



Twin Falls Planning & Zoning Commission Agenda

Wednesday, June 4, 2025, 12:00 PM

203 Main Ave East
Twin Falls, ID 83303

Members -

City Limits: Cortney Campbell, Chairperson; Tiffany Zimmerman, Vice-Chairperson; Todd Rambur; Robyn Weatherford; Kelly Herrgesell; Rui Gomes

Area of Impact: Jeff Bulkley

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Conflict of Interest Declaration
- 3) Consent Calendar
- 4) Items of Consideration
 - a) **ACTION ITEM:** Consideration of Resolution No. 2025-009 validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ25-0066).
By: Jonathan Spendlove, Planning and Zoning Director
- 5) Public Hearings
 - a) **ACTION ITEM:**
Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).
By: Jonathan Spendlove & William Klaver
- 6) Upcoming Meeting(s)
 - a) June 10, 2025
- 7) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Kelli Ebersole (208) 735-7267 at least two working days before the meeting. Si desea esta información en Español, por favor llame a Josh Palmer al teléfono (208) 735-7312.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

Public Hearing Procedures for Zoning Requests

1. Prior to opening the first Public Hearing of the session, the Mayor or Chair 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 Chair, 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 shall 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 the request is 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 Chair 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 Chair. The spokesperson shall be limited to 15 minutes.**
 - **Written comments, including e-mail, received by 12:00 p.m. on the date of the hearing shall be either read into 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.
 9. Following the Public Testimony and Applicant's response, Council or Commission members, as recognized by the Mayor or Chair, 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 Chair may limit the time permitted for the answer.
 10. The Mayor or Chair 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, applicant 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.



Date: Wednesday, June 4, 2025
To: Planning and Zoning Commission
From: Jonathan Spendlove, Planning and Zoning Director

ACTION ITEM

Request:

Consideration of Resolution No. 2025-009 validating conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan, c/o Urban Renewal Agency of the City of Twin Falls (PZ25-0066).

Time Estimate:

Approximately five (5) minutes for staff presentation.

Background:

In 2011, the Urban Renewal Agency of the City of Twin Falls (URA) created Revenue Allocation Area #4-3 (RAA 4-3). This area was created to facilitate the development of the Chobani Yogurt Plant. As many already know, that business has been very successful and made a large impact on the local economy.

This request is from the URA to remove a parcel from the original RAA 4-3, which would result in Chobani being the sole property owner within RAA 4-3. The purpose of this is to take advantage of a new law established by the Idaho Legislature from this recent session that focused on single user RAA's.

City Staff offers the following comment and recommendation: After reviewing the request, City Staff does not believe this removal to be detrimental to the area, or the overall goals of the Comprehensive Plan. The way RAA's work as written in current Statute, the subject parcel will not substantially benefit from being within the current RAA 4-3. However, it could greatly benefit from being included in a future Revenue Allocation Area in the future.

Approval Process:

Per State Statute, the Planning and Zoning Commission is tasked with making a decision on the resolution (see attachments) validating the conformity of this URA Plan with the City Comprehensive Plan. A majority vote of the Commission will decide the outcome of this request.

Budget Impact:

The decision of this body does not have an inherent impact on the City Budget.

Regulatory Impact:

Approval of this resolution has no regulatory impact on the property, in terms of Zoning Laws and Regulations.

History:

N/A

Analysis:

N/A

Conclusion:

The Planning and Zoning Commission is tasked with making a decision on this request, including the associated resolution.

The following options are available: approve the request, deny the request, or table the request for additional information.

Sample Motion: I move to approve Resolution 2025-008 confirming the conformity of the "Revenue Allocation Area #4-3: First Amendment" with the City Comprehensive Plan.

Attachments:

1. P&Z Resolution 2025-009 - First Amendment 4-3 Plan
2. First Amendment to the RAA 4-3 Plan
3. PZ25-0066 Future Land Use Map
4. PZ25-0066 Zoning Map

RESOLUTION NO. 2025-009

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF TWIN FALLS, IDAHO, VALIDATING CONFORMITY OF THE FIRST AMENDMENT TO THE URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3 WITH THE CITY OF TWIN FALL'S COMPREHENSIVE PLAN

WHEREAS, the Urban Renewal Agency of the City of Twin Falls, Idaho (hereinafter "Agency"), the duly constituted and authorized urban renewal agency of the City of Twin Falls, Idaho (the "City"), has submitted the proposed First Amendment to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the "First Amendment") to the City; and

WHEREAS, the City Manager and Twin Falls City Council referred the First Amendment to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said First Amendment with the City's Comprehensive Plan, *Grow With Us*, as amended ("Comprehensive Plan"); and

WHEREAS, the staff of the City Planning and Zoning Commission has reviewed said First Amendment and has determined that it is in all respects in conformity with the Comprehensive Plan; and

WHEREAS, on June 4, 2025, the City Planning and Zoning Commission met to consider whether the First Amendment conforms with the Comprehensive Plan for the City as required by Idaho Code Section 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said First Amendment in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the First Amendment is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF TWIN FALLS, IDAHO:

Section 1. That the First Amendment, submitted by the Agency and referred to this Commission by the City Manager and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That **Exhibit A**, outlining the findings supporting the determination that the First Amendment is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Director of the City's Planning and Zoning Department is hereby authorized and directed to provide the City Manager and Twin Falls City Council with a certified copy of this Resolution relating to said First Amendment.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning and Zoning Commission of the City of Twin Falls, Idaho, this 4th day of June 2025.

APPROVED:

Cortney Campbell

Chair, Planning and Zoning Commission

ATTEST:

Jonathan Spendlove

Director, Planning & Zoning Department

EXHIBIT A

4917-7274-8611, v. 1

**FIRST AMENDMENT TO THE
URBAN RENEWAL PLAN FOR REVENUE ALLOCATION AREA #4-3
THE URBAN RENEWAL AGENCY FOR THE CITY OF TWIN FALLS, IDAHO**

CITY OF TWIN FALLS, IDAHO

**Ordinance No. 3022
Adopted December 12, 2011
Effective December 15, 2011, publication**

**First Amendment to the Plan
Ordinance No. ____
Adopted ____, 2025
Effective ____, 2025, publication**

BACKGROUND

This First Amendment (“First Amendment”) to the Urban Renewal Plan for Revenue Allocation Area #4-3 (the “Plan”) amends the Plan to deannex one (1) parcel of approximately 28.23 acres in the southeast corner of the existing plan area/revenue allocation area generally bounded by the railroad right-of-way to the south and 3300 East to the east. This deannexation is from the plan area/revenue allocation area created by the Plan commonly referred to as “RAA #4-3,” adopted by Twin Falls City Council Ordinance No. 3022, on December 12, 2011. The scope of this First Amendment is limited to addressing the deannexation of the single parcel from RAA #4-3. It is important to note this First Amendment to the Plan does not extend the Plan’s duration. The Plan terminates on December 15, 2031; however, revenue allocation proceeds will be received in 2032 pursuant to Idaho Code § 50-2905(7).

As a result of the deannexation, in 2026 through the remaining years of the Plan, the Urban Renewal Agency of the City of Twin Falls, Idaho (the “Agency”) will cease receiving an allocation of revenues from the deannexed parcel. The increment value of the deannexed parcel from RAA #4-3 shall be included in the net taxable value of the taxing district when calculating the subsequent property tax levies pursuant to section 63-803, Idaho Code. The increment value shall also be included in subsequent notification of taxable value for each taxing district pursuant to section 63-1312, Idaho Code, and subsequent certification of actual and adjusted market values for each school district pursuant to section 63-315, Idaho Code. The Twin Falls County Assessor’s Office maintains the value information, including the increment value, if any, included on the new construction roll for new construction associated with the deannexed parcel. The amount added to the new construction roll will equal 80% of the increment value from the deannexed parcel as of December 31, 2024.

House Bill 606, effective July 1, 2016, amended the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) firmly establishing “[f]or plans adopted or modified prior to July 1, 2016, and for subsequent modifications of those urban renewal plans, the value of the base assessment roll of property within the revenue allocation area shall be determined as if the modification had not occurred.” Idaho Code § 50-2903(4). Though the provisions of Idaho Code § 50-2903A do not apply to the Plan, a plan amendment or modification to accommodate a de-annexation in the revenue allocation boundary is a specifically identified exception to a base reset. Idaho Code § 50-2903A(1)(a)(iii). This highlights the legislative support for these types of amendments.

