.

To accommodate this, the City will need to expand the capacity of the sewer line along Pole Line Road, stretching from Eastland to Blue Lakes Boulevard. The projected cost for the collection line upgrades is estimated to be between \$7 and \$9 million. The first \$9 million in project costs will be split evenly (50%-50%) between the City and Chobani. The City commits up to \$1.5 million as a contingency for potential cost overruns during these improvements. Management of all expansion-related projects will fall to the City.

Presently, the City holds approximately \$16.4 million in unrestricted sewer fund reserves to support these developments.

Please coordinate with pertinent departments to ensure project alignment and readiness. Further information and directives will be disseminated as projects advance.

Approval Process:

Approval of this request requires a simple majority (50%+1) of the members in attendance at this meeting.

Regulatory Impact:

None

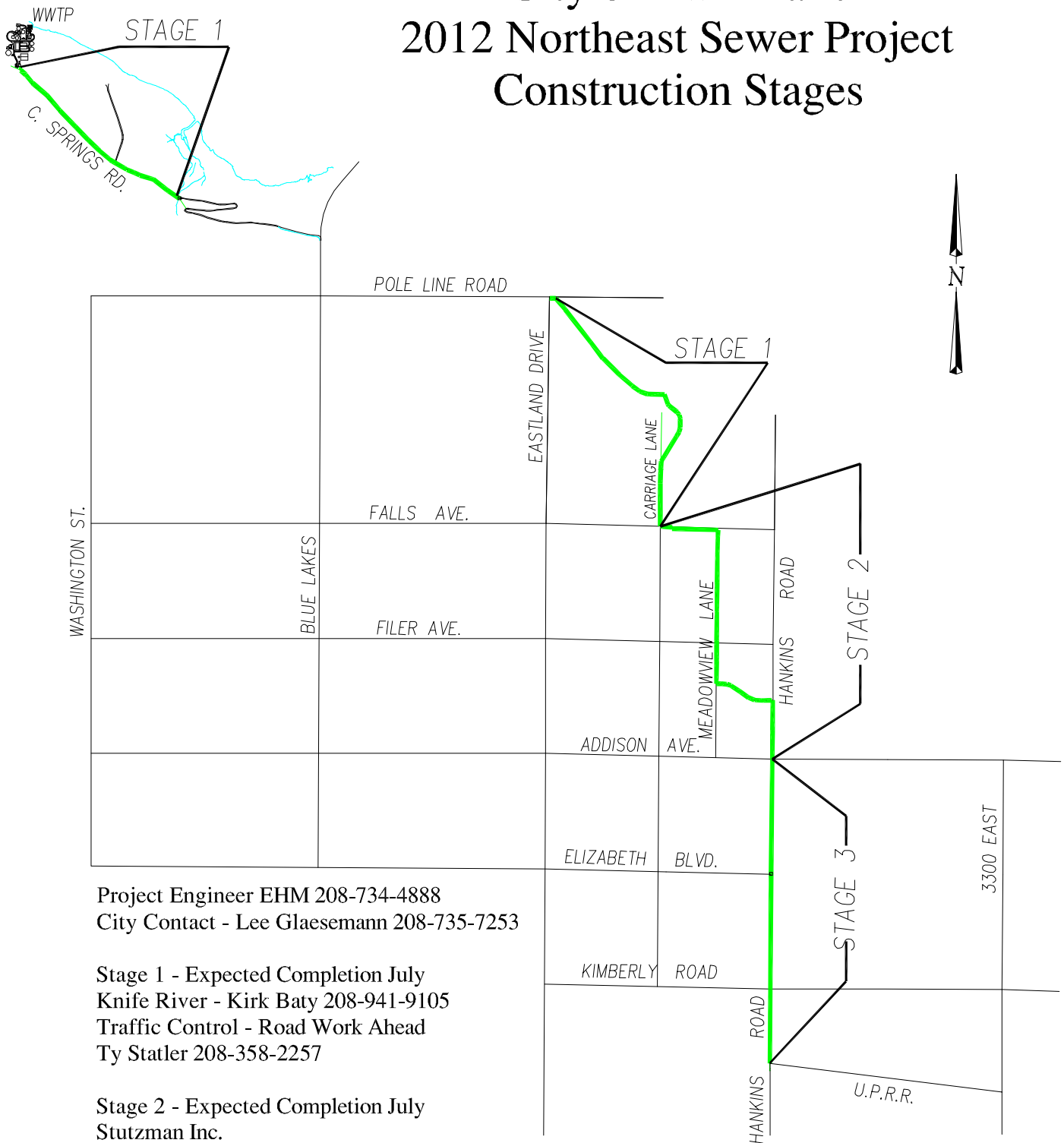
Attachments:

2012 Sewer Line Expansion Project Map

City of Twin Falls

2012 Northeast Sewer Project

Construction Stages



Project Engineer EHM 208-734-4888
City Contact - Lee Glaesemann 208-735-7253

Stage 1 - Expected Completion July
Knife River - Kirk Bay 208-941-9105
Traffic Control - Road Work Ahead
Ty Statler 208-358-2257

Stage 2 - Expected Completion July
Stutzman Inc.
Spencer Cutler 208-733-2693 / 208-731-2693
Traffic Control Road Work Ahead
Ty Statler 208-358-2257

Stage 3 - Expected Completion July
Granite Excavation Inc.
Dusty Hibbard - 208-315-2993
Chucker Earl - 208-630-4935
Traffic Control - Gordon Paving
Mary Shropshire - 208-329-9072



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: William Klaver, Senior City Planner

ACTION ITEM

Request:

Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include regulations pertaining to Chapter 2, Zoning Districts. (PZ24-0130)

Time Estimate:

15-20 minutes for staff presentation.

Background:

In February 2018, the City Council tasked Planning and Zoning Staff to initiate a complete rewrite of Title 10: Zoning and Subdivision Regulations. The main goals of the rewrite are to accomplish the following:

- Update the current definitions;
- Simplify the code navigation process for users;
- Streamline the development approval process; and
- Make the code reflect the goals, language, and strategies of the 2016 Comprehensive Plan.

The chapter applicable to this Staff Report is the "Zoning Districts". This chapter was adopted and amended in various years, ranging from 1981 to 2024.

Like most codes, the city's Title 10 has evolved over time, and as a consequence new provisions have been added without much attention to the over-all organization. There had been provisions that have been added to sections which don't really relate, duplications, and provisions of like content in different locations. Without a word search and a table of contents, it is very difficult to find a specific topic. The following are major changes made to this Chapter:

1. Consolidating the Land Uses from list format to table format has condensed ~76 pages of land use regulations into ~36 pages of land use regulations
2. Consolidating development standards from list formats into tables and applicable illustrations for easier navigation.
3. Consolidation of similar zoning districts see conversion table (See Attached)

The Planning and Zoning Commission forwarded a recommendation of approval to the City Council, by a vote of 4-0, on January 14, 2025.

Approval Process:

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;

- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the Council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

Per 10-14-7: The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the council hearing, if said council makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the council adopts the amendment.

Upon granting or denying an application to amend this title, the council shall specify:

- A. The regulations and standards used in evaluating the application.
- B. The reasons for approval or denial.
- C. The actions, if any, that the applicant could take to obtain a permit.

In the event the council shall approve an amendment, such amendment shall thereafter be made a part of this title upon the preparation and passage of an ordinance. (Ord. 2012, 7-6-1981)

Budget Impact:

N/A

Regulatory Impact:

Should this be approved, this section will provide the general verbiage for the zoning district regulations and outline the bulk and placement standards of buildings in Title 10. Prior to adoption, the entirety of Title 10 will be brought forth to the Commission and Council in it's final format where the Council will decide to proceed with an ordinance or not.

History:

N/A

Analysis:

N/A

Conclusion:

The Council is tasked with making a decision on the proposed text amendment. The Council may approve, approve with conditions, deny, or table the item to a date certain.

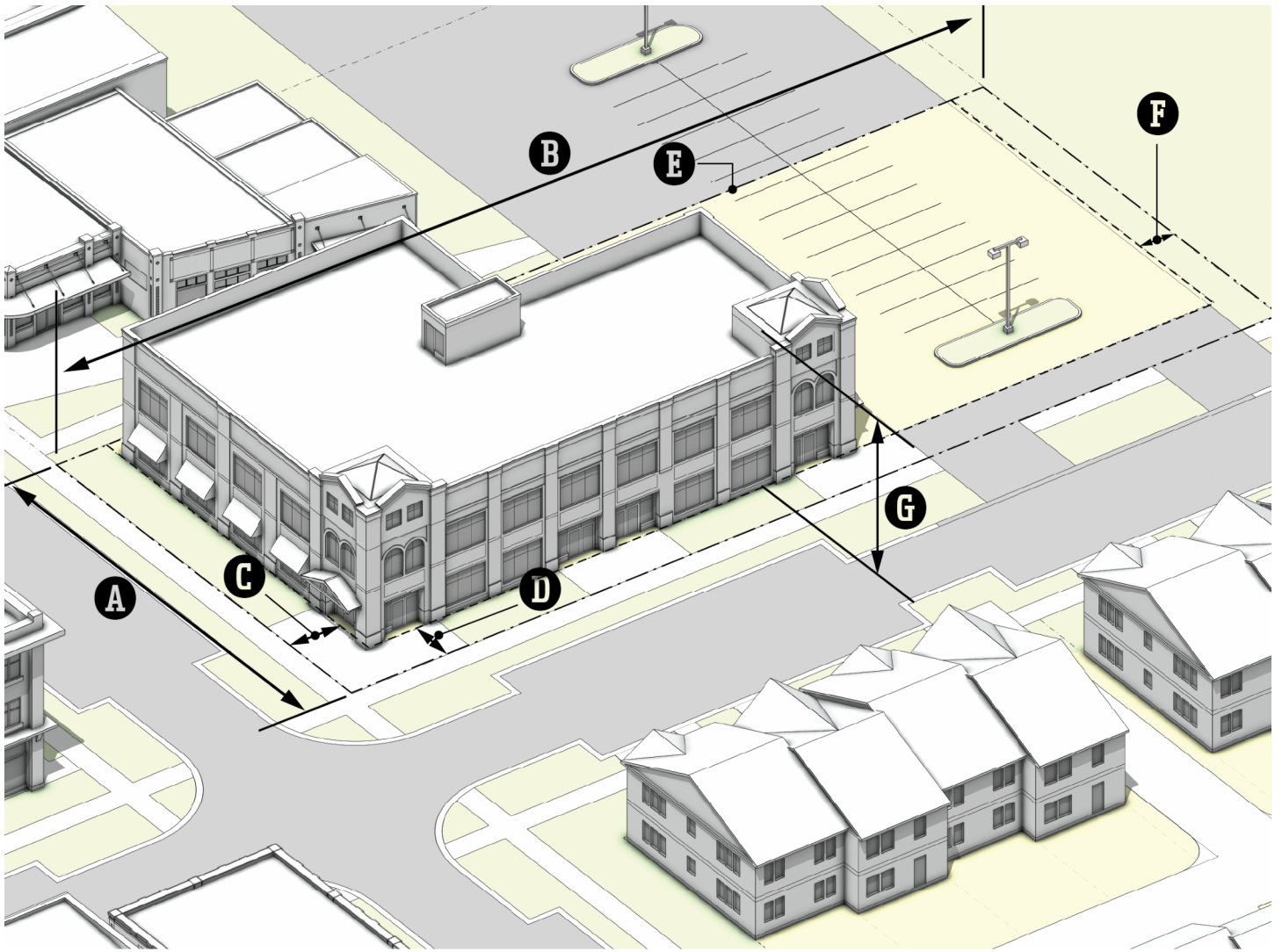
Sample main motions:

1. *Move to approve for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10 as presented;*
2. *Move to approve with conditions for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10; or*
3. *Move to table the item to a date certain of _____.*

Attachments:

1. PZ24-0130 New Zoning Districts - Conversion Chart
2. PZ24-0130 Example Drawing of Lot Placement
3. PZ24-0130 Example Drawing of District Overview
4. PZ24-0130 Proposed Chapter 2 Zoning Districts
5. PZ24-0130 Current Zoning District Regulations
6. PZ24-0130 Planning and Zoning Commission's January 14, 2025 Minutes

Proposed Changes	Proposed Zoning Districts
AG , Agricultural District to AG , Agricultural District SUI , Suburban-Urban Interface District to RR , Rural Residential R1-VAR , Residential Single Household District to TN-1 , Town Neighborhood 1 R2 , Residential Single Household or Duplex District to TN-1 , Town Neighborhood 1 R4 , Residential Medium Density District to TN-2 , Town Neighborhood 2 R6 , Residential Multi-Household District to TN-3 , Town Neighborhood 3 CB , Commercial Central Business District to CC , Central City District C1 , Commercial Highway District to CM , Commercial M1 , Light Manufacturing District to Ind 1 , Light Industrial M2 , Heavy Manufacturing District to Ind 2 , Heavy Industrial OS , Open Space District to OS , Open Space District AP , Airport District to AP , Airport District OT , Old Town to CC , Central City District CM , Commercial Mixed Use District to MU , Mixed Use District RM , Residential Mixed Use District to MU , Mixed Use District CSI , College of Southern Idaho District to CSI , College of Southern Idaho District MHO-1 , Mobile Home Overlay District to ELIMINATE PRO , Professional Office Overlay District PRO CRO , Canyon Rim Overlay District to CRO , Canyon Rim Overlay District NCO , Neighborhood Commercial Overlay District to Applicable ZDA WHO , Warehouse Overlay Historic District to HISTORIC DISTRICTS CHAPTER RB , Residential Business District to CMT , Community Market	AG , Agricultural District RR , Rural Residential District TN-1 , Town Neighborhood District 1 TN-2 , Town Neighborhood District 2 TN-3 , Town Neighborhood District 3 CC , Central City District CM , Commercial IND 1 , Light Industrial IND 2 , Heavy Industrial OS , Open Space AP , Airport District MU , Mixed Use CSI , College of Southern Idaho District CRO , Canyon Rim Overlay District CMT , Community Market District P-1 , No Required Parking P-2 , Case by Case PRO , Professional Office Overlay District





10.2: ZONING DISTRICTS

10.2.1 PURPOSE

The purpose of this chapter is to establish zoning districts that reflect community priorities established in *Grow With Us*, the City of Twin Falls' Comprehensive Plan (adopted in 2016), where compatible uses and development densities are assigned to create, protect, and maintain quality of life for all Twin Falls residents.

10.2.2 STANDARDS APPLICABLE TO ALL DISTRICTS

- A. For the purpose of this chapter, a lot shall be one or more lots, platted in accordance with this title, or shall be a parcel/property that may include parts of platted or un-platted lands existing at the effective date hereof.
- B. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building
- C. Access: All lots shall have vehicular access on a dedicated improved public street with a 50 foot minimum right-of-way unless a secondary means of permanent vehicular access has been approved.
- D. Walls, Fences, Hedges, Trees, Shrubs and Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures may be permitted up to the property line, when not in conflict with other provisions of Twin Falls Municipal code 9-9-16.
 - 1. Walls, fences, hedges, trees, shrubs or landscaping structures shall not be placed within public rights of way without first obtaining a Right of Way Encroachment Agreement from the City.
- E. Architectural Projections
 - 1. Architectural projections of detached accessory buildings shall not be closer than two feet to the side property line.
 - 2. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet to the side property line.
 - 3. All architectural projections shall not project more than 3 ft.
- F. Interpretation of Setbacks:
 - 1. Any street frontage shall have a front setback of the applicable zone
 - 2. On a corner lot the rear setback may be reduced to the side yard setback.
 - 3. On a lot that has three front setbacks, the other setback may be reduced to the side yard setback.

G. Accessory Structures:

1. Accessory building shall not be constructed closer than ten feet to a main building.
2. Accessory buildings shall not be constructed in the front setback(s).
3. Accessory buildings shall not be closer than three feet to the side or rear property line(s).
4. If the main building setback is less than three feet, the main building setback shall apply.

10.2.3: OPEN SPACE (OS)

- A. Description & Purpose. The purpose of the Open Space District is to preserve and maintain the natural character, view sheds, ecological habitat, and areas for both passive and active recreation in and around the City of Twin Falls.
- B. Use of Lots: Each building except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a lot shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.



Table 1 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
8,000/43,000	n/a	n/a	n/a%
G	H	J	K

C. Property Development Standard

1. Lot Area.

- a. The minimum lot area per household dwelling shall be 8,000 square feet if serviced by centralized sewer, and 43,560 square feet if on septic tanks.
- b. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements if the lot existed at the effective date of this title, and conformed to the minimum lot size requirements of this title at the time it was created, except that residential uses shall be limited to a Detached Single Dwelling Unit.
- c. Each nonresidential use shall have a minimum lot area established by the commission through the Special Use Permit process.



Building / Structure	Max. Height (ft.)	Key
Main building	20	V
Accessory structure	20	W

2. Building Height. No building shall exceed 20 feet in height.
3. Building Setbacks.
 - a. Residential:
 - i. Front Setbacks: 30 ft.
 - ii. Side Setbacks: 7 ft.
 - iii. Rear Setbacks: 30 ft.
 - b. Each nonresidential use shall have a yard established by the commission through the Special Use Permit process.
4. Landscaping. All nonresidential uses shall have the landscaping requirement established by the commission through the Special Use Permit process.

10.2.4: AGRICULTURAL (AG)

- A. Description & Purpose. The purpose of the Agriculture District is to support agricultural production, sales, education, preserve the agricultural character of the built environment, and protect agricultural view sheds.
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that incudes parts of platted or unplatted lands existing at the effective date hereof.



Table 3 Lot Dimensions

Min. Area (acres)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
20	n/a	n/a	n/a%
G	H	J	K

- C. Property Development Standards.
 - 1. Lot Area: The minimum lot area shall be 20 acres.



Table 4 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building.....	40	V
Accessory structure.....	40	W

2. Building Height. No building shall exceed 40 feet in height.



Table 5 Building Setbacks

Building Setbacks	Main	Accessory	Diagram Key
Front	30'	30'	L
Side	7'	3'	M
Rear	n/a	n/a	P
Rear abutting alley	n/a	n/a	Q

- 3. Building Setback.
 - a. Front Setbacks: The front building line shall not be closer than 30 feet to the front property line.
 - b. Side Setbacks: The side building line shall not be closer than 7 feet to the side property line.
 - c. Rear Setbacks: The rear building line shall not be closer than 30 feet to the rear property line.
- 4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
- 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.5: CANYON RIM OVERLAY DISTRICT (CRO)

A. Purpose.

The purpose of the Canyon Rim Overlay District is to protect and preserve the Canyon Rim experience along the Snake River Canyon & Rock Creek Canyon, as well as:

1. To protect the public and private property owners from the natural hazards of rock fall and slope failure along the Snake River Canyon and Rock Creek Canyon.
2. To protect views and create a unique visual environment along the canyon rims. To preserve and improve the aesthetic appearance of the canyon rims for the enhancement of the quality of life in the community.
3. To provide development standards that enhance the value of canyon rim areas for the community.

B. Location:

The Canyon Rim Overlay District shall include all of that area within the City located within 200 feet of the Rock Creek Canyon rim and within 700 feet of the Snake River Canyon rim.

C. Use of Lots: Use of lot is the same as the basic zoning district upon which the overlay is placed.

D. Property Development Standards

1. Lot Area: Same as the underlying zoning district upon which the overlay is placed.

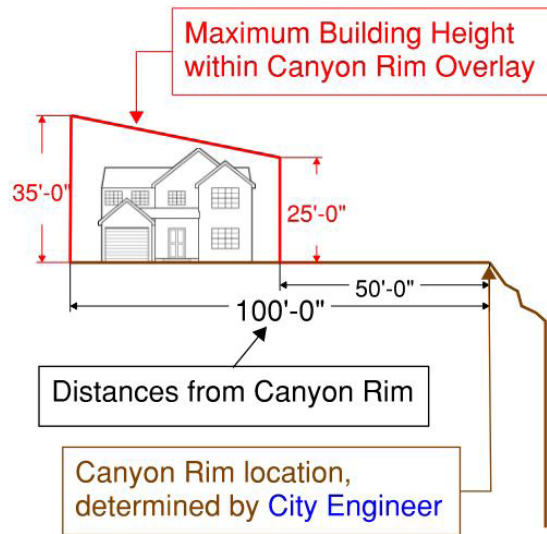


Table 6 Building Height

Building / Structure	Max. Height at 50 ft. (ft.)	Max. Height at 100 ft. (ft.)	Max. Height at 150 ft. (ft.)	Key
Principal building	25	35	50	V
Accessory structure	25	35	50	W

2. Building Height:

- Within the CI Zoning District: No building shall exceed maximum building height of twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim, and thereafter rising evenly to fifty feet (50') in height measured at one hundred fifty linear feet (150') from the canyon rim.
- All other applicable Districts: No building shall exceed maximum building height of twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim.
- All heights are to be measured from the existing canyon rim elevation, or the existing ground level elevation at the building site, whichever elevation is greater.
- Additional Height: Additional height may be requested for those areas beyond the 50 foot Canyon Rim setback by following the Additional Building Height Processes established by 10-8-XX.

3. Building Setbacks.

- Property Line Setback: Same as that of the underlying zoning district upon which the overlay is placed.
- Canyon Rim Setback: The minimum canyon rim setback in the CRO district shall be 100 feet.

- c. Setback Adjustment: The minimum canyon rim setback in the CRO district may be reduced to 50 feet or the minimum setback recommended in a qualified geological report following the process established by 10 - XXXX, whichever results in a greater linear distance from the canyon rim.
- 4. Landscaping.
 - a. Landscaping shall meet the requirements of section 10-6 of this title and shall include the following elements:
 - i. Buffers.
 - A. There shall be a minimum 50 foot landscaped buffer within 50 feet of the Canyon Rim.
 - B. Roads and utilities may cross landscaped buffers, sidewalks and trails may run through them, and permitted freestanding signs and minor utility installations may be placed in them.
 - 5. Parking. Parking areas including 24 or more spaces shall be broken into separate blocks by landscaped areas and pedestrian walks that comprise at least ten percent of the area devoted to parking. Grounding of landscaping shall not be allowed.
 - 6. Canyon Rim Setback Area. The canyon rim setback area may be included as part of the twenty percent (20%) landscaping requirement if the area is landscaped to meet the minimum requirements of subsection 10-6-2.2 of this title or if planted with native vegetation.
- E. Signs. In addition to the general sign regulations, additional special regulations governing sign placement and height in the Canyon Rim Overlay are found in Title 10, Chapter 9.
- F. Building Types: Building types allowed in this zone will be the same as that of the underlying zoning district upon which the overlay is placed.
- G. Additional Development Standards.
 - 1. Form: Buildings that have a footprint of more than 3,000 square feet shall be designed to reduce their apparent mass using one or more of the following techniques:
 - a. Varying Height: Buildings may be "stepped back" in height from the setback line to reduce their apparent mass and visual competition with the canyon wall.
 - b. Varying Setback: The building line facing the canyon rim may be varied (i.e., different portions of the building would be different distances from the setback line).
 - c. Landscaping: Mass plantings and earthworks can be designed and sited to effectively break the apparent mass of a building.
 - 2. Fences. Maximum height of seven feet permitted.

10.2.6: RURAL RESIDENTIAL (RR)

- A. Purpose. The purpose of the Rural Residential District is to provide a transition from agricultural land to town neighborhoods. Typical development in the Rural Residential District is large-lot residential with integrated agricultural/open space uses.
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.



Min. Area (acres)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
I G	n/a H	n/a J	n/a% K

- C. Property Development Standards
 - 1. Lot Area. The minimum lot area per household dwelling shall be one acre, or as set forth in the "Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems" as adopted by the South Central District Board of Health, whichever is larger.

Table 8 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building.....	40	V
Accessory structure.....	40	W

2. Building Height. No building shall exceed 40 feet in height.

Table 9 Building Setbacks

Building Setbacks	Main	Accessory	Diagram Key
Front.....	30'	30'	L
Side.....	7'	3'	M
Rear.....	30'	30'	P
Rear abutting alley.....	n/a	n/a	Q

3. Building Setbacks.
 - a. Front Setbacks: The front building line shall not be closer than 30 feet to the front property line.
 - b. Side Setbacks: The side building line shall not be closer than seven feet to the side property line.
 - c. Rear Setbacks: The rear building line shall not be closer than 30 feet to the rear property line.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.7: TOWN NEIGHBORHOOD 1 DISTRICT (TN-1)

- A. Purpose. This district is intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required.
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

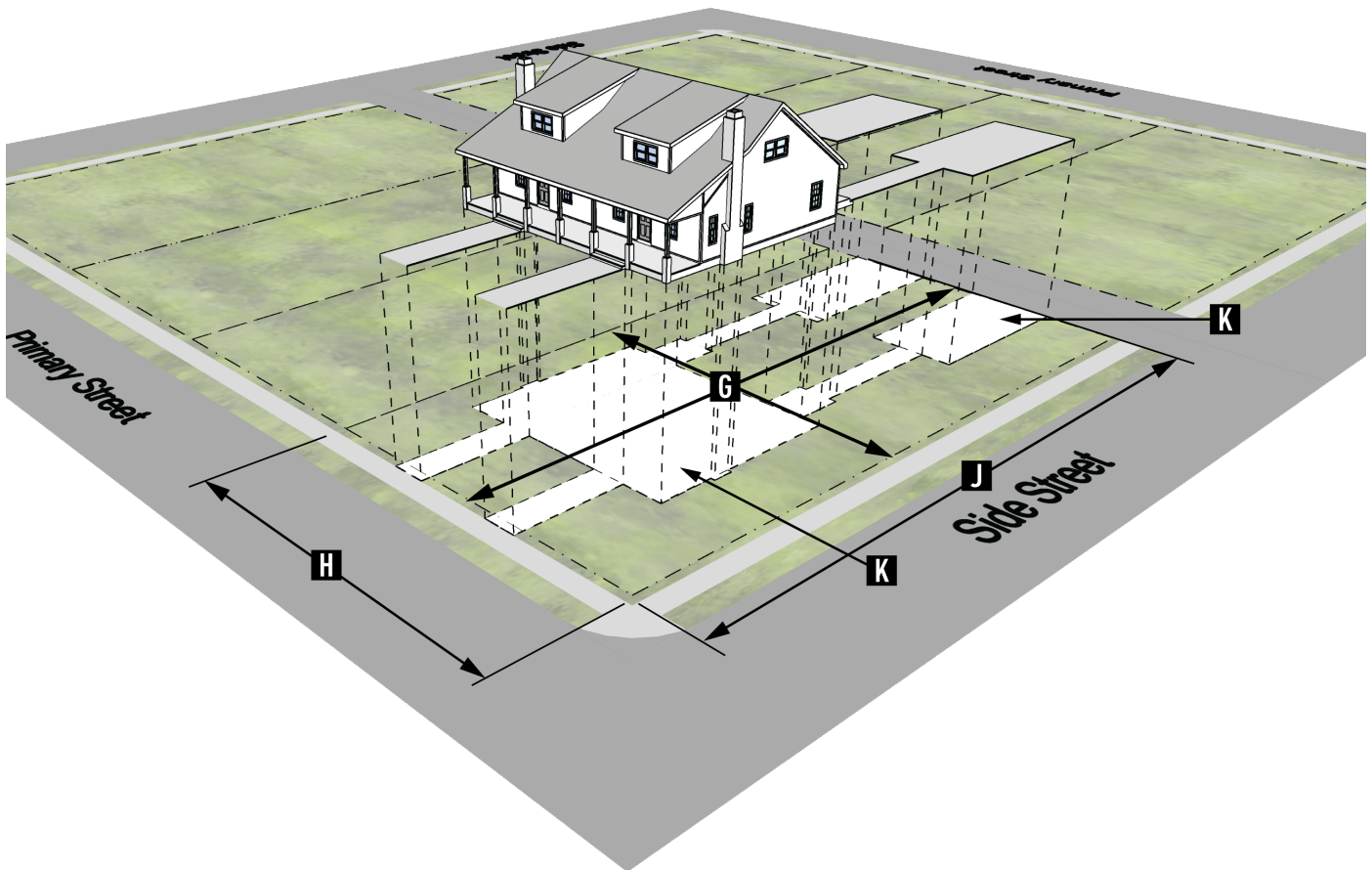


Table 10 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
7,000/10,000	n/a	n/a	n/a%
G	H	J	K

- C. Property Development Standards.

1. Lot Area. The minimum lot area shall be 7,000 square feet for a single household dwelling and 10,000 square feet for a duplex dwelling.