For purposes of this First Amendment only, Zions Public Finance, Inc., by letter to the Agency, dated May 6, 2025, specifically waived the requirement of Section 17K of the Agency Bond Resolution No. 2013-1, dated January 14, 2013 (the “Bond Resolution”), concerning the filing of a Consultant’s Report, as defined in the Bond Resolution, with the Trustee and the Registered Owner(s) on the effect of the proposed First Amendment.

AMENDMENTS TO THE PLAN

1. Definitions. Capitalized terms not otherwise defined herein shall have the respective meanings ascribed to such terms in the Plan.

2. Amendment to the “Introduction” Section of the Plan.

(a) The Section entitled “INTRODUCTION” is amended by adding a new paragraph following the end of the first paragraph as follows:

This First Amendment to the Plan (the “First Amendment”) deannexes a single parcel of approximately 28.23 acres from the existing RAA #4-3, resulting in an “Amended Project Area” as further described and shown in Attachments 1 and 2. In accordance with the Law, this First Amendment was submitted to the Planning & Zoning Commission of the City of Twin Falls. After consideration of the First Amendment, the Commission filed a Resolution dated _____, 2025, with the City Council stating that the First Amendment is in conformity with the Twin Falls 2016 Comprehensive Plan, *Grow with Us*, adopted by the Twin Falls City Council on November 7, 2016, as may be amended. Pursuant to the Law, the City Council, having published due notice thereof, held a public hearing on the First Amendment. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted the First Amendment on _____, 2025, pursuant to Ordinance No. _____.

3. Amendment to the “Location and Project Area” Section of the Plan.

(a) The Section entitled “LOCATION AND PROJECT AREA” is amended by deleting the Section heading and the first paragraph and replacing it as follows:

LOCATION AND AMENDED PROJECT AREA

Revenue Allocation Area #4-3, as amended, consists of approximately one hundred ninety-three (193) acres and is generally located south of Kimberly Road (3800 North or Highway 30), west of 3300 East, and north of the railroad right-of-way, as shown on the map attached to the original Plan, less the deannexed area depicted in Attachment 1 attached hereto and incorporated herein by reference, and as more particularly described in the original Plan, less the deannexed area depicted in Attachment 2 attached hereto and incorporated herein by reference.

For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way, unless prohibited by law.

4. Amendment to the “Assessed Valuations” Section of the Plan.

(a) The Section entitled “Assessed Valuations” is amended by adding a new sentence at the end of the paragraph as follows: The deannexation of the single parcel from the existing RAA #4-3 pursuant to the First Amendment will not substantively change this analysis but will result in a minimal reduction in the base assessment roll.

5. Amendment to the “Economic Feasibility” Section of the Plan.

(a) The Section entitled “Economic Feasibility Study” is amended by adding a new paragraph immediately following Table 6 as follows: Revenue allocation financing authority for the deannexed parcel pursuant to the First Amendment will be terminated effective January 1, 2025. No modifications to the analysis set forth in the Section entitled “Economic Feasibility Study” have been made as a result of the First Amendment. The estimated financial impact to the Agency as a result of the deannexation of a single undeveloped and/or underdeveloped parcel from the existing RAA #4-3 pursuant to the First Amendment is set forth in Attachment 3, prepared by Kushlan | Associates. The deannexation of the parcel from RAA #4-3 pursuant to the First Amendment may minimally reduce the amount of revenue generated by revenue allocation as set forth in Attachment 3, which includes the estimated financial impact to the Agency as a result of the deannexation. Based on the findings set forth in Attachment 3, the conclusion is the deannexation of the parcel from RAA #4-3 does not materially reduce revenue allocation and the Project continues to be feasible.

6. Amendment to the “Termination Date” Section of the Plan.

(a) The Section entitled “Termination Date” is amended by adding a new sentence at the end of the first paragraph as follows: The deannexation of the single parcel from RAA #4-3 pursuant to the First Amendment has no impact on the duration of this Plan.

7. Amendment to Plan to add new Attachment 1. The Plan is amended to add new Attachment 1 entitled “Boundary Map of the Deannexed Area,” attached hereto.

8. Amendment to Plan to add new Attachment 2. The Plan is amended to add new Attachment 2 entitled “Legal Description of the Boundary of the Deannexed Area,” attached hereto.

9. Amendment to Plan to add new Attachment 3. The Plan is amended to add new Attachment 3 entitled “Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2025 Deannexation,” attached hereto.

10. Urban Renewal Plan For Revenue Allocation Area #4-3. Except as expressly modified in this First Amendment, the Plan and the Attachments thereto remain in full force and effect.

[illegible]



LEGEND

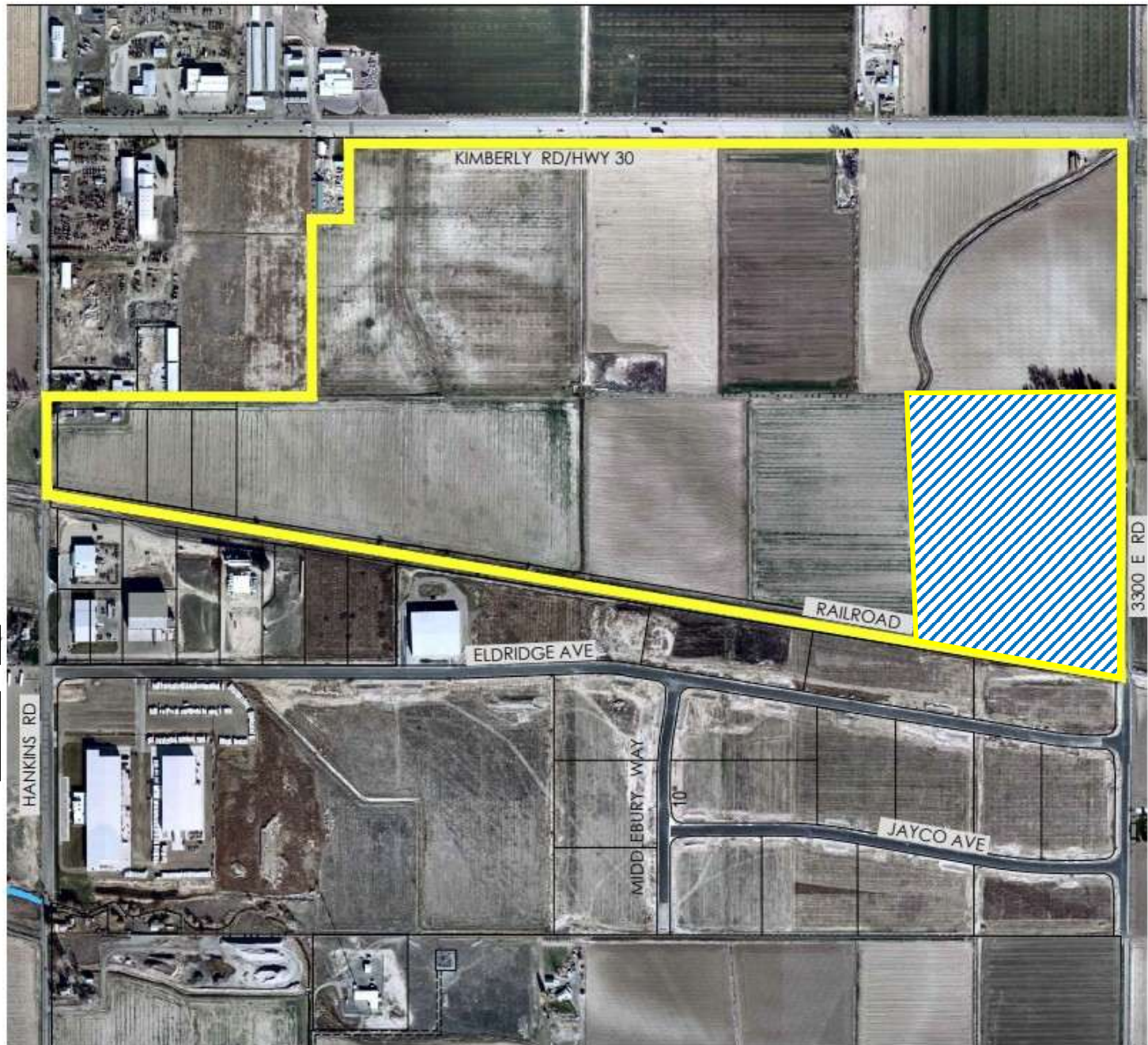


Original RAA 4-3



De-annexed
Parcel for First
Amendment

RAA 4-3



Attachment 2
Legal Description of the Boundary of the Deannexed Area

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 24: The S1/2NE1/4 lying North of the Railroad

EXCEPT:

Township 10 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho
Section 24: A parcel of land located in the S1/2NE1/4 being more particularly
described as follows:

COMMENCING at the Northeast corner of Section 24; said point lies North
00°27'29" East 2635.15 feet from the East quarter corner of said Section 24;
THENCE South 00°27'29" West 1317.58 feet along the East boundary of Section
24 to the Northeast corner of the S1/2NE1/4;

THENCE North 89°49'59" West 1047.92 feet along the North boundary of the
S1/2NE1/4 to the REAL POINT OF BEGINNING.

THENCE South 02°39'05" East 1134.38 feet along the centerline of a Twin Falls
Canal Company lateral to a point on the Northerly right of way boundary of a
railroad mainline;

THENCE North 80°47'45" West 1710.09 feet along said Northerly right of way
to a point on the West boundary of the S1/2NE1/4 of Section 24;

THENCE North 00°08'34" West 864.41 feet along the West boundary of the
S1/2NE1/4 of Section 24 to the Northwest corner thereof;

THENCE South 89°49'59" East 1637.75 feet along the North boundary of the
S1/2NE1/4 of Section 24 to the REAL POINT OF BEGINNING.

Attachment 3
Supplement to the Economic Feasibility Study: Financial Analysis Related to the 2025
Deannexation



Shawn Barigar, Executive Director

Twin Falls Urban Renewal Agency

203 Main Avenue

Twin Falls, Idaho 83301

May 12, 2025

You have requested that I analyze and report on the fiscal impact of a potential de-annexation of the one of the four (4) parcels that constitute Revenue Allocation Area 4-3. This Revenue Allocation Area (RAA) was created by City Council Ordinance No. 3022, dated December 12, 2011, adopting the Urban Renewal Plan for Revenue Allocation Area #4-3, to offset the infrastructure costs associated with the location of the Chobani yogurt facility in Twin Falls, Idaho. The area consists of approximately 221 acres (including rights-of-way) generally located south of Kimberly Road and west of 3300 East and north of the Railroad.

The RAA consists of 4 tax parcels:

Tax Parcel	Site Address	Owner of Record	Area in Acres	2024 Land Value	2024 Improvement Value	2024 Total Value	% of Total Value
RP10S17E241805A	3767 N 3300 E	Pgr Partners	28.23	\$160,280	\$718,775	\$879,055	0.53%
RPT00107240000A	3450 Kimberly Road	Agro-Farma Idaho Inc	143.88	\$69,120	\$163,914,489	\$163,983,609	90.67%
RPT00107241200A	3450 Kimberly Road	Agro-Farma Idaho Inc	38.04	\$0	\$1,441,183	\$1,441,183	0.86%
RPT3243001001AA	3450 Kimberly Road	Agro-Farma Idaho Inc	9.25	\$0	\$350,465	\$350,465	0.21%
			219.4	\$229,400	\$166,424,312	\$166,654,312	100%

Note: The table above reflects the full taxable value of the parcels located within the RAA in 2024. The base value of the area was \$722,145 when established in 2011. The incremental value represents 99.5% of the total value.

The Agency issued Revenue Allocation Bonds, Series 2013A, dated February 21, 2013, and

maturing April 1, 2032. The proceeds of the bonds provided funding for certain urban renewal projects associated with the operation of the plant. The bonds are term bonds that require annual sinking fund deposits on April 1 each year. The bonds bear interest at 7.738%. Repayment of the bonds is guaranteed by Chobani Global Holding, Inc.

The outstanding obligation for these bonds was \$17,253,000 as of September 30, 2024.

Additionally, the Agency entered into a Projects Improvements Reimbursement Agreement with Chobani Idaho, LLC on May 9, 2016, as may be amended from time to time, to reimburse certain eligible costs incurred by Chobani to construct certain Project Improvements authorized by the Development Agreement, including site remediation, a water storage tank and a wastewater equalization tank.

On September 30, 2024, the amount of the outstanding balance for reimbursement of eligible costs was \$14,234,032. The agreement states that any existing obligation with Chobani by the Agency at the end of the revenue allocation area's life ends without recourse. The reimbursement under this agreement is subordinate to the payment of the bonds.

Further, the Development Agreement between the Agency and Agro-Farma, under Section 18, states "...In the event that the assessed value of the A-F Plant shall in any year fail to result in distributions to URA of the Required Revenue Allocation for the URA financing, Agro-Farma (or the then owner of the A-F Plant) shall pay URA an amount equal to the difference between Required Revenue Allocation for such year and the amount of revenue allocation actually distributed to URA for such year."

In fact, contributions required under Section 18 were made in Fiscal Years 2023 and 2024 in the amounts of \$283,498 and \$119,154 respectively.

When considering the potential de-annexation of property from a Revenue Allocation Area, one must evaluate the fiscal impact of reducing the increment value available to support on-going obligations.

As noted above, the vast majority of the assessed value within RAA 4-3 is represented by those tax parcels under the ownership of Agro-Farma. Only slightly more than one-half of one percent (0.53%) is represented in tax parcel RP10S17E241805A, the parcel subject to potential de-annexation. The revenue allocation proceeds from the parcel seeking deannexation in 2024 was \$4,937.23 (99.5% of the total tax obligation of \$4,958.72).

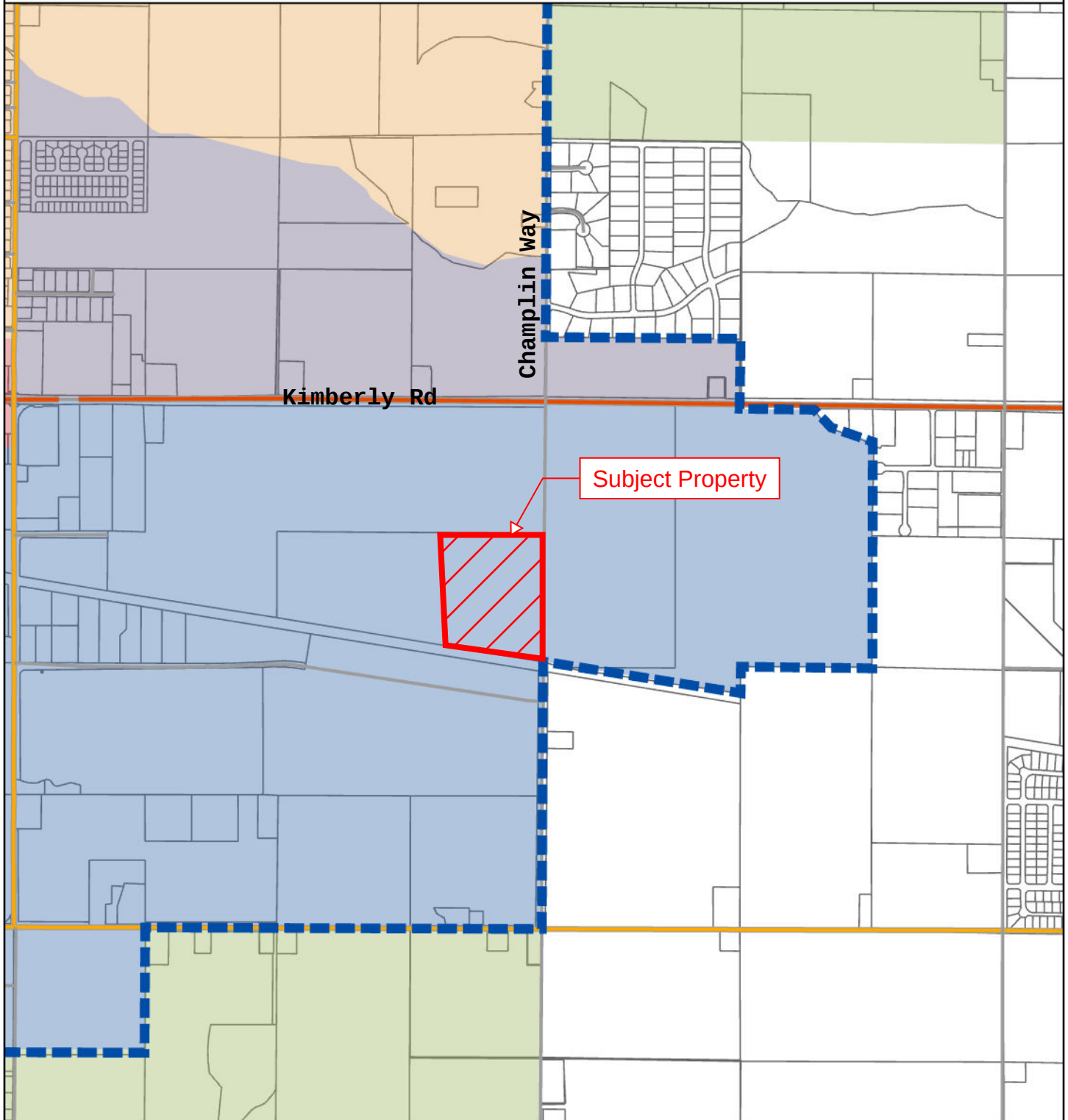
Findings: The relatively small percentage of revenue allocation proceeds that would be lost through de-annexation of this parcel, coupled with the contractual obligation of Agro-Farma to support the required revenue stream suggests the fiscal impact would be minimal and does not impact the economic feasibility of the project.