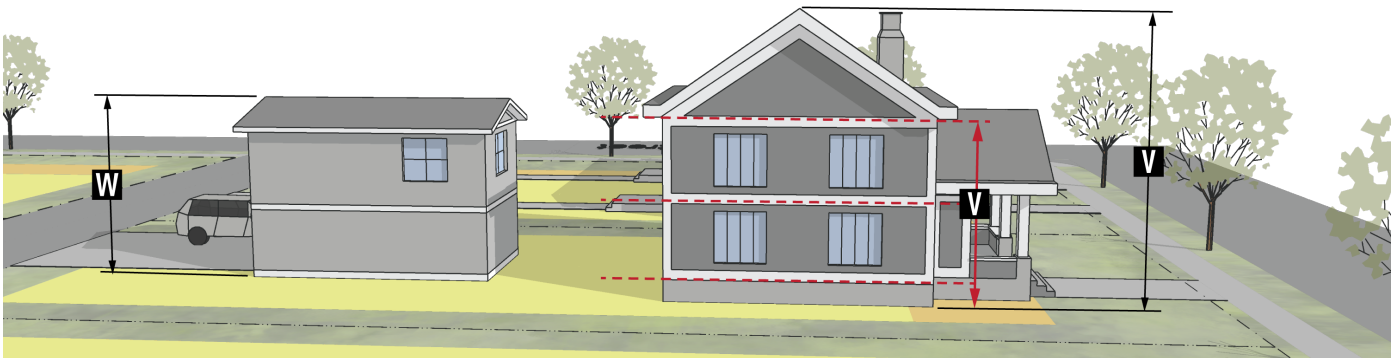


Table 11 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	35	V
Accessory structure	35	W

- Building Height. No building shall exceed 35 feet in height.

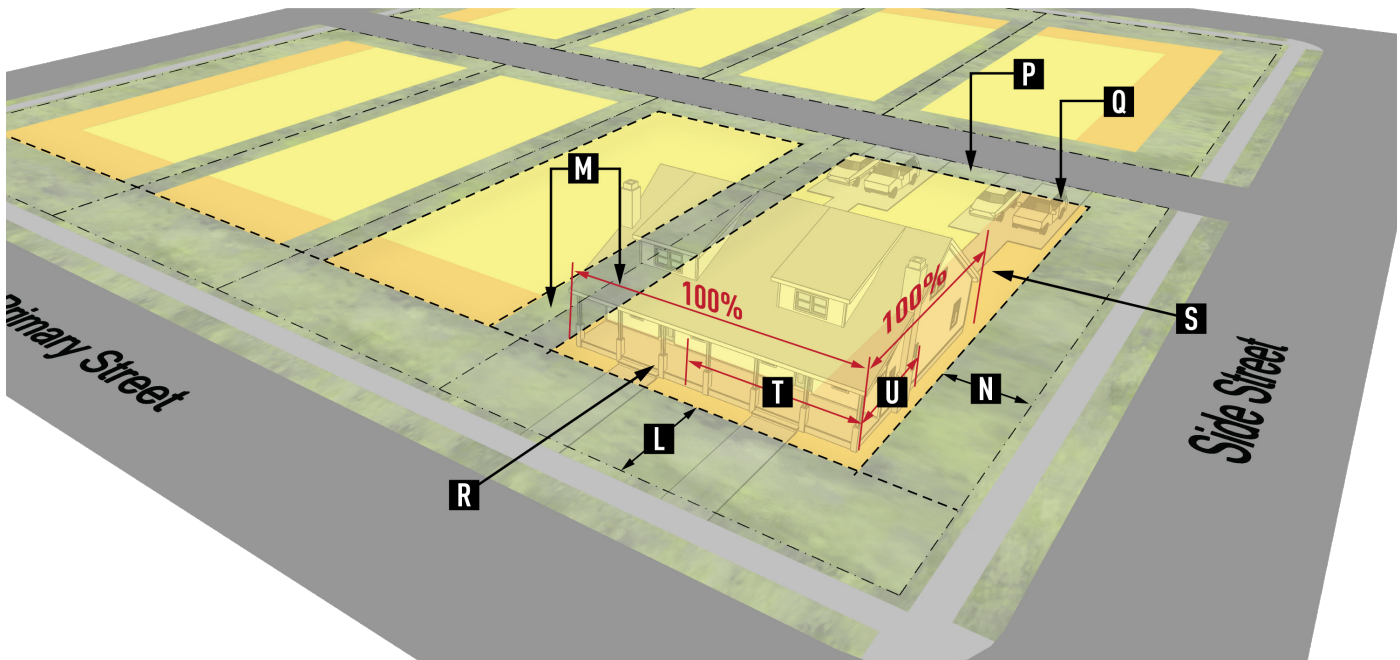


Table 12 Building Setbacks

Building Setbacks	Main	Accessory	Diagram Key
Front	15'/20'	15'	L
Side	7'	3'	M
Rear	15'/20'	5'	P

-
3. Building Setbacks.
 - a. Front Setbacks: The front building line shall not be closer than 15 feet to the front property line.
 - i. Garages facing any street shall not be closer than 20 feet to the property line.
 - b. Side Setbacks: The side building line shall not be closer than 7 feet to the side property line.
 - c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line.
 4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.8: TOWN NEIGHBORHOOD 2 DISTRICT (TN-2)

- A. Purpose. This district is intended to promote and preserve medium density residential development and to provide a residential environment to allow the present and future residents to live and play in an area with space for personal privacy, minimum vehicular traffic, and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required.
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.



Table 13 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
4,000/6,500	n/a	n/a	n/a%
G	H	J	K

C. Property Development Standards.

1. Lot Area. The minimum lot area per single household dwelling shall be 4,000 square feet, 6,500 square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by 2,000 square feet per dwelling unit or 1,000 square feet per unit above or below the ground level unit.

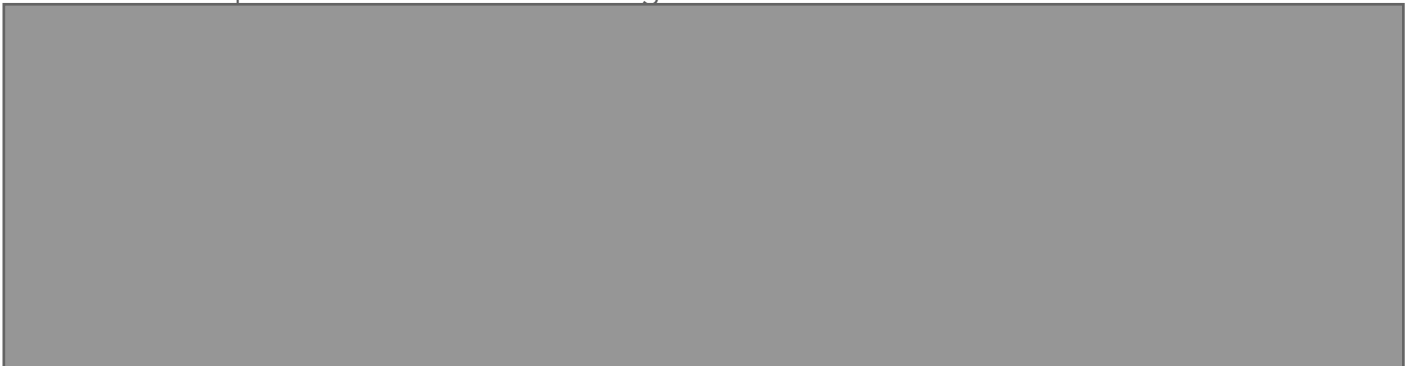


Table 14 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	35	V
Accessory structure	35	W

2. Building Height. No building shall exceed 35 feet in height.

Table 15 Building Setbacks

Building Setbacks	Main	Accessory	Diagram Key
Front	15'/20'	15'/20'	L
Side	15'	3'	M
Rear	15'/20'	5'	P

3. Building Setbacks:

- a. Front Setbacks: The front building line for the primary dwelling shall not be closer than 15 feet to the front property line.
 - i. Garages facing any street shall not be closer than 20 feet to the property line.
- b. Side Setbacks: The side building line shall not be closer than five feet to the side property line.
- c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line for residential uses and 15 feet for other uses.

-
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.9: TOWN NEIGHBORHOOD 3 DISTRICT (TN-3)

- A. Purpose. This district is intended to promote and preserve residential development and to provide a high density residential environment free from encroachment by major commercial and industrial activities with a proportional increase in amenities as density rises. Centralized water and sewer facilities are required
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

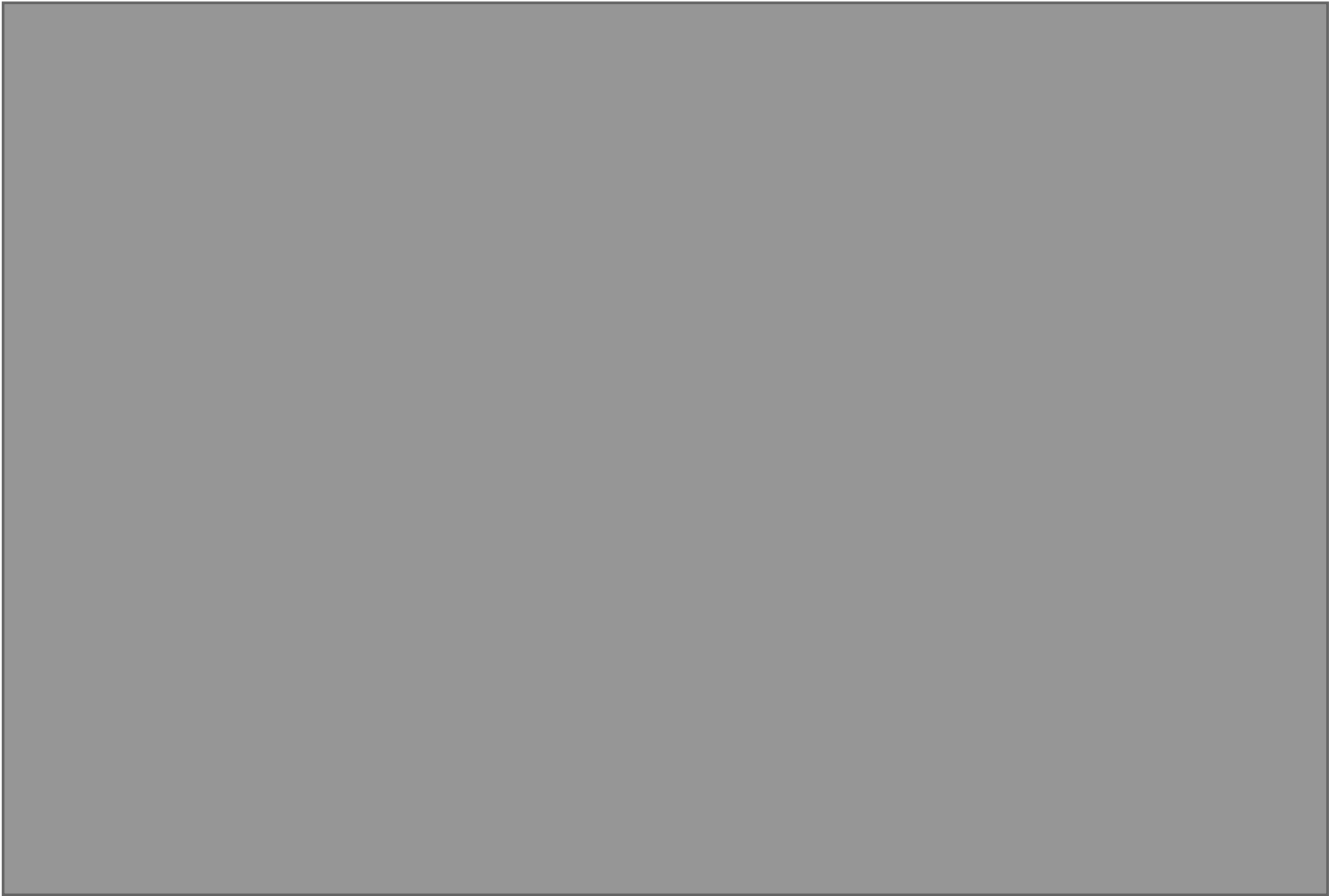


Table 16 Lot Dimensions

Min. Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Max. Coverage
3,500/5,500	n/a	n/a	n/a%
G	H	J	K

C. Property Development Standards.

1. Lot Area. The minimum lot area per single household dwelling shall be 3,500 square feet, 5,500 square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by 2,000 square feet per dwelling unit or 1,000 square feet per unit above or below the ground level unit.

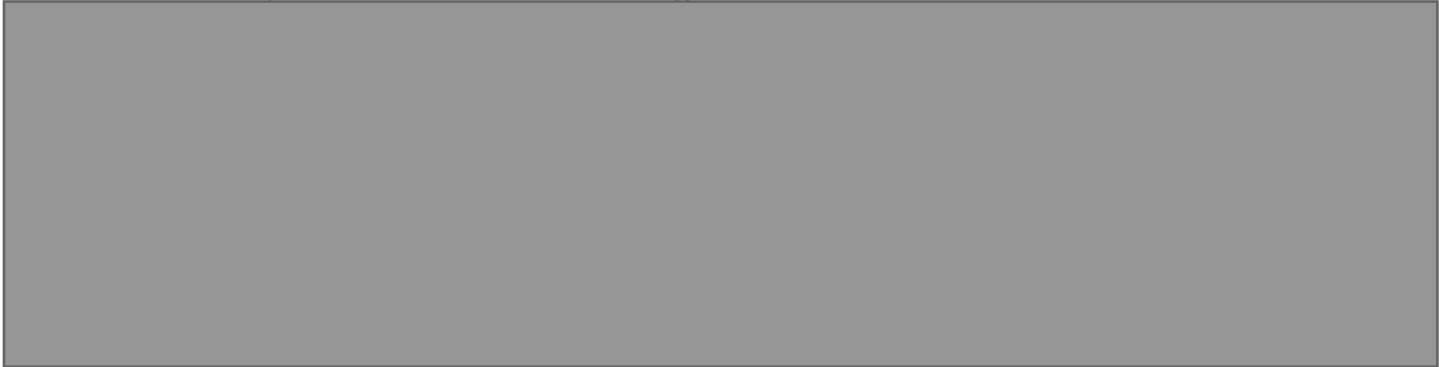


Table 17 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	40	V
Accessory structure	40	W

2. Building Height. No building shall exceed 40 feet in height.

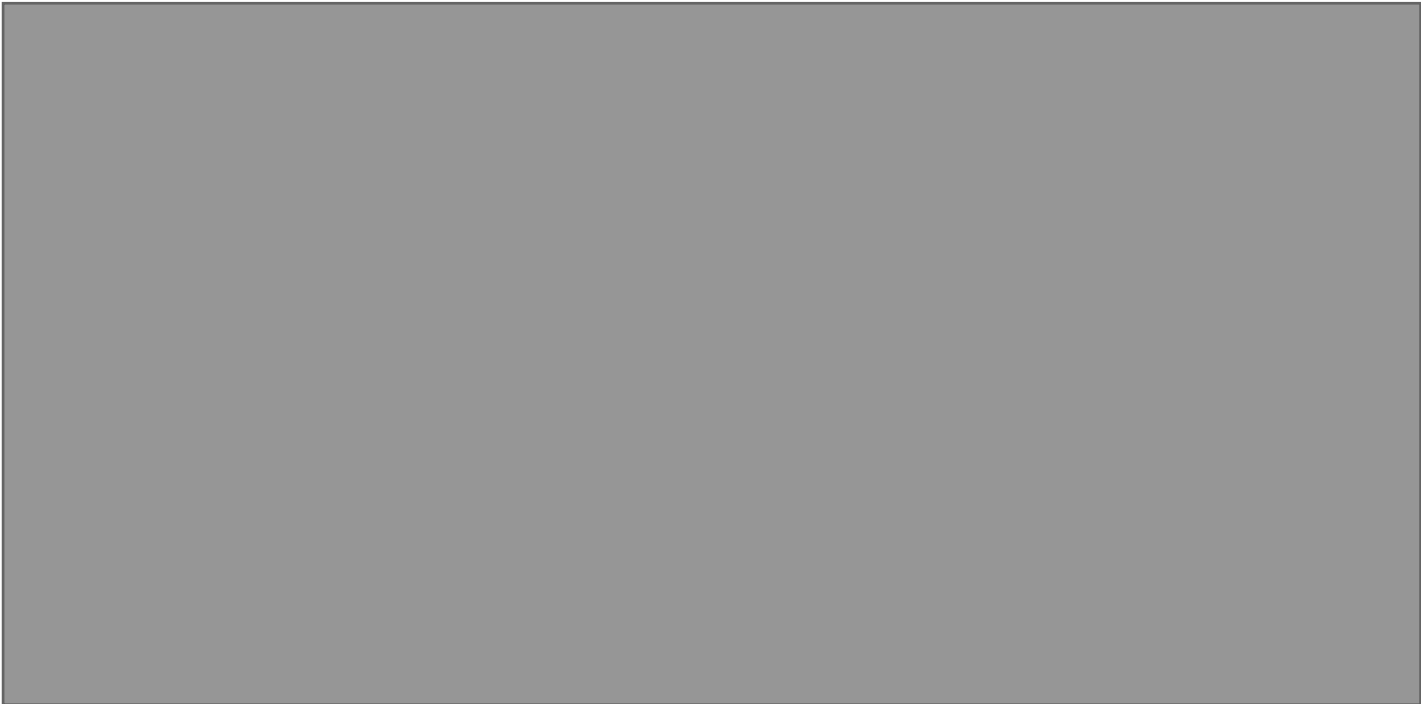


Table 18 Building Setbacks

Building Setbacks	Main	Accessory	Diagram Key
Front	15'/20'	15'/20'	L
Side	15'	3'	M
Rear	15'/20'	5'	P

- 3. Building Setbacks:
 - a. Front Setbacks: The front building line for the primary dwelling shall not be closer than 15 feet to the front property line.
 - i. Garages facing any street shall not be closer than 20 feet to the property line.
 - b. Side Setbacks: The side building line shall not be closer than five feet to the side property line.
 - c. Rear Setbacks: The rear building line shall not be closer than 15 feet to the rear property line for residential uses and 15 feet for other uses.

-
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.10: MIXED-USE DISTRICT (MU)

A. Purpose. The Mixed-Use District is established to promote a vibrant, inclusive, and sustainable neighborhood that balances residential, commercial, and recreational uses. This district encourages a sense of place and community through thoughtful design, diverse housing options, accessible public spaces, and walkable connectivity to nearby amenities. It supports smart growth principles to enhance livability, foster economic opportunities, and preserve the distinct character of Twin Falls.



Table 19 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	40	V
Accessory structure	40	W

- B. Property Development Standards.
- 1. Lot Area:
 - a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
 - b. Residential Uses: Residential uses not attached to a commercial use shall provide the minimum lot area of the TN-3 district or as determined by the ZDA process.
 - 2. Building Height. No building shall exceed 40 feet in height except as provided by section 10-8-# of this title.

3. Building Setbacks.
 - a. Front Setbacks:
 - i. Commercial and residential over 5 units: 35' on major arterials, 15' all other roads.
 - ii. Residential: Standards for TN-3 Zone apply.
 - b. Side Setbacks:
 - i. Commercial and residential over 5 units: 0'
 - ii. Residential: Standards for TN-3 Zone apply.
 - c. Rear Setbacks:
 - i. Commercial and residential over 5 units: 0'
 - ii. Residential: Standards for TN-3 Zone apply.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.11: COMMUNITY MARKET DISTRICT (CMT)

- A. Purpose. The purpose of the Community Market District is to provide supporting services and neighborhood-scale commercial and office development for surrounding residential uses. Such development should be designed to complement the surrounding neighborhood character.
- B. Use of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.



Table 20 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	35	V
Accessory structure	35	W

- C. Property Development Standards.
 - 1. Lot Area.
 - a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.
 - b. Residential Uses: Residential uses less than five units and not attached to a commercial use shall provide the minimum lot area of the Town Neighborhood 2 (TN-2) district.
 - 2. Building Height. No building shall exceed 35 feet in height except as provided by section 10-8-# of this title.

3. Building Setbacks.
 - a. Front Setbacks: A setback of 35 feet shall be maintained on major arterials and 15 feet on all other streets.
 - b. Side Setbacks:
 - i. Commercial and residential over 5 units: 0' or 15' from residential zones
 - ii. Residential: 15'
 - c. Rear Setbacks:
 - i. Commercial and residential over 5 units: 0' or 15' from residential zones
 - ii. Residential: 15'
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.12: CENTRAL CITY DISTRICT (CC)

- A. Purpose. The Central City District is established to serve as the economic, cultural, and civic heart of Twin Falls, fostering a dynamic, mixed-use environment that promotes growth, innovation, and community engagement. This district supports a blend of residential, commercial, entertainment, and institutional uses, encouraging higher density development while preserving the historic character and walkable nature of the city center.
- By prioritizing pedestrian-oriented design, public spaces, and sustainable infrastructure, the Central City District enhances connectivity, economic opportunity, and quality of life for residents, businesses, and visitors. It seeks to revitalize underutilized spaces, attract new investment, and create a vibrant destination that reflects the unique identity and values of Twin Falls.



Table 21 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	65	V
Accessory structure	65	W

- B. Property Development Standards.
1. Lot Area. The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.
 2. Building Height. No building shall exceed 65 feet in height except as provided by section 10-8-# of this title.
 3. Building Setbacks. No property line setbacks for uses unless specified by the Planning and Zoning Commission through the Special Use Permit process.

-
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.13: COMMERCIAL DISTRICT (COM)

A. Purpose.

The Standard Commercial District is designed to accommodate a wide range of retail, service, and office uses that support the economic vitality of Twin Falls. This district serves as a key commercial hub, providing essential goods, services, and employment opportunities to residents, businesses, and visitors.

Characterized by medium-intensity development, the district features a variety of commercial establishments, including shopping centers, restaurants, professional offices, and service providers. Site design emphasizes safe and efficient vehicular access, ample parking, and connectivity to adjacent neighborhoods and transportation corridors.

While auto-oriented in nature, the district encourages pedestrian access through sidewalks, landscaping, and clear pathways that enhance the customer experience. Development standards promote functional, attractive buildings and site layouts that integrate with the surrounding community and maintain the city’s visual appeal.

The Standard Commercial District supports a balance of economic growth and community needs, providing a flexible framework for businesses to thrive while fostering a welcoming, accessible, and well-maintained commercial environment for all of Twin Falls.



Table 22 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	50	V
Accessory structure	50	W

B. Property Development Standards.

- 1. Lot Area: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
- 2. Building Height: No building shall exceed 50 feet height except as provided by section 10-8-# of this title.
- 3. Building Setbacks.
 - a. Commercial Uses and Residential Uses with Five Or More Units Per Building:
 - i. Front Setbacks: A setback of 20 feet shall be maintained on major arterials and

ten feet on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

- A. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required 35 feet property line setback on arterial streets, providing the property line setback is not less than 30 feet for a pump island nor less than 20 feet for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
 - B. Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20 feet or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.
- ii. Side and Rear Setbacks: No property line setbacks are required on side yard or rear yards when adjacent to existing commercial uses, existing residential uses with five or more units per building, vacant property that is zoned for nonresidential development, or vacant property that is designated on the future land use plan for nonresidential development. A property line setback of 25 feet shall be maintained on the side yard and rear yard for buildings adjacent to existing residential uses with four or fewer units per building, vacant property that is zoned for residential development or vacant property that is designated on the future land use plan for residential development.
- 4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 - 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.14: INDUSTRIAL DISTRICTS (IND 1 & IND 2)

- A. Purpose. The purpose of the Industrial District is to provide manufacturing and light industrial uses and limit the encroachment of non-industrial development within established industrial areas.
- B. Property Development Standards.
 - 1. Lot Area: The lot area shall be of sufficient size to provide for the building, the required setbacks, offstreet parking and landscaping. Each nonresidential use shall have a minimum lot area established by the commission.
 - 2. Building Height. No building shall exceed 75 feet in height except as provided by section 10-8-# of this title.
 - 3. Building Setbacks.
 - a. Commercial Uses:
 - i. Front Setbacks: A setback of 20 feet shall be maintained on major arterials and ten feet on all other streets. In developed areas which have building lines already

Table 23 Building Height

Building / Structure	Max. Height (ft.)	Key
Main building	75	V
Accessory structure	75	W



established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

- A. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required 35 feet property line setback on arterial streets, providing the property line setback is not less than 30 feet for a pump island nor less than 20 feet for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
 - B. Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20 feet or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.
 - ii. Side Setbacks: Commercial Uses have a zero foot side and rear yard setback.
 - b. Residential Uses: Residential uses shall conform to the yard standards of the TN-3 district.
- 4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
 - 5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.15: AIRPORT DISTRICT (AP)

A. Purpose

The purpose of the Airport District is to support safe airport operations and promote compatible airport-related development that will accommodate expansion of airport operations over time.

B. Property Development Standards

1. Lot Area.
 - a. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
 - b. Agricultural & Residential Uses: Minimum of 20 acres.
2. Building Height.
 - a. Non-Airport Related buildings and structures: No building or structure shall exceed 35 feet in height. The Planning & Zoning Commission may authorize additional height for structures as provided in Federal Aviation Agency regulations part 77.
 - b. Airport Related structures: Structures approved by airport staff and adhering to Federal Aviation Agency regulations part 77 are exempted from this restriction.
3. Building Setbacks.
 - a. Front Setbacks: As approved by the Airport.
 - b. Side Setbacks: As approved by the Airport.
 - c. Rear Setbacks: As approved by the Airport.
4. Off-Street Parking. Off-street parking shall meet the requirements of section 10-5 of this title.
5. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

10.2.16: COLLEGE OF SOUTHERN IDAHO DISTRICT (CSI)

A. Purpose

The purpose of the College of Southern Idaho District is for the City to give the necessary autonomy to the College to achieve its academic goals and objectives. The only properties that are eligible for this designation are those owned and operated by the College.

B. Property Development Standards

1. Lot Area. N/A
2. Building Height. No building shall exceed 40 feet in height except as provided by section 10-8-# of this title.
3. Building Setbacks.
 - a. Front Setbacks: Setbacks on arterial frontages shall be 35 feet from property line and 15 feet on other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the Commission.
 - b. Side Setbacks: 0' or 15' from residential zones.
 - c. Rear Setbacks: 0' or 15' from residential zones.
4. Landscaping. Landscaping shall meet the requirements of section 10-6 of this title.

CHAPTER 4

ZONING DISTRICT REGULATIONS

SECTION:

10-4-1: AG, Agricultural District

10-4-1.1: Purpose

10-4-1.2: Use Regulations

10-4-1.3: Property Development Standards

10-4-2: SUI, Suburban-Urban Interface District

10-4-2.1: Purpose

10-4-2.2: Use Regulations

10-4-2.3: Property Development Standards

10-4-3: R1-VAR, Residential Single Household District

10-4-3.1: Purpose

10-4-3.2: Use Regulations

10-4-3.3: Property Development Standards

10-4-4: R2, Residential Single Household Or Duplex District

10-4-4.1: Purpose

10-4-4.2: Use Regulations

10-4-4.3: Property Development Standards

10-4-5: R4, Residential Medium Density District

10-4-5.1: Purpose

10-4-5.2: Use Regulations

10-4-5.3: Property Development Standards

10-4-6: R6, Residential Multi-Household District

10-4-6.1: Purpose

10-4-6.2: Use Regulations

10-4-6.3: Property Development Standards

10-4-7: CB, Commercial Central Business District

10-4-7.1: Purpose

10-4-7.2: Use Regulations

10-4-7.3: Property Development Standards

10-4-8: C1, Commercial Highway District

10-4-8.1: Purpose

10-4-8.2: Use Regulations

10-4-8.3: Property Development Standards

10-4-9: M1, Light Manufacturing District

10-4-9.1: Purpose

10-4-9.2: Use Regulations

10-4-9.3: Property Development Standards

10-4-10: M2, Heavy Manufacturing District

10-4-10.1: Purpose

10-4-10.2: Use Regulations

10-4-10.3: Property Development Standards

10-4-11: OS, Open Space District

10-4-11.1: Purpose

10-4-11.2: Use Regulations

10-4-11.3: Property Development Standards

10-4-12: AP, Airport District

10-4-12.1: Purpose

10-4-12.2: Use Regulations

10-4-12.3: Property Development Standards

10-4-13: OT, Old Town District

10-4-13.1: Purpose

10-4-13.2: Use Regulations

10-4-13.3: Property Development Standards

10-4-14: CM, Commercial Mixed Use District

10-4-14.1: Purpose

10-4-14.2: Use Regulations

10-4-14.3: Property Development Standards

10-4-15: RM, Residential Mixed Use District

10-4-15.1: Purpose

10-4-15.2: Use Regulations

10-4-15.3: Property Development Standards

10-4-16: CSI, College Of Southern Idaho District

10-4-16.1: Purpose

10-4-16.2: Use Regulations

10-4-16.3: Property Development Standards

10-4-17: MHO-1, Mobile Home Overlay District-One

10-4-17.1: Purpose

10-4-17.2: Use Regulations

10-4-17.3: District Size

10-4-17.4: Property Development Standards

10-4-18: PRO, Professional Office Overlay District

10-4-18.1: Purpose

10-4-18.2: Use Regulations

10-4-18.3: Property Development Standards

10-4-19: CRO, Canyon Rims Overlay District

10-4-19.1: Purposes

10-4-19.2: Location

10-4-19.3: Property Development Standards

10-4-20: WPO, Wellhead Protection Overlay District

10-4-20.1: Short Title And Purpose

10-4-20.2: Definitions

10-4-20.3: Establishment Of Wellhead Protection Overlay District

10-4-20.4: Prohibited Uses Within District Ia Of The Wellhead Protection Area

10-4-20.5: Prohibited Uses Within District Ib Of The Wellhead Protection Area

10-4-20.6: Prohibited Uses Within District II Of The Wellhead Protection Area

10-4-20.7: Prohibited Uses Within District III Of The Wellhead Protection Overlay District

10-4-20.8: Notice Of Proposed Action To Operator Of Public Or Community Water Supply

10-4-20.9: Nonconforming Uses

10-4-20.10: Enforcement

10-4-20.11: Amendments

10-4-21: NCO, Neighborhood Commercial Overlay District

10-4-21.1: Purpose

10-4-21.2: Use Regulations

10-4-21.3: Property Development Standards

10-4-22: WHO, Warehouse Historic Overlay District

10-4-22.1: Purpose

10-4-22.2: Use Regulations

10-4-22.3: Property Development Standards

10-4-23: RB, Residential Business District

10-4-23.1: Purpose

10-4-23.2: Use Regulations

10-4-23.3: Property Development Standards

10-4-1: AG, AGRICULTURAL DISTRICT:

10-4-1.1: PURPOSE:

This district is intended to preserve the rural integrity of areas adjacent to the City. (Ord. 2796, 6-14-2004)

10-4-1.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:

- a. Farms - animals on pasture.
- b. Farms - plants and trees.
- c. Intensive agricultural units of five (5) acres or more without residential facilities.
- d. Agritourism activities located more than three hundred feet (300') from residentially zoned property or residential uses

2. Communications and utilities:

- a. Underground and aboveground transmission lines.
- b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

3. Cultural facilities:

- a. Historic sites and monuments.

4. Parks:

- a. Open space.
- b. Private parks and playgrounds without crowd attracting facilities.
- c. Public parks and playgrounds without crowd attracting facilities.

5. Residential:

- a. Accessory buildings (less than 1,500 square feet), personal swimming pools and other accessory uses.
- b. Dwellings - detached single household. (Ord. 2526, 5-20-1996; amd. Ord. 2773, 12-15-2003; Ord. 2018-007, 8-20-2018)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken.

Special use permits may be granted for the following uses:

1. Agricultural:
 - a. Farms - fish.
 - b. Agritourism activities located within three hundred feet (300') of any residentially zoned property or residential uses, or any agritourism activity involving outdoor amplified sound or music.
2. Communications and utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
3. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Cemeteries.
 - c. Zoos.
4. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
5. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
6. Public assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - public.
7. Residential:
 - a. Detached accessory buildings (more than 1,500 square feet) i.e., garages and other accessory buildings.
 - b. Home occupations.
 - c. Bed and breakfast facilities.
8. Services:
 - a. In home daycare services.
9. Sports facilities:
 - a. Athletic areas.
 - b. Equestrian facilities and/or riding stables.
 - c. Golf courses and country clubs.
 - d. Golf driving ranges.
 - e. Miniature golf courses.
 - f. Outdoor, public and commercial ice and roller skating facilities.
 - g. Outdoor, public and commercial swimming pools.
 - h. Outdoor, public and commercial tennis courts.
10. Transportation:
 - a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006; Ord. 2018-007, 8-20-2018)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-1.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the AG District: (Ord. 2796, 6-14-2004)

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling and per farm shall be twenty (20) acres.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height except those used for the storage of farm produce. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot the required front yard of thirty feet (30') shall be provided on both streets. (Ord. 2526, 5-20-1996)

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages, except when the accessory building is more than one hundred feet (100') from any public access road or to the front property line, whichever is further. (Ord. 2850, 2-21-2006)

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right-of-way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential/nonagricultural uses shall have five percent (5%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply to the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed

within public rights-of-way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

10-4-2: SUI, SUBURBAN-URBAN INTERFACE DISTRICT:

10-4-2.1: PURPOSE:

This district is intended to provide a transition district from agricultural land uses to residential land uses in the area of impact. This district is also intended as a holding zone for future higher density residential zones, to be annexed and developed when City water and sewer services become available. (Ord. 2796, 6-14-2004)

10-4-2.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - plants and trees.
 - c. Intensive agricultural units of five (5) acres or more without residential facilities.
 - d. Agritourism activities located more than three hundred feet (300') from residentially zoned property or residential uses.
2. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
3. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
4. Residential:
 - a. Accessory buildings (less than 1,500 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - detached single household. (Ord. 2526, 5-20-1996; amd. Ord. 2773, 12-15-2003; Ord. 2018-007, 8-20-2018)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Zoos.
3. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
4. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
5. Public assembly:
 - a. Auditoriums.

- b. Religious facilities.
- c. Schools - public.
- d. Wedding chapel and/or reception hall with three (3) acres or more.

6. Residential:

- a. Detached accessory buildings (more than 1,500 square feet) i.e., garages and other accessory buildings.
- b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
- c. Home occupations.
- d. Residential ZDA, not to exceed SUI density.
- e. Bed and breakfast facilities.

7. Services:

- a. In home daycare services.

8. Sports facilities:

- a. Golf courses and country clubs.
- b. Outdoor, public and commercial ice and roller skating facilities.
- c. Outdoor, public and commercial swimming pools.
- d. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Bus facilities, including pick up shelters.

10. Agricultural:

a. Agritourism activities located within three hundred feet (300') of any residentially zoned property or residential uses, or any agritourism activity involving outdoor amplified sound or music. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2796, 6-14-2004; Ord. 2850, 2-21-2006; Ord. 3082, 12-8-2014; Ord. 2018-008, 4-2-2018; Ord. 2018-007, 8-20-2018)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-2.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the SUI District:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling shall be one acre, or as set forth in the "Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems" as adopted by the South Central District Board of Health, whichever is larger. (Ord. 2796, 6-14-2004)

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot the required front yard of thirty feet (30') shall be provided on both streets. (Ord. 2526, 5-20-1996)

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages, except when the accessory building is more than one hundred feet (100') from any public access road or to the front property line, whichever is further. (Ord. 2850, 2-21-2006)

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right-of-way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have five percent (5%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights-of-way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

10-4-3: R1-VAR, RESIDENTIAL SINGLE HOUSEHOLD DISTRICT:

10-4-3.1: PURPOSE:

This district is intended to promote and preserve residential development and to provide a low density residential environment to allow the present and future residents to live and play in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. The principal land use is single household dwellings and uses incidental or accessory thereto. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-3.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:

a. Underground and aboveground transmission lines.

b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

2. Parks:

a. Open space.

b. Private parks and playgrounds without crowd attracting facilities.

c. Public parks and playgrounds without crowd attracting facilities.

3. Residential:

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
- c. Dwellings - detached single household. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
4. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
5. Public assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - public.
6. Residential:
 - a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
 - b. Home occupations.
 - c. Bed and breakfast facilities.
7. Services:
 - a. In home daycare services.
8. Sports facilities:
 - a. Golf courses and country clubs.
 - b. Outdoor, public and commercial ice and roller skating facilities.
 - c. Outdoor, public and commercial swimming pools.
 - d. Outdoor, public and commercial tennis courts.
9. Transportation:
 - a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-3.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R1-VAR district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each dwelling, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of

this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof. (Ord. 2526, 5-20-1996)

(B) Lot Area:

1. The minimum lot area per household dwelling shall be eight thousand (8,000) square feet for lots fronting on arterial streets as defined in subsection 10-7-6(A) of this title. (Ord. 2798, 8-2-2004)
2. All other lots within a proposed subdivision shall have a minimum lot area of at least eighty five percent (85%) of the average lot size of platted or developed lots within one hundred fifty feet (150') of said lots. Notwithstanding the foregoing, no lot shall be required to be larger than eighteen thousand five hundred (18,500) square feet except where contiguous to an SUI or AG zoning district, in which case no lot shall be required to be larger than twenty thousand (20,000) square feet. In no case shall the lot area be less than eight thousand (8,000) square feet nor shall a lot be required to be larger than the largest contiguous lot. (Ord. 2526, 5-20-1996; amd. Ord. 2796, 6-14-2004)
3. A permitted use that conforms to all provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than fifty percent (50%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)
 - a. The front building line shall not be closer than twenty feet (20') to the front property line.
 - b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.
 - c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
 - d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.
2. Side Yard:
 - a. The side building line shall not be closer than seven feet (7') to the side property line.
 - b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title.
 - c. Architectural projections of main buildings and attached accessory buildings shall not be closer than four feet (4') to the side property line.
3. Rear Yard:
 - a. The rear building line shall not be closer than twenty five feet (25') to the rear property line.
 - b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.
 - c. On a corner lot the rear yard setback may be reduced to the side yard setback. (Ord. 2620, 8-2-1999)

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code.

10-4-4: R2, RESIDENTIAL SINGLE HOUSEHOLD OR DUPLEX DISTRICT:

10-4-4.1: PURPOSE:

This district is intended to promote and preserve residential development and to provide a low density residential environment with a mix of both single household and duplex dwellings in an area with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-4.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications And Utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
4. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
5. Public Assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - private academic.
 - d. Schools - public.
6. Residential:

- a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
- b. Home occupations.
- c. Bed and breakfast facilities.

7. Services:

- a. In home daycare services.

8. Sports Facilities:

- a. Golf courses and country clubs.
- b. Outdoor, public and commercial ice and roller skating facilities.
- c. Outdoor, public and commercial swimming pools.
- d. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-4.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R2 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area shall be six thousand (6,000) square feet for a single household dwelling and ten thousand (10,000) square feet for a duplex dwelling.
2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.
- b. Where lots have double frontage on two (2) streets the required front yard of twenty feet (20') shall be provided on both streets.
- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
- d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than seven feet (7') to the side property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.
- c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

- a. The rear building line shall not be closer than twenty feet (20') to the rear property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.
- c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling unit shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply to the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-5: R4, RESIDENTIAL MEDIUM DENSITY DISTRICT:

10-4-5.1: PURPOSE:

This district is intended to promote and preserve medium density residential development and to provide a residential environment to allow the present and future residents to live and play in an area with space for personal privacy, minimum vehicular traffic, and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-5.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex. (Ord. 2620, 8-2-1999)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

3. Governmental Facilities:

- a. Fire stations and police stations.
- b. Water treatment plants.

4. Parks:

- a. Park concessions.
- b. Public parks and playgrounds with crowd attracting facilities.

5. Public Assembly:

- a. Auditoriums.
- b. Religious facilities.
- c. Schools - private academic.
- d. Schools - public.

6. Residential:

- a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
- b. Bed and breakfast facilities.
- c. Dwellings - triplex and fourplex.
- d. Home occupations.

7. Services:

- a. In home daycare services.

8. Sports Facilities:

- a. Golf courses and country clubs.
- b. Golf driving ranges.
- c. Outdoor, public and commercial ice and roller skating facilities.
- d. Outdoor, public and commercial swimming pools.
- e. Outdoor, public and commercial tennis courts.

9. Transportation:

- a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-5.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R4 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet ($2\frac{1}{2}'$) to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(G) Landscaping: All uses, excluding single household and duplex buildings, shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title. (Ord. 2620, 8-2-1999)

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-6: R6, RESIDENTIAL MULTI-HOUSEHOLD DISTRICT:

10-4-6.1: PURPOSE:

This district is intended to promote and preserve residential development and to provide a high density residential environment free from encroachment by major commercial and industrial activities with a proportional increase in amenities as density rises. Centralized water and sewer facilities are required. (Ord. 2526, 5-20-1996)

10-4-6.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be

erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex.
 - e. Dwellings - multiple household (5 units or more).
 - f. Dwellings - triplex and fourplex. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Governmental office buildings.
 - c. Judicial facilities.
 - d. Water treatment plants.
4. Medical Facilities:
 - a. Ambulance service.
5. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
6. Public Assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - private academic.
 - d. Schools - public.
7. Residential:
 - a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.

- b. Bed and breakfast facilities.
- c. Home occupations.
- d. Nursing homes and rest homes.
- e. Residence halls, residence hotels, rooming houses.
- f. Shelter homes.

8. Services:

- a. In home daycare services.

9. Sports Facilities:

- a. Golf courses and country clubs.
- b. Outdoor, public and commercial ice and roller skating facilities.
- c. Outdoor, public and commercial swimming pools.
- d. Outdoor, public and commercial tennis courts.

10. Transportation:

- a. Bus facilities, including pick up shelters. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2850, 2-21-2006)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-6.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R6 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, six thousand five hundred (6,500) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the property line on other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached

accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet ($2\frac{1}{2}$ ') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than fifteen feet (15') to the rear property line for residential uses and fifteen feet (15') for other uses.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided in section 10-7-5 of this title.

c. On a corner lot, the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All uses, excluding single household and duplex buildings, shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling unit shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-7: CB, COMMERCIAL CENTRAL BUSINESS DISTRICT:

10-4-7.1: PURPOSE:

This district is intended to provide for commercial activities of various sizes from large retail stores to small specialty shops with residential opportunities for persons wishing to work and live in a unified environment. (Ord. 2526, 5-20-1996)

10-4-7.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:

a. Radio and television stations without transmission and receiving towers.

b. Telegraph centers and telegraph stations.

c. Telephone exchange stations.

d. Underground and aboveground transmission lines.

e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

2. Cultural facilities:

a. Botanical gardens and arboretums.

b. Historic sites and monuments.

c. Libraries, museums and art galleries.

d. Planetariums and aquariums.

3. Governmental Facilities:

a. Fire stations and police stations.

b. Governmental office buildings.

c. Judicial facilities.

4. Medical Facilities:
- a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
 - b. Ambulance service.
 - c. Doctors' offices.
 - d. Drug and alcohol treatment centers.
 - e. Hospitals and clinics.
 - f. Rehabilitation services.
5. Parks:
- a. Open space.
 - b. Park concessions.
 - c. Private parks and playgrounds without crowd attracting facilities.
 - d. Public parks and playgrounds without crowd attracting facilities.
6. Public Assembly:
- a. Auditoriums.
 - b. Funeral chapels.
 - c. Schools - private, single purpose.
 - d. Schools - private vocational and/or academic.
 - e. Schools - public.
 - f. Theaters - indoor.
 - g. Wedding chapels and/or reception halls.
7. Residential:
- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Bed and breakfast facilities.
 - c. Dwellings - multiple household (5 units or more).
 - d. Home occupations.
 - e. Household units existing at the time this title was adopted.
 - f. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
 - g. Household units in upper floors of commercial or professional buildings.
 - h. Motels and transient hotels.
 - i. Nursing homes and rest homes.
 - j. Residence halls, residence hotels, rooming houses.
8. Retail Trade:
- a. Alcoholic beverages when consumed on premises where sold.
 - b. Apparel and accessories.
 - c. Automobile parts store.
 - d. Bakery.
 - e. Bookstore.
 - f. Craft shop, in conjunction with retail business.
 - g. Eating places.
 - h. Farm and garden supplies.
 - i. Florist shop.

- j. Food, drugs, etc.
- k. General merchandise.
- l. Hardware store.
- m. Hobby and toy store.
- n. Home furnishings and equipment.
- o. Ice cream store.
- p. Import store.
- q. Laundering and dry cleaning.
- r. Laundromats.
- s. Music store.
- t. Pawnshop.
- u. Pet shop.
- v. Sporting goods store.
- w. Taxidermy studio.

9. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Construction trade offices.
- g. Consumer credit collection offices.
- h. Copy center - self-service.
- i. Daycare services.
- j. Duplicating and stenographic offices.
- k. Employment agencies.
- l. Finance and investment offices.
- m. Horticultural services.
- n. In home daycare services.
- o. Insurance and related business.
- p. Labor unions and organizations.
- q. Photography studios.
- r. Professional organizations.
- s. Professional services.
- t. Real estate and related business.
- u. Tourist information center.

10. Transportation:

- a. Bus facilities, including pick up shelters.
- b. Taxicab office.
- c. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999; amd. Ord. 2635, 11-15-1999; Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006)

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:

a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Cultural facilities:

a. Zoos.

3. Governmental facilities:

a. Jails, detention centers, work release centers.

b. Water treatment plants.

4. Manufacturing:

a. Handcrafted furniture.

5. Medical facilities:

a. Animal hospital - small animals.

b. Prosthetics - sales, service and construction.

6. Miscellaneous:

a. Any facility with drive-through service.

7. Parks:

a. Amusement parks.

b. Public parks and playgrounds with crowd attracting facilities.

8. Public assembly:

a. Exhibition halls.

b. Religious facilities.

c. Sports arena.

d. Theaters - outdoor.

9. Residential:

a. Dwellings - attached single household dwellings.

b. Dwellings - duplex.

c. Dwellings - triplex and fourplex.

d. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.

e. Shelter homes.

10. Retail trade:

a. Agricultural equipment sales and service.

b. Automobile and truck sales and/or rentals.

c. Car wash facilities.

d. Commercial greenhouses.

e. Equipment rental.

f. Fuel sales (bulk).

g. Gasoline service stations.

h. Lumber, plumbing and/or electrical supply stores.

i. Manufactured/mobile home sales and/or rentals.

j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.

k. Sporting vehicles and motorcycles - sales and/or rentals.

l. Storage unit rentals.

m. Tire shops.

11. Services:

a. Appliance repair.

b. Automobile and truck service and/or repair.

c. Civic, social and fraternal organizations.

d. Dog grooming and/or kennels.

e. Furniture repair/upholstery.

f. Publishing and printing business.

g. Sporting vehicle and motorcycle service and/or repair.

h. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency.

i. Testing laboratories.

j. Welfare and charitable facilities.

12. Sports facilities:

a. Athletic areas.

b. Golf courses and country clubs.

c. Golf driving ranges.

d. Indoor recreation facility.

e. Miniature golf courses.

f. Outdoor, public and commercial ice and roller skating facilities.

g. Outdoor, public and commercial swimming pools.

h. Outdoor, public and commercial tennis courts.

13. Transportation:

a. Freight transfer points.

b. Open parking lot or garage for automobiles.

c. Open parking lot or garage for trucks and buses.

d. Packing and crating.

e. Trucking facilities.

14. Wholesale:

a. Wholesale distribution and warehousing, excluding H-1 facilities. (Ord. 2620, 8-2-1999; amd. Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2865, 6-12-2006; Ord. 3033, 6-25-2012)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-7.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the CB district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Use: No requirement.

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses: No property line setbacks are required.

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(F) Landscaping:

1. Commercial uses shall provide landscaping equal to five percent (5%) of the total parking area.

2. Household buildings five (5) units or more shall provide landscaping equal to ten percent (10%) of the lot area. (Ord. 2620, 8-2-1999)

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.

2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.

3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-8: C1, COMMERCIAL HIGHWAY DISTRICT:

10-4-8.1: PURPOSE:

This district is intended to provide for commercial activities of various sizes from large malls to small shops, fast food restaurants and tourist accommodations. This district is designed for application on major streets or portions thereof. (Ord. 2526, 5-20-1996)

10-4-8.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:

a. Radio and television stations without transmission and receiving towers.

b. Telegraph centers and telegraph stations.

c. Telephone exchange stations.

d. Underground and aboveground transmission lines.

e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

2. Cultural facilities:

a. Botanical gardens and arboretums.

b. Historic sites and monuments.

c. Libraries, museums and art galleries.

d. Planetariums and aquariums.

3. Governmental facilities:

- a. Fire stations and police stations.
- b. Governmental office buildings.
- c. Judicial facilities.
- 4. Manufacturing:
 - a. Business park ZDA only.
- 5. Medical Facilities:
 - a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
 - b. Ambulance service.
 - c. Doctors' offices.
 - d. Drug and alcohol treatment centers.
 - e. Hospitals and clinics.
 - f. Rehabilitation services.
- 6. Parks:
 - a. Open space.
 - b. Park concessions.
 - c. Private parks and playgrounds without crowd attracting facilities.
 - d. Public parks and playgrounds without crowd attracting facilities.
 - e. Public parks and playgrounds with crowd attracting facilities.
- 7. Public assembly:
 - a. Auditoriums.
 - b. Funeral chapels.
 - c. Religious facilities.
 - d. Schools - private, single purpose.
 - e. Schools - private, vocational and/or academic.
 - f. Schools - public.
 - g. Theaters - indoor.
 - h. Wedding chapels and/or reception halls.
- 8. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Bed and breakfast facilities.
 - c. Dwellings - multiple household (5 units or more).
 - d. Home occupations.
 - e. Household units existing at the time this title was adopted.
 - f. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
 - g. Household units in upper floor of commercial or professional buildings.
 - h. Nursing homes and rest homes.
 - i. Residence halls, residence hotels, rooming houses.
- 9. Retail trade:
 - a. Alcoholic beverages when consumed on premises where sold and if located three hundred feet (300') or more from residential property.
 - b. Apparel and accessories.
 - c. Automobile parts store.

- d. Bakery.
- e. Bookstore.
- f. Commercial greenhouses.
- g. Craft shop, in conjunction with retail business.
- h. Eating places.
- i. Farm and garden supplies.
- j. Florist shop.
- k. Food, drugs, etc.
- l. General merchandise.
- m. Hardware store.
- n. Hobby and toy store.
- o. Home furnishings and equipment.
- p. Ice cream store.
- q. Import store.
- r. Laundering and dry cleaning.
- s. Laundromats.
- t. Lumber, plumbing and/or electrical supply stores.
- u. Music store.
- v. Pawnshop.
- w. Pet shop.
- x. Sporting goods store.
- y. Taxidermy studio.
- z. Temporary automobile, truck and recreational vehicle sales permitted with staff approval, provided that there shall be state approval, no parking or display of vehicles in landscaped areas, and no sight obstructions.

10. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Beauty and barber shops.
- d. Building care contracting offices.
- e. Business associations.
- f. Civic, social and fraternal organizations.
- g. Construction trade offices.
- h. Consumer credit collection offices.
- i. Copy center - self-service.
- j. Daycare services.
- k. Dog grooming and/or kennels.
- l. Duplicating and stenographic offices.
- m. Employment agency.
- n. Finance and investment offices.
- o. Horticultural services.
- p. In home daycare services.
- q. Insurance and related business.

- r. Labor unions and organizations.
 - s. Photography studios.
 - t. Professional organizations.
 - u. Professional services.
 - v. Real estate and related business.
 - w. Tourist information center.
 - x. Welfare and charitable facilities.
11. Sports facilities:
- a. Athletic areas.
 - b. Miniature golf courses.
 - c. Outdoor, public and commercial ice and roller skating facilities.
 - d. Outdoor, public and commercial swimming pools.
 - e. Outdoor, public and commercial tennis courts.
12. Transportation:
- a. Bus facilities, including pick up shelters.
 - b. Open parking lot or garage for automobiles.
 - c. Taxicab office.
 - d. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2786, 6-1-2004; amd. Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2958, 12-22-2008; Ord. 2999, 1-24-2011; Ord. 3082, 12-8-2014)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

- 1. Communications and utilities:
 - a. Radio and television stations with wireless communications facilities.
 - b. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') above ground.
- 2. Cultural facilities:
 - a. Cemeteries.
 - b. Zoos.
- 3. Government facilities:
 - a. Jails, detention centers, work release centers.
 - b. Water treatment plants.
 - c. Government open storage yard.
- 4. Manufacturing:
 - a. Handcrafted furniture.
- 5. Medical facilities:
 - a. Animal hospital - large animals.
 - b. Animal hospital - small animals.
 - c. Prosthetics - sales, service and/or construction.
- 6. Miscellaneous:
 - a. Any facility with drive-through service.
- 7. Parks:

- a. Amusement parks.
- 8. Public assembly:
 - a. Exhibition halls.
 - b. Fairgrounds.
 - c. Sports arena.
 - d. Theaters - outdoor.
- 9. Residential:
 - a. Detached accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings.
 - b. Motels and transient hotels.
 - c. RV and camping parks.
 - d. Shelter homes.
- 10. Retail trade:
 - a. Alcoholic beverages when consumed on the premises where sold if located less than three hundred feet (300') from residential property.
 - b. Automobile and recreational vehicle rental/storage yard.
 - c. Automobile and truck sales and/or rentals.
 - d. Car wash facilities.
 - e. Equipment rental.
 - f. Fuel sales (bulk).
 - g. Gasoline service stations.
 - h. Large implement and heavy equipment sales and/or rentals.
 - i. Manufactured/mobile home sales and/or rentals.
 - j. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
 - k. Sporting vehicles and motorcycles - sales and/or rentals.
 - l. Storage unit rentals.
 - m. Tire shops.
- 11. Services:
 - a. Appliance repair.
 - b. Auctions and/or public sales.
 - c. Automobile and truck service and/or repair.
 - d. Furniture repair/upholstery.
 - e. Publishing and printing business.
 - f. Sporting vehicles and motorcycles - service and repair.
 - g. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency.
 - h. Testing laboratories.
- 12. Sports facilities:
 - a. Go-cart tracks.
 - b. Golf courses and country clubs.
 - c. Golf driving ranges.
 - d. Indoor recreation facility.
 - e. Sport shooting range - indoor.
- 13. Transportation:

- a. Freight transfer points.
- b. Open parking lot or garage for trucks and buses.
- c. Packing and crating.
- d. Trucking facilities.

14. Wholesale:

- a. Wholesale distribution and warehousing, but excluding H-1 facilities.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996; amd. Ord. 2620, 8-2-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2798, 8-2-2004; Ord. 2850, 2-21-2006; Ord. 2999, 1-24-2011; Ord. 3088, 2-2-2015; Ord. 2021-010, 5-3-2021)

10-4-8.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the C1 district:

(A) Lot Area:

- 1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
- 2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

- 1. Commercial Uses: No requirement.
- 2. Residential Uses: Residential uses less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district. (Ord. 2526, 5-20-1996)

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title.

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater:

1. Commercial Uses And Residential Uses With Five Or More Units Per Building:

a. Front Yards: A setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

(1) A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five feet (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

(2) Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of twenty feet (20') or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.

b. Side And Rear Yards: No property line setbacks are required on side yard or rear yards when adjacent to existing commercial uses, existing residential uses with five (5) or more units per building, vacant property that is zoned for nonresidential development, or vacant property that is designated on the future land use plan for nonresidential development. A property line setback of twenty five feet (25') shall be maintained on the side yard and rear yard for buildings adjacent to existing residential uses with four (4) or fewer units per building, vacant property that is zoned for residential development or vacant property that is designated on the future land use plan for residential development.

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district. (Ord. 3077, 8-11-2014)

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

- 1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater.
- 2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area.

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-9: M1, LIGHT MANUFACTURING DISTRICT:

10-4-9.1: PURPOSE:

This district is intended to provide for light nonpolluting and major traffic producing industries as well as commercial uses without residential encroachment. (Ord. 2526, 5-20-1996)

10-4-9.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - plants and trees.
 - c. Intensive agricultural units of five (5) acres or more without residential facilities.
2. Communications and utilities:
 - a. Radio and television stations without transmission and receiving towers.
 - b. Telegraph centers and telegraph stations.
 - c. Telephone exchange stations.
 - d. Underground and aboveground transmission lines.
 - e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
3. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Cemeteries.
 - c. Historic sites and monuments.
 - d. Libraries, museums and art galleries.
 - e. Planetariums and aquariums.
4. Governmental facilities:
 - a. City, county, highway district - shops.
 - b. Fire stations and police stations.
 - c. Governmental office buildings.
 - d. Judicial facilities.
 - e. Water treatment plants.
5. Medical facilities:
 - a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
 - b. Ambulance service.
 - c. Animal hospital - small animals.
 - d. Doctors' offices.

- e. Drug and alcohol treatment centers.
- f. Prosthetics - sales, service and/or construction.
- g. Rehabilitation services.

6. Parks:

- a. Open space.
- b. Park concessions.
- c. Private parks and playgrounds without crowd attracting facilities.
- d. Public parks and playgrounds without crowd attracting facilities.
- e. Public parks and playgrounds with crowd attracting facilities.

7. Public assembly:

- a. Auditoriums.
- b. Exhibition halls.
- c. Fairgrounds.
- d. Funeral chapels.
- e. Religious facilities.
- f. Schools - private, single purpose.
- g. Schools - private, vocational and/or academic.
- h. Sports arena.
- i. Wedding chapels and/or reception halls.

8. Residential:

- a. Home occupations.
- b. Household units existing at the time this title was adopted.
- c. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.

9. Retail trade:

- a. Apparel and accessories.
- b. Automobile and truck sales and/or rentals.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. Car wash facilities.
- g. Commercial greenhouses.
- h. Craft shop, in conjunction with retail business.
- i. Eating places.
- j. Equipment rental.
- k. Farm and garden supplies.
- l. Florist shop.
- m. Food, drugs, etc.
- n. Fuel sales (bulk).
- o. Gasoline service stations.
- p. General merchandise.
- q. Hardware store.

- r. Hobby and toy store.
 - s. Home furnishings and equipment.
 - t. Ice cream store.
 - u. Import store.
 - v. Large implement and heavy equipment sales and/or rentals.
 - w. Laundering and dry cleaning.
 - x. Laundromats.
 - y. Lumber, plumbing and/or electrical supply stores.
 - z. Music store.
 - aa. Pawnshop.
 - bb. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
 - cc. Pet shop.
 - dd. Sporting goods store.
 - ee. Sporting vehicles and motorcycles - sales and/or rentals.
 - ff. Storage unit rentals.
 - gg. Taxidermy studio.
 - hh. Tire shops.
 - ii. Truck stop.
10. Services:
- a. Advertising.
 - b. Apparel repair and alteration.
 - c. Appliance repair.
 - d. Beauty and barbershops.
 - e. Building care contracting offices.
 - f. Business associations.
 - g. Civic, social and fraternal organizations.
 - h. Construction trade offices.
 - i. Consumer credit collection offices.
 - j. Copy center - self-service.
 - k. Dog grooming and/or kennels.
 - l. Duplicating and stenographic offices.
 - m. Employment agency.
 - n. Finance and investment offices.
 - o. Horticultural services.
 - p. Insurance and related business.
 - q. Labor unions and organizations.
 - r. Photography studios.
 - s. Professional organizations.
 - t. Professional services.
 - u. Publishing and printing business.
 - v. Real estate and related business.
 - w. Testing laboratories.