Respectfully,

Phil Kushlan, Principal
Kushlan | Associates

Future Land Use Map

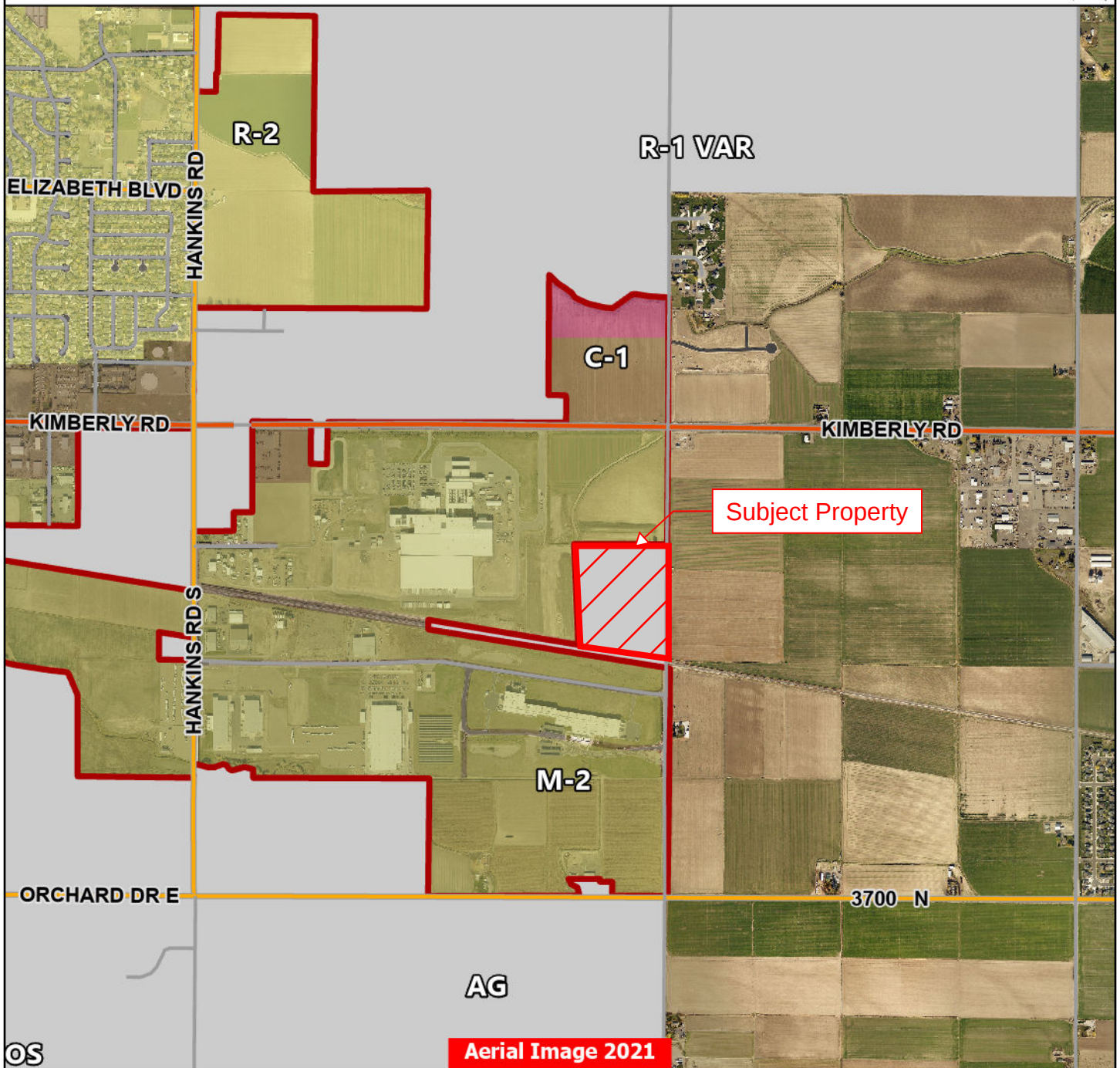
0 0.25 0.5 Miles



- | | |
|---|---|
|  WaterService_Boundary |  Mixed Use |
|  Agriculture |  Town Neighborhood |
|  Commercial | |
|  Industrial | |

Updated May 2025

Current Zoning Map



-  City Limits
-  AG
-  C-1
-  M-2
-  OS
-  R-1 VAR
-  R-2

0 0.5 Miles



Date: Wednesday, June 4, 2025
To: Planning and Zoning Commission
From: Jonathan Spendlove & William Klaver

ACTION ITEM

Request:

Request for a recommendation for a Zoning Title Amendment to repeal and replace Title 10. Items to include are regulations pertaining to "Land Use Conditions". c/o City of Twin Falls (PZ24-0121).

Time Estimate:

20-30 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:

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

The chapter applicable to this Staff Report is "Land Use Conditions". This chapter is a major departure from the current code as this would create permitted uses with conditions and associated criteria. For many years, staff heard from applicants, Commissioners and City Council members that certain uses requiring Special Use Permits had become onerous. As times change and new land uses have been created, or changed over time, the need to have Special Use Permits and a subsequent public hearing for the majority of uses has become a detriment to businesses. The Zoning Use Permit process is proposed to be an administrative review to ensure certain site improvements have been constructed/installed per criteria outlined in the code. Once these criteria have been met, the land use may proceed to construction or operation.

These drafts have been on the City's website since April 14, 2025. Staff has not received any comments on the proposed draft.

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.

Budget Impact:

N/A

Regulatory Impact:

If approved, this section will provide the general verbiage for the Land Use Conditions in Title 10. Prior to adoption, the entirety of Title 10 will be brought forth to the Commission and Council in its final format, where the Council will decide to proceed with an ordinance or not.

History:

N/A

Analysis:

N/A

Conclusion:

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 Land Use Conditions chapter of Title 10 as presented;*
2. *Move to recommend approval with conditions for the proposed zoning text amendment to the Land Use Conditions chapter of Title 10; or*
3. *Move to table the item to a date certain of _____*

Attachments:

1. New Zoning Districts - Conversion Chart
2. PZ24-0121 Proposed Land Use Matrix
3. PZ24-0121 Proposed Land Use Conditions

Zoning Districts Conversion Chart - Proposed New Names and Consolidations

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

LAND USE	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2	AP	CSI
LAND USE	Open Space	Professional Office Overlay	Agriculture	Rural Residential	Town Neighborhood 1	Town Neighborhood 2	Town Neighborhood 3	Mixed Use	Community Market	Central City	Commerical	LIGHT INDUSTRIAL	HEAVY INDUSTRIAL	Airport	College of Southern Idaho

City of Twin Falls Title 10 Update Proposed Zoning and Land Use Matrix

PERMITTED USES, NO further Zoning Action

P

PERMITTED USE If SPECIAL USE PERMIT is issued.