- x. Tourist information center.
- y. Welfare and charitable facilities.
- 11. Sports facilities:
 - a. Athletic areas.
 - b. Miniature golf courses.
 - c. Outdoor, public and commercial ice and roller skating facilities.
 - d. Outdoor, public and commercial swimming pools.
 - e. Outdoor public and commercial tennis courts.
- 12. Transportation:
 - a. Bus facilities, including pick up shelters.
 - b. Freight transfer points.
 - c. Open parking lot or garage for automobiles.
 - d. Open parking lot or garage for trucks and buses.
 - e. Open parking lot for trucks and equipment.
 - f. Packing and crating.
 - g. Taxicab office.
 - h. Ticket and arrangement facilities.
 - i. Trucking facilities.
- 13. Wholesale:
 - a. Wholesale distribution and warehousing, but excluding H-1 facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999; amd. Ord. 2741, 11-4-2002; Ord. 2999, 1-24-2011)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

- 1. Agricultural:
 - a. Farms - fish.
- 2. Agricultural processing:
 - a. Dairy product processing.
 - b. Fish, meat and poultry processing.
 - c. Grain and seed processing.
- 3. Communications and utilities:
 - a. Radio and television stations with wireless communications facilities.
 - b. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
- 4. Cultural facilities:
 - a. Zoos.
- 5. Governmental facilities:
 - a. City, county, highway district - open storage yards.
 - b. Jails, detention centers, work release centers.
- 6. Manufacturing:
 - a. Apparel and related items.
 - b. Building materials.

- c. Concrete products.
 - d. Food products.
 - e. Furniture and fixtures.
 - f. Handcrafted furniture.
 - g. Metal products.
 - h. Miscellaneous products.
 - i. Paper products.
 - j. Petroleum products.
 - k. Plastic products.
 - l. Professional and scientific products.
 - m. Recycling center.
 - n. Rubber products.
 - o. Sand and gravel.
 - p. Textile products.
7. Medical facilities:
- a. Animal hospital - large animals.
 - b. Hospitals and clinics.
8. Miscellaneous:
- a. Any facility with drive-through service.
 - b. Construction yards.
9. Parks:
- a. Amusement parks.
10. Public assembly:
- a. Schools - public.
 - b. Theaters - indoor.
 - c. Theaters - outdoor.
11. Residential:
- a. Mobile homes, if accessory to and located on the same property of an allowed use and occupied by the owner or an employee of the allowed use.
 - b. RV and camping parks.
 - c. Residence halls, residence hotels, rooming houses.
 - d. Shelter homes.
12. Retail trade:
- a. Alcoholic beverages when consumed on premises where sold.
 - b. Automobile and recreational vehicle rental/storage yard.
 - c. Manufactured/mobile home sales and/or rentals.
13. Services:
- a. Auctions and/or public sales.
 - b. Automobile and truck service and/or repair.
 - c. Daycare services.
 - d. Furniture repair/upholstery.
 - e. In home daycare services.

- f. Sporting vehicle and motorcycle service and/or repair.
- g. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency.

14. Sports facilities:

- a. Go-cart tracks.
- b. Golf courses and country clubs.
- c. Golf driving ranges.
- d. Indoor recreation facility.
- e. Sport shooting range - indoor.

15. Transportation:

- a. Railroad buildings, equipment and yards.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the distinction between them is of little consequence.. (Ord. 2526, 5-20-1996; amd. Ord. 2620, 8-2-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2999, 1-24-2011; Ord. 2021-010, 5-3-2021)

10-4-9.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the M1 district:

(A) Lot Area:

- 1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
- 2. Residential Uses: Residential uses not attached to a commercial building shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

- 1. Commercial uses: No requirement.
- 2. Residential uses: Same as that in the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial And Manufacturing Uses: No property line setbacks are required on side or rear yard. A setback of thirty five feet (35') on arterials and fifteen feet (15') on other streets is required. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five foot (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

2. Residential Uses: Residential uses shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Nonresidential uses shall provide landscaping equal to two (2) square feet per linear foot of street frontage and shall be placed between the building and the street. This requirement may be waived by the commission for existing facilities where buildings exist with zero setback on street frontage.

2. Household units not attached to nonresidential uses. No requirement.

(G) Off Street Parking:

- 1. Each commercial use shall comply with the provisions of chapter 10 of this title.
- 2. Residential uses shall provide two (2) off street parking spaces for each residential unit.
- 3. Residential units in nonresidential buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-10: M2, HEAVY MANUFACTURING DISTRICT:

10-4-10.1: PURPOSE:

This district is intended to provide industrial users ample room in the city to develop and expand without encroachment by noncompatible uses. (Ord. 2526, 5-20-1996)

10-4-10.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - fish.
 - c. Farms - plants and trees.
 - d. Intensive agricultural units of five (5) acres or more without residential facilities.
2. Agricultural processing:
 - a. Dairy product processing.
 - b. Fish, meat and poultry processing.
 - c. Grain and seed processing.
 - d. Livestock sales.
3. Communications and utilities:
 - a. Radio and television stations without transmission and receiving towers.
 - b. Telegraph centers and telegraph stations.
 - c. Telephone exchange stations.
 - d. Underground and aboveground transmission lines.
 - e. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
4. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Cemeteries.
 - c. Historic sites and monuments.
 - d. Libraries, museums and art galleries.
 - e. Planetariums and aquariums.
5. Governmental Facilities:
 - a. City, County, highway district - open storage yards.
 - b. City, County, highway district - shops.
 - c. Fire stations and police stations.
 - d. Governmental office buildings.
 - e. Jails, detention centers, work release centers.
 - f. Judicial facilities.
 - g. Water treatment plants.
6. Manufacturing:
 - a. Apparel and related items.

- b. Building materials.
 - c. Concrete products.
 - d. Food products.
 - e. Furniture and fixtures.
 - f. Handcrafted furniture.
 - g. Metal products.
 - h. Miscellaneous products.
 - i. Paper products.
 - j. Petroleum products.
 - k. Plastic products.
 - l. Professional and scientific products.
 - m. Rubber products.
 - n. Sand and gravel yards.
 - o. Textile products.
7. Medical Facilities:
- a. Acupuncture facilities approved by the South Central District Health Department or other State regulatory agency.
 - b. Ambulance service.
 - c. Animal hospital - large animals.
 - d. Animal hospital - small animals.
 - e. Doctors' offices.
 - f. Drug and alcohol treatment centers.
 - g. Prosthetics - sales, service and/or construction.
 - h. Rehabilitation services.
8. Parks:
- a. Open space.
 - b. Park concessions.
 - c. Private parks and playgrounds without crowd-attracting facilities.
 - d. Public parks and playgrounds without crowd attracting facilities.
 - e. Public parks and playgrounds with crowd attracting facilities.
9. Public Assembly:
- a. Auditoriums.
 - b. Exhibition halls.
 - c. Fairgrounds.
 - d. Funeral chapels.
 - e. Religious facilities.
 - f. Schools - private, single purpose.
 - g. Schools - private, vocational and/or academic.
 - h. Sports arena.
 - i. Wedding chapels and/or reception halls.
10. Residential:
- a. Home occupations.
 - b. Household units existing at the time this Title was adopted.

c. Household units in the same buildings as an allowed use and occupied by the owner or an employee of the allowed use.

11. Retail Trade:

- a. Apparel and accessories.
- b. Automobile and truck sales and/or rentals.
- c. Automobile parts store.
- d. Bakery.
- e. Bookstore.
- f. Car wash facilities.
- g. Commercial greenhouses.
- h. Craft shop, in conjunction with retail business.
- i. Eating places.
- j. Equipment rental.
- k. Farm and garden supplies.
- l. Florist shop.
- m. Food, drugs, etc.
- n. Fuel sales (bulk).
- o. Gasoline service stations.
- p. General merchandise.
- q. Hardware store.
- r. Hobby and toy store.
- s. Home furnishings and equipment.
- t. Ice cream store.
- u. Import store.
- v. Large implement and heavy equipment sales and/or rentals.
- w. Laundering and dry-cleaning.
- x. Laundromats.
- y. Lumber, plumbing and/or electrical supply stores.
- z. Manufactured/mobile home sales and/or rentals.
- aa. Music store.
- bb. Pawnshop.
- cc. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- dd. Pet shop.
- ee. Sporting goods store.
- ff. Sporting vehicles and motorcycles - sales and/or rentals.
- gg. Storage unit rentals.
- hh. Taxidermy studio.
- ii. Tire shops.
- jj. Truck stop.

12. Services:

- a. Advertising.
- b. Apparel repair and alteration.

- c. Appliance repair.
 - d. Beauty and barber shops.
 - e. Building care contracting offices.
 - f. Business associations.
 - g. Civic, social and fraternal organizations.
 - h. Construction trade offices.
 - i. Construction yards.
 - j. Consumer credit collection offices.
 - k. Copy center - self-service.
 - l. Dog grooming and/or kennels.
 - m. Duplicating and stenographic offices.
 - n. Employment agency.
 - o. Finance and investment offices.
 - p. Furniture repair/upholstery.
 - q. Horticultural services.
 - r. Insurance and related business.
 - s. Labor unions and organizations.
 - t. Photography studios.
 - u. Professional organizations.
 - v. Professional services.
 - w. Publishing and printing business.
 - x. Real estate and related business.
 - y. Sporting vehicle and motorcycle service and/or repair.
 - z. Testing laboratories.
 - aa. Tourist information center.
 - bb. Welfare and charitable facilities.
13. Sports Facilities:
- a. Athletic areas.
 - b. Go-cart tracks.
 - c. Miniature golf courses.
 - d. Racetracks.
14. Transportation:
- a. Bus facilities, including pick up shelters.
 - b. Freight transfer points.
 - c. Open parking lot or garage for automobiles.
 - d. Open parking lot or garage for trucks and buses.
 - e. Open parking lot or garage for trucks and equipment.
 - f. Packing and crating.
 - g. Railroad buildings, equipment and yards.
 - h. Taxicab office.
 - i. Ticket and arrangement facilities.
 - j. Trucking facilities.

15. Wholesale:

- a. Wholesale distribution and warehousing, but excluding H-1 and H-7(2) facilities.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999; amd. Ord. 2635, 10-12-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2999, 1-24-2011)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:

- a. Radio and television stations with wireless communications facilities.
- b. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Cultural facilities:

- a. Zoos.

3. Governmental facilities:

- a. Sewage treatment plants.

4. Manufacturing:

- a. Chemicals and chemical products (H-1 and H-7(2)) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section.
- b. Recycling centers.
- c. Wrecking yards, automobile salvage yards and junkyards, but prohibited within canyons, within two hundred feet (200') of canyon rims and on land with slopes greater than fifteen percent (15%) grade.

5. Medical facilities:

- a. Hospitals and clinics.

6. Miscellaneous:

- a. Any facility with drive-through service.

7. Parks:

- a. Amusement parks.

8. Public assembly:

- a. Schools - public.
- b. Theaters - indoor.
- c. Theaters - outdoor.

9. Residential:

- a. Mobile homes, if accessory to and located on the same property of an allowed use and occupied by the owner or an employee of the allowed use.

10. Retail trade:

- a. Alcoholic beverages when consumed on the premises where sold.
- b. Automobile and recreational vehicle rental/storage yard.

11. Services:

- a. Auctions and/or public sales.
- b. Daycare services.
- c. In home daycare services.
- d. Tattoo parlors or dermagraphic studios approved by the South Central district health department or other state regulatory agency.
- e. Automobile and truck service and/or repair.
- f. Automobile impound facility.

12. Sports facilities:

- a. Golf courses and country clubs.
- b. Golf driving ranges.
- c. Gun clubs.
- d. Indoor recreation facility.
- e. Outdoor, public and commercial ice and roller skating facilities.
- f. Outdoor, public and commercial swimming pools.
- g. Outdoor public and commercial tennis courts.
- h. Sport shooting range - indoor.

13. Wholesale:

- a. H-1 and H-7(2) facilities not closer than three hundred feet (300') to a dwelling but excluding the residential uses allowed by subsections (A)10c and (B)9a of this section.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996; amd. Ord. 2635, 11-15-1999; Ord. 2741, 11-4-2002; Ord. 2773, 12-15-2003; Ord. 2999, 1-24-2011; Ord. 2021-010, 5-3-2021)

10-4-10.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the M2 district:

(A) Lot Area:

1. Nonresidential Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses not attached to an allowed use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Uses: No requirement.
2. Residential Uses: Same as that in the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses: No property line setbacks are required on side and rear yards. Setbacks on arterial frontages shall be thirty five feet (35') from property line and fifteen feet (15') on other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission. A gasoline service station pump island, including cashier's booths, and canopy setback may be less than the required thirty five foot (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer part of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.
2. Residential Uses: Residential uses shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Nonresidential uses shall provide landscaping equal to two (2) square feet per linear foot of frontage and shall be placed between the building and the street. This requirement may be waived by the commission for existing facilities where buildings exist with zero setback on street frontages.
2. Household units not attached to nonresidential uses: No requirement.

(G) Off-Street Parking:

1. Each nonresidential use shall comply with the provisions of Chapter 10 of this Title.
2. Residential uses shall provide two (2) parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off-street parking space for each dwelling unit in the

building.

(H) Signs: See Chapter 9 of this Title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: no wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of Section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

(J) H-1 Facilities: H-1 facilities shall be secured at all times from trespass by unauthorized persons. (Ord. 2526, 5-20-1996)

10-4-11: OS, OPEN SPACE DISTRICT:

10-4-11.1: PURPOSE:

This District is intended to protect canyon areas and to provide open space for passive and active recreation.

10-4-11.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and building and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - plants and trees.
 - c. Intensive agricultural units of five (5) acres or more without residential facilities.
2. Communications And Utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility-owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
3. Parks:
 - a. Open space.
 - b. Public parks and playgrounds without crowd attracting facilities.
4. Residential:
 - a. Household units existing at the time this Title was adopted. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses unless special provisions are taken. Special use permits may be granted for the following uses:

1. Agricultural:
 - a. Farms - fish.
2. Communications And Utilities:
 - a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
 - b. Transmission and receiving towers over thirty five feet (35') tall, provided that they are located near other tall structures.
3. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Cemeteries.
 - c. Historic sites and monuments.
 - d. Zoos.
4. Governmental facilities:
 - a. Sewage treatment plants.
 - b. Water treatment plants.
5. Parks:

- a. Park concessions.
- b. Private parks and playgrounds without crowd attracting facilities.
- c. Public parks and playgrounds with crowd attracting facilities.

6. Residential:

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Accessory buildings (less than 1,000 square feet), i.e., garages and other accessory buildings except those physically attached garages that are built at the same time the home is built.
- c. Residential ZDA (not to exceed SUI density).

7. Services:

- a. Tourist information center.

8. Sports facilities:

- a. Athletic areas.
- b. Equestrian facilities and/or riding stables.
- c. Golf courses and country clubs.
- d. Golf driving ranges.
- e. Miniature golf courses.
- f. Outdoor, public and commercial ice and roller skating facilities.
- g. Outdoor, public and commercial swimming pools.
- h. Outdoor, public and commercial tennis courts.

i. Zip lines operated by outfitters and guides licensed by the Idaho outfitters and guides licensing board. (Ord. 2620, 8-2-1999; amd. Ord. 2796, 6-14-2004; Ord. 2997, 12-13-2010; Ord. 3082, 12-8-2014)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-11.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the OS district:

(A) Use Of Lots: Each building except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a lot shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

- 1. The minimum lot area per household dwelling shall be eight thousand (8,000) square feet if serviced by centralized sewer and forty three thousand (43,000) square feet if on septic tanks.
- 2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof, and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.
- 3. Each nonresidential use shall have a minimum lot area established by the commission.

(C) Lot Occupancy:

- 1. No household dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.
- 2. Each nonresidential use shall have a minimum lot occupancy established by the commission.

(D) Building Height: No building shall exceed twenty feet (20') in height.

(E) Yards:

- 1. Household dwellings shall conform to the yard setbacks of the R1-VAR district.
- 2. Each nonresidential use shall have a yard established by the commission.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have the landscaping requirement established by the commission.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-12: AP, AIRPORT DISTRICT:

10-4-12.1: PURPOSE:

This district is intended to prevent the encroachment into air space required for flight safety and, in doing so, to also consider the safety of residential and other uses on the ground. Horizontal and vertical spacing is generally based on federal aviation agency recommendations. Electromagnetic restrictions are provided to prevent disorientation of electronic aviation aids. Light, glare and smoke requirements are intended to prevent visual loss of contact with ground, structures or other obstructions. (Ord. 2526, 5-20-1996)

10-4-12.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Agricultural:
 - a. Farms - animals on pasture.
 - b. Farms - plants and trees.
 - c. Intensive agricultural units of five (5) acres or more without residential facilities.
2. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
3. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
4. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Governmental office buildings.
 - c. Water treatment plants.
5. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
6. Residential:
 - a. Accessory buildings (less than 1,500 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - detached single household.
 - c. Household units existing at the time this title was adopted.
7. Retail trade:
 - a. Alcoholic beverages when consumed on the premises where sold.

8. Transportation: Supplemental uses shall be allowed on Joslin Field, Magic Valley regional airport in conjunction with the use of the airport as recommended by the airport advisory commission and approved by the city council and county

commissioners. (Ord. 2526, 5-20-1996; amd. Ord. 2635, 11-15-1999; Ord. 2798, 8-2-2004; Ord. 2999, 1-24-2011)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Agricultural:
 - a. Farms - fish.
2. Cultural facilities:
 - a. Cemeteries.
3. Miscellaneous:
 - a. Any facility with drive-through service.
4. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
5. Public assembly:
 - a. Sports arena.
6. Residential:
 - a. Accessory buildings (more than 1,500 square feet), i.e., garages and other accessory buildings except those physically attached garages that are built at the same time the home is built.
 - b. Home occupations.
7. Sports facilities:
 - a. Athletic areas.
 - b. Golf courses and country clubs.
 - c. Golf driving ranges.
 - d. Gun clubs.
 - e. Racetracks.
8. Transportation: Airport and related facilities.
9. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground. (Ord. 2620, 8-2-1999; amd. Ord. 2635, 11-15-1999; Ord. 2798, 8-2-2004; Ord. 2999, 1-24-2011)

(C) Temporary Special Uses: (Rep. by Ord. 2798, 8-2-2004)

(D) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-12.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the AP district, except on Joslin Field, Magic Valley Regional Airport property, which development standards shall be as established by the airport advisory commission and approved by the city council and county commissioners: (Ord. 2635, 11-15-1999)

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling and per farm shall be twenty (20) acres.
2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.
3. Each nonresidential and nonfarm use shall have a minimum lot area established by the commission.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height, except the commission may authorize additional height for structures as provided in federal aviation agency regulations part 77. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than thirty feet (30') to the front property line.
- b. Where lots have double frontage on two (2) streets, the required front yard of thirty feet (30') shall be provided on both streets.
- c. On a corner lot, the required front yard of thirty feet (30') shall be provided on both streets.
- d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than seven feet (7') to the side property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.
- c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the property line.

3. Rear Yard:

- a. The rear building line shall not be closer than thirty feet (30') to the rear property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.
- c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(G) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater.
2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area. (Ord. 2550, 6-2-1997)

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

(K) Additional Restrictions:

1. Lighting:
 - a. Any pulsating, flashing, rotating, oscillating or other type of lighting intended as an attention getting device is prohibited.
 - b. Floodlights, spotlights or other lighting devices shall be so arranged or shielded as not to cast illumination in an upward direction above an imaginary line extended from the light source parallel to the grounds.
2. Glare:

- a. Glare producing building materials shall not be allowed on any structure or any other use of the land.

3. Electromagnetic:

- a. No use may be made of land which results in electromagnetic radiation which interferes with radio communications between aircraft or between aircraft and airport, or interferes with established radio navigation aids.

4. Smoke:

- a. No use may be made of land which emits smoke, dust or any visible fumes or vapors into the atmosphere.

5. Avigation Easement:

- a. An avigation easement shall be required from any property owner applying for a building permit. (Ord. 2526, 5-20-1996)

10-4-13: OT, OLD TOWN DISTRICT:

10-4-13.1: PURPOSE:

This district (located east of Shoshone Street South, north of the railroad tracks, west of Fourth Street South, and south of the alley between Second Avenue South and Third Avenue South in the city of Twin Falls) is intended to promote the redevelopment of this historic warehouse area and to provide for small retail shops, moderately sized commercial activities, and compatible light manufacturing and service industry businesses, with residential opportunity for persons wishing to work and live in a unified environment. It is intended that buildings in this area maintain the historic character of the existing buildings.

To encourage redevelopment of existing properties, the city planning administrator may waive strict conformance to the requirements for parking, landscaping, and/or surface water retention when such waiver would not be contrary to the public interest. (Ord. 2526, 5-20-1996)

10-4-13.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications And Utilities:

- a. Radio and television stations without transmission and receiving towers.
- b. Telegraph centers and telegraph stations.
- c. Telephone exchange stations.
- d. Underground and aboveground transmission lines.
- e. Utility-owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.

2. Cultural Facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.

3. Governmental Facilities:

- a. Governmental office buildings.

4. Medical Facilities:

- a. Acupuncture facilities approved by the South Central District Health Department or other state regulatory agency.
- b. Doctors' offices.
- c. Drug and alcohol treatment centers.
- d. Hospitals and clinics.
- e. Prosthetics - sales, service and construction.
- f. Rehabilitation services.
- g. Ambulance service.

5. Parks:

- a. Open space.

- b. Park concessions.
 - c. Private parks and playgrounds without crowd attracting facilities.
 - d. Public parks and playgrounds without crowd attracting facilities.
6. Public Assembly:
- a. Auditoriums.
 - b. Exhibition halls.
 - c. Funeral chapels.
 - d. Schools - private, single purpose.
 - e. Schools - private, vocational and/or academic.
 - f. Schools - public.
 - g. Theaters - indoor.
 - h. Wedding chapels and/or reception halls.
7. Residential:
- a. Bed and breakfast facilities.
 - b. Household units in same building as an allowed use and occupied by the owner or an employee of the allowed use.
 - c. Household units in upper floors of commercial or professional buildings.
8. Retail Trade:
- a. Apparel and accessories.
 - b. Automobile parts store.
 - c. Bakery.
 - d. Bookstore.
 - e. Craft shop, in conjunction with retail business.
 - f. Eating places.
 - g. Farm and garden supplies.
 - h. Florist shop.
 - i. Food, drugs, etc.
 - j. General merchandise.
 - k. Hardware store.
 - l. Hobby and toy store.
 - m. Home furnishings and equipment.
 - n. Ice cream store.
 - o. Import store.
 - p. Laundering and dry-cleaning.
 - q. Laundromats.
 - r. Music store.
 - s. Pawnshop.
 - t. Pet shop.
 - u. Sporting goods store.
 - v. Taxidermy studio.
9. Services:
- a. Advertising.

- b. Apparel repair and alteration.
 - c. Appliance repair.
 - d. Beauty and barbershops.
 - e. Building care contracting office.
 - f. Business associations.
 - g. Civic, social and fraternal organizations.
 - h. Construction trade offices.
 - i. Consumer credit collection offices.
 - j. Copy center - self-service.
 - k. Daycare services.
 - l. Duplicating and stenographic offices.
 - m. Employment agency.
 - n. Finance and investment offices.
 - o. Horticultural services.
 - p. In-home daycare services.
 - q. Insurance and related business.
 - r. Labor unions and organizations.
 - s. Photography studios.
 - t. Professional organizations.
 - u. Professional services.
 - v. Publishing and printing business.
 - w. Real estate and related business.
 - x. Testing laboratory.
 - y. Tourist information center.
 - z. Welfare and charitable facilities.
10. Transportation:
- a. Bus facilities, including pick up shelters.
 - b. Open parking lot or garage for automobiles.
 - c. Taxicab office.
 - d. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit.

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

- 1. Communications and utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
- 2. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.
- 3. Manufacturing:
 - a. Apparel and related items.
 - b. Furniture and fixtures.

- c. Handcrafted furniture.
 - d. Miscellaneous products.
 - e. Paper products.
 - f. Plastic products.
 - g. Professional and scientific products.
 - h. Rubber products.
 - i. Textile products.
4. Medical facilities:
- a. Animal hospital - small animal.
5. Miscellaneous:
- a. Any facility with drive-through service.
6. Public assembly:
- a. Exposition and recreational vehicle shows.
 - b. Farmers' markets, flea markets.
 - c. Religious facilities.
 - d. Sports arena.
 - e. Theater, outdoor.
7. Residential:
- a. Dwellings - attached single household dwellings.
 - b. Dwellings - duplex.
 - c. Dwellings - triplex and fourplex.
 - d. Dwellings - multiple household (5 units or more).
 - e. Motels and transient hotels.
 - f. Nursing homes and rest homes.
 - g. Residence halls, residence hotels, rooming houses.
 - h. Shelter homes.
8. Retail trade:
- a. Alcoholic beverages when consumed on the premises where sold.
 - b. Equipment rental.
 - c. Lumber, plumbing and/or electrical supply stores.
 - d. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
 - e. Sporting vehicles and motorcycles - sales and/or rentals.
 - f. Storage unit rentals.
9. Services:
- a. Auction and/or public sales.
 - b. Automobile and truck service and/or repair.
 - c. Sporting vehicle and motorcycle service and/or repair.
10. Sports facilities:
- a. Athletic areas.
 - b. Indoor recreation facility.
 - c. Miniature golf course.
 - d. Outdoor, public and commercial ice and roller skating facilities.

- e. Outdoor, public and commercial swimming pools.
 - f. Outdoor, public and commercial tennis courts.
11. Transportation:
- a. Freight transfer points.
 - b. Open parking lot or garage for trucks and buses.
 - c. Packing and crating.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. Also prohibited is the storage of manufacturing materials and/or supplies outside an enclosed structure. (Ord. 2526, 5-20-1996; amd. Ord. 2620, 8-2-1999; Ord. 3033, 6-25-2012; Ord. 2016-5, 3-7-2016; Ord. 2023-005, 3-11-2024)

10-4-13.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the OT district:

(A) Lot Area: The lot shall be of sufficient size to provide for the building, off street parking, landscaping, and surface water retention.

(B) Lot Occupancy: No requirement. (Ord. 2526, 5-20-1996)

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided in section 10-7-3 of this title. (Ord. 3077, 8-11-2014)

(D) Yards: No requirement.

(E) Access: All lots shall have vehicular access on a dedicated improved public street unless a secondary means of permanent access has been provided.

(F) Landscaping:

1. Public Rights Of Way:

a. Landscaping and lighting shall be provided which meet the requirements of the old town master landscaping plan.

2. Public And Private Parking Lots:

a. Ten percent (10%) of the total parking area shall be landscaped.

b. At least eighty percent (80%) of the trees and shrubs planted in the parking lots shall be from the master list of approved species as stated in the old town master landscaping plan.

c. A thirty inch (30") high masonry wall, hedge or shrub planting shall be provided between the parking lot and a public sidewalk. Such wall, hedge or shrub planting shall be continuous except for pedestrian or vehicle access.

d. Fifty percent (50%) of all shrubs and twenty five percent (25%) of all trees shall be evergreen.

e. Planted dividers at least six feet (6') wide shall be provided between parking rows. Such dividers shall be planted with shade trees at least eight feet (8') in height when planted.

f. One shade tree shall be provided within planted dividers, islands within parking lots, or along the parking lot periphery for every ten (10) parking spaces.

g. Dumpster areas, loading sites and other unsightly areas shall be screened with landscaped plantings, or wooden or masonry sight obscuring fencing.

h. Parking lots shall be illuminated with lighting fixtures installed at the rate of one per every eighteen (18) cars. Such lighting shall be in conformance with the old town master landscaping plan.

(G) Off Street Parking:

1. Household units shall have a minimum of one off street, on site, parking space per unit.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title and the P3 parking overlay. (Ord. 2526, 5-20-1996)

(H) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code.

10-4-14: CM, COMMERCIAL MIXED USE DISTRICT:

10-4-14.1: PURPOSE:

This district is intended to provide for a mixture of commercial, professional and residential uses in a unified environment planned and approved through the ZDA process. (Ord. 3082, 12-8-2014)

10-4-14.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') above ground.
2. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental facilities:
 - a. Fire stations and police stations.
 - b. Governmental office buildings.
 - c. Judicial facilities.
4. Medical facilities:
 - a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
 - b. Doctors' offices.
 - c. Hospitals and clinics.
 - d. Rehabilitation services.
5. Parks:
 - a. Open space.
 - b. Park concessions.
 - c. Private parks and playgrounds without crowd attracting facilities.
 - d. Public parks and playgrounds without crowd attracting facilities.
6. Public assembly:
 - a. Auditoriums.
 - b. Funeral chapels.
 - c. Religious facilities.
 - d. Schools - private, single purpose.
 - e. Schools - private, vocational and/or academic.
 - f. Schools - public.
 - g. Theaters - indoor.
 - h. Wedding chapels and/or reception halls.
7. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Bed and breakfast facilities.
 - c. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.

- d. Dwellings - duplex.
- e. Dwellings - multiple household (5 units or more).
- f. Dwellings - triplex and fourplex.
- g. Home occupations.
- h. Household units in same building as an allowed use and occupied by the owner or an employee of the allowed use.
- i. Household units in the upper floors of commercial or professional buildings.
- j. Nursing homes and rest homes.
- k. Residence halls, residence hotels, rooming houses.

8. Retail Trade:

- a. Apparel and accessories.
- b. Automobile parts store.
- c. Bakery.
- d. Bookstore.
- e. Commercial greenhouses.
- f. Craft shop, in conjunction with retail business.
- g. Eating places.
- h. Farm and garden supplies.
- i. Florist shop.
- j. Food, drugs, etc.
- k. General merchandise.
- l. Hardware store.
- m. Hobby and toy store.
- n. Home furnishings and equipment.
- o. Ice cream store.
- p. Import store.
- q. Laundering and dry-cleaning.
- r. Laundromats.
- s. Music store.
- t. Pawnshop.
- u. Pet shop.
- v. Sporting goods store.
- w. Taxidermy studio.

9. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Appliance repair.
- d. Beauty and barbershops.
- e. Building care contracting offices.
- f. Business associations.
- g. Construction trade offices.
- h. Consumer credit collection offices.

- i. Copy center - self-service.
 - j. Daycare services.
 - k. Duplicating and stenographic offices.
 - l. Employment agency.
 - m. Finance and investment offices.
 - n. Horticultural services.
 - o. In-home daycare services.
 - p. Insurance and related business.
 - q. Labor unions and organizations.
 - r. Photography studios.
 - s. Professional organizations.
 - t. Professional services.
 - u. Real estate and related business.
 - v. Tourist information center.
10. Transportation:
- a. Bus facilities, including pickup shelters.
 - b. Taxicab office.
 - c. Ticket and arrangement facilities.

Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit.

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the District unless special provisions are taken. Special use permits may be granted for the following uses:

- 1. Communications And Utilities:
 - a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
- 2. Cultural Facilities:
 - a. Cemeteries.
 - b. Zoos.
- 3. Governmental Facilities:
 - a. Water treatment plants.
- 4. Medical Facilities:
 - a. Animal hospital - small animal.
 - b. Drug and alcohol treatment centers.
 - c. Prosthetics - sales, service and/or construction.
- 5. Miscellaneous:
 - a. Any facility with drive-through service.
- 6. Parks:
 - a. Public parks and playgrounds with crowd attracting facilities.
- 7. Public Assembly:
 - a. Exhibition halls.
 - b. Fairgrounds.
 - c. Sports arena.
 - d. Theaters - outdoor.

8. Residential:

a. Accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings except those physically attached garaged built at the same time the home is built.

- b. Motels and transient hotels.
- c. RV and camping parks.
- d. Shelter homes.

9. Retail Trade:

- a. Alcoholic beverages, when consumed on the premises where sold.
- b. Automobile and truck sales and/or rentals.
- c. Car wash facilities.
- d. Equipment rental.
- e. Fuel sales (bulk).
- f. Gasoline service stations.
- g. Lumber, plumbing and/or electrical supply stores.
- h. Manufactured/mobile home sales and/or rentals.
- i. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.
- j. Sporting vehicles and motorcycles - sales and/or rentals.
- k. Storage unit rentals.
- l. Tire shops.

10. Services:

- a. Civic, social and fraternal organizations.
- b. Dog grooming and/or kennels.
- c. Publishing and printing business.
- d. Welfare and charitable facilities.

11. Sports Facilities:

- a. Athletic areas.
- b. Golf courses and country clubs.
- c. Golf driving ranges.
- d. Indoor recreation facility.
- e. Miniature golf courses.
- f. Outdoor, public and commercial ice and rollerskating facilities.
- g. Outdoor, public and commercial swimming pools.
- h. Outdoor, public and commercial tennis courts.

12. Transportation:

- a. Freight transfer points.
- b. Open parking lot or garage for automobiles.
- c. Open parking lot or garage for trucks and buses.
- d. Packing and crating.
- e. Trucking facilities.

13. Wholesale Facilities:

- a. Wholesale distribution and warehousing, but excluding H-1 facilities. (Ord. 2620, 8-2-1999)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this Title is made that the use is similar enough to a use listed above that distinction between them

is of little consequence.

10-4-14.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the C1 district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping. (Ord. 2526, 5-20-1996)

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district or as determined by the ZDA process. (Ord. 3082, 12-8-2014)

(B) Lot Occupancy:

1. Commercial Uses: No requirement.

2. Residential Uses: Residential uses less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district.

(C) Building Height: No building shall exceed thirty five feet (35') in height except as provided by section 10-7-3 of this title.

(D) Yards:

1. Commercial Uses And Residential Uses With Five Or More Units Per Building: No property line setbacks are required on side yard or rear yard. A setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. (Ord. 2526, 5-20-1996)

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district or as determined through the ZDA process. (Ord. 3082, 12-8-2014)

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(F) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater or as determined by the ZDA process. (Ord. 3082, 12-8-2014)

2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area.

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.

2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.

3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-15: RM, RESIDENTIAL MIXED USE DISTRICT:

10-4-15.1: PURPOSE:

This district is intended to provide for a mixture of residential housing types in a unified environment planned and approved through the ZDA process. (Ord. 3082, 12-8-2014)

10-4-15.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:

a. Underground and aboveground transmission lines.

b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') above ground.

2. Parks:

- a. Open space.
- b. Private parks and playgrounds without crowd attracting facilities.
- c. Public parks and playgrounds without crowd attracting facilities.

3. Residential:

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
- c. Dwellings - detached single household.
- d. Dwellings - duplex.
- e. Dwellings - multiple household (5 units or more).
- f. Dwellings - triplex and fourplex. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:

- a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.

2. Cultural facilities:

- a. Botanical gardens and arboretums.
- b. Historic sites and monuments.
- c. Libraries, museums and art galleries.
- d. Planetariums and aquariums.
- e. Zoos.

3. Governmental facilities:

- a. Fire stations and police stations.
- b. Water treatment plants.

4. Parks:

- a. Park concessions.
- b. Public parks and playgrounds with crowd attracting facilities.

5. Public assembly:

- a. Auditoriums.
- b. Religious facilities.
- c. Schools - public.

6. Residential:

- a. Accessory buildings (more than 1,000 square feet), i.e., garages and other accessory buildings except those built at the same time the home is built.
- b. Bed and breakfast facilities.
- c. Home occupations.
- d. Nursing homes and rest homes.
- e. Residence halls, residence hotels, rooming houses.

7. Services:

- a. In home daycare services.

8. Sports facilities:

- a. Golf courses and country clubs.

- b. Golf driving ranges.
- c. Miniature golf courses.
- d. Outdoor, public and commercial ice and roller skating facilities.
- e. Outdoor, public and commercial swimming pools.
- f. Outdoor, public and commercial tennis courts. (Ord. 2620, 8-2-1999)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-15.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the RM district:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet (2¹/₂') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-16: CSI, COLLEGE OF SOUTHERN IDAHO DISTRICT:

10-4-16.1: PURPOSE:

This district is intended to promote development which will serve or complement the College Of Southern Idaho while allowing for a mixture of land uses in a unified environment planned and approved through the ZDA process. (Ord. 3082, 12-8-2014)

10-4-16.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') above ground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
 - b. Dwellings - attached single household dwellings on lots fronting on an arterial or collector street.
 - c. Dwellings - detached single household.
 - d. Dwellings - duplex.
 - e. Dwellings - multiple household (5 units or more).
 - f. Dwellings - triplex and fourplex.
 - g. Household units in upper floors of commercial or professional buildings. (Ord. 2526, 5-20-1996)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:
 - a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') above ground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
 - e. Zoos.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Water treatment plants.

4. Medical Facilities:
 - a. Doctors' offices.
 - b. Drug and alcohol treatment centers.
 - c. Hospitals and clinics.
 - d. Rehabilitation services.
5. Miscellaneous:
 - a. Any facility with drive-through service.
6. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
7. Public Assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - private, vocational and/or academic.
 - d. Schools - public.
8. Residential:
 - a. Accessory buildings (more than 1,000 square feet) i.e., garages and other accessory buildings except those physically attached garages that are built at the time the home is built.
 - b. Bed and breakfast facilities.
 - c. Home occupations.
 - d. Nursing homes and rest homes.
 - e. Residence halls, residence hotels, rooming houses.
9. Services:
 - a. Daycare services.
 - b. Finance and investment offices.
 - c. In-home daycare services.
 - d. Insurance and related business.
 - e. Professional services.
 - f. Real estate and related business.
10. Sports Facilities:
 - a. Athletic areas.
 - b. Golf courses and country clubs.
 - c. Golf driving ranges.
 - d. Miniature golf courses.
 - e. Outdoor, public and commercial ice and rollerskating facilities.
 - f. Outdoor, public and commercial swimming pools.
 - g. Outdoor, public and commercial tennis courts. (Ord. 2620, 8-2-1999)

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-16.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the CSI district: (Ord. 2526, 5-20-1996)

(A) Use Of Lots: As provided for in the ZDA development plan. (Ord. 3082, 12-8-2014)

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet (2¹/₂') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-17: MHO-1, MOBILE HOME OVERLAY DISTRICT-ONE:

10-4-17.1: PURPOSE:

This overlay district is intended to provide housing alternatives of both conventional homes and manufactured homes in a low density environment with ample space for personal privacy, private open space and free from encroachment by commercial and industrial activities. Centralized water and sewer facilities are required. This district may overlay an existing developed R4 or R6 district. (Ord. 2526, 5-20-1996)

10-4-17.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be

erected, altered or enlarged only for the following uses:

1. Any use permitted in the basic district upon which the overlay is placed.
2. Manufactured homes which meet the following standards:
 - a. Must be at least twelve feet (12') wide.
 - b. Must not be less than seven hundred (700) square feet.
 - c. Permanent foundations must be provided that meet or exceed current Idaho manufactured home standards, as adopted by the state of Idaho division of building safety, manufactured housing section or have been rehabilitated pursuant to chapter 25, title 44 of the Idaho Code.
 - d. Must be built to HUD manufactured home specifications.
 - e. Modifications shall conform to the uniform building code as adopted by the city. (Ord. 2526, 5-20-1996; amd. Ord. 2741, 11-4-2002)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Any use permitted by special use permit in the basic district upon which the overlay is placed.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2526, 5-20-1996)

10-4-17.3: DISTRICT SIZE:

The minimum overlay district shall be ten (10) acres. (Ord. 2526, 5-20-1996)

10-4-17.4: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in mobile home overlay district one:

The property development standards shall be the same as those of the basic district upon which the overlay is placed. (Ord. 2526, 5-20-1996)

10-4-18: PRO, PROFESSIONAL OFFICE OVERLAY DISTRICT:

10-4-18.1: PURPOSE:

This overlay district is intended to provide for professional office uses along or near specifically designated major arterials where increased traffic has impacted residential uses and in areas that are near large public or private medical facilities. Centralized water and sewer facilities are required. This overlay may be placed on an R2, R4 or R6 district. (Ord. 2657, 6-19-2000)

10-4-18.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Any use permitted in the basic district upon which the overlay is placed.

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Basic district uses: Any use allowed by special use permit in the basic district upon which the overlay is placed.
2. Medical facilities:
 - a. Doctors' offices.
3. Residential:
 - a. Household units in the same building as an allowed use and occupied by owner or an employee of the allowed use.
4. Services:
 - a. Beauty salons/barbershops.
 - b. Consumer credit collection.
 - c. Employment agency.
 - d. Finance and investment offices.
 - e. Insurance and related business.
 - f. Professional services.

- g. Photography studios.
- h. Real estate and related business.
- i. Commercial daycare facilities and preschools.

5. Additional land uses: The following additional land uses may be allowed by special use permit in the following historic areas of the city: Addison Avenue and Blue Lakes Boulevard:

a. Residential:

- (1) Bed and breakfast facilities.
- (2) Household units in the same building as an allowed use and occupied by owner or an employee of the allowed use.
- (3) Household units in upper floors of commercial or professional buildings.

b. Retail trade:

- (1) Bookstore.
- (2) Cottage businesses.
- (3) Craft shop.
- (4) Florist shop.
- (5) Hobby and toy store.
- (6) Art galleries and frame shops.
- (7) Antique shop.
- (8) Fabric and pattern shop.
- (9) Home decor, excluding appliances.

c. Services:

- (1) Photography studios.
- (2) Seamstress.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2943, 6-16-2008)

10-4-18.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the professional office overlay district:

(A) Lot Area:

- 1. The minimum lot size as required by the basic district upon which the overlay is placed.
- 2. For professional offices, the lot size shall be of sufficient size to provide for the building, off street parking and landscaping.

(B) Lot Occupancy:

- 1. Same as that of the basic district upon which the overlay is placed.
- 2. For professional offices, there is no occupancy requirement.

(C) Building Height: No building shall exceed thirty five feet (35') in height.

(D) Yards:

- 1. Front yards:
 - a. Same as that of the basic district upon which the overlay is placed.
- 2. Side yards:
 - a. Same as that of the basic district upon which the overlay is placed.
- 3. Rear yards:
 - a. Same as that of the basic district upon which the overlay is placed.
 - b. For professional offices, the rear yard may be reduced to the side yard setback of the basic district.

(E) Access: Same as that of the basic district upon which the overlay is placed.

(F) Landscaping:

1. Residential uses: Same as that of the basic district upon which the overlay is placed.
2. Professional uses: Professional offices shall provide landscaping equal to ten percent (10%) of the total lot area.

(G) Off Street Parking:

1. Same as that of the basic district upon which the overlay is placed.
2. Each professional office shall provide one parking space per three hundred (300) square feet of total building area measured from the exterior of the building, or as required by subsection 10-10-3(A) of this title. (Ord. 2657, 6-19-2000)

(H) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(I) Walls, Fences And Hedges:

1. Same as that of the basic district upon which the overlay is placed.
2. Professional offices shall provide a fence not less than six feet (6') in height that will act as a sight and sound barrier between the professional office use and any contiguous residential lot or use.

(J) Additional Standards: The following additional property development standards shall apply to Addison Avenue and Blue Lakes Boulevard:

1. Buildings: Existing residences will not be razed and new buildings constructed unless said new buildings are designed in such a way as to conform with the general residential nature of the neighborhood, consistent with the existing architectural style and design.
2. Parking: All off street parking shall be placed on the alley side of the lots so that the portion of the property that fronts the side streets and arterial streets shall continue to have lawn and landscaping consistent with surrounding properties as opposed to asphalt, rock or pavement. Also, any use that has a parking requirement, as determined by section 10-10-6 of this title, in excess of fifteen (15) spaces is prohibited.
3. Landscaping: Twenty five percent (25%) of each property shall be maintained in landscaping.
4. Driveway Access: No driveway will open onto the side street for access or ingress to the properties containing the professional offices or commercial uses, nor can any additional curb cuts be made on the side street curbs. However, if there presently exists a driveway that goes to the side street, then the presently existing driveway may be maintained, but the use may not be expanded to include other parking places. (Ord. 2657, 6-19-2000)

10-4-19: CRO, CANYON RIMS OVERLAY DISTRICT:

10-4-19.1: PURPOSES:

The purposes of the canyon rims overlay district are as follows:

- (A) To protect the public and private property owners from the natural hazards of rock fall and slope failure along the Snake River Canyon and Rock Creek Canyon.
- (B) To protect views and create a unique visual environment along the canyon rims.
- (C) To preserve and improve the aesthetic appearance of the canyon rims for the enhancement of the quality of life in the community.
- (D) To provide development standards that enhance the value of canyon rim areas to the developer and the community. (Ord. 2022-017, 9-12-2022)

10-4-19.2: LOCATION:

The canyon rims overlay district shall include all of that area within the city and its area of impact located within two hundred feet (200') of the Rock Creek Canyon rim and within seven hundred feet (700') of the Snake River Canyon rim which carries a residential or C-I zoning designation. (Ord. 2526, 5-20-1996; Ord. 2022-017, 9-12-2022)

10-4-19.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the canyon rims overlay district:

- (A) Lot Area: Same as the basic zoning district upon which the overlay is placed.
- (B) Lot Occupancy: Same as the basic zoning district upon which the overlay is placed.
- (C) Building Height:
 1. Within the CI Zoning District: No building shall exceed maximum building height of Twenty-five feet (25') in height measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim, and thereafter rising evenly to fifty feet (50') in height measured at one hundred fifty linear feet (150') from the canyon rim.
 2. All other applicable Districts: No building shall exceed maximum building height of Twenty-five feet (25') in height

measured at fifty linear feet (50') from the canyon rim and rising evenly to thirty-five feet (35') in height measured at one hundred linear feet (100') from the canyon rim.

3. All heights are to be measured from the existing canyon rim elevation, or the existing ground level elevation at the building site, whichever elevation is greater.

4. Additional Height: Additional height may be requested for those areas beyond the fifty-foot (50') Canyon Rim Setback. See Additional Building Height Process City Code 10-7-3.

(D) Building Setbacks:

1. Yards: Same as that of the basic zoning district upon which the overlay is placed.

2. Geological Report: The minimum canyon rim setback in the CRO district shall be one hundred feet (100') without a geological report meeting the following requirements:

- a. The name, address, and telephone number of the responsible Idaho licensed geological engineer;
- b. The qualifications of the Idaho licensed geological engineer, including a list of similar studies and references;
- c. A certificate of professional liability insurance for the individual or firm preparing the report;
- d. A location map, showing the relation of the site studied to the surrounding area, including the topography and drainage pattern of that area, and the location of any off site observations (wells, soil observation pits, etc.) used in preparing the findings of the report;
- e. A parcel map, showing the parcel boundaries, the proposed canyon rim setback, building envelope, or building location, the proposed location of any on site sewage disposal facilities, any watercourses or drainageways across or adjacent to the parcel, and the location of any soil observation pits, wells, or other observations used in preparing the findings of the report;
- f. A description of the geologic setting of the parcel;
- g. A description of the methods used to arrive at the findings, including the sampling procedure used to determine the sites used for observations; and
- h. A clear statement that buildings behind the proposed canyon rim setback, within the proposed envelope, or at the proposed building location are not subject to significant hazard from slope movements and that construction on the site will not present a significant hazard to people or properties.
- i. The findings shall be qualified, as necessary, with recommendations for site stabilization, drainage, and building construction techniques or specifications that will minimize any potential hazard.
- j. The information used as a basis for the findings may be integrated with the findings or presented separately.

3. Canyon Rim Setback: The minimum canyon rim setback in the CRO district with a geological report meeting the requirements set forth above shall be either the minimum setback recommended in the geological report or the minimum setback set out below, whichever is greater:

- a. Rock Creek Canyon: Fifty feet (50').
- b. Snake River Canyon from Rock Creek Canyon to the centerline of 3300 East, extended: Fifty feet (50').
- c. Snake River Canyon east of the centerline of 3300 East, extended: One hundred feet (100').

(E) Landscaping: Overall, twenty percent (20%) of the total area included in any commercial or mixed-use development in the canyon rims overlay district shall be devoted to landscaped open space. That space shall meet the requirements of section of this title and shall include the following elements:

1. Street Buffers: Commercial uses shall provide a minimum thirty foot (30') landscaped buffer along arterial and collector streets. Residential uses shall provide a minimum fifty foot (50') landscaped buffer along arterial streets.

2. Use Buffers: There shall be a minimum fifty foot (50') landscaped buffer between residential and commercial elements of a mixed-use canyon rims overlay district development.

3. Use Of Buffers: Roads and utilities may cross landscaped buffers, sidewalks and trails may run-through them, and permitted freestanding signs and minor utility installations may be based in them.

4. Parking Areas: Parking areas including twenty-four (24) or more spaces shall be broken into separate bays by landscaped areas and pedestrian walks that comprise at least ten percent (10%) of the area devoted to parking.

5. Canyon Rim Setback Area: The canyon rim setback area may be included as part of the twenty percent (20%) landscaping requirement if the area is landscaped to meet the minimum requirements of subsection (A) of this title or if planted with native vegetation.

(F) Signs: See the sign code in of this title.

(G) Additional Development Standards:

1. Form: Buildings that have a footprint of more than three thousand (3,000) square feet shall be designed to reduce their apparent mass using one or more of the following techniques:

a. Varying Height: Buildings may be "stepped back" in height from the setback line to reduce their apparent mass and visual competition with the canyon wall.

b. Varying Setback: The building line facing the canyon rim may be varied (i.e., different portions of the building would be different distances from the setback line).

c. Landscaping: Mass plantings and earthworks can be designed and sited to effectively break the apparent mass of a building.

2. Outdoor Sales And Storage: There shall be no outdoor sales or display areas in the canyon rims overlay district. All outdoor storage, including solid waste containers, shall be fully screened from public view by some combination of location on the site, fences or walls, and landscaped buffers. (Ord. 2526, 5-20-1996; Ord. 2851, 3-6-2006; Ord. 3005, 6-6-2011; Ord. 3082, 12-8-2014; Ord. 2022-017, 9-12-2022)

10-4-20: WPO, WELLHEAD PROTECTION OVERLAY DISTRICT:

10-4-20.1: SHORT TITLE AND PURPOSE:

(A) This section shall be known as the *WELLHEAD PROTECTION PLAN*.

(B) It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to contamination of the public water supply, and to formalize groundwater protection/pollution abatement and control procedures. Specific goals are to:

1. Protect human life and health;
2. Ensure that the public is provided with a sustainable, safe potable water supply;
3. Minimize expenditure of public money for pollution remediation projects;
4. Minimize regulations on land use; and
5. Minimize business interruptions. (Ord. 2526, 5-20-1996)

10-4-20.2: DEFINITIONS:

When used in this section the following words and phrases shall have the meanings given in this section:

AGRICULTURAL RUNOFF WASTEWATER: Water diverted for irrigation but not applied to crops, or runoff of irrigation tail water from the cropland as a result of irrigation.

COMMUNITY WATER SYSTEM: A public system which serves at least fifteen (15) service connections used by year round residents or regularly serves at least twenty five (25) year round residents.

COMMUNITY WELLHEAD: The upper terminal of a well, including adapters, ports, seals, valves and other attachments.

FACILITY: Refers to any business or corporation that is built, installed, or established to serve a particular purpose.

HAZARDOUS WASTE DISPOSAL FACILITY: A hazardous waste treatment, storage, or disposal facility which receives hazardous material as described in part 40 chapter 260.1 of the code of federal regulations.

HAZARDOUS WASTE OR MATERIAL: Any waste or material which, because of its quantity, concentration, physical, chemical or infectious characteristics, may:

(A) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or,

(B) Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed; or,

(C) Any material or substance designated as a hazardous or toxic substance defined by part 40 chapter 261.3 of the Code of Federal Regulations, or any material or substance designated as a hazardous or toxic substance by the State of Idaho, acting through the Division of Environmental Quality or any successor agency.

INJECTION: The subsurface emplacement of fluids.

LIVESTOCK CONFINEMENT OPERATION: As defined in the County Zoning Ordinance.

NONCOMMUNITY WATER SYSTEM: A public water system that is not a community water system.

PUBLIC WATER SYSTEM: A system that provides the public with piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty five (25) individuals daily at least sixty (60) days out of the year. Such term includes: 1) any collection, treatment, storage, and distribution facilities under control of the operator of such system, and used primarily in connection with such system, and 2) any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. A public water system is either a "community water system" or a "noncommunity water system" as defined herein.

SANITARY LANDFILL: A solid waste disposal operation where the wastes are spread on land in thin layers, compacted to

the smallest practical volume, and covered with cover material once each day of operation in order to safeguard against environmental pollution, nuisances, and health hazards.

STORM WATER RUNOFF: Water discharged as a result of rain, snow, or other precipitation.

TIME OF TRAVEL DISTRICTS (TOT): The time required for a contaminant to move in the ground from a specific point to a well.

UNDERGROUND INJECTION WELL: Any excavation or artificial opening into the ground which meets the following three (3) criteria:

- (A) It is a bored, drilled or dug hole, or is a driven mine shaft or a driven well point; and,
- (B) It is deeper than its largest straight-line surface dimension; and,
- (C) It is used for or intended to be used for injection.

WELLHEAD PROTECTION OVERLAY DISTRICT (WHO): A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner. The Wellhead Protection Overlay District will also appear in the hazardous component of the Comprehensive Plan. A map will define specific area districts centering around wells supplying drinking water to a public water system. The map is delineated using one of the following methods:

- (A) Calculated fixed radius; or,
- (B) Arbitrary fixed radius; or,
- (C) Simplified variable shapes; or,
- (D) Semi-analytical, and analytical methods; or,
- (E) Hydrogeologic mapping; or,
- (F) Numerical modeling;

and follow the guidelines established in the Idaho Wellhead Protection Plan.

WELLHEAD PROTECTION OVERLAY DISTRICT Ia: A minimum fixed radius extending no less than fifty feet (50') radially from the wellhead supplying potable water to the public water supplies.

WELLHEAD PROTECTION OVERLAY DISTRICT Ib: A three (3) year "time of travel district (TOT)" as defined in this Section.

WELLHEAD PROTECTION OVERLAY DISTRICT II: A six (6) year "time of travel district (TOT)" as defined in this Section.

WELLHEAD PROTECTION OVERLAY DISTRICT III: A ten (10) year "time of travel district (TOT)" as defined in this Section.

10-4-20.3: ESTABLISHMENT OF WELLHEAD PROTECTION OVERLAY DISTRICT:

There is hereby established a Wellhead Protection Overlay District identified and described as all the area within the ten (10) year TOT district around public water supplies as shown on the Official Zoning Map. It is further established that these areas be composed of four (4) districts: "Wellhead Protection Overlay District Ia," "Wellhead Protection Overlay District Ib", "Wellhead Protection Overlay District II", and "Wellhead Protection Overlay District III", as they are defined in this Chapter. The City may record with the County Recorder's office a metes and bounds description of the Wellhead Protection Overlay District.

10-4-20.4: PROHIBITED USES WITHIN DISTRICT Ia OF THE WELLHEAD PROTECTION AREA:

Uses permitted within District Ia shall be limited to necessary public water supply wellhead equipment including the following: wellhead facility buildings, water storage tanks, disinfection equipment, disinfection chemical storage and approved landscaping. All other uses shall be prohibited.

10-4-20.5: PROHIBITED USES WITHIN DISTRICT Ib OF THE WELLHEAD PROTECTION AREA:

The following uses or conditions shall be and are hereby prohibited within District Ib of the Wellhead Protection areas:

- (A) Sanitary landfills.
- (B) Livestock confinement operations.
- (C) Hazardous waste disposal facility.
- (D) Injection wells except for the following:

1. Closed systems.

(E) All manufacturing or industrial businesses involving the collection, handling, manufacture, use, storage, transfer or disposal of any hazardous solid or liquid material or waste having potential impact on ground water.

(F) Existing sewer lines shall not be closer than one hundred feet (100') of a wellhead or of new sanitary systems and sewer lines shall not be closer than one hundred fifty feet (150') of a wellhead.

(G) Existing septic tanks or drain fields shall not be closer than one hundred feet (100') of a wellhead and new installation of septic tanks or drain fields shall not be closer than two hundred feet (200') away from the wellhead.

(H) Junk or salvage yards.

(I) Disposal of waste oil, oil filters, tires and all other petroleum products.

(J) Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-4-20.6: PROHIBITED USES WITHIN DISTRICT II OF THE WELLHEAD PROTECTION AREA:

The following uses or conditions shall be and are prohibited within District II of the Wellhead Protection Overlay District:

(A) Sanitary landfills;

(B) Hazardous waste disposal facilities;

(C) Injection wells except for the following:

1. Deep well injection (below 18 feet in depth):

- a. Geothermal heat;
- b. Heat pump return;
- c. Cooling water return.

2. Shallow well injection only (less than 18 feet in depth):

- a. Storm runoff;
- b. Agricultural runoff waste water;
- c. Special drainage water;
- d. Aquifer recharge;
- e. Aquifer remediation;
- f. Septic systems (general).

(D) Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-4-20.7: PROHIBITED USES WITHIN DISTRICT III OF THE WELLHEAD PROTECTION OVERLAY DISTRICT:

The following uses or conditions shall be and are prohibited within District III of the Wellhead Protection Overlay District:

(A) Injection wells except for the following:

1. Deep well injection (below 18 feet in depth):

- a. Geothermal heat;
- b. Heat pump return;
- c. Cooling water return.

2. Shallow well injection only (less than 18 feet in depth):

- a. Storm runoff;
- b. Agricultural runoff waste water;
- c. Special drainage water;
- d. Aquifer recharge;
- e. Aquifer remediation;
- f. Septic systems (general).

(B) Land use activities posing a hazard or threat to existing ground water quality as deemed by the Zoning Administrator during review process of applications.

10-4-20.8: NOTICE OF PROPOSED ACTION TO OPERATOR OF PUBLIC OR COMMUNITY WATER SUPPLY:

Whenever there is a request which requires approval from the Planning and Zoning Commission for land lying within a Wellhead Protection District, written notice of the hearing shall be given to the entity operating the public or community water supply within that overlay district.