S

PERMITTED USE, Zoning Admin Review for stated Req's

Z

NOT PERMITTED

1. AGRICULTURE & ANIMALS	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND 1	IND2	AP	CSI
Agritourism Activity (within 300' of Residential Use or Residential Zone)			S	S											
Agritourism Activity (more than 300' from Residential Use or Residential Zone)			P	P											
Community Garden	P		P	P	Z	Z	Z	P	Z	P	P	P	P	P	P
Farm			P	P											P
Fish Hatchery	S		P										S		
Farms – animals on pasture	P		P	P											
Farms – plants and trees	P		P	P								P	P		
Kennel - Indoor			P							S	P	P	P		
Kennel - Outdoor			P								S	S	P		
Livestock Sales			S									S	P		
Nursery – Major			P	S								P	P	S	P
Nursery – Minor			P	P				P	S	P	P	P	P	P	P
Stable, Commercial			P										S		S
Veterinary Clinic -Minor			P					S	S	S	S	P	P		P
Veterinary Clinic – Major			P									S	S		S
2. ASSEMBLY	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND 1	IND2	AP	CSI
Botanical Gardens and Arboretums	S		S	S	S	S	S	P	S	P	P	P	P	P	P
Convention Center { >500}	S		S					S		S	S	S	S	S	S
Event Center - Major {100 - 500 people}	S		S	S				S		S	Z	Z	Z	P	P
Event Center - Minor { <100}	S		Z	Z				Z	Z	Z	Z	P	P	P	P
Funeral Center								P	S	P	P				
Museum / Learning Center - Major	S		S					Z	S	S	Z			P	P
Museum / Learning Center - Minor	P	S	P	Z				Z	Z	Z	P			P	P
Religious Facility			Z	Z	Z	Z	Z	P	Z	P	P	P	P	Z	P

3. CIVIC/INSTITUTIONAL	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2	AP	CSI
Cemetery	S		S								S	P	P		
City of Twin Falls Facilities - Owned or Operated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
College, University, Trade, or Boarding School								S		S	P		P	P	P
Detention Center (Jail - Juvenile and Adult, Work Release)											S	S	P		
Emergency Service Stations										P	P	P	P		S
Judicial Facility								P		P	P	P	P		
School			S	S	S	S	S	S	S	S	P				P
4. COMMERCIAL SALES and SERVICES	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND 1	IND 2	AP	CSI
Administrative or Professional Office - Major								P	S	P	P	P	P	P	P
Administrative or Professional Office - Minor		S						P	P	P	P	P	P	P	P
Artisan's Workshop - Major								Z	Z	Z	P	P	P		
Artisan's Workshop - Minor								P	Z	P	P	P	P		
Auction Services and/or Public Sales Establishment								Z		Z	Z	P	P		
Bar/Night Club/Smoking Lounge								S		S	S	S	S	S	
Barber & Cosmetology Services		S						P	P	P	P	P	P	P	P
Body Art Studio								Z	Z	Z	Z	P	P		
Car Wash								S		S	Z	P	P		
Consumer Goods Repair								S	S	S	S	P	P		
Drive-Thru								S	S	S	S	S	S		S
Dry Cleaning/Laundering - Major										S	S	P	P		S
Dry Cleaning/Laundering - Minor		S						P	S	P	P	P	P		P
Equipment and Machinery Repair, Major										S	S	P	P		
Equipment and Machinery Repair, Minor										S	P	P	P		
Equipment and Machinery Sales/Rental, Major										S	S	P	P		
Equipment and Machinery Sales/Rental, Minor								S	Z	Z	P	P	P		
Financial Institution		S						P	S	P	P	P	P	P	P
Fuel/Charging Station								S	S	Z	Z	Z	Z		Z
Health/Fitness Facility - Major								S	S	S	S	P	P		P
Health/Fitness Facility - Minor								P	S	P	P	P	P		P
Laundromat, Self Serve								P	S	P	P	P	P		P
Manufactured homes sales											S	P	P		
Mortuary										Z	Z	P	P		
Paint Booth										Z	Z	Z	Z		Z
Pawnshop										Z	Z	Z	Z		
Payday Loan / Check Cashing Service										Z	Z	Z	Z		
Pet Grooming								Z	S	Z	Z	Z	Z		
Photography studios		S						P	P	P	P	P	P		
Print Shop – Major								S		S	P	P	P		
Print Shop – Minor								P	P	P	P	P	P		P
Restaurant								P	S	P	P	P	P	P	P

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Retail Shop								P	Z	P	P	P	P	P	P	P
Retail Store - Major								S		S	P	P	P	P	P	
Retail Store - Minor								P	S	Z	P	P	P	P	P	P
Seamstress/Tailor								P	P	P	P	P	P			
Theater - Indoor								S		P	P	P	P			P
Theater - Outdoor	S									S	S	S	S			S
Truck Stop											S	S	S			
Vehicle Rental Facility										S	P	P	P	P	S	
Vehicle Sales										S	Z	P	P			
Vehicle Sales - Heavy Trucks										S	S	S	P			
Vehicle Sales – Temporary										Z	Z	Z	Z			
5. HEALTH/HUMAN CARE	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM			IND	AP	CSI
Assisted Care/Living Facility - MAJOR							S	S	S	P	P					
Assisted Care/Living Facility - MINOR		S					S	P	P	P	P					P
Daycare Center		S						P	P	P	P					P
Daycare Facility			Z	Z	Z	Z	Z	P	P	P	P				Z	P
Daycare Home			P	P	P	P	P									
Hospital										S	S					
Medical Clinic, Major								S		P	P					P
Medical Clinic, Minor		S						P	P	P	P					P
Shelter Home			S				S	S	S	S	P	P	P	P		
Substance Abuse Treatment Facility			S							P	P	P	P			
6. INDUSTRIAL	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2		AP	CSI
Electric Power Generating Plant	S											S	S			
Fuel sales (bulk)											S	S	S			
Grain & Seed Processing			P									S	P			
Manufacturing, Heavy												S	P			
Manufacturing, Light										S	S	S	P			P
Manufacturing, Medium											S	S	P			
Recycling Center												S	P			
Recycling Plant												S	S			
Slaughterhouse												S	S			
Storage Facility, Self-service										S	S	P	P			
Storage Yard										S	S	P	P			S
Taxidermy studio										S	S	S	P			
Testing laboratories, Major										S	S	S	P			
Testing laboratories, Minor		S						S	S	P	P	P	P			P
Vehicle Impound Yard												S	S			
Vehicle Repair Services, Major										S	S	S	S			S
Vehicle Repair Services, Minor										S	Z	P	P			P
Warehouse/Distribution Center										S	S	P	P		S	
WRECKING, Salvage & Junkyard												S	S			
7. LODGING	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2		AP	CSI
Bed & Breakfast Facility		S	S	S			S	S	P	P	P					S
Campground / Recreational Vehicle Park	S										S					
DORMITORY																P
HOTEL										P	P					P
Motel										S	S					

8. RECREATION/ENTERTAINMENT	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2	AP	CSI
Athletic Arena or Stadium - Public Owned	S		S	S	S	S	S	S	S	S	P	P	P	P	P
Athletic Arena or Stadium - Private Owned										S	S	S	S	S	P
Fun Center - Minor								P	P	P	P	P	P		P
Fun Center - Major								Z	S	Z	Z	S	P		P
Fun Park								S		S	S	S	P		
Golf Course/ Golf Driving Range	S		S								S			S	P
Park / Playground - Private															
Park / Playground - Public															
Racetrack													S	S	
Sport Shooting Range - Indoor										Z	Z	Z	Z		
Sport Shooting Range - Outdoor	S												S	S	
ZIP LINE	S														P
Zoo	S									S	S		S		
9. RESIDENTIAL	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2	AP	CSI
ACCESSORY Building	Z		Z	Z	Z	Z	Z							Z	
Dwellings - Accessory Dwelling Unit (ADU)			Z	Z	Z	Z	Z							Z	
Dwellings - attached Single Dwelling Unit (Townhome)					Z	Z	Z	Z	Z	Z					
Dwelling - Detached Single Dwelling Unit			P	P	P	P	P							P	
Dwellings-- Multi- Dwelling Unit (5+)							P	P		P	P				P
Dwellings - Two Dwelling Unit					P	P	P	P							
DWELLINGS - Triplex (3 units on 1 lot)						S	P	P	S						
DWELLINGS - Fourplex (4 units on 1 lot)						S	P	P	S						
Dwelling - Caretaker Unit		P						P	P	P	P	P	P	P	
Dwellings - Mixed Use Building									S	P	P				
Group Home (<i>See Idaho Statute</i>)			P	P	P	P	P			P				P	
HOME OCCUPATION			Z	Z	Z	Z	Z	Z		Z				Z	
Manufactured Housing Community											S				
10. OTHER	OS	PRO	AG	RR	TN-1	TN-2	TN-3	MU	CMT	CC	COM	IND1	IND2	AP	CSI
Adult Establishments													Z		
Airport Supplemental Uses														P	
Airport/Heliport														P	
Eagles Nest - CSI															P
Helistop											S			P	
Outdoor amplified sound or music	S		S	S				S	S	S	S	S	S	S	S
Parking Structure								S		S	S	P	P	P	S
Utility Collection/Distribution Facility	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Utility Collection/Distribution Line	P		P	P	P	P	P	P	P	P	P		P	P	P
Wind Turbine			S	S									S	S	S
Wireless Communication Equipment - Colocation	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Wireless Communications Tower	S*		S*					S*		S*	S*		S*	S*	S*

Wireless Communications Tower - Stealth or Alternative Design	z		S*					z	S*	z	z		z	z	z
*Shall follow the criteria listed in 10-4 Conditional uses for Stealth Tower.															