The Planning and Zoning Commission may require a granting of easements for monitoring wells if the Commission deems it appropriate for protection of the public water supply.

10-4-20.9: NONCONFORMING USES:

Any legal use existing at the time of the adoption of this section and listed as a prohibited use herein, shall become a legal nonconforming use and may not be expanded or improved except as otherwise provided in the zoning ordinance. (Ord. 2526, 5-20-1996)

10-4-20.10: ENFORCEMENT:

It shall be unlawful for any person, corporation, government entity or business to occupy or use the land within the area designated in the wellhead protection overlay district I, II, and III contrary to, or in violation of, any of the provisions of this section 10-4-20. (Ord. 2526, 5-20-1996)

10-4-20.11: AMENDMENTS:

Amendments will require approval from all of the counties and municipalities that this section 10-4-20 affects. (Ord. 2526, 5-20-1996)

10-4-21: NCO, NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT:**10-4-21.1: PURPOSE:**

This overlay district is intended to provide for limited commercial and service activities within residential zoning districts and serving the local neighborhood, and which are integrated into a residential setting. Development of this overlay is allowed only through the ZDA process. (Ord. 3082, 12-8-2014)

10-4-21.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Underground and aboveground transmission lines.
 - b. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') above ground.
2. Parks:
 - a. Open space.
 - b. Private parks and playgrounds without crowd attracting facilities.
 - c. Public parks and playgrounds without crowd attracting facilities.
3. Residential:
 - a. Household units in upper floors of commercial or professional buildings.
4. Retail trade:
 - a. Bakery.
 - b. Bookstore.
 - c. Craft shop, in conjunction with retail business.
 - d. Eating places.
 - e. Florist shop.
 - f. Food, drugs, etc.
 - g. General merchandise.
 - h. Hardware store.
 - i. Hobby and toy store.
 - j. Ice cream store.
 - k. Import store.
 - l. Laundering and dry cleaning.
 - m. Laundromats.
 - n. Music store.
 - o. Pet shop.
 - p. Sporting goods store.
5. Services:
 - a. Beauty and barbershops.

- b. Copy center - self-service.
- c. Daycare services.
- d. Duplicating and stenographic offices.
- e. In-home daycare services.
- f. Photography studios.

Notwithstanding the foregoing list of permitted uses, any such use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit. (Ord. 2620, 8-2-1999)

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the Comprehensive Plan and that is not permitted outright because it may conflict with other uses in the District unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications And Utilities:
 - a. Utility-owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') aboveground.
2. Cultural Facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
 - d. Planetariums and aquariums.
3. Governmental Facilities:
 - a. Fire stations and police stations.
 - b. Governmental office buildings.
 - c. Water treatment plants.
4. Medical Facilities:
 - a. Doctors' offices.
 - b. Hospitals and clinics.
 - c. Rehabilitation services.
5. Miscellaneous:
 - a. Any facility with drive-through service.
6. Parks:
 - a. Park concessions.
 - b. Public parks and playgrounds with crowd attracting facilities.
7. Public Assembly:
 - a. Auditoriums.
 - b. Religious facilities.
 - c. Schools - private, single purpose.
 - d. Schools - private, vocational and/or academic.
 - e. Schools - public.
 - f. Theaters - indoor.
8. Retail Trade:
 - a. Alcoholic beverages, when consumed on the premises where sold.
 - b. Apparel and accessories.
 - c. Car wash facilities.
 - d. Commercial greenhouses.
 - e. Farm and garden supplies.

- f. Gasoline service stations.
- g. Taxidermy studio. (Ord. 2526, 5-20-1996)

9. Services:

- a. Advertising.
- b. Apparel repair and alteration.
- c. Dog grooming and/or kennels.
- d. Employment agency.
- e. Finance and investment offices.
- f. Insurance and related business.
- g. Professional organizations.
- h. Professional services.
- i. Real estate and related business.
- j. Tattoo parlors or dermagraphic studios approved by the South Central District Health Department or other State regulatory agency.
- k. Welfare and charitable facilities. (Ord. 2550, 6-2-1997)

10. Sports Facilities:

- a. Indoor recreation facility.
- b. Miniature golf courses.
- c. Outdoor, public and commercial ice and roller skating facilities.
- d. Outdoor, public and commercial swimming pools.
- e. Outdoor, public and commercial tennis courts.

11. Transportation:

- a. Bus facilities, including pickup shelters.
- b. Taxicab office.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this Title is made that the use is similar enough to a use listed above that distinction between them is of little consequence.

10-4-21.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the NCO District:

(A) District Size And Spacing: An NCO District shall not be less than five (5) acres nor more than twenty (20) acres. Only one overlay is allowed in each area generally described on the Comprehensive Plan Map as a Neighborhood Commercial Center.

(B) Lot Area:

1. Nonresidential uses shall provide a lot area of sufficient size to provide for the building, required setbacks, off-street parking and landscaping.

2. Residential uses shall provide the lot area required by the underlying residential zone.

(C) Lot Occupancy:

1. Nonresidential Uses: No requirement.

2. Residential Uses: Same as the underlying district.

(D) Building Height:

1. Nonresidential Uses: No building shall exceed twenty five feet (25') in height.

2. Residential Uses: Same as the underlying district.

(E) Yards:

1. Nonresidential uses: Same as the underlying district, except buildings exceeding three thousand (3,000) square feet shall have a yard of fifty feet (50') from the property line on street frontages.

2. Residential uses: Same as the underlying district.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on the subdivision plat.

(G) Landscaping:

1. Nonresidential uses shall have, as a minimum, twenty percent (20%) of the site landscaped.

a. Parking rows shall be separated by landscaping of at least five feet (5') in width for the entire length of the parking rows except for walkways.

b. Landscaping of thirty feet (30') in depth behind the sidewalk or property line should be provided surrounding the project. Such landscaping shall have fifty percent (50%) of the area bermed to a height of three feet (3').

2. Residential uses: Same as the underlying district.

(H) Off Street Parking:

1. All uses shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See the sign code in chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences And Landscaping: Same as the underlying district.

(K) Additional Requirements:

1. Nonresidential uses: The following additional requirements shall also be met:

a. All buildings shall be of a residential architectural style with gable or hip roof with a minimum three to twelve (3/12) pitch and twelve inch (12") eave.

b. Hours of store operation within the NCO district shall be between the hours of six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M.

c. Single occupancy buildings not to exceed twenty five thousand (25,000) square feet.

d. No exterior display of merchandise/goods (or storage).

e. Totally enclosed refuse containers. (Ord. 2526, 5-20-1996)

f. Additional requirements as may be determined by the city council through the ZDA process. (Ord. 3082, 12-8-2014)

2. Residential uses: Same as the underlying district. (Ord. 2526, 5-20-1996)

10-4-22: WHO, WAREHOUSE HISTORIC OVERLAY DISTRICT:

10-4-22.1: PURPOSE:

This overlay district is intended to provide recognition and protection of the nationally registered Twin Falls historic warehouse district through the implementation of design guidelines for modifications, demolition or construction of buildings within the district. This overlay may be placed on the CB, OT, M1 or M2 zoning district. (Ord. 2608, 5-3-1999)

10-4-22.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Any use permitted in the basic district upon which the overlay is placed.

(B) Special Uses: A special use permit may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Any use allowed by special use permit in the basic district upon which the overlay is placed.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2608, 5-3-1999)

10-4-22.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the warehouse historic overlay district:

(A) Lot Area: The minimum lot size as required by the basic district upon which the overlay is placed.

(B) Lot Occupancy: Same as that of the basic district upon which the overlay is placed.

(C) Building Height: Same as that of the basic district upon which the overlay is placed.

(D) Yards:

1. Front yards: Same as that of the basic district upon which the overlay is placed.
2. Side yards: Same as that of the basic district upon which the overlay is placed.
3. Rear yards: Same as that of the basic district upon which the overlay is placed.

(E) Access: Same as that of the basic district upon which the overlay is placed.

(F) Landscaping: Same as that of the basic district upon which the overlay is placed or such additional or other landscaping as required by the historic preservation commission.

(G) Off Street Parking: Same as that of the basic district upon which the overlay is placed. (Ord. 2608, 5-3-1999)

(H) Design Guidelines: No exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement, or other appurtenant features) nor aboveground utility structures nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within this district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the historic preservation commission. The historic preservation commission shall review the "Warehouse Historic District Design Guidelines" as they exist or as amended for compliance before issuing a certificate of appropriateness. Such a certificate is to be issued by the historic preservation commission prior to the issuance of a building permit or other permit granted for purposes of construction or altering structures. A certificate of appropriateness shall be required whether or not a building permit is required. A decision of the historic preservation commission regarding an application for a certificate of appropriateness may be appealed by the applicant to the city council. (Ord. 3025, 2-6-2012)

10-4-23: RB, RESIDENTIAL BUSINESS DISTRICT:

10-4-23.1: PURPOSE:

This zoning district is intended to allow conversion of residential structures located on arterial and collector roads in areas of transition to an appropriate mix of residential, light retail and service commercial uses that provide good transitions with nearby residential uses and neighborhoods. This zone allows existing residential uses to remain and be improved, while also allowing low scale, low intensity commercial and business operations to be developed as part of infill projects. Centralized water and sewer facilities are required.

Development in the residential business zoning district should:

- (A) Be low in scale and intensity,
- (B) Share design characteristics with nearby residential uses,
- (C) Provide a good neighborhood "fit", and
- (D) Exude a distinct residential character. (Ord. 2998, 1-3-2011)

10-4-23.2: USE REGULATIONS:

(A) Permitted Uses: Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Communications and utilities:
 - a. Radio and television stations without transmission and receiving towers.
 - b. Underground and aboveground transmission lines.
 - c. Utility owned buildings and structures less than twenty five (25) square feet in area and less than three feet (3') aboveground.
2. Cultural facilities:
 - a. Botanical gardens and arboretums.
 - b. Historic sites and monuments.
 - c. Libraries, museums and art galleries.
3. Governmental facilities:
 - a. Governmental office buildings.
4. Medical facilities:
 - a. Acupuncture facilities approved by the South Central district health department or other state regulatory agency.
 - b. Doctors' offices.
 - c. Drug and alcohol treatment centers.
 - d. Rehabilitation services.
5. Parks:

- a. Open space.
- b. Private parks and playgrounds without crowd attracting facilities.
- c. Public parks and playgrounds without crowd attracting facilities.

6. Public assembly:

- a. Funeral chapels.
- b. Religious facilities.
- c. Schools - private, single purpose.
- d. Schools - private vocational and/or academic.
- e. Schools - public.
- f. Wedding chapels and/or reception halls.

7. Residential:

- a. Accessory buildings (less than 1,000 square feet), personal swimming pools and other accessory uses.
- b. Bed and breakfast facilities.
- c. Home occupations.
- d. Household units existing at the time this title was adopted.
- e. Household units in the same building as an allowed use and occupied by the owner or an employee of the allowed use.
- f. Household units in upper floors of commercial or professional buildings.

8. Retail trade:

- a. Alcoholic beverages when consumed on premises where sold if located three hundred feet (300') or more from residential property.
- b. Antique shop.
- c. Apparel and accessories.
- d. Art galleries and frame shops.
- e. Automobile parts store.
- f. Bakery.
- g. Bookstore.
- h. Cottage businesses.
- i. Craft shop, in conjunction with retail business.
- j. Eating places.
- k. Fabric and pattern shop.
- l. Florist shop.
- m. Food, drugs, etc.
- n. General merchandise.
- o. Hardware store.
- p. Hobby and toy store.
- q. Home furnishings and appliances.
- r. Ice cream store.
- s. Import store.
- t. Laundering and dry cleaning.
- u. Laundromats.
- v. Music store.
- w. Pet shop.

x. Sporting goods store.

y. Taxidermy studio.

9. Services:

a. Advertising.

b. Apparel repair and alteration.

c. Beauty and barber shops.

d. Building care contracting offices.

e. Business associations.

f. Civic, social and fraternal organizations.

g. Construction trade offices.

h. Consumer credit collection offices.

i. Copy center - self-service.

j. Duplicating and stenographic offices.

k. Finance and investment offices.

l. Horticultural services.

m. In home daycare services.

n. Insurance and related business.

o. Labor unions and organizations.

p. Photography studios.

q. Professional organizations.

r. Professional services.

s. Real estate and related business.

t. Seamstress shop.

u. Tourist information center.

Notwithstanding the foregoing list of permitted uses, any such proposed use which broadcasts amplified music or sound by speakers to the exterior of a building shall also require a special use permit.

(B) Special Uses: A special use may be granted for a permanent use that is not in conflict with the comprehensive plan and that is not permitted outright because it may conflict with other uses in the district unless special provisions are taken. Special use permits may be granted for the following uses:

1. Communications and utilities:

a. Utility owned buildings and structures more than twenty five (25) square feet in area or more than three feet (3') above ground.

2. Governmental facilities:

a. Fire stations and police stations.

b. Water treatment plants.

3. Manufacturing:

a. Handcrafted furniture.

4. Medical facilities:

a. Ambulance service.

b. Animal hospital - small animals.

c. Prosthetics - sales, service and construction.

5. Miscellaneous:

a. Any facility with drive-through service.

b. Notwithstanding the foregoing, any such proposed use which broadcasts amplified music or sound by speakers

to the exterior of a building shall also require a special use permit.

6. Residential:

- a. Detached accessory buildings (more than 1,000 square feet), i.e., garages and other accessory buildings.
- b. Nursing homes and rest homes.
- c. Shelter homes.

7. Retail trade:

- a. Alcoholic beverages when consumed on premises where sold if located less than three hundred feet (300') from residential property.
- b. Permitted retail/trade uses operating outside the hours of seven o'clock (7:00) A.M. to ten o'clock (10:00) P.M.

8. Services:

- a. Commercial childcare facilities and preschools.
- b. Daycare services.
- c. Dog grooming and/or kennels.
- d. Employment agency.
- e. Publishing and printing business.
- f. Testing laboratories.
- g. Welfare and charitable facilities.

9. Sports facilities:

- a. Indoor recreation facility.

(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence. (Ord. 2998, 1-3-2011)

10-4-23.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the residential business district:

(A) Lot Area:

1. The lot size shall be of sufficient size to provide for the building, off street parking, stormwater retention and landscaping.

(B) Lot Occupancy:

1. No building shall occupy more than sixty percent (60%) of a lot.

(C) Building Height: No building shall exceed two (2) stories and shall not exceed thirty five feet (35') in total height.

(D) Building Size:

1. No building shall have a total floor area square footage of greater than six thousand (6,000) square feet.

(E) Yards:

1. Front Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater:

- a. No structure shall be closer than fifteen feet (15') to the front property line for nonresidential uses.

2. Side Yards:

- a. No structure shall be closer than five feet (5') to the side property line (minimum of 10 feet between any structure/building) for nonresidential uses.

3. Rear Yards:

- a. For nonresidential uses, the rear yard may be reduced to the side yard setback of five feet (5').

(F) Access:

1. Only One Access Allowed Per Lot: Upon redevelopment of an existing property, if more than one access exists it will be coordinated with the city engineer which access(es) shall be eliminated. Adjoining properties should have joint accesses whenever possible.

2. Driveway Access: No driveway with access to more than two (2) parking spaces will open onto the side street for access or ingress to the properties containing the nonresidential uses, nor can any additional curb cuts be made on the side

street curbs. However, if a driveway presently exists that goes to the side street, then the presently existing driveway may be maintained, but the use may not be expanded to include other parking places.

3. Modifications: When an existing residential structure is converted to a nonresidential use, the driveway requirements above may be modified by the administrator if it can be shown that strict compliance to these development standards is not possible.

(G) Landscaping: Landscaping shall conform to the following standards, or sections 10-7-10 and/or 10-7-12 of this title, whichever is greater:

1. Twenty percent (20%) of each property shall be maintained in landscaping.
2. New development shall encourage planter boxes, barrel planters, and other landscaping in parking areas to reduce the visual impact of parking lots from the road.

(H) Off Street Parking:

1. Any use that has a parking requirement, as determined by section 10-10-6 of this title, in excess of twenty four (24) spaces is prohibited.

2. Off street parking shall conform to the requirements contained in section 10-10-3 of this title. When an existing residential structure is converted to a nonresidential use, the parking requirements may be modified by the planning and zoning commission if it can be shown that strict compliance to these development standards is not possible. Before the parking requirements may be modified, the planning and zoning commission shall hold a public hearing, publish notice, post the property and give written notice to all parties, as required for variance permits.

(I) Signs:

1. Shall comply with chapter 9, "Sign Regulations", of this title. Multiple occupancy buildings shall have a sign plan approved by the administrator.

(J) Walls, Fences And Hedges:

1. Nonresidential Use: Any nonresidential use shall provide a fence not less than six feet (6') in height that will act as a sight and sound barrier between the nonresidential use and any contiguous residential lot or use.

2. Minimum Standards:

a. Screening shall be a minimum six foot (6') fence or wall or a landscaped area or any combination thereof. If it be a fence or wall it shall be constructed of wood, solid vinyl, metal (not chainlink), concrete or concrete block. If it be a landscaped area, it shall be evergreen bushes or trees and may include an earthen berm.

b. Whenever bushes or trees are used as screening, the screening height may not be less than three feet (3') at the time of planting, providing a minimum height of six feet (6') is achieved within five (5) years after planting.

c. Screening shall completely obscure objects inside the screened area when viewed from any angle outside the screened area and shall be constructed so as to reduce noise, lights and blowing trash.

(K) Building Design Standards:

1. Buildings: Existing residences will not be razed and new buildings constructed unless said new buildings are designed in such a way as to conform to the general residential nature of the neighborhood, consistent with the existing architectural style and design. Where possible, existing residences located in the residential business zoning district should be preserved in their present form and use. Where this is not feasible, individual residences should be allowed to convert into residential business developments. In cases where existing structures and site conditions are prohibitive for conversion, two (2) or more existing lots may be assembled and developed as residential business uses, thereby consolidating site access and creating a more rational parking layout. Once a particular property has been converted to a residential business use, it shall not be allowed to revert to a residential use.

2. Roofs: Roofs are required to be pitched, with a minimum pitch of four to twelve (4:12), and residential in nature.

3. Architectural Standards: All building faces shall include windows, setbacks, awnings, parapet variations, material variations, color variations or other architectural treatments to break up large uniform surfaces.

4. Commercial Buildings: Commercial buildings on street frontages shall have functional entrances that face the street and have between ten percent (10%) and forty percent (40%) of the facade as windows. Windows shall be nonreflective glass. (Ord. 3073, 8-24-2015)



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 14, 2025, 6:00 PM

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 PM

Members Attending: Titus, Campbell, Weatherford, Zimmerman

Staff Attending: Spendlove, Klaver, Green

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: December 17, 2024.

Commissioner Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Campbell seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and

- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the landscaping regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the landscaping regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened

- Fran Florence stated he has concerns about the 6' landscape buffer. He feels that the Downtown area should have different requirements and feels you will have less parking there if you don't move the landscaping around. He would like the language to reflect this.
- Senior Planner Klaver clarified with the language in the code.
- Chairperson Titus asked about requirements for city street.
- Senior Planner Klaver replied that if it's in a right-of-way the city requires removal.
- Director Spendlove explained that collectors and arterials require separated sidewalk and heavy trees in the subdivision section.
- Chairperson Titus asked if trees are existing in the right of way do they need a permit to remove.
- Director Spendlove explained that the parks department is in charge of that and permits are required to remove trees from the right of way.
- Chairperson Titus asked for clarification on the 6' landscape buffer.

- Director Spendlove explained the current code requires a 6’ buffer from the roads. The new code removes that except in parking lots which have the ability to move landscape around. He explained that when the city was looking at imposing a Historic Residential District in Downtown the regulations would decide landscaping and include color of paint on exterior and the Council didn’t want to impose those kinds of restrictions on residents.
- Chairperson Titus asked if most roads have landscaping along the right of way.
- Director Spendlove replied that most do.
- Fran Florence showed the picture he brought and pointed out the lack of landscaping.
- Chairperson Titus asked if the city can require a landscape specific overlay.
- Director Spendlove explained that parking overlays are different. The commission can go in that direction if they choose.
- Chairperson Titus asked what details parks and recreation look at when deciding for removal of trees.
- Director Spendlove if it's diseased or a concern, it can cause the city to take action.

Public Hearing: Closed

Discussions Followed:

- Vice-Chair Campbell stated she loves to see trees but does not want to impose on property rights.
- Commissioner Zimmerman likes the idea of an overlay with a triggering event.
- Commissioner Weatherford asked if it would be a tree or could it be something else.
- Chairperson Titus replied to just state it should be landscaping and this condition would go to city council.
- Director Spendlove responded to be specific for council.

Condition: landscaping should be installed following CC 10-6-5 (current minimum) in the park strip when “required improvements” are triggered, in order to get landscaping more in line with the historic nature of downtown.

MOTION: Vice-chair Campbell moved to add a condition that landscaping should be installed following CC 10-6-5 (current minimum) in the park strip when “required improvements” are triggered, in order to get landscaping more in line with the historic nature of downtown. Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 3 to 1.

MOTION: Vice-chair Campbell moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations. Commissioner Weatherford seconded the motion. Roll call vote showed all

members present voted.

Approved 3 to 1.

- b) Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136)

Staff Presentation:

Director Spendlove presented the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136)

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

PZ/Questions & Comments:

- Vice-Chair Campbell asked about the public input and what prompted the changes made.
- Director Spendlove explained it started in 2018 and has been ongoing since. There have been focus groups with developers and architects throughout that time. Council had a directive to get the code shorter, more streamlined and allow for more diversity of housing per the comprehensive plan.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this is an improvement and is in support of the changes.

MOTION: Vice-Chair Campbell moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) January 28, 2024

7) Adjournment

The meeting adjourned at 08:00 PM

Jody Green

Jody Green, Planning Technician



Date: Monday, March 31, 2025
To: Honorable Mayor and City Council
From: William Klaver, Senior City Planner

ACTION ITEM

Request:

Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations". (PZ24-0134)

Time Estimate:

15-20 minutes for staff presentation.

Background:

In February 2018, the City Council tasked Planning and Zoning Staff to initiate a complete rewrite of Title 10: Zoning and Subdivision Regulations. The main goals of the rewrite are to accomplish the following:

- Update the current definitions;
- Simplify the code navigation process for users;
- Streamline the development approval process; and
- Make the code reflect the goals, language, and strategies of the 2016 Comprehensive Plan.

The chapter applicable to this Staff Report is the "Landscaping Regulations". This chapter was adopted and amended in various years, ranging from 1981 to 2024.

This chapter contains much the same language as before. The bulk of the regulation was combining landscape requirements into one (1) chapter. Besides consolidating to one (1) chapter, the following items are being proposed as changes.

1. Clarification thT landscape standards are not applicable to single-family and duplex lots;
2. Landscape Plan, stamped by an Idaho Licensed Design Profession, shall be submitted on all projects requiring 4,000 SF or more landscape;
3. Requiring a mix of species, rather than ever evergreen vs deciduous;
4. Outlining suitable types of ground cover;
5. Changing from "Gateway Arterial Landscaping" to "Arterial Landscaping";
6. Landscaping in proximity to overhead utilities to conform with Idaho Power's Tree Guide;
7. Require a Certificate of Completion by a certified landscape contractor once the work is completed; and
8. Adding recommended guidelines for areas that are vulnerable to wildfire.

The Planning and Zoning Commission first saw this proposal on December 17, 2024. The Commission tabled the item to get a recommendation from from the parks department on if regulations for having a mix of tree genders was appropriate.

This item was reopened on January 14, 2025 to get information from the City Parks Superintendent, Chance Munns. Based on the additional information provided by Chance, the Commission chose to recommend approval without the requirement of a mix of tree genders. However, additional public testimony led the Commission to recommend: "landscaping should be installed following City Code 10-6-

5 (current minimum) in the park strip when 'required improvements' are triggered, in order to get landscaping more in line with the historic nature of downtown." This recommendation was forwarded to City Council by a vote of 3-1. This recommendation would place new regulations on all properties within the original townsite when they either change land use category or expand their footprint by 25% or more. Where most of the original townsite is developed, it is anticipated the times when this would be applicable would be relatively low and would be more than likely 1 tree along the street frontage, maybe 2 maximum. This would be an additional regulation on redevelopment and expansion of properties in the original townsite that has not been imposed up to this point, and would not be required anywhere else in the City.

Approval Process:

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

Per 10-14-7: The council, prior to adopting, revising or rejecting the amendment to this title as recommended by the commission shall conduct at least one public hearing using the same notice and hearing procedures as the commission. Following the council hearing, if said council makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the council adopts the amendment.

Upon granting or denying an application to amend this title, the council shall specify:

- A. The regulations and standards used in evaluating the application.
- B. The reasons for approval or denial.
- C. The actions, if any, that the applicant could take to obtain a permit.

In the event the council shall approve an amendment, such amendment shall thereafter be made a part of this title upon the preparation and passage of an ordinance. (Ord. 2012, 7-6-1981)

Budget Impact:

N/A

Regulatory Impact:

If approved, this section will provide the general verbiage for the landscaping regulations in Title 10. Prior to adoption, the entirety of Title 10 will be brought forth to the Commission and Council in it's final format where the Council will decide to proceed with an ordinance or not.

History:

N/A

Analysis:

N/A

Conclusion:

The Council is tasked with making a decision on the proposed text amendment. The Council may approve, approve with conditions, deny, or table the item to a date certain.

Sample main motions:

1. *Move to approve the proposed zoning text amendment to the landscaping regulations chapter of Title 10 as presented;*
2. *Move to approve with conditions for the proposed zoning text amendment to the landscaping regulations chapter of Title 10; or*
3. *Move to table the item to a date certain of _____.*

Attachments:

1. PZ24-0134 Proposed Landscaping Regulations
2. PZ24-0134 Current Landscaping Standards - 12.9.24
3. PZ24-0134 Parks Superintendent Comment
4. PZ24-0134 Planning and Zoning Commission December 17, 2025 Minutes
5. PZ24-0134 Planning and Zoning Commission January 14, 2025 Minutes

10-6: LANDSCAPING REGULATIONS

10-6-1 GENERAL.

- A. These standards shall apply to all areas held in common ownership and/or under common maintenance within any development or subdivision such as, but not limited to, retention/detention ponds, park strips, berms, and swales. These standards shall apply to all commercial uses and businesses. Further, these standards will apply to five or more residential units on a single lot.
- B. The measurements and sizes of plant materials required by this section shall adhere to the standards prescribed in the latest edition of "American Standards for Nursery Stock" (ANSI Z60.1).
- C. All landscaping elements shall be maintained in a manner consistent with the minimum standards outlined in this chapter. Any dead or dying trees, shrubs, or other perennial plants shall be removed and replaced within one calendar year.
- D. All trees in public right of way shall be maintained according to the practices established by the Twin Falls Tree Commission per City Code 8-4.
- E. All landscaping elements shall be installed and maintained consistent with vision and safety requirements outlined in City Code Titles 8 and 9.

10-6-2 EXCEPTIONS.

- A. These standards shall not apply to single household dwellings on a single lot, accessory dwelling units, a duplex on a single lot, or a single triplex or fourplex on a single lot.

10-6-3 LANDSCAPE PLAN SUBMITTAL REQUIREMENTS.

- A. All projects requiring landscape installation shall require the submission of a landscape plan. The landscaping plan shall be reviewed as part of the building permit or zoning application process.
- B. Projects requiring 4,000 square feet or more of total landscaped area shall provide a landscape plan prepared by a current Idaho Licensed Design Professional.

10-6-4 CALCULATING REQUIRED LANDSCAPING.

The square footage of required landscaping is defined in the property development standards for each zoning district as found in 10-2 of this Title.

District	Landscape Requirement	District	Landscape Requirement
OS	N/A	MXU	5% of lot area
CRO	20% total Area	CMT	5% of lot area
DTO	See underlying district	CC	5% of lot area
AG	N/A	COM	5% of lot area
RR	N/A	IND	2SF per linear feet of frontage
TN-1	N/A	AP	3% of total land area
TN-2	N/A	CSI	N/A
TN-3	5% of lot area or as exempted in 10-6-2		

CHAPTER 6

10-6-5 MINIMUM LANDSCAPE PLANTING & GROUND COVER STANDARDS.

The required minimum landscaped area shall have the following plantings:

- A. One tree per 500 square feet of landscaped area. The number of tree species and planting sizes shall be planted per the table below:

Required Number of Trees	Minimum Number of Species
1-4	1
5 to 10	2
11 to 30	3
31 to 50	4
More than 50	5
All trees shall be a minimum of <u>1-1/2 inch caliper (deciduous) or five feet tall (evergreen)</u> when planted.	

- B. One woody shrub, herbaceous perennial, or ornamental grass per 100 square feet of landscaped area. The number of shrub/grass species and planting sizes shall be planted per the table below:

Required Number of Shrubs/Grasses	Minimum Number of Species
1 to 4	1
5 to 10	2
11 to 30	3
31 to 50	4
More than 50	5
All Shrubs shall be a minimum of two gallons when planted. All others shall be a minimum of one gallon when planted.	

- C. Ground cover is required throughout the required minimum landscaped area.

1. The following ground covers are permitted:
 - a. Bark mulches
 - b. Soil aid

- c. Other non-vegetative materials (decorative rock/stone 3/4" or greater, artificial turf, pavers, etc.) that do not comprise of more than 50% of the required area.
 - d. Vegetative ground cover (grasses, etc.)
2. The following ground covers and materials are prohibited:
 - a. Asphalt
 - b. Concrete flat work
 - c. Pea gravel
 - d. Road base gravel
 - e. Rubber mulch
 - f. Pit run rock & ballast rock
 - g. Impermeable plastic weed barrier
3. All non-vegetative ground cover shall utilize a permeable weed barrier and shall be installed to a minimum depth of three inches.

10-6-6 ALTERNATIVE LANDSCAPING PLAN.

- A. The Planning and Zoning Commission may approve alternative plans for the minimum site landscape plantings and groundcover standards.
1. Alternative plans shall not be granted for Gateway Arterial and parking lot landscaping requirements.
 2. Alternative plans may substitute the required landscape area, and associated number of trees / shrubs, for non-vegetative beautification amenities, alternative placement of trees and shrubs, or a combination of amenities and vegetation placement.

3. Non-vegetative beautification amenities include:
 - a. Architecture embellishments such as window canopies, door awnings, etc.).
 - b. Artistic murals or similar artistic displays as approved by the City of Twin Falls Arts Commission.
 - c. Other innovative items approved per the Planning and Zoning Commission.
4. Alternative placement of vegetation include:
 - a. Planter boxes
 - b. Hanging baskets
 - c. Potted plants
 - d. Living walls
 - e. Street trees per the Parks Department approved list & installation guide
 - f. Other innovative locations approved per the Planning and Zoning Commission

B. Alternative Plan Review Process: Upon receipt of a completed application the Administrator shall schedule the item within 45 days on the Planning and Zoning Commission agenda for consideration.

10-6-7 THE PLANTING OF INVASIVE AND HARMFUL PLANT SPECIES.

Any plant deemed by the State of Idaho as invasive or harmful shall not be planted.

10-6-8 ARTERIAL LANDSCAPING.

Except as exempted in 10-6-2, landscaping shall be provided, retained and maintained on all properties fronting arterials. Arterial landscaping may count towards the subject property's overall landscaping requirement. A landscaped strip with an average depth of 30 feet, with no area having a depth of less than 15 feet, measured from back of sidewalk or future sidewalk, shall be provided along all arterial roads. Concrete flatwork, sidewalks, or paths shall not be counted towards required landscaped area.

10-6-9 CANYON RIM OVERLAY LANDSCAPING.

Overall, twenty percent of the total area included in any commercial or mixed-use development in the Canyon Rims Overlay district shall be devoted to landscaped open space. That space shall meet all applicable requirements of this Title and shall include the following elements:

- A. Street Buffers: A landscape buffer with an average depth of 30 feet, with no area having a depth less than 15 feet, shall be provided for commercial uses along arterial and collector streets, and residential uses along arterial streets.
- B. Use Buffers: There shall be a minimum 50 feet landscaped buffer within 50 feet of the Canyon Rim.
- C. Parking Areas: Parking areas including 15 or more spaces shall be broken into separate bays by landscaped areas and pedestrian walks that comprise at least ten percent of the area devoted to parking.
- D. Canyon Rim Setback Area: The canyon rim setback area may be included as part of the twenty percent landscaping requirement if the area is landscaped to meet the minimum requirements of subsection 10-6-2.2 of this chapter or if planted with native vegetation.

CHAPTER 6

10-6-10 PARKING LOT LANDSCAPING.

Any parking area that contains 20 or more parking spaces shall provide interior parking lot landscaping, in addition to other required landscaping, as follows:

- A. Expansions to existing parking lots which increase the number of spaces beyond 20, or expand parking to new areas where 20 spaces are currently available, shall provide parking lot landscaping on the new portion of the lot in accordance with this section.
- B. Landscaped islands shall be located at the terminus of all parking rows. No more than 15 parking spaces are permitted in a continuous row without being interrupted by a landscaped island.
- C. Required landscaped islands shall be a minimum six feet wide and 15 feet long and shall contain at least one tree that meets the following requirements:
 1. The tree placed in the landscaped island shall be an approved parking island species identified in the *City of Twin Falls Tree Selection Guide*.
 2. At planting the tree placed in the island shall meet the minimum size requirements as outlined in 10-6.2.2.
 3. Required landscape islands may be grouped, subject to approval by the Planning and Zoning Commission.
 - a. All landscaped areas shall be protected by an appropriate device so as to prevent the damage of the landscaped areas and vegetation from vehicles. Pavement shall not be placed closer than four feet from the trunk of a tree unless a root barrier is provided.

10-6-11 LANDSCAPING IN PROXIMITY TO OVERHEAD UTILITIES

- A. Tree Planting. Where a tree is required to be planted in accordance with this Title, it shall meet the following requirements:

Tree Classification*	Minimum Distance from Overhead Utilities
Class 1	15 feet
Class 2	25 feet
Class 3	35 feet
Distances are to be measured from center of the tree trunk at time of planting.	

*Refer to Idaho Power Tree Planning & Planting Guide



- B. Review. All landscaping to be placed within 50 feet of any overhead powerline shall follow the appropriate guidelines for landscape installation when near electric power utilities. Any reasonable accommodation requested by the utility company shall be met, including but not limited to alternative tree placement, alternative tree species, etc.
- C. Maintenance: All maintenance shall be conducted in conformance with the Idaho Overhead Safety Act (Idaho Statute 55-2401 thru 55-2405) or as amended.
- D. Nuisance: Any tree or shrub growing in the public right of way or a public place which is endangering, or which in any way may endanger, the security or usefulness of any public street, sewer, or sidewalk or the full

and safe operation of public utility wires, is hereby declared to be a public nuisance and the City may act as detailed in Twin Falls City Code Title 8 Chapter 4.

10-6-12 GUIDELINES FOR SELECTING PLANTS FOR POLLINATORS.

It is strongly recommended that pollinator plants be incorporated in landscape design whenever possible. Pollinator friendly landscaping recommendations established in the “Intermountain Semidesert Province Regional Guide for Selecting Plants for Provinces” published by the Pollinator Partnership and the North American Pollinator Protection Campaign, should be followed wherever possible.

10-6-13 LANDSCAPE PLAN FIELD MODIFICATIONS.

- A. Due to unforeseen events occurring during construction and installation of landscaping, field modifications to plans are occasionally needed.
- B. Field modifications may be approved by the Administrator under the following circumstances:
 - 1. Conflicts with utilities;
 - 2. No net loss of tree or shrub counts;
 - 3. Substitute species (plants not available);
 - 4. Future maintenance issues; and,
 - 5. Any other unforeseen reasons an Idaho Licensed Design Professional deems appropriate to relocate landscaping.
 - 6. An application for field modifications shall be submitted to the Administrator and follow the process found in Chapter 8 of this Title.

10-6-14 LANDSCAPE PLAN COMPLETION.

- A. No certificate of occupancy for any building, or development covered by the terms of this title, shall be issued unless the required landscaping has been completed.
- B. Required landscaping of 4,000 square feet or more shall require a written certificate of completion by a certified landscaping installer. The certificate of completion shall verify that all landscape improvements, including plant material and sprinkler installation, are in substantial compliance with the approved landscape plan.

10-6-15 LANDSCAPE / VEGETATION ENCROACHMENTS, OBSTRUCTIONS & PUBLIC NUISANCES.

- A. Every owner, tenant, or occupant of the premises abutting or adjoining any public right of way shall be required to trim or remove any trees, shrubbery, or plant growth which encroaches over any sidewalk, beyond any curb line, or over the edge of the pavement per 8-1-5 of Twin Falls City Code.
- B. No person shall plant, install, create, maintain, or possess on or over public or private property an obstruction of an official traffic-control sign to the vision of a driver per 9-9-19 of Twin Falls City Code.
- C. 8-4-8 of Twin Falls City Code shall govern all instances of identifying and remedying landscaping or vegetation as public nuisance.

10-6-16 GUIDELINES FOR LANDSCAPING IN AREAS VULNERABLE TO WILDFIRE.

It is recommended that fire wise plants and landscape design be utilized in areas of the City vulnerable to wildfire. Fire wise recommendations include:

- A. Control the density and placement of highly flammable vegetation within 30 feet of buildings and structures, to include:
 1. Removal of all flammable vegetation within three to five feet of buildings and structures.
 2. Removal of any tree branches hanging over structures that will drop needles or other debris onto roofs, gutters, or decks.
 3. Prohibition of plant vegetation underneath eaves or roof lines.
 4. Moving firewood piles further than 30 feet from buildings and structures during fire season.
- B. Establishing a 50-foot defensible space around the perimeter of any habitable structure in which trees are thinned so that crowns do not overlap or touch, woody brush is removed or substantially thinned, and dead fuel is removed.
- C. Incorporating non-flammable hardscapes, such as rock wall, to function as firebreaks by breaking up areas of fuel.
- D. Incorporating ground cover such as gravel, brick chips, pavers, and concrete offer superior fire-resistance and should be used where mulch directly abuts flammable structures.

- E. Planting ignition resistant plants (see Flammability Chart)

FLAMMABILITY CHART
Succulents = More Ignition Resistant
Ground Covers
Turf Grasses
Annuals
Perennials
Shrubs
Deciduous Trees
Ornamental Grasses
Evergreens = Less Ignition Resistant

- F. Maintenance. Trim lawns, irrigate frequently, prune out dead limbs, remove debris and other fuels, thin and increase spacing between plants.

10-4-1.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the AG District: (Ord. 2796, 6-14-2004)

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling and per farm shall be twenty (20) acres.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height except those used for the storage of farm produce. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot the required front yard of thirty feet (30') shall be provided on both streets. (Ord. 2526, 5-20-1996)

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages, except when the accessory building is more than one hundred feet (100') from any public access road or to the front property line, whichever is further. (Ord. 2850, 2-21-2006)

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right-of-way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential/nonagricultural uses shall have five percent (5%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply to the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted

in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights-of-way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

10-4-2.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the SUI District:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling shall be one acre, or as set forth in the "Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems" as adopted by the South Central District Board of Health, whichever is larger. (Ord. 2796, 6-14-2004)

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this Code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot the required front yard of thirty feet (30') shall be provided on both streets. (Ord. 2526, 5-20-1996)

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages, except when the accessory building is more than one hundred feet (100') from any public access road or to the front property line, whichever is further. (Ord. 2850, 2-21-2006)

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right-of-way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have five percent (5%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights-of-way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

10-4-3.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R1-VAR district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each dwelling, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof. (Ord. 2526, 5-20-1996)

(B) Lot Area:

1. The minimum lot area per household dwelling shall be eight thousand (8,000) square feet for lots fronting on arterial streets as defined in subsection 10-7-6(A) of this title. (Ord. 2798, 8-2-2004)

2. All other lots within a proposed subdivision shall have a minimum lot area of at least eighty five percent (85%) of the average lot size of platted or developed lots within one hundred fifty feet (150') of said lots. Notwithstanding the foregoing, no lot shall be required to be larger than eighteen thousand five hundred (18,500) square feet except where contiguous to an SUI or AG zoning district, in which case no lot shall be required to be larger than twenty thousand (20,000) square feet. In no case shall the lot area be less than eight thousand (8,000) square feet nor shall a lot be required to be larger than the largest contiguous lot. (Ord. 2526, 5-20-1996; amd. Ord. 2796, 6-14-2004)

3. A permitted use that conforms to all provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than fifty percent (50%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty five feet (25') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback. (Ord. 2620, 8-2-1999)

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-4.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R2 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area shall be six thousand (6,000) square feet for a single household dwelling and ten thousand (10,000) square feet for a duplex dwelling.
2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.
- b. Where lots have double frontage on two (2) streets the required front yard of twenty feet (20') shall be provided on both streets.
- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
- d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than seven feet (7') to the side property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.
- c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the side property line.

3. Rear Yard:

- a. The rear building line shall not be closer than twenty feet (20') to the rear property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.
- c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling unit shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply to the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-5.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R4 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.
2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.
- b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.
- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
- d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than five feet (5') to the side property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.
- c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet ($2\frac{1}{2}'$) to the side property line.

3. Rear Yard:

- a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(G) Landscaping: All uses, excluding single household and duplex buildings, shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title. (Ord. 2620, 8-2-1999)

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-6.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the R6 district except as provided by section 10-12-5-6 of this title for zero lot line subdivisions:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, six thousand five hundred (6,500) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than twenty feet (20') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.

c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.

d. No accessory buildings shall be constructed in the front yard nor closer than twenty feet (20') to the property line on other street frontages.

2. Side Yard:

a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet ($2\frac{1}{2}'$) to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than fifteen feet (15') to the rear property line for residential uses and fifteen feet (15') for other uses.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided in section 10-7-5 of this title.

c. On a corner lot, the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All uses, excluding single household and duplex buildings, shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling unit shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-7.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the CB district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, off street parking and landscaping.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Use: No requirement.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses: No property line setbacks are required.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(F) Landscaping:

1. Commercial uses shall provide landscaping equal to five percent (5%) of the total parking area.
2. Household buildings five (5) units or more shall provide landscaping equal to ten percent (10%) of the lot area. (Ord. 2620, 8-2-1999)

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-8.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the C1 district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Uses: No requirement.
2. Residential Uses: Residential uses less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district. (Ord. 2526, 5-20-1996)

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title.

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater:

1. Commercial Uses And Residential Uses With Five Or More Units Per Building:

a. Front Yards: A setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission, subject to the following exceptions:

(1) A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five feet (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

(2) Outdoor or patio seating, including associated canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of twenty feet (20') or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the planning and zoning commission.

b. Side And Rear Yards: No property line setbacks are required on side yard or rear yards when adjacent to existing commercial uses, existing residential uses with five (5) or more units per building, vacant property that is zoned for nonresidential development, or vacant property that is designated on the future land use plan for nonresidential development. A property line setback of twenty five feet (25') shall be maintained on the side yard and rear yard for buildings adjacent to existing residential uses with four (4) or fewer units per building, vacant property that is zoned for residential development or vacant property that is designated on the future land use plan for residential development.

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district. (Ord. 3077, 8-11-2014)

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater.

2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area.

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-9.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the M1 district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses not attached to a commercial building shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial uses: No requirement.
2. Residential uses: Same as that in the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial And Manufacturing Uses: No property line setbacks are required on side or rear yard. A setback of thirty five feet (35') on arterials and fifteen feet (15') on other streets is required. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission. A gasoline service station pump island, including cashier's booth, and canopy setback may be less than the required thirty five foot (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer edge of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

2. Residential Uses: Residential uses shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Nonresidential uses shall provide landscaping equal to two (2) square feet per linear foot of street frontage and shall be placed between the building and the street. This requirement may be waived by the commission for existing facilities where buildings exist with zero setback on street frontage.

2. Household units not attached to nonresidential uses. No requirement.

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in nonresidential buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-10.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the M2 district:

(A) Lot Area:

1. Nonresidential Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping.
2. Residential Uses: Residential uses not attached to an allowed use shall provide the minimum lot area of the R6 district.

(B) Lot Occupancy:

1. Commercial Uses: No requirement.
2. Residential Uses: Same as that in the R6 district.

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided by section 10-7-3 of this title. (Ord. 2526, 5-20-1996)

(D) Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2773, 12-15-2003)

1. Commercial Uses: No property line setbacks are required on side and rear yards. Setbacks on arterial frontages shall be thirty five feet (35') from property line and fifteen feet (15') on other streets. In developed areas which have building lines already established, this requirement may be reviewed and adjusted by the commission. A gasoline service station pump island, including cashier's booths, and canopy setback may be less than the required thirty five foot (35') property line setback on arterial streets, providing the property line setback is not less than thirty feet (30') for a pump island nor less than twenty feet (20') for the outer part of a canopy. Gasoline service station pump islands, including cashier's booths, and canopies, shall not be used to adjust setbacks in developed areas which have building lines already established.

2. Residential Uses: Residential uses shall conform to the yard standards of the R6 district.

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(F) Landscaping:

1. Nonresidential uses shall provide landscaping equal to two (2) square feet per linear foot of frontage and shall be placed between the building and the street. This requirement may be waived by the commission for existing facilities where buildings exist with zero setback on street frontages.

2. Household units not attached to nonresidential uses: No requirement.

(G) Off-Street Parking:

1. Each nonresidential use shall comply with the provisions of Chapter 10 of this Title.
2. Residential uses shall provide two (2) parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off-street parking space for each dwelling unit in the building.

(H) Signs: See Chapter 9 of this Title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: no wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the City. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of Section 9-9-16 of this Code. (Ord. 2550, 6-2-1997)

(J) H-1 Facilities: H-1 facilities shall be secured at all times from trespass by unauthorized persons. (Ord. 2526, 5-20-1996)

10-4-11.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the OS district:

(A) Use Of Lots: Each building except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a lot shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling shall be eight thousand (8,000) square feet if serviced by centralized sewer and forty three thousand (43,000) square feet if on septic tanks.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof, and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

3. Each nonresidential use shall have a minimum lot area established by the commission.

(C) Lot Occupancy:

1. No household dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

2. Each nonresidential use shall have a minimum lot occupancy established by the commission.

(D) Building Height: No building shall exceed twenty feet (20') in height.

(E) Yards:

1. Household dwellings shall conform to the yard setbacks of the R1-VAR district.

2. Each nonresidential use shall have a yard established by the commission.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have the landscaping requirement established by the commission.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-12.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the AP district, except on Joslin Field, Magic Valley Regional Airport property, which development standards shall be as established by the airport advisory commission and approved by the city council and county commissioners: (Ord. 2635, 11-15-1999)

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per household dwelling and per farm shall be twenty (20) acres.

2. A permitted use that conforms to all other provisions of this title may be allowed on a lot which does not meet the minimum lot size requirements contained herein, if the lot existed at the effective date hereof and conformed to the minimum lot size requirements of this code at the time it was created, except that residential uses shall be limited to a single household unit per building.

3. Each nonresidential and nonfarm use shall have a minimum lot area established by the commission.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than forty percent (40%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height, except the commission may authorize additional height for structures as provided in federal aviation agency regulations part 77. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

a. The front building line shall not be closer than thirty feet (30') to the front property line.

b. Where lots have double frontage on two (2) streets, the required front yard of thirty feet (30') shall be provided on both streets.

c. On a corner lot, the required front yard of thirty feet (30') shall be provided on both streets.

d. No accessory buildings shall be constructed in the front yard nor closer than thirty feet (30') to other street frontages.

2. Side Yard:

a. The side building line shall not be closer than seven feet (7') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided by section 10-7-5 of this title.

c. Architectural projections of main buildings or attached accessory buildings shall not be closer than four feet (4') to the property line.

3. Rear Yard:

a. The rear building line shall not be closer than thirty feet (30') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(G) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater.

2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area. (Ord. 2550, 6-2-1997)

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

(K) Additional Restrictions:

1. Lighting:

a. Any pulsating, flashing, rotating, oscillating or other type of lighting intended as an attention getting device is prohibited.

b. Floodlights, spotlights or other lighting devices shall be so arranged or shielded as not to cast illumination in an upward direction above an imaginary line extended from the light source parallel to the grounds.

2. Glare:

a. Glare producing building materials shall not be allowed on any structure or any other use of the land.

3. Electromagnetic:

a. No use may be made of land which results in electromagnetic radiation which interferes with radio communications between aircraft or between aircraft and airport, or interferes with established radio navigation aids.

4. Smoke:

a. No use may be made of land which emits smoke, dust or any visible fumes or vapors into the atmosphere.

5. Avigation Easement:

a. An avigation easement shall be required from any property owner applying for a building permit. (Ord. 2526, 5-

20-1996)

10-4-13.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the OT district:

(A) Lot Area: The lot shall be of sufficient size to provide for the building, off street parking, landscaping, and surface water retention.

(B) Lot Occupancy: No requirement. (Ord. 2526, 5-20-1996)

(C) Building Height: No building shall exceed fifty feet (50') in height except as provided in section 10-7-3 of this title. (Ord. 3077, 8-11-2014)

(D) Yards: No requirement.

(E) Access: All lots shall have vehicular access on a dedicated improved public street unless a secondary means of permanent access has been provided.

(F) Landscaping:

1. Public Rights Of Way:

a. Landscaping and lighting shall be provided which meet the requirements of the old town master landscaping plan.

2. Public And Private Parking Lots:

a. Ten percent (10%) of the total parking area shall be landscaped.

b. At least eighty percent (80%) of the trees and shrubs planted in the parking lots shall be from the master list of approved species as stated in the old town master landscaping plan.

c. A thirty inch (30") high masonry wall, hedge or shrub planting shall be provided between the parking lot and a public sidewalk. Such wall, hedge or shrub planting shall be continuous except for pedestrian or vehicle access.

d. Fifty percent (50%) of all shrubs and twenty five percent (25%) of all trees shall be evergreen.

e. Planted dividers at least six feet (6') wide shall be provided between parking rows. Such dividers shall be planted with shade trees at least eight feet (8') in height when planted.

f. One shade tree shall be provided within planted dividers, islands within parking lots, or along the parking lot periphery for every ten (10) parking spaces.

g. Dumpster areas, loading sites and other unsightly areas shall be screened with landscaped plantings, or wooden or masonry sight obscuring fencing.

h. Parking lots shall be illuminated with lighting fixtures installed at the rate of one per every eighteen (18) cars. Such lighting shall be in conformance with the old town master landscaping plan.

(G) Off Street Parking:

1. Household units shall have a minimum of one off street, on site, parking space per unit.

2. Each nonresidential use shall comply with the provisions of chapter 10 of this title and the P3 parking overlay. (Ord. 2526, 5-20-1996)

(H) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-14.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the C1 district:

(A) Lot Area:

1. Commercial Uses: The lot area shall be of sufficient size to provide for the building, the required setbacks, off street parking and landscaping. (Ord. 2526, 5-20-1996)

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall provide the minimum lot area of the R6 district or as determined by the ZDA process. (Ord. 3082, 12-8-2014)

(B) Lot Occupancy:

1. Commercial Uses: No requirement.

2. Residential Uses: Residential uses less than five (5) units not attached to a commercial use shall conform to the lot occupancy requirements of the R6 district.

(C) Building Height: No building shall exceed thirty five feet (35') in height except as provided by section 10-7-3 of this title.

(D) Yards:

1. Commercial Uses And Residential Uses With Five Or More Units Per Building: No property line setbacks are required on side yard or rear yard. A setback of thirty five feet (35') shall be maintained on major arterials and fifteen feet (15') on all other streets. (Ord. 2526, 5-20-1996)

2. Residential Uses: Residential uses less than five (5) units and not attached to a commercial use shall conform to the yard standards of the R6 district or as determined through the ZDA process. (Ord. 3082, 12-8-2014)

(E) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat. (Ord. 2526, 5-20-1996)

(F) Landscaping:

1. Commercial uses shall provide landscaping equal to ten percent (10%) of the total required parking area or three percent (3%) of the total land area, whichever is greater or as determined by the ZDA process. (Ord. 3082, 12-8-2014)

2. Household buildings over five (5) units shall provide landscaping equal to ten percent (10%) of the lot area.

(G) Off Street Parking:

1. Each commercial use shall comply with the provisions of chapter 10 of this title.
2. Residential uses under five (5) units per building shall provide two (2) off street parking spaces for each residential unit.
3. Residential units in commercial buildings shall provide one off street parking space for each dwelling unit in the building.

(H) Signs: See chapter 9 of this title. (Ord. 2526, 5-20-1996)

(I) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-15.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the RM district:

(A) Use Of Lots: Each building, except accessory structures, shall be located on a separate lot and each such lot and the buildings or structures thereon shall conform to the minimum dimensional standards contained herein. For the purpose of this chapter, a "lot" shall be one or more lots platted in accordance with this title or shall be a parcel that includes parts of platted or unplatted lands existing at the effective date hereof.

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.
- b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.
- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
- d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than five feet (5') to the side property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.
- c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet (2¹/₂') to the side property line.

3. Rear Yard:

- a. The rear building line shall not be closer than twenty feet (20') to the rear property line.
- b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.
- c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-16.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the CSI district: (Ord. 2526, 5-20-1996)

(A) Use Of Lots: As provided for in the ZDA development plan. (Ord. 3082, 12-8-2014)

(B) Lot Area:

1. The minimum lot area per single household dwelling shall be four thousand (4,000) square feet, seven thousand (7,000) square feet for a duplex and the lot area for multiplex dwelling units will increase over the duplex area by two thousand (2,000) square feet per dwelling unit or one thousand (1,000) square feet per unit above or below the ground level unit.

(C) Lot Occupancy: No dwelling, including its accessory buildings, shall occupy more than sixty percent (60%) of a lot.

(D) Building Height: No building shall exceed thirty five feet (35') in height. (Ord. 2526, 5-20-1996)

(E) Yards:

1. Front Yard: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater: (Ord. 2741, 11-4-2002)

- a. The front building line shall not be closer than twenty feet (20') to the front property line.
- b. Where lots have double frontage on two (2) streets, the required front yard of twenty feet (20') shall be provided on both streets.
- c. On a corner lot the required front yard of twenty feet (20') shall be provided on both streets.
- d. No accessory building shall be constructed in the front yard nor closer than twenty feet (20') to other street frontages.

2. Side Yard:

- a. The side building line shall not be closer than five feet (5') to the side property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the side property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the side property line except as provided in section 10-7-5 of this title.

c. Architectural projections of main buildings and attached accessory buildings shall not be closer than two and one-half feet ($2\frac{1}{2}'$) to the side property line.

3. Rear Yard:

a. The rear building line shall not be closer than twenty feet (20') to the rear property line.

b. Detached accessory buildings shall not be closer than three feet (3') to the rear property line nor closer than ten feet (10') to a main building except as provided by section 10-7-5 of this title. Architectural projections of detached accessory buildings shall not be closer than two feet (2') to the rear property line except as provided by section 10-7-5 of this title.

c. On a corner lot the rear yard setback may be reduced to the side yard setback.

(F) Access: All lots shall have vehicular access on a dedicated improved public street with a fifty foot (50') minimum right of way unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

(G) Landscaping: All nonresidential uses shall have ten percent (10%) of the site landscaped and shall comply with the provisions of section 10-11-2 of this title.

(H) Off Street Parking:

1. Each residential dwelling shall have a minimum of two (2) off street parking spaces.
2. Each nonresidential use shall comply with the provisions of chapter 10 of this title. (Ord. 2526, 5-20-1996)

(I) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(J) Walls, Fences, Hedges, Trees, Shrubs And Landscaping Structures: Walls, fences, hedges, trees, shrubs and landscaping structures shall be permitted on the property line or within the required side or rear yard and shall be permitted in the front yard with the following restriction: No wall, fence, hedge, trees, shrubs or landscaping structures shall be placed within public rights of way without first obtaining written approval from the city. Notwithstanding the foregoing, all walls, fences, hedges, trees, shrubs and landscaping structures shall comply with the provisions of section 9-9-16 of this code. (Ord. 2550, 6-2-1997)

10-4-17.4: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in mobile home overlay district one:

The property development standards shall be the same as those of the basic district upon which the overlay is placed. (Ord. 2526, 5-20-1996)

10-4-18.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the professional office overlay district:

(A) Lot Area:

1. The minimum lot size as required by the basic district upon which the overlay is placed.
2. For professional offices, the lot size shall be of sufficient size to provide for the building, off street parking and landscaping.

(B) Lot Occupancy:

1. Same as that of the basic district upon which the overlay is placed.
2. For professional offices, there is no occupancy requirement.

(C) Building Height: No building shall exceed thirty five feet (35') in height.

(D) Yards:

1. Front yards:
 - a. Same as that of the basic district upon which the overlay is placed.
2. Side yards:
 - a. Same as that of the basic district upon which the overlay is placed.
3. Rear yards:
 - a. Same as that of the basic district upon which the overlay is placed.
 - b. For professional offices, the rear yard may be reduced to the side yard setback of the basic district.

(E) Access: Same as that of the basic district upon which the overlay is placed.

(F) Landscaping:

1. Residential uses: Same as that of the basic district upon which the overlay is placed.
2. Professional uses: Professional offices shall provide landscaping equal to ten percent (10%) of the total lot area.

(G) Off Street Parking:

1. Same as that of the basic district upon which the overlay is placed.
2. Each professional office shall provide one parking space per three hundred (300) square feet of total building area measured from the exterior of the building, or as required by subsection 10-10-3(A) of this title. (Ord. 2657, 6-19-2000)

(H) Signs: See chapter 9 of this title. (Ord. 3005, 6-6-2011)

(I) Walls, Fences And Hedges:

1. Same as that of the basic district upon which the overlay is placed.
2. Professional offices shall provide a fence not less than six feet (6') in height that will act as a sight and sound barrier between the professional office use and any contiguous residential lot or use.

(J) Additional Standards: The following additional property development standards shall apply to Addison Avenue and Blue Lakes Boulevard:

1. Buildings: Existing residences will not be razed and new buildings constructed unless said new buildings are designed in such a way as to conform with the general residential nature of the neighborhood, consistent with the existing architectural style and design.
2. Parking: All off street parking shall be placed on the alley side of the lots so that the portion of the property that fronts the side streets and arterial streets shall continue to have lawn and landscaping consistent with surrounding properties as opposed to asphalt, rock or pavement. Also, any use that has a parking requirement, as determined by section 10-10-6 of this title, in excess of fifteen (15) spaces is prohibited.