DRAFT

10-4: Zoning Use Permit Application Requirements

10-4-1: General Requirements to all Zoning Use Permits

All zoning use permits shall provide the following site improvements:

- (A) Landscape Buffer Requirement: A landscape buffer shall be provided between non-residential uses and residential uses and districts that shall conform to the following:
 - 1. Non-Residential Use in the Community Market & Mixed-Use Districts:
 - a. Shall have a ten (10) foot buffer between non-residential uses and residential uses or districts.
 - 2. Non-Residential Use in the Commercial & Industrial Districts:
 - a. Shall have a fifteen (15) foot buffer between non-residential uses and residential uses or districts.
- (B) Exhaust Fans /HVAC Equipment shall be directed away from residential districts and uses.
 - 1. Natural ventilation openings shall be directed away from residential districts and uses to the extent possible as determined by the administrator.
- (C) Any person desiring to obtain a Zoning Use Permit, as herein defined, shall submit all necessary completed applications to the Administrator on forms as provided by the City.

10-4-2 Zoning Use Permit Land Use Requirements: Unless otherwise exempted, all uses requiring a Zoning Use Permit shall comply with the pertinent requirements as outlined in 10-7.

10-4-3: AGRICULTURE & ANIMALS:

- (A) **Community Garden**
 - 1. Criteria applicable to all districts:
 - a. A Community Garden operating plan is required. The plan shall contain the following:
 - i. Fertilizer Storage
 - ii. Waste Plan
 - b. A Community Garden shall not be greater than two (2) acres.
 - c. Community Gardens shall use non-potable water, unless otherwise permitted by the City Council.
 - d. The subject property must be designed and maintained so that water and fertilizer will not drain onto adjacent property or public right of way.
 - e. Community Garden operating hours are limited to one-half hour before sunrise and one-half hour after sunset.
 - f. Community Gardens shall be limited to the cultivation of fruits, vegetables, herbs, plants and flowers.

- g. A garden shall not house or support animals including but not limited to chickens, goats, pigs, or other livestock.
- h. Any composting site must be located at least 300' from residential uses.

10-4-4: ASSEMBLY

(A) Event Center, Major (100-500 People)

- 1. Criteria applicable to all districts:
 - a. Any area or equipment associated with outdoor event operations shall be screened if within 300' of a residential use or zone.
 - b. Outside amplified sound shall obtain a Special Use Permit.
 - c. All alcohol served shall be facilitated by those holding a valid alcohol license.

(B) Event Center, Minor (<100 People)

- 1. Criteria applicable to all districts:
 - a. Any area or equipment associated with outdoor event operations shall be screened if within 300' of a residential use or zone.
 - b. All alcohol served shall be facilitated by those holding a valid alcohol license.
 - c. An Event Center within 300' of a residential zone or use shall cease all outdoor event operations one-half hour before sunrise and one-half hour after sunset.
 - d. Outside amplified sound shall obtain a Special Use Permit.

(C) Museum / Learning Center, Major (≥100 People)

- 1. Criteria applicable to all districts:
 - a. Any area or equipment associated with outdoor operations shall be screened if within 300' of a residential use or zone.
 - b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.
 - c. Any operations within 300' of a residential use or zone shall obtain a Special Use Permit.
 - d. Outside amplified sound shall obtain a Special Use Permit.

(D) Museum / Learning Center, Minor (<100 People)

- 1. Criteria applicable to all districts:
 - a. Any area or equipment associated with outdoor operations shall be screened if within 300' of a residential use or zone.
 - b. Any outdoor sound equipment will be faced away from adjacent properties and public right of way.
 - c. Any operations within 300' of a residential use or zone shall obtain a Special Use Permit.
 - d. Outside amplified sound shall obtain a Special Use Permit.

(E) Religious Facility

- 1. Criteria applicable to CMT and AP Districts:
 - a. A property which contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.

- b. All buildings that have a designed occupancy of 300 or greater must be at least 25' away from residential uses.
 - c. A property which contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.
 - d. Outside amplified sound shall obtain a Special Use Permit.
2. Criteria applicable to Residential Districts
- a. A property which contains buildings that have a designed occupancy of 300 or greater shall only have vehicle access off a collector or arterial roadway.
 - b. All buildings that have a designed occupancy of 300 or greater must be at least 25' away from residential uses.
 - c. A property which contains buildings that have a designed occupancy of 300 or greater shall have a sight-obscuring screening fence on non-street frontage property lines.
 - d. No amplified sound outside is allowed.

10-4-5: COMMERCIAL SERVICES:

(A) Artisan's Workshop - Major

- 1. Criteria applicable to Mixed Use & Community Market Districts:
 - a. All production, fabrication, assembly, and storage of materials shall be conducted indoors if located within 300' of a residential use or district.
 - b. Permitted Hours of operation are between 7:00 AM and 10:00 PM
 - c. Loading docks shall be screened from public right of way, residential uses and residential districts.
- 2. Criteria applicable to the Central City District:
 - a. All production, fabrication, assembly, and storage of materials shall be screened.

(B) Artisan's Workshop - Minor

- 1. Criteria applicable to all districts
 - a. All production, fabrication, assembly, shall be conducted indoors if located within 300' of a residential use or district.
 - b. All storage of materials shall be indoors if adjoining a residential use or district.
 - c. Permitted Hours of operation are between 7:00 AM and 10:00 PM
 - d. Loading docks shall be screened from public right of way, residential uses and residential districts.

(C) Auction Services and/or Public Sales Establishment

- 1. Criteria applicable to Mixed Use & Central City Districts:
 - a. All auction related items or goods must be stored indoors.
 - i. Vehicles and large implements shall be exempted from this requirement.
- 2. Criteria applicable to the Commercial District:
 - a. All auction related items shall be completely screened from public right of way and adjacent properties.

- i. Vehicles and large implements shall be exempted from this requirement.

(D) Body Art Studio

1. Criteria applicable to all Districts:
 - a. Body art procedures shall not be visible from outside the building or tenant space.

(E) Car Wash

1. Criteria applicable to all Districts:
 - a. The installation of a water discharge monitoring system as determined by the City Engineer.
 - b. Water from the car wash shall not drain across any public or ADA sidewalk or into public right-of-way.
 - c. A car wash facility adjoining a residential use or district shall construct a minimum 6' masonry wall.
 - d. Vacuums: Vacuum stations and similar equipment are prohibited on the sides of the principal structure abutting a residential use.

(F) Equipment & Machinery Sales/Rental, Minor

1. Criteria applicable to all Districts:
 - a. All facility operations shall be indoors.

(G) Fuel / Charging Station

1. Criteria applicable to all Districts:
 - a. Within 300 feet of a residential use or district shall require a Special Use Permit.
 - b. Spill Prevention Plan: A spill prevention and counter measures plan shall be provided prior to building plan approval that includes, at a minimum:
 - ii. Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the building;
 - iii. Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system or public right-of-way; and
 - iv. Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system or public right-of-way.

(H) Mortuary

1. Criteria applicable to all Districts:
 - a. All activity relating to the dead shall be handled discreetly and be screened from public view to the maximum extent possible, including delivery and storage of the remains.

(I) Paint Booth

1. Criteria applicable to all Districts:
 - a. All paint booth operations shall be indoors.
 - b. All objects, motor vehicles, etc. shall be screened or stored indoors.
 - c. Approval from DEQ shall be submitted to the City prior to issuance of any permit.