3. Landscaping: Twenty five percent (25%) of each property shall be maintained in landscaping.

4. Driveway Access: No driveway will open onto the side street for access or ingress to the properties containing the professional offices or commercial uses, nor can any additional curb cuts be made on the side street curbs. However, if there presently exists a driveway that goes to the side street, then the presently existing driveway may be maintained, but the use may not be expanded to include other parking places. (Ord. 2657, 6-19-2000)

10-4-22.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the warehouse historic overlay district:

(A) Lot Area: The minimum lot size as required by the basic district upon which the overlay is placed.

(B) Lot Occupancy: Same as that of the basic district upon which the overlay is placed.

(C) Building Height: Same as that of the basic district upon which the overlay is placed.

(D) Yards:

1. Front yards: Same as that of the basic district upon which the overlay is placed.
2. Side yards: Same as that of the basic district upon which the overlay is placed.
3. Rear yards: Same as that of the basic district upon which the overlay is placed.

(E) Access: Same as that of the basic district upon which the overlay is placed.

(F) Landscaping: Same as that of the basic district upon which the overlay is placed or such additional or other landscaping as required by the historic preservation commission.

(G) Off Street Parking: Same as that of the basic district upon which the overlay is placed. (Ord. 2608, 5-3-1999)

(H) Design Guidelines: No exterior portion of any building or other structure (including walls, fences, light fixtures, steps and pavement, or other appurtenant features) nor aboveground utility structures nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished within this district until after an application for a certificate of appropriateness as to exterior features has been submitted to and approved by the historic preservation commission. The historic preservation commission shall review the "Warehouse Historic District Design Guidelines" as they exist or as amended for compliance before issuing a certificate of appropriateness. Such a certificate is to be issued by the historic preservation commission prior to the issuance of a building permit or other permit granted for purposes of construction or altering structures. A certificate of appropriateness shall be required whether or not a building permit is required. A decision of the historic preservation commission regarding an application for a certificate of appropriateness may be appealed by the applicant to the city council. (Ord. 3025, 2-6-2012)

10-4-23.3: PROPERTY DEVELOPMENT STANDARDS:

The following property development standards shall apply to all land and buildings in the residential business district:

(A) Lot Area:

1. The lot size shall be of sufficient size to provide for the building, off street parking, stormwater retention and landscaping.

(B) Lot Occupancy:

1. No building shall occupy more than sixty percent (60%) of a lot.

(C) Building Height: No building shall exceed two (2) stories and shall not exceed thirty five feet (35') in total height.

(D) Building Size:

1. No building shall have a total floor area square footage of greater than six thousand (6,000) square feet.

(E) Yards:

1. Front Yards: Front yards shall conform to the following standards, or section 10-7-6 of this title, whichever is greater:

a. No structure shall be closer than fifteen feet (15') to the front property line for nonresidential uses.

2. Side Yards:

a. No structure shall be closer than five feet (5') to the side property line (minimum of 10 feet between any structure/building) for nonresidential uses.

3. Rear Yards:

a. For nonresidential uses, the rear yard may be reduced to the side yard setback of five feet (5').

(F) Access:

1. Only One Access Allowed Per Lot: Upon redevelopment of an existing property, if more than one access exists it will be coordinated with the city engineer which access(es) shall be eliminated. Adjoining properties should have joint accesses whenever possible.

2. Driveway Access: No driveway with access to more than two (2) parking spaces will open onto the side street for access or ingress to the properties containing the nonresidential uses, nor can any additional curb cuts be made on the side street curbs. However, if a driveway presently exists that goes to the side street, then the presently existing driveway may be maintained, but the use may not be expanded to include other parking places.

3. Modifications: When an existing residential structure is converted to a nonresidential use, the driveway requirements above may be modified by the administrator if it can be shown that strict compliance to these development standards is not possible.

(G) Landscaping: Landscaping shall conform to the following standards, or sections 10-7-10 and/or 10-7-12 of this title, whichever is greater:

1. Twenty percent (20%) of each property shall be maintained in landscaping.

2. New development shall encourage planter boxes, barrel planters, and other landscaping in parking areas to reduce the visual impact of parking lots from the road.

(H) Off Street Parking:

1. Any use that has a parking requirement, as determined by section 10-10-6 of this title, in excess of twenty four (24) spaces is prohibited.

2. Off street parking shall conform to the requirements contained in section 10-10-3 of this title. When an existing residential structure is converted to a nonresidential use, the parking requirements may be modified by the planning and zoning commission if it can be shown that strict compliance to these development standards is not possible. Before the parking requirements may be modified, the planning and zoning commission shall hold a public hearing, publish notice, post the property and give written notice to all parties, as required for variance permits.

(I) Signs:

1. Shall comply with chapter 9, "Sign Regulations", of this title. Multiple occupancy buildings shall have a sign plan approved by the administrator.

(J) Walls, Fences And Hedges:

1. Nonresidential Use: Any nonresidential use shall provide a fence not less than six feet (6') in height that will act as a sight and sound barrier between the nonresidential use and any contiguous residential lot or use.

2. Minimum Standards:

a. Screening shall be a minimum six foot (6') fence or wall or a landscaped area or any combination thereof. If it

be a fence or wall it shall be constructed of wood, solid vinyl, metal (not chainlink), concrete or concrete block. If it be a landscaped area, it shall be evergreen bushes or trees and may include an earthen berm.

b. Whenever bushes or trees are used as screening, the screening height may not be less than three feet (3') at the time of planting, providing a minimum height of six feet (6') is achieved within five (5) years after planting.

c. Screening shall completely obscure objects inside the screened area when viewed from any angle outside the screened area and shall be constructed so as to reduce noise, lights and blowing trash.

(K) Building Design Standards:

1. Buildings: Existing residences will not be razed and new buildings constructed unless said new buildings are designed in such a way as to conform to the general residential nature of the neighborhood, consistent with the existing architectural style and design. Where possible, existing residences located in the residential business zoning district should be preserved in their present form and use. Where this is not feasible, individual residences should be allowed to convert into residential business developments. In cases where existing structures and site conditions are prohibitive for conversion, two (2) or more existing lots may be assembled and developed as residential business uses, thereby consolidating site access and creating a more rational parking layout. Once a particular property has been converted to a residential business use, it shall not be allowed to revert to a residential use.

2. Roofs: Roofs are required to be pitched, with a minimum pitch of four to twelve (4:12), and residential in nature.

3. Architectural Standards: All building faces shall include windows, setbacks, awnings, parapet variations, material variations, color variations or other architectural treatments to break up large uniform surfaces.

4. Commercial Buildings: Commercial buildings on street frontages shall have functional entrances that face the street and have between ten percent (10%) and forty percent (40%) of the facade as windows. Windows shall be nonreflective glass. (Ord. 3073, 8-24-2015)

10-7-10: SPECIAL LANDSCAPING REQUIREMENTS FOR PROPERTIES FRONTING THE COLLEGE OF SOUTHERN IDAHO (CSI) PROPERTY:

In addition to the other landscaping requirements of this title, the following landscaping shall be provided on all properties fronting CSI property on Washington Street North, North College Road, and Falls Avenue except properties containing single and duplex household dwellings:

A berm of at least three feet (3') in height and twelve feet (12') in width shall be provided immediately behind the sidewalk or future sidewalk. The berm shall be planted in grass with a minimum of one conifer tree per three hundred (300) square feet of berm area and a minimum of one deciduous shrub per three hundred (300) square feet. Trees and shrubs may be grouped, but there shall be no open space greater than fifty feet (50') between tree and shrub groupings. (Ord. 2620, 8-2-1999)

10-7-12: SPECIAL LANDSCAPING REQUIREMENTS FOR GATEWAY ARTERIALS:

(A) Gateway Arterials: Gateway arterials include the following streets: Addison Avenue, Addison Avenue East, Addison Avenue West, Blue Lakes Boulevard, Blue Lakes Boulevard North, Blue Lakes Boulevard South, Kimberly Road, Washington Street from Addison Avenue to Second Avenue West, Washington Street North, Washington Street South, Pole Line Road from Rock Creek Canyon to Eastland Drive North, and Eastland Drive from Pole Line Road East to Kimberly Road. (Ord. 2620, 8-2-1999)

(B) Landscaping Requirements: In addition to, and as part of, the landscaping requirements specified elsewhere in this title, the following landscaping shall be provided, retained and maintained on all properties in commercial or industrial zoning districts and fronting gateway arterials: a landscaped strip at least ten feet (10') in width shall be provided immediately behind the sidewalk or future sidewalk when existing buildings are being remodeled, and thirty feet (30') when vacant land or cleared land is being developed, with the following exception: Washington Street North from Addison Avenue to Caswell Avenue will be required to provide a landscaped strip at least ten feet (10') in width immediately behind the sidewalk or future sidewalk when an existing building is being remodeled or vacant land or cleared land is being developed. Any continuous landscaped strip exceeding forty feet (40') in length shall contain a twelve inch (12") minimum height undulating berm. Each separate section of the landscaping strip shall contain trees or shrubs. The plant types in each portion of the landscaping strip shall be as set forth in subsection 10-11-2(A) of this title, except that evergreen trees shall not be required. Each landscaped strip shall be kept clean and free of noxious and other weeds. (Ord. 2978, 10-26-2009)

(C) Hardship: In the case of the expansion of existing commercial developments, these requirements may be modified by the commission if it can be shown by the developer that strict compliance with these requirements will result in the removal of existing and proposed parking spaces below eighty five percent (85%) of the number of spaces required to serve the existing and proposed development. (Ord. 2323, 10-15-1990)

10-11-2: LANDSCAPING:

(A) Minimum Standards: The required minimum size landscaped area shall, as a minimum, have the following plant life:

1. One tree per five hundred (500) square feet of landscaped area. At least fifty percent (50%) of the required trees shall be evergreens. All trees shall have a height of at least four feet (4') when planted.

2. One bush per one hundred (100) square feet of landscaped area. At least fifty percent (50%) of the required bushes shall be evergreens.

3. The commission may approve alternative plans or designs to allow innovative landscaping. (Ord. 2012, 7-6-1981)

(B) Approval And Completion:

1. A landscaping plan conforming to the minimum requirements of this section shall be submitted for approval as part of the development map whenever a ZDA or MHP zoning subdistrict is submitted for approval. A landscaping plan conforming to the minimum requirements of this section shall be submitted for approval as part of the application for a building permit to construct any building. (Ord. 3082, 12-8-2014)

2. Landscaping conforming to the approved landscaping plan shall be completed before a certificate of occupancy is issued for the appurtenant building or at such other time as may be agreed upon in writing by the administrator and landowner; however, said agreement shall not extend the completion date beyond the next normal planting season for the proposed vegetation. (Ord. 2620, 8-2-1999)

3. All landscaping shall be maintained in a manner consistent with the minimum requirements of this section. (Ord. 2850, 2-21-2006)

4. Within required landscaped areas, display of vehicles, trailers, pickup shells, tires or any other items for sale is prohibited except upon city approved display pads provided through zoning development agreements (ZDA) or approval through the special use permit process. No such display pads shall be approved within fifteen feet (15') of the sidewalk or future sidewalk. (Ord. 3082, 12-8-2014)

REGULATIONS

I don't think we want to recommend a ratio of male to female plants as most trees and shrubs are monoecious (having both male and female parts – Stamen and Pistil). The stamen produce pollen while the pistils collect pollen and fertilize ovules to produce fruit. The pollen from monoecious plants is usually heavy and doesn't travel far in the air because it relies on insects to pollenate the pistil of other flowers.

Some plants are Dioecious (having either male or female flowers). These plants rely heavily on wind to cross-pollinate and find a female flower. These are the pollens that get suspended in the air and often inhaled into our bodies, sometimes triggering allergy symptoms. Dioecious male trees would be the main source of high pollen counts in the air.

Let's take a look at the worst pollen producing plants and relate that to the City of Twin Falls.

- Poplars and Willows are already restricted in public ROW. So these plants are not to be installed in parks or along roads. However, we cannot control what private homeowners are doing even though I'm trying to influence nurseries to stop selling them.
- Birch – We don't have very many birch as they are short lived trees that usually die out after 30 years.
- Ash – We have plenty of Ash trees in the city and I've been recommending that we stop planting them due to the threat of Emerald Ash Borer making it's way into Idaho. This tree will not be prohibited but probably on a restricted list as we revise the Tree Selection Guide.
- Pine and Cedar – Evergreen trees are already not recommended in ROW planters but we have plenty of Pines in landscapes across the city.
- Elm – after Dutch Elm disease took out most American Elms, little remain. Here in Twin our unwelcome frequent house guest is the Siberian Elm, which we usually permit for removal, try to reduce in Rock Creek, and do not sell in nurseries.
- Boxelder – As a preferred residence for a variety of pests and limited limb strength, this is another species on my list that we do not want in city public landscapes.

What we can do is identify allergenic trees in our revised selection guide if that is a concern, however, I don't think it's a good idea to make tree selections based solely on pollen count, nor do I think it would be good to restrict species for the same reasons though code.

Hope this helps,

Chance Munns



Parks Superintendent
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Parks & Recreation
Twin Falls, Idaho
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(208) 736-2265 #1308



Twin Falls Planning & Zoning Commission Minutes

Tuesday, December 17, 2024, 6:00 PM

203 Main Ave East
Twin Falls, ID 83301

COUNCIL CHAMBERS

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

NAME called the meeting to order at 06:00 PM

Members Attending: Titus, Campbell, Rambur, Zimmerman

Staff Attending: Spendlove, Klaver, Ebersole, Green, Vitek

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of the minutes from the following meeting: December 3, 2024.

Vice-Chair Campbell made a motion to approve the consent calendar, as presented.

Commissioner Zimmerman seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for a Special Use Permit for a public charter school and alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, erstad Architects.

Staff Presentation:

Planner Ebersole presented the request for a Special Use Permit for a public charter school and alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, erstad Architects.

Per City Code 10-13-2-2, The Special Use Permit process requires a public hearing in which interested persons have the opportunity to be heard, with regards to the application.

The Commission shall decide on the request within thirty (30) days after the public hearing. If Conditions of Approval are placed on the permit by the Commission, the Administrator shall issue the permit specifically listing such conditions. Conditions shall be implemented within 6 months, or the permit is void.

If the Commission's decision is appealed within fifteen (15) days of the signing of the Findings of Fact, City Council shall set a hearing date to consider all information, testimony, and minutes of the previous hearing to reach a decision on the appeal.

Standards Applicable to Special Uses:

- Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- Will not be hazardous or disturbing to existing or future neighboring uses.
- Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Per City Code 10-4-5.2, a special use permit is required for "Schools – private academic or public".

10-13-2-2: Upon Granting a Special Use Permit, Conditions May Be Attached To A Special Use Permit Including, But Not Limited To, Those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this Title.

In October 2024, the property was annexed to the city by request of the applicant. The land is now located in city limits with the R-4 zoning Designation, and under the City of

Twin Falls city codes and laws.

The property is currently vacant and there are no records that the property has ever been used for anything but Agriculture.

This area is primarily residential in nature, in the southeast portion of Twin Falls. This property is located off Harrison Street South, with South Hills Road (3600 E) to the south, both having road classifications of collectors. South Hills Middle School is located directly to the west.

There are multiple residential developments under different phases of construction in the area. R-4, Medium Density Residential, is the primary zone in the area, mixed with R-2 and R-1 Variable.

Per the Engineering Department, the sewer and water modeling has been completed for this upcoming project. The applicant will have their own Pressurized Irrigation system. All current irrigation systems are to remain and will not take away from any of the neighbors' water rights.

Having two schools across the street from each other will increase traffic on Harrison Street South-during drop off and pick-up times. A way to help mitigate traffic issues would be to stagger the start and end times of school days. Elevate Academy has addressed this concern in the enclosed traffic study, showing there are different start and end times between the two schools.

There is no crosswalk across Harrison Street South. A condition has been added for a crosswalk to be installed, paid for by the applicant, if deemed necessary by the City Engineer. The applicant has shown a potential crosswalk location on their site plan.

The applicant is required to build the public infrastructure (curb, gutter, sidewalk, street improvements) for the entire length of the property and will work with the Engineering Department to get this accomplished.

The applicant has asked to do an alternative landscape plan, removing the parking islands and moving the island landscaping to the perimeter of the grounds, for easier parking lot weather maintenance.

The site plan shows two approaches on Harrison Street South that will line up with the approaches at South Hills Middle School. There is a parent drop off zone in front of Building A, with bus parking along the south approach. The parking lot is located in front of the buildings, with a pedestrian/ADA crossing lane from the lot to the buildings.

The 2016 Comprehensive Plan; "Grow With Us" designates this area as appropriate for "Town Neighborhood", which is primarily residential in character, with parks, schools, and civic facilities included.

Staff has determined the proposed use is compatible with the comprehensive plan.

Based on the standards for approval, Staff does not foresee detrimental impacts related to the land use. The applicant has addressed potential traffic issues with an extensive traffic study and, as this land has never been developed located in the R-4 zone, Staff believes a new charter school is a good use of the land.

There are two items for the commission to vote on:

1. The alternative landscape plan.
2. The Special Use Permit for the public charter school.

Approval of this zoning request does not preclude the applicant from obtaining the required permits and/or licenses needed to complete the project. The commission may approve each request, deny one or both of the requests, or table for further information.

Upon conclusion, should the Commission recommend approval of the request as presented, staff recommends the following:

1. Subject to site plan amendments as required by Building, Engineering, Fire and Zoning Officials to comply with applicable City Codes and standards.
2. Subject to a crosswalk paid for by Elevate Academy, if deemed necessary by the City Engineer.

PZ/Questions & Comments:

- Chairperson Titus asked if they would come back if they build anything else.
- Planner Ebersole replied they would not if it's outright permitted.
- Commissioner Rambur asked if they had anything in mind for the north part.
- Planner Ebersole stated they would have to ask the applicant.
- Vice-Chair Campbell asked about the crosswalk.
- City Engineer Vitek explained the City will work with applicant for the crosswalk if it is safe and needed.
- Chairperson Titus asked if there is a time limit on when the crosswalk can be built.
- City Engineer Vitek answered if there is an issue on Harrison then it will be needed and looked at again.
- Director Spendlove replied there is no time limit with the way the permit is written.

Applicant Presentation:

Katrina Kulm presented on behalf of the applicant. They feel the size of the school will not cause issues with traffic. The landscape will be moved to the outer perimeter. They only have 480 kids chartered for the school. The school busses 60% of the kids. Monica White co-founder of Elevate Academy. The safety of kids is a concern they take serious. They will help stage with parents the first few weeks to teach the flow to parents.

PZ/Questions & Comments:

- Chairperson Titus asked about the staff and size.
- Monica White replied they have 42 staff members.
- Chairperson Titus asked how many car spaces will they have.
- Monica White stated they have 144 junior and seniors with about half driving.
- Katrina Kulm answered they have 112 spaces on site.
- Chairperson Titus asked if it's the same owner for the entire lot. She asked where the sidewalk to the north would connect.
- Director Spendlove answered that it's not close.
- Vice-Chair Campbell asked about the landscape plan
- Planner Ebersole replied it's not a specific condition and they proposed an alternate location.
- Director Spendlove clarified that landscaping will probably not be on the frontage of Harrison with a ditch running along that area.
- Chairperson Titus asked if the landscape needs to be on the frontage.
- Director Spendlove explained that landscaping has a percentage that will require a certain amount of trees.

Public Hearing: Opened

- Richard Dean is the neighbor. He feels the traffic is already a problem. He stated the land slopes and how will they get the sewage to the road. He asked about the irrigation ditch and if it will be piped or open. He uses the runoff water currently and thinks this will cause a problem for him. He would like it denied until they answer his questions.
- Pete Johnston has some concerns. He thinks this will be troubled youth. Are they from out of town, if they are he doesn't want them here. He feels there are enough schools. Parking will be an issue if the students are driving and parking at the school. Harrison has enough traffic.
- Tami Walker feels the school is needed and the students are local. She feels the traffic will work.
- Katrina Kulm stated they have been working with all the departments in the City to solve any issues that might arise with the school. They will continue to work with city staff.
- Vice-Chair Campbell asked about the other locations and were they comparable to this area.
- Monica White stated the one in Idaho falls shares a fence and they've had no issues. Post Falls is a block off a main road with no issues. Caldwell is across from water department and have no issues. Nampa is on a main road and they have no issues there either.
- Vice-Chair Campbell asked if the parking spaces and canal drainage will be sufficient.
- Katrina Kulm stated they have similar layouts and the parking works. No other locations have needed overflow.
- Justin Scott (phone) has been working with the irrigation district. It is outside their

district and is considered a user canal/ditch but will continue to work with them. Middle schools and High schools have to have enough to meet code. They will make sure concerns are addressed.

- Chairperson Titus asked about the sloping of land.
- Director Spendlove replied that the grade runoff/stormwater generated from their property will have to be maintained by them. Harrison is a collector and there will be no parking at some point.
- Commissioner Zimmerman asked if there is a turn lane on Harrison.
- Director Spendlove stated it is not painted but there is room. Middle School has a right turn into the school.
- Commissioner Zimmerman asked if the commission can make a request for one.
- City Engineer Vitek answered that if the traffic is enough the city would do it.

Public Hearing: Closed

Discussions Followed:

- Commissioner Rambur feels that this falls in R-4 zone and complies with comprehensive plan and is confident the city will address any issues.
- Vice-Chair Campbell likes that they are using similar site plans that have worked in other areas.
- Chairperson Titus likes that it will come back if it's an issue but thinks it looks good. Her only concerns are infrastructure.

MOTION: Vice-Chair Campbell moved to approve the request for a Special Use Permit for a public charter school on property located at Harrison Street South c/o Katrina Kulm, Erstad Architects. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

Landscape

- Commissioner Rambur feels like the city will make sure it works.
- Chairperson Titus stated if the frontage won't work does anyone have any specifications.
- Commissioner Rambur feels the applicant wants this to look good so they will do what it takes to meet requirements and look good.

MOTION: Vice-Chair Campbell moved to approve the alternative landscape plan on property located at Harrison Street South c/o Katrina Kulm, Erstad Architects. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- b) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

1. *Move to recommend approval for the proposed zoning text amendment to the*

- parking regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the parking regulations chapter of Title 10; or*
 - 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input.

Discussions Followed:

Commission agrees with the stacking requirements and feels it will be easier. Tandem parking for residential will be better.

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 5 "Parking Regulations". Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- c) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the landscaping regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the landscaping regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission would like city staff to review and report back on the male to female ratio to reduce allergens.

MOTION: Vice-Chair Campbell moved to table the item to January 14, 2025. Commissioner Rambur seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- d) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4,Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the required improvements of development chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the required improvements of development chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title

Amendment to repeal and replace Title 10, focusing on Chapter 7, "Required Improvements of Development. Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

- e) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

N/A

N/A

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

1. *Move to recommend approval for the proposed zoning text amendment to the floodplain regulations chapter of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the floodplain regulations chapter of Title 10; or*
3. *Move to table the item to a date certain of _____.*

Public Hearing: Opened and closed with no public input

Discussions Followed:

MOTION: Commissioner Rambur moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 12, "Floodplain Regulations". Commissioner Zimmerman seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) January 8, 2025 - Work Session
January 14, 2025

7) Adjournment

The meeting adjourned at 08:10 PM

Jody Green

Jody Green, Planning Technician



Twin Falls Planning & Zoning Commission Minutes

Tuesday, January 14, 2025, 6:00 PM

Members -

City Limits: Chairperson Danielle Titus; Vice-Chair Cortney Campbell; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Tiffany Zimmerman

Area of Impact:

1) Confirmation of Quorum/Call Meeting to Order

Chairperson Titus called the meeting to order at 06:00 PM

Members Attending: Titus, Campbell, Weatherford, Zimmerman

Staff Attending: Spendlove, Klaver, Green

2) Conflict of Interest Declaration

3) Consent Calendar

- a) Approval of minutes from the following meeting: December 17, 2024.

Commissioner Zimmerman made a motion to approve the consent calendar, as presented. Commissioner Campbell seconded the motion.

4) Items of Consideration

5) Public Hearings

- a) Request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Staff Presentation:

Senior Planner Klaver presented the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations".

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and

- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the landscaping regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the landscaping regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

Public Hearing: Opened

- Fran Florence stated he has concerns about the 6' landscape buffer. He feels that the Downtown area should have different requirements and feels you will have less parking there if you don't move the landscaping around. He would like the language to reflect this.
- Senior Planner Klaver clarified with the language in the code.
- Chairperson Titus asked about requirements for city street.
- Senior Planner Klaver replied that if it's in a right-of-way the city requires removal.
- Director Spendlove explained that collectors and arterials require separated sidewalk and heavy trees in the subdivision section.
- Chairperson Titus asked if trees are existing in the right of way do they need a permit to remove.
- Director Spendlove explained that the parks department is in charge of that and permits are required to remove trees from the right of way.
- Chairperson Titus asked for clarification on the 6' landscape buffer.

- Director Spendlove explained the current code requires a 6’ buffer from the roads. The new code removes that except in parking lots which have the ability to move landscape around. He explained that when the city was looking at imposing a Historic Residential District in Downtown the regulations would decide landscaping and include color of paint on exterior and the Council didn’t want to impose those kinds of restrictions on residents.
- Chairperson Titus asked if most roads have landscaping along the right of way.
- Director Spendlove replied that most do.
- Fran Florence showed the picture he brought and pointed out the lack of landscaping.
- Chairperson Titus asked if the city can require a landscape specific overlay.
- Director Spendlove explained that parking overlays are different. The commission can go in that direction if they choose.
- Chairperson Titus asked what details parks and recreation look at when deciding for removal of trees.
- Director Spendlove if it's diseased or a concern, it can cause the city to take action.

Public Hearing: Closed

Discussions Followed:

- Vice-Chair Campbell stated she loves to see trees but does not want to impose on property rights.
- Commissioner Zimmerman likes the idea of an overlay with a triggering event.
- Commissioner Weatherford asked if it would be a tree or could it be something else.
- Chairperson Titus replied to just state it should be landscaping and this condition would go to city council.
- Director Spendlove responded to be specific for council.

Condition: landscaping should be installed following CC 10-6-5 (current minimum) in the park strip when “required improvements” are triggered, in order to get landscaping more in line with the historic nature of downtown.

MOTION: Vice-chair Campbell moved to add a condition that landscaping should be installed following CC 10-6-5 (current minimum) in the park strip when “required improvements” are triggered, in order to get landscaping more in line with the historic nature of downtown. Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 3 to 1.

MOTION: Vice-chair Campbell moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10, focusing on Chapter 6 "Landscaping Regulations. Commissioner Weatherford seconded the motion. Roll call vote showed all

members present voted.

Approved 3 to 1.

- b) Request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136)

Staff Presentation:

Director Spendlove presented the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136)

Per 10-14-2, Title amendments may only be initiated by the Planning and Zoning Commission, City Council, or a property owner. This amendment was initiated by City Council in February 2018.

Per 10-14-4, Zoning amendments shall be amended in the following manner:

- A. Requests for an amendment to this title shall be submitted to the commission which shall evaluate the request to determine the extent and nature of the amendment requested;
- B. If the request is in accordance with a comprehensive plan, the commission may recommend and the council may adopt or reject the ordinance amendment under the notice and hearing procedures as herein provided; and
- C. If the request is not in accordance with a comprehensive plan, the request shall be submitted to the commission or, in its absence, the council which shall recommend and the council may adopt or reject an amendment to a comprehensive plan under the notice and hearing procedures provided in section 10-7-20 of this title.

Per 10-14-5, the Commission shall hold a public hearing and make recommendations on proposed zoning amendments.

- A. Zoning Title Amendment: The commission, prior to recommending a zoning title amendment to the council, shall conduct at least one public hearing in which interested persons shall have an opportunity to be heard. Notice for public hearings shall be provided as set forth in section 10-7-20 of this title. Following the commission's hearing, if the commission makes a material change from what was presented at the public hearing, further notice and hearing shall be provided before the commission forwards the amendment with its recommendation to the council.

The Commission is tasked with making a recommendation to Council on the proposed text amendment. The commission may recommend approval, approval with conditions, denial, or table the item to a date certain.

Sample main motions:

- 1. Move to recommend approval for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10 as presented;*
- 2. Move to recommend approval with conditions for the proposed zoning text amendment to the Zoning District regulations chapter of Title 10; or*
- 3. Move to table the item to a date certain of _____.*

PZ/Questions & Comments:

- Vice-Chair Campbell asked about the public input and what prompted the changes made.
- Director Spendlove explained it started in 2018 and has been ongoing since. There have been focus groups with developers and architects throughout that time. Council had a directive to get the code shorter, more streamlined and allow for more diversity of housing per the comprehensive plan.

Public Hearing: Opened and closed with no public input

Discussions Followed:

Commission feels this is an improvement and is in support of the changes.

MOTION: Vice-Chair Campbell moved to approve the request for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to individual Zoning Districts. (PZ24-0136). Commissioner Weatherford seconded the motion. Roll call vote showed all members present voted.

Approved 4 to 0.

6) Upcoming Meeting(s)

- a) January 28, 2024

7) Adjournment

The meeting adjourned at 08:00 PM

Jody Green

Jody Green, Planning Technician