(J) Pawn Shop

1. Criteria applicable to all Districts:
 - a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.
 - b. All facilities shall be 0.5 miles apart.
 - c. Security Plan which includes:
 - i. Security System
 - ii. Provide security cameras sufficient to monitor all outdoor areas on the property.
 - d. All outdoor storage shall be screened from adjacent properties and public right of way.

(K) Payday Loan / Check Cashing Service

1. Criteria applicable to all Districts:
 - a. All facilities are limited to operating hours of 6:00 AM to 10:00 PM.
 - b. All facilities shall be 0.5 miles apart.
 - c. Security Plan which includes:
 - i. Security System
 - ii. Provide security cameras sufficient to monitor all outdoor areas on the property.

(L) Pet Grooming

1. Criteria applicable to all Districts:
 - a. Any operations within 300' of residential uses shall require a Special Use Permit.
 - b. All animals shall be indoors at all times, except when being exercised. At such times, animals shall be under the supervision and direct control of a caretaker
 - c. A waste disposal plan is required.
 - d. Services cannot be provided for livestock or large animals, such as cattle, horses, sheep, etc.

(M) Retail Shop

1. Criteria applicable to all Districts:
 - a. Trash and disposal areas shall be located at the rear of subject property and be screened from adjacent properties and public right of way.
 - b. If an ancillary storage yard is included the storage yard cannot be greater than one thousand square feet (1,000 sf) and shall be completely screened from adjacent properties and public right of way.
 - c. All external lighting associated with the Retail Shop shall be turned off from 10:00 PM to 6:00 AM.
 - d. A retail shop adjoining a residential use or district shall construct a 6' masonry wall.

(N) Retail Store - Minor

1. Criteria applicable to all Districts:
 - a. Located within 300' of residential use or district a Special Use Permit is Required.

(O) Vehicle Sales

1. Criteria applicable in all Districts:
 - a. Vehicles shall not be displayed in required landscaping.
 - b. All other uses (car wash, vehicle repair, etc) shall meet each of those standards.

(P) Vehicle Sales – Temporary

1. Criteria applicable in all Districts:
 - a. Vehicles shall not be displayed in landscaping.
 - b. Vehicle temporary sale event shall not operate for more than ten (10) consecutive days.
 - c. A single (1) temporary vehicle sales event is permitted per lot and/or property, once per quarter.
 - d. Shall follow the Regulations found in Idaho Statute for “Temporary Supplementary Sales Lot”

10-4-6: HEALTH/HUMAN CARE:

(A) Daycare Facility

1. Criteria applicable in all Districts:
 - a. Daycare Facilities are exempted from Required Improvements as defined in section 10-7-1 (A)-2 & 10-4-2.

10-4-7: INDUSTRIAL:

(A) Vehicle Repair Services, Minor

1. Criteria applicable to all Districts:
 - a. Outdoor storage of parts, materials, or equipment is prohibited except licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
 - b. All repair, assembly, disassembly or maintenance of vehicles shall occur indoors.
 - i. Minor maintenance including tire inflation, adding oil, wiper or battery replacement, glass repair or replacement, paintless dent repair and other similar services as determined by the Administrator is exempted from the indoor operation requirement.

10-4-8: LODGING:

(A) Reserved

10-4-9: RECREATION/ENTERTAINMENT:

(A) Fun Center - Major

1. Criteria applicable in all Districts:
 - a. Outdoor components of the Fun Center within three-hundred (300) feet of residential uses or districts shall require a special use permit.

(B) Sport Shooting Range - Indoor

1. Criteria applicable in all Districts:
 - a. Site Location: A shooting range shall be located: not less than 500 lineal feet from any property in an existing residential district, with the exception of parks, open space, stormwater management areas, or similar lands reserved for uses that do not include dwellings.

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- b. Indoor Range Design: Indoor ranges shall be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Considerations should be made for cleaning of all surfaces and handling of hazardous wastes.
- c. Staffing: Sport Shooting Range staff must always be present on the subject property when the shooting range is in use.
- d. Shooting Range Operation Plan: Each range shall provide an operation plan. A copy of the operation plan shall be filed with an application for a conditional use permit. The operation plan shall include:
 - i. Site Plan
 - ii. Building Plans & Elevations
 - iii. Safety Plan
 - iv. Outside Security Plan
 - v. Copy of liability insurance
 - vi. Other plans and/or information, as may be reasonably requested by Staff to verify compliance with this Ordinance or unique conditions that apply to the site.
- e. The application shall include a sound study prepared by a licensed sound engineer that demonstrates how the proposed use will address the impact of noise on adjoining uses. Any adverse effects shall be mitigated through setbacks, buffers, sound mitigation and / or hours of operation.
- f. Alcohol Sales Prohibited: Indoor gun ranges shall not sell or dispense alcoholic beverages, nor shall they be in a building which contains a business that sells or dispenses alcoholic beverages. Alcoholic beverages are not allowed on the premises of the Indoor Gun Range at any time.
- g. Receive permission from the City for the ability to discharge firearms within City Limits in accordance with City Code 6-2-1-D

10-4-10: Residential

(A) Accessory Building

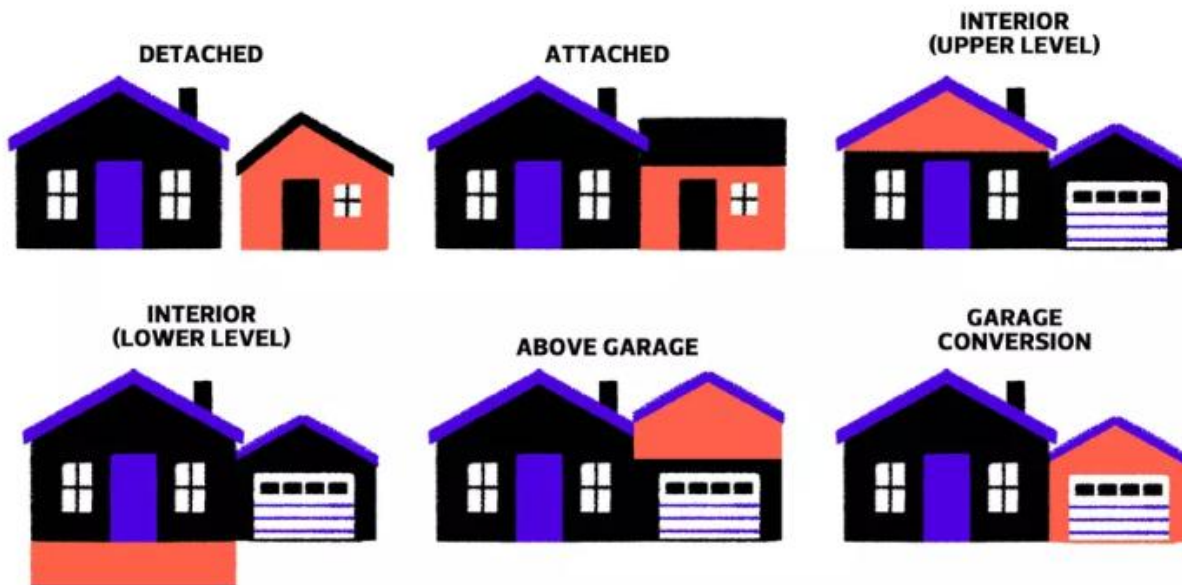
- 1. Criteria applicable in all Districts:
 - a. Accessory Buildings are not allowed to be placed within platted easements.
 - b. Maximum height: Same as the underlying district.
 - c. Property Line Setbacks:
 - i. Front: 20'
 - ii. Side: 3' for buildings 15' tall or less; or same as primary building if accessory building height is greater than 15'
 - iii. Rear: 3' for buildings 15' tall or less; or same as primary building if accessory building height is greater than 15'
 - d. Zoning Permit not required for Accessory Buildings under the following conditions:
 - i. Under 200 sq ft in size; or as otherwise exempted from the International Residential Code per Idaho Statute, as amended.
 - ii. Single Story
 - iii. Storage only, no habitable space allowed.
 - iv. Property owner is responsible to follow the property lines setbacks contained herein.
 - v. Property owner is responsible to move/relocate any accessory building found to be in violation of this section.
 - e. Detached accessory buildings, not requiring a building permit, may be built up to the side or rear property line, provided all of the following conditions are met:

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- i. Written permission of adjacent property owner is obtained, including a recorded access easement for maintenance of the structure.
 - ii. Firewalls as required by the building code are constructed.
 - iii. There is no water runoff from building onto adjacent property.
 - iv. The accessory building is not located closer than ten feet (10') to a main building.
 - v. There is no architectural projection, or rain gutters, beyond the property line.
- f. Accessory building are exempted from section 10-7-1 (A)-2 & 10-4-2.

(B) Accessory Dwelling Unit

1. Purpose: The purpose of allowing ADU's is to:
 - a. Provide a means of obtaining rental income, companionship, security, and services for residents, particularly seniors, single parents, and families with grown children.
 - b. Create new housing units while respecting the physical attributes of single-dwelling development while increasing the housing stock of existing neighborhoods in a manner that is less intense than alternatives.
 - c. Provide a broader range of accessible and more affordable housing.
 - d. Protect neighborhood stability, property values, and the single household residential appearance of the neighborhood by ensuring ADU's are installed under the conditions of this chapter.
2. Accessory Dwelling Unit Examples:



3. Criteria applicable in all districts:
 - a. Applicability: Accessory Dwelling Units (ADUs) are permitted upon a legal lot, or parcel, containing a legal single household dwelling unit. Only one (1) ADU shall be allowed per legal lot, or parcel.
 - b. Accessory Dwelling Unit Development Standards:

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- i. Accessory Dwelling Unit Size: ADU's shall not exceed forty-five percent (45%) of the square footage of the living space for the principal residence.
- ii. Height:
 - a. Attached ADU's shall follow the height limit listed for the principal residence as required for the base zoning district.
 - b. Detached ADU's shall follow the height limit listed for Detached Accessory Buildings.
- iii. Setbacks: ADU's shall follow the property line setbacks for the principal building.
- iv. Types: the ADU may be added to, included within the principal residence, or located in a detached structure:
- v. Additional Design Criteria:
 - a. Additions to an existing structure, or newly constructed detached structures, created for the purpose of developing and accessory dwelling unit, shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.
 - b. Conversion of Existing Structures: Any existing structure converted into an ADU must meet all of the requirements of this section.
- vi. **Number of Occupants:** the total number of individuals that reside in both units may not exceed the number allowed for a household as defined in this title.
- vii. **Owner Occupancy:** Either the principal dwelling unit or the ADU must be occupied by the owner. Proof of owner occupancy shall be required prior to issuing any permit. Proof of owner occupancy shall be provided via a signed certified copy of the homeowner's exemption.
- viii. Parking: One (1) additional parking space shall be provided for exclusive use of the accessory dwelling unit.
- ix. Utilities: Accessory Dwelling units shall receive water, sewer, and sanitation services from the primary dwelling. Additional service lines and/or meters shall not be installed.

(C) Attached Single Dwelling Unit (Townhome)

- 1. Criteria applicable in all Districts:
 - a. Shall go through the Planned Townhome Subdivision process (see City Code 10-10).
 - b. Rear or side of townhome buildings may not be located on collector/ arterial streets. If a project is situated at the intersection of a collector and an arterial, the rear shall not be on the arterial.
 - c. Located on and access to collector/arterial streets only.
- 2. Criteria applicable in the TN-1 District:
 - a. No more than four (4) units in a building block.
- 3. Criteria applicable in the TN-2 & CMT Districts:
 - a. No more than six (6) units in a building block.
- 4. Criteria applicable in the TN-3, MU, & CC Districts:
 - a. No more than eight (8) units in a building block.

(D) Home Occupations:

1. Criteria applicable in all Districts:
 - a. The presence or pursuit of the home occupation shall not result in any nuisance condition or excessive noise, as defined by this code, nor shall the approval of Zoning Permit allow circumvention of any other city codes.
 - b. Hours of Operation: 7:00 AM – 8:00 PM
 - c. The dwelling unit must be suitable for use for the home occupation without modifications except as specified hereafter. Remodeling or modification of any portion of the dwelling unit or accessory structure to be used in the course of the home occupation shall be prohibited if it would change the character, use, or occupancy classification of the dwelling as set forth in the currently adopted building code. Remodeling and modifications necessary to accommodate handicapped persons shall be allowed, provided applicable building permits have been issued.
 - d. No oversized vehicle as defined in section 9-6-8 of this code, or any vehicle which by virtue of dimensions, gross vehicle weight or declared use is required by Idaho Code to display, or does display, commercial or apportioned registration plates, may be used or stored on site or on street in carrying out the home occupation.
 - e. No assets, inventory, equipment, or raw materials used in a home occupation shall be displayed or stored outdoors. No hazardous materials/quantities, as determined by the Twin Falls fire department, may be stored at the site of the home occupation.
 - f. Sales and services to patrons shall be arranged by appointment and scheduled so that no more than one patron vehicle is on the premises at any one time.
 - g. Delivery vehicles must meet all truck route regulations of this code.
 - h. Prohibited Uses: The following uses shall not be permitted as a home occupation: auto repair; adult entertainment; manufacturing type uses, any use that creates hazardous or biomedical waste, and those of similar classification as determined by the Administrator.
 - i. Home Occupations are exempted from section 10-7-1 (A)-2 & 10-4-2.

10-4-11: OTHER

(A) Adult Establishments

1. Purpose: The purpose of these regulations is to regulate the location of adult oriented business within the City in a manner that will protect property values, neighborhoods, and residents from the potential adverse secondary effects of sexually oriented businesses while providing to those who desire to patronize adult oriented businesses such an opportunity in appropriate areas within the City.

It is not the intent of this Code to suppress any speech activities protected by the First Amendment of the United States Constitution, not to impose content-neutral regulations that address the adverse secondary effects of sexually oriented business may have on adjoining properties and the immediate neighborhood.

2. Development Standards:

a. Adult Establishment Location:

- i. Adult Establishments shall not be located within 1320 feet of a school, daycare, public park or playground, religious facility, or another Adult Establishment.
 - ii. Adult Establishments shall not be developed on a lot or parcel within 750 feet of a residential use or zone.
 - iii. Adult Establishments shall not be developed on a lot or parcel within 200 feet of the following roadways:
 - a. Pole Line Road from Rock Creek to Eastland Drive North
 - b. Blue Lakes Boulevard North from Perrine Bridge to Falls Avenue
 - c. Washington Street South from Park Road to 3400 N
 - d. Kimberly Road from Eastland Drive to 3300 E
 - e. Addison Avenue East from Eastland Drive to 3300 East (Champlin Way)
 - f. Orchard Drive from Grandview Drive South to Washington Street South
 - g. Grandview Drive South from Orchard Drive to Addison Ave West
 - h. Orchard Drive from Hankins Road S to 3300 East
 - i. 3300 East (Champlin Way) from Addison Ave East to Orchard Drive (3700 North)
 - iv. The disposal of waste and debris containing sexually explicit materials must be disposed in a secure trash receptacle.
 - v. Required Signage: Signage prohibiting minors on the premises shall be visibly posted on all building entrances and exits. Signs shall be 1' x 1' in size.
 - vi. A security plan addressing the following items is required when alcohol is being served on the premises:
 - a. Number and location of Security personnel.
 - b. Security System.
 - c. Security cameras sufficient to monitor all outdoor areas on the property.
 - d. Identification Check system to verify ages of patrons.
 - vii. Admission / entrance queue located parallel to and against the structure while maintaining adequate pedestrian passage on any accessible paths.
- b. Adult Establishment Administrative Staff Contact Information.
- c. Any other information deemed necessary by City Staff.

(B) Telecommunication Facility – Colocation

- a. Criteria applicable in all Districts:
 - i. Shall be in compliance with Twin Falls Municipal Code 10-13-7.

(C) Telecommunications Tower - Stealth, or Alternative Design

- a. Criteria applicable in all Districts:
 - i. Shall be in compliance with Twin Falls Municipal Code 10-13-7.
 - ii. Height shall be limited to base zoning district.

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- iii. Stealth designs shall be designed to blend into the context which it resides.
 - 1. Water tower
 - 2. Architectural elements such as steeples, crosses, bell towers, clock towers, etc.
 - 3. Trees shall be decorated with lights at night during holiday season November – January.
 - 4. Re-creation of historic buildings, structures, scenes that are meaningful to the area.

(D) Utility Collection/Distribution Facility – Minor

- 1. Criteria applicable to all Districts:
 - a. Facilities shall be screened or wrapped. Should the facility be wrapped, it shall be approved by the Twin Falls Arts Commission.
 - a. Minor Utility Collection/Distribution Facilities are exempted from section 10-7-1 (A)-2 & 10-4-2.

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